

GOVERNANCE AND POLITICAL AUTHORITY IN THE MUSLIM WORLD: EXAMINING THEORY AND PRACTICE



EDITED BY

SAMI A. AL-ARIAN

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**Governance and Political Authority in the Muslim World:
Examining Theory and Practice**

Edited By Sami A. Al-Arian

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Preface & Acknowledgements

Established in 2017, one of the main objectives of the Center for Islam and Global Affairs (CIGA) at Istanbul Sabahattin Zaim University is to analyze some of the intractable problems and challenges facing the Islamic world. Between 2017-2019, CIGA convened three international conferences on issues related to the Muslim Ummah. The theme of the 2017 conference was *The Muslim Ummah: Synthesizing a New Paradigm, Analyzing Modern Challenges*, while the theme in 2018 was *Fault Lines and Perils Facing Muslim Societies: The Challenges of Sectarianism, Secularism, Nationalism, and Colonialism*. In 2019, CIGA convened its third international conference under the theme *The Quest for Democracy: Examining Civil-Military Relations in Muslim Societies*. The proceedings of the third conference were published in 2021.

This current volume is the collection of the papers that were presented and submitted in the fourth CIGA international conference on the Muslim Ummah organized in December 2020. It was convened with the sponsorship and active support of important academic institutions. I'd like to express my sincere thanks and offer my profound appreciation to our partners and sponsors of the conference, namely, Istanbul Sabahattin Zaim University and its Rector Prof. Mehmet Bulut, and the College of Islamic Studies at Hamad Bin Khalifa University in Doha, Qatar, and its Dean Prof. Emadeldin Shahin.

I'd also like to thank the speakers and participants in the conference, whose papers and presentations are included in this volume,¹ as well as to acknowledge the other speakers who participated in the conference but whose contributions could not be included here. It must be noted that the names and affiliations of all speakers and moderators are

¹ The affiliations and biographies of all the contributors to this volume are included at the end of this book.

also included at the end of this book.² Their participation is highly regarded.

Moreover, it's my pleasure to acknowledge the efforts and hard work of CIGA's research and administrative staff, Yunus Akdeniz, Üveys Han, Fadi Zatari, Übeyd Ruff, Djallel Khechib, Abdalrahman Migdad, Yomna Suleyman, Razia Wadood, Jamal Muhamed Adem, Imad Atoui, Saima Rashid, Taimoor Bin Tanveer, Taqwa Abukmeil, Maryam Khan, and Omar Fili, as well as the transcriptions of the presentations done by several CIGA interns. This conference could not have been successful without their spirited dedication and professionalism.

Above all, I'm indebted to Ali Al-Arian, Riad Alarian, Übeyd Ruff, Dr. Asim Qureshi, and Dr. Wedad Taha (Arabic papers), for their help in making this volume a more enjoyable and useful book to read. They have read the manuscript in full or in part and offered meaningful and important editorial suggestions for which I'm deeply grateful. In addition, I would also like to thank the publisher of this book, Istanbul Sabahattin Zaim University Press.

Last, but not least, I want to thank my wife Nahla for her continuous love, sacrifice, and support.

Prof. Sami A. Al-Arian
CIGA Director

² All links to the presentations of the conference could be found at CIGA's YouTube Channel: www.youtube.com/cigaistanbul, as well as at the end of this book.

Introduction

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Ever since the fall of the Islamic Caliphate over a century ago, there has been a vibrant and oftentimes fierce debate about its restoration in one form or another. After more than thirteen centuries of an uninterrupted Islamic political model, though it took different shapes and forms, there was suddenly a vacuum that faced significant challenges on many fronts, particularly from European colonial powers. The debate involved not only the Ulama' class and the political elites, but also many popular social leaders as well as laypeople across the Muslim world. Along with the colonialist challenge, the political vacuum and chaos that followed, due to the absence of a political paradigm for Muslim societies, was probably the main reason and impetus behind the launching and expansion of most modern Islamic movements across the Islamic world.

But as national secular forces grew during the colonialist era and became more entrenched across this vast area that extended from North Africa to Southeast Asia, particularly after the independence movements that swept the region in the aftermath of World War II or during the Cold War, the debate was gradually muted as its advocates, movements, and intellectuals became targets of secular political forces or were under vicious constant governmental attack. However, several agonizing but major events across the Muslim world had taken place over time that caused the spirited revival of this debate as well as the resurgence of the movements that called for the restoration of a genuine Islamic political model. Such events included the 1967 Arab defeat against Israel, which shattered Arab nationalist and secular movements; the 1971 Pakistani defeat against India, which resulted in the breakup of the country into Pakistan and Bangladesh; the triumph of the 1979 momentous Islamic

revolution in Iran, which reignited the hope among many religious movements about the possibility of a resurgent political Islam; and the Soviet invasion of Afghanistan in December 1979, which contributed significantly to the rise of many jihadi movements.

Hence, within a few decades, the phenomena of the rise of Islamic social and political movements and Islamic intellectual thought have become one of the most significant areas of study, examination, and debate, not only within the Islamic world, but across academia, policy circles, and government agencies in major capitals around the world. The debate included not only how these movements may have influenced their societies, but also their impact across the region and beyond, particularly after the emergence of transnational Islamic movements. As the 2011 Arab Spring phenomena spread, it was clear that the Islamic movements across the region had become by far the most popular political and social forces causing considerable concern and fear to the entrenched authoritarian political class and business oligarchs across many countries in the Muslim world as well as their foreign patrons. But perhaps one of the most remarkable consequences of the Arab popular uprisings seeking political reform and social change was the fierce response launched by the counter-revolutionary forces led by the old autocratic regimes to eradicate these Islamic movements. As the counter-revolutionary campaigns dominated the political scene since 2013, with the acquiescence and tacit support of most Western countries, the quest by many of these movements towards liberal values and models has lost its momentum and appeal and become vacuous.

Furthermore, since the rise and fall of the Islamic State of Iraq and Syria (ISIS), the idea of the caliphate emerged as a serious concern for international political elites. Much like their failure to predict the Arab uprisings, global political experts were perplexed by the call to re-establish a caliphate more than a century after its effective dissolution. Current academic interest in the caliphate is reminiscent of a similar upsurge in curiosity during the European scramble for Ottoman territories

after World War I. While the caliphate falls in and out of fashion in colonial capitals, it does little to change the fact that for every-day Muslims the memory of the caliphate lives on even as we approach the official centenary of a post-caliphate world. The irony is not lost on those living in Muslim-majority countries that even so-called Islamists have all but abandoned the cause of the caliphate for more pragmatic concessions to the liberal world order as demonstrated vividly after the 2011 Arab uprisings. Yet, the office and political function of the caliphate remains an irrevocable religious obligation in Islamic law (the Shari'ah). Therefore, from the standpoint of the average believing Muslim, the loss of the caliphate remains the singular event marking a startling loss of political sovereignty as well as the legitimization of a creeping colonial order slipping out of their control. Consequently, a century after the fall of the symbol of Muslim unity and independence, an authentic political model that could claim to represent an Islamic paradigm and model and adhere to the lofty aspirations of Muslim masses towards unity, independence, justice, and prosperity is yet to be found or developed.

Therefore, the Center for Islam and Global Affairs (CIGA) at Istanbul Sabahattin Zaim University organized a conference in December 2020, whose purpose was to take a step back and explore the concept of political authority in the Muslim World. However, to examine the question of an encompassing Islamic political authority or the caliphate as a serious political model once again — and to analyze the different experiences across the Muslim World — requires examining at least four approaches found in the literature. Two of the approaches mirror each other, while the remaining two attempts to modify or redefine the concept. The first approach is similar to the reductionist approach of ISIS. Scholars and intellectuals in security studies and foreign policy have spent excessive effort to understand fringe radical political actors in the Muslim world who claim to re-establish the caliphate on the ground. Yet, experts have been quick to show that groups like ISIS have a very narrow and ahistorical understanding of power. Their view is restricted by a historical

imagination that looks to a ‘golden age’ somewhere between the emergence of the Caliphate system after the death of the Prophet (pbuh) and the decline of the Abbasid Caliphate. Their ideas of political authority and political practice are animated by a static vision of an exotic and distant ideal of Islamic governance.

What is most striking to students of Islamic thought is that much of their reading of Islamic history and depictions of Islamic authority coincide with what orientalists have written on the so-called golden age of Islamic civilization. This marks the second approach. The overwhelming literature found among orientalist writers about the caliphate also sees its most ideal practice during the same period celebrated by fanatic puritans. Their depictions of oriental despotism, authoritarian rule, theocratic intolerance, and holy wars dovetails seamlessly with the political vision displayed by political non-state actors such as Al-Qaeda or ISIS. Both visions work together to pinpoint a vision of Islamic civilization based on a caricature that is divorced from history or scholarly vigor. In the 2020 CIGA Ummah conference, several speakers examined how several governance experiences in the Islamic world were associated with authoritarianism and despotism through the colonial encounter as a tool of delegitimization. If both ISIS and orientalists have settled on a picture of Islamic authority as tyrannical, how can ordinary Muslims read their political histories and futures in more objective terms?

The remaining two approaches are more sophisticated but ultimately sidestep the foundational issue of political authority. The first sees call for Islamic forms of governance as simply an anticolonial angst of a lumpenproletariat; the call for the caliphate or other transnational imaginations among the faithful in underdeveloped Muslim countries is merely a way to express displaced malaise with the modern capitalist mode of production. Historical memory in folk art, songs, or rituals celebrating a glorious past and cultural authenticity is a form of false consciousness, when what it really seeks is liberation from colonial

control. However, it does not employ the sophisticated tools needed to understand the path to economic liberation. In this largely leftist disposition, the fond longing for a world before colonialism is simply to be interpreted as subaltern discursive moves in delegitimizing the authority of liberal hegemony. These readings of historical movements such as the Khilafat Movement in the subcontinent or more modern movements like “Neo-Ottomanism” in modern Turkey argue that pre-colonial nostalgia points to more fundamental structural issues found in colonial subjugation. Something of this attitude can be found among sympathetic voices in some literature on political Islam and the Caliphate more specifically. It theorizes that calls for authentic Islamic political practices are dreams for a better future for the Muslim masses. It is less clear about what the future entails outside of fighting white hegemony, decolonization, and a general sense of social justice.

Similar to this left leaning tendency we have a more pragmatic liberal approach found in recent literature. This work focuses on individual thinkers that make the case for a re-interpretation of classical Islamic thought as a form of democratic popular sovereignty. Broadly based on the anthropomorphist theology of Ibn Taymiyya, these thinkers argue that classical mediating religious authorities between man and God such as the *fuqaha* (jurists), *awliya* (highly spiritual people), and *mutakalimun* (philosophers) are obstacles to pure faith. In the realm of politics, sovereignty once in the hands of political elites should be removed and transformed into the hands of lay believers. These arguments share similarities with what was argued in the Turkish Parliament in 1924 upon the caliphate’s dissolution. By using the Turkish word *lağvetmek* or *abolition* the Kemalists argued that they were not removing the caliphate but rather dissolving its powers into the parliament. The legitimacy of the caliphate rested on the community and, therefore, the parliament functioned as a better site to fulfill the caliphate’s role. While this approach turned out to be more disingenuous in their desire to preserve Islam than previously posed, it is no surprise

that under the same political logic, the leader of the Tunisian EnNahda party, a prominent proponent of popular sovereignty and democracy, has recently argued to change the inheritance laws in Tunisia — moves that would vindicate early Turkish Republican reforms in family law, prayer, inheritance, dietary laws, and so on. The idea of political authority that emerges under the political theory of Ibn Taymiyya does little to take the 1,400-year-old Islamic tradition of state seriously, rather it simply reproduces the Islamic tradition of state as a liberal democratic state only viable for Muslim-majority populations. Much like the leftist readings of Islamic political thought as part of a larger social justice agenda, here political authority is folded into a liberal political vision.

Keeping these four approaches before us, the CIGA conference examined the issue of governance and political authority with new vigor. It required going back to fundamental questions around leadership without authoritarianism and despotism. The conference featured twelve academic sessions that included 41 presentations.³ This book includes 24 of these presentations in the form of either full submitted papers (19) or edited presentations (5). The contributions of Professors Humeira Iqtidar, Khaled Abou El Fadl, Mahmoud Mamdani, Sami Al-Arian, and Dr. Hussein Al-Kazzaz fall in the latter category. The presentations were transcribed and sent to the authors to adapt them into written form. The remaining contributions were papers submitted for this book after the conference. Four of these contributions, however, are included in the original language of submission, Arabic. They are the papers submitted by Mohammad Elhamy, Abdul Hadi Alzaidi, Ali Al-Gabali, and Abduladhem Alhamdi. However, the links to the original presentations and their translations to/from English or Arabic are provided on CIGA's YouTube channel, as provided at the end of this volume.

In the first section of this book, three contributions were included under the title “Political Authority and Authoritarianism: Examining the Historical Record.” The presentations dealt with three important

³ See links to all the presentations at the end of this volume.

theoretical questions: (i) the attempt to harmonize Islamic political thought with the challenges of modern liberal models, (ii) the attempt to legitimize despotic rule as traditionally Islamic, and (iii) how the legacy and challenges of colonialism impact a traditional society.

The first contribution, by Humeira Iqtidar, focused on the non-linear but symbiotic relationship between colonial liberalism and Islamism. Iqtidar also discussed the importance of distinguishing between Islamic debates about legitimacy and sovereignty. The implications of these differences were elaborated through the ideal state imagined by the influential Islamic thinker: Abul Ala Mawdudi. Iqtidar argued that Mawdudi inverted this concept to say Islamic theory can provide solutions for these general problems, in which he engaged with a wide range of ideas. In her paper, Iqtidar concluded that the “militarization” of Islam, as well as Islamism, which came about during the Cold War and continues today, should not obscure the ambitious intellectual and political project that many Islamic thinkers and political actors undertook.

The second contribution, by Khaled Abou El Fadl, discusses ‘Jami’ and ‘Madkhali’ political thought, which claims that Islam legitimated a theology of despotism and insisted upon the Arabization of Islam. It also promoted a set of mythologies about Arabo-Islamic history. In addition, he examines the nature of the theology of *shawka* introduced by Ibn Khaldoun. He said that *shawka* no longer related to what the Muslim ruler offered in terms of coercive power. Rather, he argued that *shawka* came to refer to the coercive power of the *world order*. Abou El Fadl also explains how ‘Jami’ and ‘Madkhali’ thought describes any attempt to think critically about hegemonic structures of power. He concludes that this is a remarkable legitimation of colonial reality and hegemonic structures of power, where it serves the political and economic interests of today’s great and local powers.

The third presentation, by Mahmoud Mamdani, seeks to answer two main questions regarding the legacy of colonialism: Why was the South African outcome different from that in Europe? And what lessons

can the world learn from the South African experience? Mamdani argues that the internal, common, political community, as shaped by colonial settler domination, had rested on two pillars: race and tribe. In his case study of South Africa, Mamdani shows that the tribe was naturalized, presumed to be part of a timeless native culture, and understood as a historical manifestation of African culture. He also reasons that the regime of customary law remains substantially unreformed, treating black people based on their tribal identification. Should they live in the wrong tribal homeland, Africans are still denied rights under the customary regime. He concludes with an observation that South Africa's story tells us much about how a society can go about decolonizing, but it also speaks to the enormous challenge of that worthy project.

The second section, titled "Islam and Democracy" includes three papers. The first two papers discuss Islam and the limits of the democratic model, as well as democracy and its discontents in the context of the experience of the main Islamic movement in India. The third paper, in Arabic, presents a comparative study between the social and economic support structures in democratic and Islamic systems. In the first paper, Ali Harfouch asks the theoretical question on whether it is possible to think beyond democracy. He answers by stating that the Arab Spring taught observers that the unthinkable was possible, adding that the courage that is required to demand the fall of an ossified and authoritarian regime must be extended to the cognitive capacity to question the boundaries of what is deemed possible and impossible. His argument is not an exhaustive critique of democracy, merely a demonstration that any critical engagement with the question about Islam's compatibility with democracy must be preceded by a critical analysis that takes into consideration not only the self-proclaimed narrative of democracy, but what it conceals, including its narrow metaphysical horizons.

The second paper, by Hisham Ul-Wahab, examines how Islam and democracy interacted in the case of Jamaat-e-Islami in India, which was founded in 1942 by Abul Ala Mawdudi. Ul-Wahab's paper explores

the conceptual and pragmatical transformations of the group, and the engagements of its Islamic literature and how Indian Muslims dealt with democracy and the nation-state.

The third paper, by Mohammad Elhamy, discusses a comparative study of social and economic support structures between democratic and Islamic systems. The paper explores the main difference by presenting the Islamic system of governance as a system that is keen to prevent authority from monopolizing sources of power in society. He also argues that the Islamic system of governance works on the continuous strengthening of society through its social and economic systems. He concludes by observing that the Islamic experience in the extreme moments of its tyranny was lighter and easier than the tyranny of the modern state.

The third section, titled “Embracing Democracy: Requirements, Perils, Prospects,” covers important topics regarding theory and practice. Deina Abdelkader’s paper on Islamic Law and Democratization addresses the concept of “Public Welfare” in Islamic law as a principle in Islamic legal scholarship. Abdelkader applies this principle in real life and infers the implication of its utilization in practice. Finally, she discusses democratization theory and its relation to Muslim political theory, using Egypt’s attempt to democratize after the 2011 uprising as a case study.

Meanwhile, Anne Norton’s paper addresses “the perils of democracy.” After discussing al-Farabi and Plato, she argues the dangers and promise of democracy. She discusses the threats that come from the enemies of democracy, and the perils that are intrinsic to democracy itself. More significantly, Norton argues that democracy is not the legalistic, procedural activity that liberals praise, rather it is wild, dangerous, and daring. But she argues that the virtue that democrats need most is courage, and concludes by stating that such courage is the one that has always lived within the *Ummah*.

In his paper, Nader Hashemi addresses the normalization of relations taking place between Israel and three despotic Arab states during

the summer of 2020. He argues that the foundations of the Abrahamic Accords rest on a set of authoritarian assumptions about the Middle East. Hashemi explains that the essence of the agreement was to block democratization and the advancement of citizen rights in the region. He states that the deal was premised on ignoring the core aspirations of the people of the Middle East for accountable government, political freedom, and self-determination. He further argues that the struggle for democracy in the Middle East has become deeply fused together and integrated with the question of Palestine, marking a turning point in the politics of the region. Furthermore, he argues that the Israeli-Arab Authoritarian regime alliance would work in opposition to regional democratization for many reasons that he outlines in his paper, since both parts of this alliance would have much to lose if democracy in the Middle East is advanced. Finally, Hashemi discusses the role of western governments in this arrangement and how such support would be the main justification to back authoritarianism in the region.

The fourth section of this book examines the thorny issues of sovereignty, nation-state, and the application of Islamic Law in Muslim societies. On the issue of sovereignty, Muhammed Üveys Han reviews the political theological discourse around monarchy and monotheism. His argument is that anxieties around transcendence among current immanentists stem from their uncritical reception of the master analogy between God and King. He further argues that monotheism does not necessarily imply monarchy nor does immanentism secure democracy. He reflects on the possibility of moving past Christianity by contemplating the necessary prerequisites for any future Sultanic political theory that does not depend on monotheism for its legitimacy but rather is grounded in purely immanent terms. Han believes that the main task for Muslim political theorists is to reinstate sultanic power by returning to the world of politics on a plane of pure immanence. For that he proposes the theory of prophecy, which allows Muslim theorists to bypass Christian notions of transcendence that perpetuate the project of political

theology. Han begins by deconstructing colonial Christian theological ideas smuggled into the universal idea of transcendence and monarchy in favor of Muslim visions of transcendence that do not fall into the trap of closing down the world of pure contingency.

In his paper on the application of Shari‘ah or Islamic Law, Abdul Hadi Alzaidi outlines the major political obstacles that exist regarding the implementation of the provisions of Islamic law in Muslim societies. Alzaidi then attempts to explain how to overcome these obstacles and how Islamic law could be applied in governance in Muslim-majority countries in the modern world.

In the fifth section of this book, there are two contributions that deal with conceptualizing political models. Ovamir Anjum questions contemporary Muslim skepticism toward the feasibility of a caliphate system. He argues that such cynicism is driven in part by a failure of imagination that underpins a few fallacies. In the paper, Anjum addresses two related fallacies, which he calls the sequentialist and the gradualist. He argues that these mistaken beliefs hold that certain conditions, such as the acceptance of the West or its expulsion from the Muslim world, or a detailed roadmap for the establishment of a unified order, mass re-education of Muslim societies, technological progress, etc., must first take place for any significant progress to take place. Yet, he challenges these beliefs and argues instead that a powerful, shared vision, realized as a set of discourses, is far more important as a condition for its actualization, if it is widely shared, as well as ethically and politically more compelling. Anjum concludes by arguing that the creation and nurturing of a global *Ummatic* discourse that dreams up the caliphate is not a pale substitute for the real thing, but a necessary requisite and complement before it actually takes shape.

On the other hand, Andrew March, in his paper *The Caliphate of Man*, presents a discourse of the development of a particular political theology in modern Islamic thought that grounds a doctrinal commitment to a form of popular sovereignty that is extracted from the Qur’ānic claim

that God has created a “caliph” on earth. March argues that this vision of popular sovereignty reflects a genuine intellectual revolution in modern Islamic thought. This revolution is informed from a view of politics as just guardianship and pious representation by rulers and scholars to a distinctive vision of democracy whereby a just and pious people governs itself while also representing God’s instructions to humanity. This intellectual revolution consisted in a comprehensive reformulation of Islamic political philosophy, built in particular on a theological claim about mankind’s status as God’s vicegerent — or caliph — on earth. In addition, March explores the theoretical conditions of its possibility in reality, and concludes by discussing how Islamists may have to define what distinctive approach to political life Islam has to offer in Muslim-majority societies.

The sixth section in the book presents three case studies in Governance, Government Reforms, and Authoritarianism in three Muslim countries, namely, Bangladesh, Turkey, and Pakistan. Muhammad Nazmul Islam and Murat Önder study the political culture and democratic participation of Bangladesh Jama’at-e-Islam (BJI). They explore how Islam came to Bangladesh and how it evolved in the political sphere and its association with democracy in the country. The paper investigated the policies, motives, and experiences of this movement from the historical perspective to the current situation. It also assesses its programs, contemporary controversies, and policy challenges. In examining the engagement and ongoing political activities of BJI, the paper provides an interesting ethnographic analysis of BJI with regards to its role in the democratic movement in the country.

The second paper by M. Metin Uzun and Murat Önder discusses the concept of governance in Turkey, particularly in public administration after the 1990s, and how governance shapes public policy in three sectors (public, private, and civil society organizations). Exploring different notions within the context of governance, the authors discuss several concepts including cooperation, civil society, democratic citizenship,

partnership, participation, and transparency, which they argue are important principles that promote good governance. They also review different governance approaches in Turkey by focusing on the one that engaged multi-stakeholders on the basis of decision-making and participation, instead of a hierarchical relationship. They discuss some significant reforms that Turkey has instituted in the past two decades, particularly in legal and institutional reforms within the framework of governance. Furthermore, the authors review the reform process, which began decades ago in public administration, political centralization, and bureaucracy. In short, the paper addresses government reforms and implementation in Turkey and analyzes various examples. Its main goal was to present a model and contribute to the understanding of the development of governance for other Muslim societies to consider and emulate.

The third paper, by Zahid Shahab Ahmed, discusses the rise of populist leaders and the impact of such a leadership model on their societies, with a particular focus on Pakistan. The author explores different types of populism such as that of Prime Minister Zulfikar Ali Bhutto in the 1970s, and more recently of Prime Minister Imran Khan. Khan's popular revolution targeting corruption, he argues, provided him with the much-needed success to become prime minister in the last election. In conducting a comparison between the two leaders, Ahmed finds many similarities in terms of their populist rhetoric, such as their anti-Westernism. He also analyzes the authoritarian inclinations of populist leaders in general. By comparing Bhutto with Khan, the paper tries to offer an understanding on why and how populist democratic regimes evolve and practice authoritarianism.

The book's seventh section presents case studies that examine several political concepts and experiences in four different Muslim countries, namely, Morocco, Saudi Arabia, Tunisia, and Egypt. Nadia Lahdili, Murat Önder, and Emrah Ayhan discuss the impact of the Arab Spring on the development of civil society in Morocco. They analyze the

reforms taking place in the country as a result of the positive developments in lieu of the Arab Spring. Some of the reforms cited in the paper included the adoption of Amazigh as the country's second 'official' language with Arabic, designating the prime minister as the head of government, and empowering the council of government with the power to dissolve the parliament, as well as promoting gender equality. They argue that such reforms contributed to the development of a novel governance approach in Morocco as civil society organizations (CSO) have become the center of this approach. The paper also examines the debate regarding the notion of civil society within Islamic political thought and how the Arab Spring contributed to the development of civil society. In addition, the authors explore the historical evolution as well as the present status of CSOs in Morocco. They conclude by ascertaining that the Arab Spring has contributed to the development of CSOs in Morocco due to new reforms caused by an expanding popular demand and public awareness of this new reality.

Thomas Parker's paper examines the political ideology of Saudi Islamic scholar Salman Al-Oudeh in the aftermath of the Arab Spring. He argues that the Islamic scholar in his book *Questions of Revolution* has critically re-evaluated important topics like the history and meaning of revolution, Islamic political history/theory and its central concepts, such as obedience, *shura*, and the *ahl al-hall wal-aqd* (the people who loosen and bind), and a reflection on the relationship with the "other." Parker argues that Al-Oudeh's ideas can serve as a significant contribution to a post-Arab Spring Islamic Political Theology and suggests how contributors wishing to participate in this discourse can productively further the discussions engendered by Al-Oudeh. He concludes by observing that the importance of the "revolutionary" ideas of the Saudi scholar lies in considering a new understanding of *fiqh al-waqi'* or understanding reality, and the social sciences when formulating legal opinions on topics that directly impact politics and governance in a Muslim society.

On the other hand, Ali Gabali's paper examines the Tunisian model in his study of the role of political parties in democratic transformations across Arab and Muslim societies. His argument is centered on analyzing the multi-party system that emerged and dominated the political space in the country after 2011. The paper analyzes the general role of the party process in stabilizing the features of democracy and provides a brief definition of the partisanship in Tunisia by studying most of the existing parties and their most important features and programs. It also provides an attempt to analyze the future of partisan politics and democratization in Tunisia, and the most important future challenges facing the political process.

The final paper in this section, by Mohammad Affan, tries to answer the question as to what may have gone wrong with the Muslim Brotherhood in Egypt. The paper examines the MB's objectives and their strategies during the transitional period (2011-2013) and tries to explain why it had failed to maintain the group's political gains. He presents three arguments as follows: (i) that the MB overestimated the reliability of electoral legitimacy to secure its position in the new regime; (ii) it had failed to address the threat of the military institution on the democratization process; and (iii) it had badly managed its relationship with other political forces, the Salafists and the secularists. Affan concludes by reiterating that despite the existence of other external and internal factors, the MB's flawed strategies and its vulnerability at the domestic level facilitated the subversive intervention of foreign actors and gave the autocratic forces in Egypt the opportunity to undo the achievements of the January 2011 revolution.

The eighth section includes two papers that explore the notion of good governance, particularly within the context of Muslim societies. The first paper by Abduladhem Alhamdi explores the concept of good governance in terms of idea, origin, definition, and importance. It enumerates its levels, components, and principles, and includes the main requirements for its practice, as informed by its reality in Arab countries,

in light of the global governance indicators issued by the World Bank. It also compares them with the best international practices and indicators. The paper uses not only the inductive approach, but also incorporates the descriptive analytical approach, as well as the comparative approach. It offers results of the data analysis for several Arab countries and shows that there are significant statistical differences between Arab countries and countries that have good governance practices, as well as differences between oil and non-oil rich Arab countries, which are not statistically significant with regards to their political nature, but rather statistically significant in indicators regarding the administrative nature.

The second paper by Louay Safi argues that the forms of governance needed in Muslim societies evolve around the institutionalization of the universal values of Islam, rather than the emulation of past Islamic political models or the imposition of models borrowed from the West. It also argues that the adoption of public policies and laws relates to the universal elements of Shari‘ah that affirm values that are innate to humanity. Such an understanding, he argues, calls for the differentiation between the public and private social spheres, and the demarcation of religious and political authorities in Muslim societies. Moreover, the paper proposes a departure from understanding Muslim governance through historical structures and procedures that were developed over the early centuries of Islam and focus on the value system and how it can best be manifested through sociopolitical ideas and institutions relevant to modern times. He argues that this requires a distinction be made between the notion of religion as ritualistic rules intended for the followers of a particular religious tradition, and the universal elements of Shari‘ah that affirm innate human values that are necessary to maintain a just political order. Safi’s proposal calls for contemplating and balancing the nature of the law and the need to develop public and private legal systems to cater for the political and shared needs of a multi-religious and multi-doctrinal society, and the private needs particular to individual religious traditions.

The ninth and final section in this book has two presentations that explore new paradigms or visions regarding the way forward for the revival of the Muslim Ummah. In his presentation, Hussein Al-Kazzaz starts with two key points: (i) that the mandatory nature of the duty for establishing a fully integrated civilizational model must be guided by Islamic doctrines, and (ii) that the historical implication of the current waves of revolutions and unrest in the Islamic world in the aftermath of 2011 and beyond, point to the utter failure of the two competing paradigms in the Islamic world, namely, the Islamic and the secular projects, and the difficulty if not the impossibility for them to coexist at a civilizational level. He further argues that the launch of the great societal energies would be much needed for the revival of an Islamic paradigm. He then explores three main approaches on the question of the Ummah's revival: (i) Engines of massive societal changes, where he asks: Can we tap into these mega sources of civilization building? (ii) Understanding and working with the cyclical nature of the civilizational buildup, where he ponders: Can we internalize and live up to the requirements of a critical turning point? And (iii) Dealing with multiple conflicts and enormous hurdles, where he asks: Can we navigate complex contexts to build resilient change? He further asserts that if we are going to launch a new civilizational experience, we need to examine very carefully the areas of key *tadafu'*, which are the major conflicts and struggles that this new civilizational experience would have to deal with. He also observes that the secular civilizational model, which is currently going through an enormous crisis, is at a point where the conflicts and the struggles are of a very dangerous nature, not only for the future of the Muslim world, but worldwide. Al-Kazzaz concludes by stating that if we as an Ummah are going to present to the world our novel civilizational model and new ideals, we must have our intellectuals, scholars, think tanks, and universities tackle this crucial question at all appropriate levels.

In the final contribution to this volume, I present a vision that is centered on the role of the Palestinian cause and its centrality for the

revival project of the Muslim Ummah. My argument focuses on two interrelated external challenges facing the Ummah, namely the challenge of independence from foreign hegemonic powers, and the challenge of Israel as a colonial-settler project that poses a formidable threat in the heart of the Islamic world. I discuss the relationship between colonial powers, the Zionist state, and the attempt to keep the Muslim world weak, divided, and subservient, and how resisting such destructive powers is imperative. Finally, the presentation discusses the historical and epistemic factors related to these two challenges and argues that no genuine revival project could succeed without overcoming these challenging problems.

It is hoped that the papers included in this volume along with the presentations given at the conference will be considered a positive contribution to the debate on Governance and Political Authority in the Muslim World and the future revival project of the Muslim Ummah. The hard questions posed here have yet to be fully answered, and the difficult challenges that have not been addressed surely point to a thorny and long road ahead. This intellectual path calls for all sincere efforts by authentic scholars, diligent researchers, and serious students to come together in order to invigorate the debate and continue the examination of the issues that impact the future of governance and political authority in the Muslim World until our questions are resolved, challenges tackled, and mission fulfilled.

I. Political Authority and Authoritarianism: Examining the Historical Record

1. Taking Islamic Thought Out of The Ghetto: Sovereignty and Legitimacy in Modern Islamic Thought

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Presentation

First of all, let me signal the overarching interests that have animated my research and that I bring to our conversation today about sovereignty and legitimacy. I focus on modern Islamic thought through the prism of decolonial and anticolonial thought. The first concern for me is to take Islamic thought out of ‘the ghetto,’ so to speak. The ghetto operates in two very important ways: First, by limiting the way in which we think about how Islamic thought is produced; and second, by placing severe restrictions on what we see as its uses more generally. Now, the dominant trend in research, especially in intellectual history and history of political thought is to assume that Islamic thought is produced only when Islamic thinkers or Muslim thinkers speak to other Muslim thinkers. The genealogy that is built is so exclusively Islamic and Muslim that we often lose the richness of the debates that they have engaged with, the wider context that many thinkers were sensitive to and to which their ideas are relevant. Within this framework, the engagement that modern Islamic thinkers have displayed with European thought is often classified as either as a “derivative discourse” or as a reaction. I think that, really, the time has come for us to move beyond such a framing and think through those wider debates that many Islamic thinkers, including those who used Islamic ideas but were not Muslim, sought to influence. Indeed, many Islamic thinkers saw themselves as participating in questions of general political interest and broad contemporary debates. I think that recognizing this richness, depth, and variety of inspirations and interlocutors for Islamic thinkers is a way of getting out of the ghetto of *production* of Islamic knowledge.

The other ghetto is linked to the *consumption* of Islamic knowledge.⁴ This relates to questions such as ‘who is this knowledge for?’ The dominant trend in academic scholarship on Islamic thought is to assume that Islamic ideas are only for Muslims. Islamic thought here often acts as a foil: European theory and European thought is seen to be general and universal, whereas Islamic thought is particular. It is useful either just for Muslims or to understand Muslims. That is to say, understanding it, exploring it, working with it is useful for non-Muslims only to understand what is going on in Muslim polities and the Muslim context. I argue for moving Islamic thought beyond that ghetto of consumption of knowledge and here my concerns are very similar to others articulated about African-American thought, Native American thought, etc. I argue for moving beyond a Eurocentric framework for engaging with historically marginalized traditions of thought to upend colonial hierarchies of knowledge, and to address pressing questions today of marginalization, inequality, and injustice by working with the resources for alternatives from those traditions. My suggestion here is not that we move from European universalism to Islamic universalism. It is also not for an easy inversion which is what some people assume is the desired end. Rather, I argue for a much more detailed, painstaking, and linked thinking through of ideas/questions/solutions that might be useful to think about to not just understand the limits of liberalism, but also to propose alternatives and modifications. And so, the question really becomes: what resources from Islamic thought and practice might be useful for us to recognize and address pressing political questions? In my own work, I have focused on how Islamic thought and practice might be helpful in questioning liberalism and understanding the limitations of liberalism, which is the dominant ideological framework today.

⁴ On what we can learn from debates within the Islamic tradition about the dynamics of production and consumption of knowledge in history of political thought more broadly, see: Humeira Iqtidar, “Redefining ‘Tradition’ in Political Thought” *European Journal of Political Theory*, October 2016.

With these concerns in mind, and given the time that I have, I think what I can do most usefully is to provide a glimpse into the very influential articulation of the idea of divine sovereignty that was put forward by Mawdudi, perhaps the most influential 20th century Islamic thinker. Mawdudi is, clearly, very well-known, but there is relatively little detailed engagement with his ideas in Euro-American academia. I think that Mawdudi's ideas are influential not necessarily because of the solutions that he proposed. In fact, his proposed solutions are deeply problematic in my assessment and remain controversial. I have no wish to defend the substance of his proposals. Mawdudi's influence stems from the importance of the questions he asked and the systematic way in which he set about answering those questions by bringing together ideas from a range of sources. Now, Mawdudi brought together a very wide range of ideas. I will try and give you a quick sense of those. But I argue, most importantly, he worked creatively with both European theory and with Islamic thought to rework existing concepts and put them to new uses. This was his way of using Islamic resources to address problems that he thought were important. Precisely because the questions he asked were important, and his answers built on an excitingly wide repertoire of ideas, his thought continues to have the purchase that it does today.

In a series of recent papers, I have argued that Mawdudi articulated a systematic bridge between a concern about the sovereignty of the state, the institutional mechanism of the modern state, and Islamic thought and practice.⁵ He took ideas about Allah's *hukm*, that is, ideas about Allah's authority, legitimacy, and prowess, and reconceptualized them as Allah's political sovereignty. There have been longstanding debates within Islamic thought about the operationalization of Allah's supreme authority in human life. There is obviously much debate about

⁵ Humeira Iqtidar, "Jizya Against Nationalism: Abul A'la Mawdudi's Attempt at Decolonizing Political Theory" *Journal of Politics*, May 2021; "Conservative Anti-Colonialism: Mawdudi, Marx and the Question of Social Equality" *Journal of Royal Asiatic Society*, forthcoming 2021; "Theorising Popular Sovereignty in the Colony: Abul A'la Mawdudi's 'Theodemocracy'" *Review of Politics*, October 2020.

this even today, and I am happy to answer questions about this as we go forward. Here let me first note that as Mohammed Qasim Zaman⁶ has argued, the broad contours of Mawdudi's conception of divine sovereignty have been immensely influential not just among the Islamists but more widely in Muslim polities around the world. Some of his ideas have become so pervasive that it is useful to go back to Mawdudi and work through what he was trying to do or what the problem was that he was trying to solve here.

It is pertinent to note also that when Mawdudi articulated the idea of *hakimiyyat* in his original Urdu writings he always provided the English word 'sovereignty' next to it because he was aware that he was presenting an idea that required some translation and elucidation; it was not the old version of *hakimiyyat*. As I said, Mawdudi engaged with a range of ideas from European political theory and history. He had learned some English and read avidly. Apparently, he also tried to teach himself German supposedly to read Marx, but did not get very far with that. He did read some Marx, but, mostly, he engaged with twentieth century Marxist ideas, which were hugely pervasive and very influential through the 1920s onwards in the Indian context. The Bolshevik revolution was immensely influential at that historical juncture in the anti-colonial context that Mawdudi was operating in precisely because the Bolshevik revolution showed that the state could be transformed and political structures radically altered to bring about societal transformation. Of course, the colonial liberal state had also dramatically altered social life and had the avowed purpose of civilizing and changing the colonized. The ideas of the state as an agent of social change circulated widely.

Mawdudi was an active participant in the exciting intellectual and political milieu of interwar anti-colonial movements. He attended meetings by the Khairi brothers who were socialist organizers in Delhi, India. He was also at one point an admirer of Gandhi. Gandhi, too, had

⁶ M. Q. Zaman, 'The Sovereignty of God in Modern Islamic Thought,' *JRAS* XXV (2015), pp. 389-418.

raised questions about the relationship between sovereignty and the state. Gandhi thought that sovereignty was ultimately not to be expressed through the state, and, for Gandhi, sovereignty is a question of ethical perfection. Gandhi was an important figure in Mawdudi's political thought, even though Mawdudi parted ways with the nationalist movement and became disillusioned with Gandhi. The period through the 1920s into the 1950s was thick with debates and ideas about alternatives utopias and anti-colonial mobilizations of various kinds. Mawdudi engaged with a lot of these debates as a journalist and political activist. Despite his skepticism about the state, one of the things that he picked up on and tried to work with is the idea that the state can be an important vehicle of ethical perfection and societal transformation. The state was seen as a vehicle for transformation by the communists, the fascists, as well as the liberal nationalists and the socialists. Mawdudi, too, sought to harness that potential of the state while also retaining the sovereignty of Allah.

At the same time, Mawdudi developed a deep philosophical and political opposition to the idea of popular sovereignty. He saw the concept of popular sovereignty as generating a kind of an ethical and moral problem. Mawdudi thought that the state is the entity with control over coercive power in a territory. But what allows the state this coercive control? For Mawdudi, the answer was that there is some amount of sleight of hand going on here: The state work could use coercive power because people thought that they were not enslaved even when they were forced to give up some very basic freedoms, like choosing the medium of education for their child. But why did people think they were not enslaved? For Mawdudi, the answer was that they thought that they were not enslaved because the state was an expression of their will; the state represented their will. Now, the deception, he argued, lies in the fact that, in theory, *hakimiyyat*, or sovereignty, belongs to each individual, but practically, the democratic state cannot really represent each individual separately, so it tends to represent the majority. How this majority is

formed, on what basis it is designed and defined; that, to Mawdudi, was open to much manipulation. He thought that this had grave implications for democracy. He thought popular sovereignty could only work well in context where there was fundamental agreement about fundamental concerns—in Urdu “*assasi amoor*”—but this was likely to be true in a very small number of cases in very limited situations. The more likely and prevalent outcome, he thought, was going to be the oppression of the minority by the majority.

Of course, at the time he wrote this, the most developed democracies had provided him with very good examples of such oppression. He wrote in quite a lot of detail about African Americans in the United States in particular. This was an important case for him because he could point out that African American rights are protected by the constitution, yet the social and political marginalization and the violence that they face means that they cannot even go to vote to affect the political power they supposedly have. So, the majority gets formed in a particular way. Nazi Germany provided him with examples of how democratically elected governments could marginalize and carry out various kinds of oppressions on a minority. So did the liberal imperialist and nationalist states such as the United Kingdom, where he noted the marginalization faced by the Irish and Catholics. So, his concern then was that popular sovereignty could mandate this oppression, mandate racism, and legitimize colonialism, and he made the argument that, philosophically, popular sovereignty did not recognize any moral limits to the sovereignty of the will of the people. This is why he thought of popular sovereignty as a moral problem.

For solutions to this problem, he looked towards Islamic history and philosophy to provide some inspiration. He made the argument that by recognizing Allah’s sovereignty, humans could recognize a moral framework where at least the *legitimacy* of oppressive acts was not present. Now he is a more sophisticated thinker than those who would ignore the history of brutal killings and oppressive regimes in Islamic

history. He recognizes some of the limitations of his own argument. He recognized that various Islamic empires and states had been oppressive in the past. But he infers that the difference is that there is no legitimization of that oppression. Unlike the kind of legitimization that popular sovereignty can provide to, say, racism—that kind of legitimization is not possible within a broad Shari‘ah framework. So, for him, parsing out this conflation of popular and state sovereignty was linked to his attempt at working through the implications of European history for dominant political ideas, while also confronting the institutional infrastructure of the modern state, which was, by then, pervasive around the world.

I will not go into detail, but we know that political sovereignty in the European context becomes an important concept precisely because of the schism within and around the church. The Holy Roman Catholic empire had a unique institutionalized structure, which, overall, was very different from the experience of the Islamic empires. In Europe, when the church’s control of the state declined, the question arose: If not divine laws, then what legitimizes state sovereignty? Popular sovereignty became important there as a response to that question. But what we also see is that, as ideas related to popular sovereignty grew in political importance, they also become really enmeshed with ideas about the territorial and cultural specificity of the people who express this popular sovereignty. In other words, popular sovereignty and nationalism develop together in the European context. Mawdudi is alert to this and he, again, has a detailed and profound criticism of nationalism as an ideology. He thinks of it as a particularly European ideology that the rest of the world does not have to succumb to. However, many of his Indian and Muslim interlocutors were deeply enthusiastic about nationalism. He thought that they were mistaken in not recognizing that the idea of the state was beginning to become a real competitor to the idea of *din*—a way of life inspired by Allah’s sovereignty that served as a bulwark against legitimizing oppression. To quote him: “In its comprehensiveness and

demands for sovereignty ... is the idea of the state, even though it needs more depth to fully take on the meaning of *din*.”

In particular, in the colonies, the conflation between popular sovereignty and nationalism was leading many anti-colonial colonialists to assume that they had to establish their credentials as a nation before they could claim popular sovereignty. This is the route that many important anti-colonial actors, such as Nehru, took. But so, did the not-particularly-anti-colonial, liberal nationalist Jinnah, as well as Hindu nationalists such as Savarkar. In contrast, Mawdudi articulated a critique of both popular sovereignty and nationalism. He thought the conflation between the two was the result of a European historical experience that others could actually avoid if they could recognize the conceptual and political problems that were raised by this. It is, of course, interesting to note that, in contemporary political theory, there is still a strand of liberal nationalist political theory, which is trying to precisely work through this argument. David Miller and Yael Tamir continue to argue that the idea of nation is necessary for democratic representation. So, this is an ongoing tension, and we know politically this is an ongoing tension because the rise of nationalist populism in India, UK and US is a reality. In some ways, Mawdudi is prescient in noting this complicated and problematic relationship between democracy, popular sovereignty as its philosophical foundation, and nationalism.

Let me just quickly conclude by saying that the questions that Mawdudi raised about operationalizing popular sovereignty in Europe and elsewhere—thinking about how to avoid the mistakes made in Europe—are questions that not just political theorists but also ordinary people struggle with in many different contexts. The relationship between popular sovereignty and state sovereignty that he was also concerned with has only become more contested over the last century. Moreover, it is useful to recognize that Mawdudi went beyond critique. He articulated a solution by creatively reworking ideas from within the Islamic tradition. Taking the idea of *hukm* and reworking it as a version of political

sovereignty that addresses the problems of popular sovereignty, he proposed the idea of *divine sovereignty*. This was a novel formulation for many reasons that we do not have time for right now. I am not arguing that his vision of an Islamic state is perfect or that we should be following it. I think there are foundational flaws in the solution that he proposes. Instead, I have sought to argue that it is important to think about the way he went about making his argument and that is where the large part of the power of his ideas and their influence lies. Mawdudi inverted colonial hierarchies of knowledge, where colonial hierarchies of knowledge posited that European theory was the general and the universal. Mawdudi inverted it to say Islamic theory can provide solutions for these general problems. He engaged with a wide range of ideas and foregrounded an alternative tradition. But he also did not see Islamic ideas as necessarily static, which we can see by how he reworked Islamic concepts. He did not really think that the answers were just lying there in the Islamic tradition. Instead, answers to contemporary political dilemmas had to be creatively assembled. I think he parochializes European thought not by outright rejection—although he sometimes used that language—but through an engagement with the differences in experienced histories and philosophical assumptions. The militarization of Islam, as well as Islamism, that really came about during the Cold War and continues with the ‘War on Terror’ should not obscure the ambitious intellectual and political project that many Islamic thinkers and political actors undertook. The methodological innovations and theoretical avenues that Mawdudi opened for us have been very fertile, particularly in the opposition his ideas generated among Islamic thinkers. This debate is a good sign and signals a healthy tradition of thought that has much to offer those who engage with it seriously.

2. Religion and Politics: What History Reveals about Tyranny and Despotism

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Presentation

I want to start by noting the limitations of our discourse about Islamic political thought and history. The fact of the matter is that we have not yet done the hard work of moving beyond Eurocentric narratives when unpacking the developments of Islamic political history. Eurocentric narratives posit that an ideal ‘rightly-guided’ Caliphate quickly descended into *mulk* (kingship) and a pragmatic acceptance of absolutism and despotism, seen for example in the works of al-Mawardi (d. 450/1058) and others. European historians termed this the so-called ‘Islamic compromise.’ But I have serious doubts as to whether this narrative is historical, beyond what is narrated by scholars like William Montgomery-Watt, Harold Gibb, Franz Rozenhal, and Ignaz Goldziher. Part of the problem is the common narrative that tells us democracy, in the sense of a representative system of government, existed as an ideal in early Greek thought before it was lost to humanity and reclaimed only during the European Reformation. This is mythology. In what follows, I talk about mythologies of history and particularly the ways in which Islamic movements understand this mythology.

In Islamic moral thought and Shari‘ah discourses, the idea of *shura* (‘consultation’), as a loose form of consultation that in some way represented people’s will, always existed as a moral ideal. Yet it is important to note that what we call ‘democracy’ today, with its institutional and procedural structures, was a complicated matter in Islamic history. Muslim scholars often resorted to a vague idea of *shawka* (‘power’), which meant the ability of holders of power to gain in some form the consent of the governed. How was that consent obtained? Here

you find complex discussions as to whether it is obtained through institutional power structures, brute force, or some kind of rule of law. Yet the ideal remained that, under the best of conditions, *shawka* would represent something more meaningful than simple coercion (*ikrah*) and despotism (*al-istibdad*). Forms of decision-making that did not incorporate *shura* were seen as reprehensible (*makruh*). Beyond this, we need to reexamine the history of Islamic political thought without the Eurocentric narratives that continue to dominate scholarship and, with it, much of the Muslim imagination about their own history. It is common to hear Muslim intellectuals and scholars, especially after the Arab Spring, claim that Muslims have never known democracy and that Islamic history is entirely despotic. These claims repeat, reaffirm, and legitimate the idea of ‘Oriental Despotism’ as a pronounced characteristic of Islamic history. In reality, were we to historicize the issue, I do not think the issue of Islamic political thought would easily lend itself to the ideological uses that we find in the modern age.

This is an important backdrop before moving on to some of our main concerns. Among all the Islamic movements that existed in the nineteenth and early twentieth centuries, only one movement was *not* anti-colonial. The works of Hassan al-Banna (d. 1368/1949), Abu Ala Mawdudi (d. 1399/1979), Jamal al-Din al-Afghani (d. 1314/1897), Muhammad Abduh (d.1323/1905) and Rashid Rida (d. 1354/1935) focused on providing a response to colonialism. But one Islamic movement never concerned itself with a response. I am referring to the Wahhabi movement, which eventually came to dominate the Hijaz to become the de-facto representative of Mecca and Medina. While puritanical and utopian in many ways, Wahhabism was never concerned with colonialism. Rather, Wahhabism appealed to a historical mythology in its central claim that all Muslims after the ‘rightly-guided’ Caliphs had gone astray, with Islamic history a long trajectory of disintegration and corruption that was only revived by the Wahhabi movement itself. Notice that while Wahhabism had nothing to say about colonialism, it had much

to say about the alleged errors of the Muslim *ummah*. Wahhabism claimed to restore the *ummah* to its original theology. Indeed, anyone raised in the Arab world will be acquainted with the Wahhabi mythology that Mecca and Medina were places of deviation and innovation (*bid'a*) under the Ottomans and that the Wahhabi movement resisted this and returned Islam to its core theology. Yet Wahhabism relied upon a puritanical and utopian idea, namely, the idea that the true Muslim community (*ahl al-sunna wa al-jama'a*) was not represented by any sociological or anthropological complexity but rather by a textual embodiment—the texts of the Qur'an and hadith—and that these texts could somehow be translated into a sociological reality that is linear, non-complex, non-pluralistic, and not nuanced. This idea is core to Wahhabi Islam.

There are similarities and overlaps between Wahhabi ideas and other Salafi ideas, such as those of Rida or Mawdudi. But the remarkable lack of interest in the colonial moment is what makes Wahhabism distinctive. Wahhabism was always interested in the alleged 'innovations' of Shi'is, Sufis, and rational discourses. These were seen as deviations in Islam. Yet Wahhabism was oddly complacent and silent vis-a-vis external and colonial powers. Wahhabi scholars left these matters entirely to the holder of power. This meant that while the key Wahhabi tenet of 'loyalty and disavowal' (*al-wala' wal-bara'*) meant that one should morally and ethically distance oneself from non-Muslims, the question of how to deal with the *power* of non-Muslims, including colonial powers, was entirely left to the holders of power. Another aspect of the idea of the *ahl al-sunna wa al-jama'a* is important to Wahhabi thought. Since its inception, Wahhabism has primarily imagined Islam as an Arab religion. Wahhabism cares little for the sociological realities or anthropological complexities of non-Arab societies. Wahhabism maintains that the *ahl al-sunna wa al-jama'a* can be transplanted from the text to the Arab experience, particularly in Arabia. This Arab experience is then exported as a theology of puritanism to the rest of the Muslim world. It is as if non-Arabs have nothing to contribute to the reality of Islam.

According to Wahhabi theology, the realm of politics is left to the possessor of *shawka*. For so long as the possessor of *shawka* enjoys coercive power, rather than, say, the rule of law, he can deal with the outside world at his complete discretion. His word is law. In early manifestations of Wahhabism, it was held in theory that rulers were not owed obedience if they ordered something contrary to the Qur'an and Sunnah. In reality, however, Wahhabi theology went to great lengths to rely upon the juristic discourses of necessity (*darura*) and public interest (*masalih*) to insist that a Muslim must exercise patience, not rebel or disobey, whenever rulers contravene the Qur'an and Sunnah. Wahhabi theology came to rely upon the hadith in which the Prophet allegedly says that one must obey the ruler even if he flogs you or robs your money; in other words, that we owe the ruler nothing but obedience. There was a complex process of negotiation between Wahhabi-Salafi and Muslim Brotherhood-esque ideas that, for a time, gave the impression that Wahhabism could produce something more nuanced than a stark reliance upon coercive power, at least until the Arab Spring. Meanwhile, Wahhabi figures like Muhammad Aman al-Jami and Rabi' al-Madkhali introduced something that was quite fascinating. These scholars deemed all forms of sociological or anthropological complexity to be innovation, whim, and schism. Their basic idea is that the ruler is endowed with the legitimate representation of *ahl al-sunna wa al-jamaa'a* and any attempt to correct the ruler or to present a more nuanced image beyond what the ruler offers is, by definition, illegitimate. In so-called 'Jami' and 'Madkhali' Islam, therefore, we hear maxims to the effect that 'Whoever is in power cannot be contested' and 'The greatest threat to Islam is not despotism but political dissent'.

I want to emphasize in closing that 'Jami' and 'Madkhali' Islam legitimated a theology of despotism, insisted upon the Arabization of Islam, and promoted a set of mythologies about Arabo-Islamic history. Furthermore, the nature of the theology of *shawka* itself shifted, for *shawka* no longer related to what the Muslim ruler offered in terms of

coercive power. Rather, *shawka* came to refer to the coercive power of the *world order*. It became common in ‘Jami’ and ‘Madkhali’ Islam to claim that it is legitimate for the ruler not to rebel against non-Muslim power because non-Muslims were the legitimate holders of power in the world. ‘Jami’ and ‘Madkhali’ Islam did not just philosophize despotism and absolutism. Rather, ‘Jami’ and ‘Madkhali’ Islam made entire societies linear and flat; the stark reality of non-Muslim hegemony in the world became the legitimate will of God; hegemony within Muslim lands—which are subservient to the hegemony of non-Muslims—became the will of God; all attempts to challenge, negotiate, or even think about hegemonic structures of power became a sin and rebellion against the will of God. This is how ‘Jami’ and ‘Madkhali’ Islam describe any attempt to think critically about hegemonic structures of power. Such attempts are typically attributed to the Muslim Brotherhood and described as “corruption on earth” and “innovation.” This is a remarkable legitimation of colonial reality and hegemonic structures of power. It quite clearly and conveniently serves political and economic interests in the world that we live in today.

3. Dismantling Apartheid: What We Could Learn from the South African Transition of 1994

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Presentation

I want to thank the Prof. Iqtidar for setting in motion a train of thought, which legitimizes my presentation—that we must break out of the ghetto. And I think what it means to break out of the ghetto is to take our very particular experiences and try to theorize them; to reflect on how they remain not only contextually relevant, but how they can be translated and transported from one context—one historical context—to another. So, it is in that spirit that I am going to offer this presentation. I have a couple of questions just at the outset: When I read the invitation, I wondered, what do we mean by ‘the Muslim world?’ Is the Muslim world any different from the world we live in? Is it only that part of the world where Muslims are a numerical majority or does it also include the part where we Muslims are in a minority? I am from Uganda where Muslims are a minority. My ancestors came from India to East Africa. Muslims are a minority in both places, and I am going to talk about South Africa. There, too, Muslims are a minority. I think quite often we have an underlying assumption in our discussion of Muslim thought, which presumes a Muslim-majority society. I think we need to broaden that to think of different contexts and I would even say contexts, which are becoming increasingly preponderant now in South African. I want to suggest that if we break out of the ghetto and think of South Africa in broader terms, the South African experience offers a number of lessons. First of all, I think it challenges us to think of the nation-state as a historical phenomenon. It challenges us to break out of the mound of nation-state thinking. Secondly, I think it also invites us to think of majority and minority as artifacts of the state. Thirdly, it invites us to

distinguish a political from a cultural identity; to decouple culture and politics, and finally, to think of political identity as historic.

Now, what I am going to offer to you is drawn from my latest book *Neither Settler nor Native: The Making and Unmaking of Permanent Minorities*. I went to South Africa in 1994, then 1996. I had a professorship at The University of Cape Town and in my inaugural lecture at the university, I addressed a single question: When does a settler become a native? The answer I offered then, and I still believe to be true, is ‘never.’ The settler can never become a native because the native is a creation of the settler state. The native is the settlers’ invented other. The settler claimed to be not only the product of history but also its maker at the same time, stigmatizing the native as a product of geography, and thus, an unthinking captive of an unchanging custom. And I would expand the notion of custom because we have had two different kinds of discourses—one on custom and the other on the Shari‘ah—and they should both be seen as components of a single discourse: the claim that there is something called customary, which does not change historically over time. This has been an imperial claim. I argued that settler and native are joined. Neither can exist in isolation. Should you destroy the settler, you will also destroy the native. What defined settlers and natives was not the color of their skin but the law under which each was governed. Settlers and natives were governed under separate laws; settlers under civil law and natives under customary law. Civil law changed with history. In contrast, customary law was said to be as unchanging as geography. If civil law was created by the settler, then customary law was sanctioned by the settler, thus purging everything the settler considered repugnant to civilization. Both civil and customary law bore the imprint of the settler on this system, whereby settlers and natives are governed under separate laws, known as indirect rule.

I would like to briefly outline the history of indirect rule before I return to the South African story. There are three main phases in the development of indirect rule: Roman, Ottoman, and British. The three

stages correspond to three different forms of indirect rule: individual, institutional, and territorial. Individual indirect rule is associated with the Romans. They govern their less organized western empire directly through armed settlements of soldiers but in the more organized Eastern Empire in Asia and Africa. Roman rule was indirect and individual through local potentates, such as Cleopatra of Egypt, hero of Judea, who were required to pay tribute to Roman overlords.

The Ottoman Millet System is the prime example of institutional indirect rule. In this system, subject groups in the empire were governed through their own leadership and their own customs—both being subordinate to the Ottoman state. The millet was more of a culturally (than a territorially) defined group. Thus, an Armenian in Istanbul and an Armenian in Eastern Anatolia were said to be members of the same millet and subject to its authority.

The Mughal practice of governing through local religious institutions and traditions is yet another example of institutional indirect rule. The point of ruling different groups through their own customary law was to keep them separate, even if they were under the same power. It also had the virtue of claiming that nothing had changed since the subjects were being ruled under their own traditional law—even if the colonized were a majority. They were fragmented into a set of culturally-defined minorities.

The British used all three forms of indirect rule—individual, institutional, and territorial—in the early period of the empire in India. The British struck deals with rulers of princely states, as had the Romans with potentates in the eastern empire outside the princely states. The British turned to institutional indirect rule governing through customary law and religious authority mainly by the 1830s. The difference with the Mughals was that custom became customary law—that being the origin of Anglo, Muhammad, and Hindu law in the British Empire. The third form of indirect rule was territorial. Its practice was mainly in the Indian reservations in North America and the British colonies in Africa. The

main feature of territorial indirect rule was that it anchored each ethnic group to a territory, a homeland. It thereby politicized ethnic identity. It is when ethnic identity was territorialized and politicized that it became a modern tribe. Territorial indirect rule was introduced in a very rudimentary form by the British in Ireland. But its modern form was really a North American innovation around which the Indian reservation was formed.

First tested in the mid-nineteenth century in California, the reservation was made a comprehensive institution through which Indians were governed. An institution generalized by Presidents Abraham Lincoln and Ulysses Grant, the reservation segregated Indians from whites, stripped Indians of land, and minimized the political threat they posed by subjecting them to domination under colonially supervised customary law. Settlers in the US got state independence from Britain in 1776. In South Africa, state independence came in 1910. Soon after, a South African state delegation visited the United States and Canada. Its object was to study the North American way of containing Indians. The delegation studied the reservation system in North America and brought back a blueprint, including the language of governance. In the process, the North American reservation became the South African reserve. The reserve was based on a three-part institutional blueprint borrowed from the Indian reservation. First, every native must belong to a homeland. The idea was to take a part of where people had lived at the time of their colonization and declare this part and only this part a traditional homeland and charge the native authority with its responsibility to confine the tribe to this so-called customary homeland. Second, the tribal homeland was governed through a customary law, which distinguished between Indians who belonged to the tribe and those who did not. Only the former was accorded rights in the reservation. Third, the customary law in the tribal homeland was governed by an authority said to be customary. This customary authority was accountable to the settler state not to the population of the homeland.

The system survives in the US today. For example, reservation Indians are considered wards of the US Congress. They do not enjoy the protection of the Bill of Rights in the constitution. They have no enforceable rights. Indians were excluded from protections given to citizens by the Civil Rights Act of 1964. A special act was passed for Indians, the Indian Civil Rights Act of 1968, which has provisions that are merely advisory to the Reservation Authority.

I studied the development of apartheid in a book I wrote earlier called *Citizen and Subject*. Now, I want to focus on how the struggle against governance fractured the South African political community along two lines: race and tribe.

The key political challenge of decolonization was how to depoliticize race and tribe to create a single political community. The first phase of the struggle against apartheid reproduced the racial political architecture of apartheid. The whole population was divided into four so-called population groups: Africans, Indians, coloreds, and whites. In response, each population group organized as a separate race. Africans as the African National Congress, Indians as the Natal Indian Congress of Gandhi, coloreds as the Colored People's Congress, and whites because they could not call themselves 'Congress of Whites,' called themselves Congress of Democrats. Ironically, the subjects of apartheid reproduced politically the very identities enforced on them by apartheid: race. There were so many derivative political identities. These racially demarcated resistance groups sometimes worked together under the aegis of the Congress Alliance, whose high point was the ringing declaration of 1955 known as the Freedom Charter Quote. South Africa belongs to all those who live in it, but this declaration was made by elites who mostly segregated themselves. Decades would pass before they formally joined under one organizational structure. It was, for example, only in 1987 that they admitted Indians and coloreds into its National Executive Committee.

I traced the second phase of the anti-apartheid struggle to the strike movement of the 1970s—not to the armed struggle or exiled politics, nor to the international boycott movement. The force behind the strike movement of the 1970s were student activists of all colors who organized migrants and township labor. Worker strikes were led by students. Together, students and workers crafted the vision that exploded the narrow confines into which each had been slotted by the architects of apartheid. Together, they moved the locus of struggle from exiled professional revolutionaries and imprisoned fighters to popular strata in South African communities. They brought the struggle home. They also replaced an aborted guerrilla movement with non-violent agitation to enormous effect by acting peacefully. They maintained the moral high ground and distinguished themselves from an obviously violent system of oppression. Although they did not end apartheid on their own, they created the social and political paralysis that forced South Africa's white rulers to capitulate in 1990's open negotiations. The student and worker uprising marked a shift not only in South Africa but in the whole paradigm of liberation struggles, preceding the intifada that shook occupied Palestine in the 1980s and eastern Europe's largely nonviolent revolutions of that same decade.

Student initiatives were instrumental in breaking down color lights. Joint student action began when non-white students joined the liberal wing of the white student movement nooses looking for an effective channel of organization, but soon chafed at the paternalism and hegemony of white organizers because Steve Biko and his comrades struck out on their own. They founded the South African Students' Organization, a group open only to Blacks, and pledged to enhance what they called Black consciousness. But by Blacks, Biko and others promoting Black consciousness meant African Indian, and colored students' black consciousness was a historic rupture with the mindset of apartheid. Biko argued Black is not a color. If you are oppressed, you are Black. The departure of Black youth from white organizations created a

crisis for progressive whites. Unlike Black students who returned to townships to organize community-based protests, white students found themselves in a wilderness like a prophet's outcast. They searched for a constituency and found it in migrant worker hostels on the fringes of townships.

Radical white students played a catalytic role in the development of independent unions that began the avalanche that eventually brought down apartheid. The strike wave of 1973-74 was unstoppable, reaching industrial complexes first in Natal, then eastern and western Cape, and then the Vaal triangle, like a magnet. The strike movement attracted hitherto dispersed migrant workers, African-colored, and Indians into a collective effort that eventually took the form of independent unions. On the heels of the strike wave of 1974-75 followed the Soweto uprising of 1976. Why did the apartheid regime begin looking for a negotiating partner in 1992? One reason was the rising wave of popular mobilization that was still relatively decentralized and thus presented a centralized power with opportunities for manipulation. Second, radical white activists had challenged apartheid's claim that there could be no white security without a white monopoly of power. Indeed, they suggested the reverse: that whites could be more secure if they gave up their monopoly and the strife it caused. The second development that led white power to look for an alternative mode of governance was the realization that if it continued losing the support of white intelligentsia, this was likely to erode its own white support base.

This was the background to discussions between official representatives and Nelson Mandela on the twin issues of majority rule and minority rights. The end of one period was the beginning of another, that of negotiations. But when negotiations began in May, they sidestepped the organizational architecture of the uprising like the colonial authorities who allied with customary authorities at the onset of indirect rule. The South African government turned to partners said to be the legitimate leaders of Black South Africa—even though they were

marginal to the internal anti-apartheid movement. This time, the negotiating partner was the man in exile and one of its jailed leaders, Nelson Mandela. Unlike Nelson, who had been in jail for the entire duration of the urban uprising, Winnie Mandela was very much a product of that uprising, adopting its daring and confrontational attitude. Nelson was no longer at the cutting edge of the political struggle. Indeed, their methods—armed struggle—had been repudiated. Their legitimacy came less from their leadership than from international approval and Nelson Mandela's celebrity as a political prisoner. So, the anti-apartheid forces responded to apartheid by imagining a new political community in which enemies became adversaries. Their response to extreme violence defied the logic of Nuremberg, the logic of separating perpetrators from victims, punishing perpetrators, and creating separate spheres in which the two could live without harming each other in an ongoing cycle of violence by thinking of extreme violence as political rather than criminal.

South Africans were able to shift focus from individual transgressions of law to the issues that drove the violence, and thus, the needs of the people who survived it. Instead of going to court, they sat around a conference table. Rather than turn to a trial to produce truth and punish offenders, they negotiated reforms to make the political system more inclusive, recognizing that perpetrators as well as beneficiaries and supporters had been brought into the political process. The South African outcome was different from that in Europe and Nuremberg. The creation of a new political system did not happen in Europe after the defeat of Nazism. In World War II, victims and perpetrators were separated by means of ethnic cleansing. In eastern Europe, and the establishment of the state of Israel outside of Europe, the post-conflict German state was built by outsiders, while the internal resistance to the Nazis was denied participation. Those forcibly identified by the apartheid state did not go their separate ways to form separate political communities. Instead, they joined together to form a single political union.

Why was the south African outcome different from that in Europe? What lessons can the world learn from the South African journey? First, that every political identity is historical, not permanent. Activists overcame differences of race imposed on them to join in a single cause of breaking down apartheid. Second, they came to acknowledge that neither perpetrator nor victim is a permanent identity. Afrikaners, once champions of apartheid, became part of the movement against it. These groups had been formed under colonialism, as distinct and often rivalrous; their interests said to be naturally divergent. In response to apartheid, these people learned to think anew; their political relation to each other not as others or as rivals but as equals in law. They came to recognize that the racial, political identities of the past were not timeless but rather created by political processes. As such, they could be dismantled by political processes as well. Third, the South African struggle teaches us that the main task of political decolonization, even more important than securing independence from external domination, is to reform. The internal, common, political community—recast by colonial power settler domination—had rested on two pillars: race and tribe. South Africans felt one pillar of the settler versus native distinction in their country, race, is a political identity. The other pillar, tribe, persists in the architecture of the South African state. In South Africa, tribe has been naturalized, presumed to be part of a timeless native culture, understood as a historical manifestation of African culture. In the former panther stands, the regime of customary law remains substantially unreformed, treating black people based on their tribal identification. Should they live in the wrong tribal homeland, Africans are still denied rights under the customary regime. You may have heard of xenophobic violence. It is worth keeping in mind that this violence is not directed at white persons, but to black persons. Its targets are not racial strangers, but tribal strangers. South Africa's story tells us much about how a society can go about decolonizing, but it also speaks to the enormous challenge of that worthy project.

II. Islam and Democracy

4. Islam and the Limits of Democracy

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Introduction

A new future is possible. The Arab Spring taught us that much. In its first stage, the uprisings across the Muslim world demonstrated a shift from a castrating impotence to a potent vibration of possibilities. In the wake of the popular protests debates emerged over the post-Arab Spring world. The overwhelming constant in the debates was the underlying assumption of democracy as good governance, with debate amounting to nothing beyond different forms of democracy, rather than questioning democracy as form-in-itself. This should come as no surprise, for secularity as global order and governance manages the threshold of dissent and change by mediating communication through the pre-packaging of the language of politics and setting its boundaries within an acceptable range, thus limiting the possible to what falls within that spectrum. In this paradigm, democracy is treated as a *fait accompli*, for its status as political orthodoxy and the panacea to oppression is taken for granted, and so it is a determined future.

As such, Muslim futures are pre-empted and forced to conform to codes embedded in the formatting of the dominant order and its regimes of knowledge. As Franco 'Bifo' Berardi explains, the subjectification of a one paradigm over the other serves as a deterministic reduction of multiple possibilities into *one* and only one possibility (Berardi 2019, 15). The reduction of possible forms of governance to that of democracy is not entirely the result of external political impositions. As Ghulyun points out:

“Muslims’ willingness to accept the setting of historical modernity (Western-ism) as the unchallenged criteria of creativity has led in effect to the loss of their standards and

epistemologically, to the mere explanation of the object by itself i.e., *subjectifying what was initially intended to be observed.*”

In his fatwa arguing for the compatibility between Islam and democracy, Yusuf al-Qaradawi laments the fact that engagements with democracy have been ill-informed and reminds the questioner that “it is a well-established principle of our earlier scholars that the judgement on something flows from its concept: the judgement is erroneous if one is ignorant of what one is judging, even if one happens to arrive at the correct decision.” (Euben & Zaman 2009, 231). To what extent does Al-Qaradawi follow a similar prescription? This wholesale and unbridled appropriation of democracy without observing it is evinced in the normative question that is put forth: is Islam compatible with democracy? The question subjectifies what should have initially been observed because it completely bypasses the question of whether democracy is an adequate project and suitable form of governance in the first place. This lack of critical engagement amounts to a state of impotence wherein we surrender the critical and creative cognitive conditions that facilitate *ijtihad* (Sabet, 2008, 1). Furthermore, this impotence inhibits the critical consciousness that is a precondition to liberatory politics. The result is that when we do pose normative questions related to democracy, we are caught up in conceptual hierarchies that perpetuate our state of crisis.

The difference between non-crisis and crisis is embodied in the difference between what is self-referential and what is other-referential. The former refers to the state wherein our metaphysical commitments are mirrored in reality; our concepts justify a reality that emerges from our center. The other-referential refers to the state wherein Islamic concepts are used to justify endogenous realities of a world “already seen” - not of our own making, as is the case with the Muslim world today (Sabet, 2008, 1). As such, and in the absence of critical engagement, we face both a

strategic and normative crisis. To emerge from this crisis, what is required is the *independence of thought*¹.

In attempting to reclaim our critical and creative capacities and liberate the Muslim mind from pre-empted and determinative trajectories and hierarchies, this essay will engage in an immanent critique of democracy as a project. An immanent critique refers to a critical exposition of an idea's internal premises and assumptions to unearth latent contradictions, ambiguities, and ideological biases within the idea. The objective of our immanent critique is three-fold. First, an exposition of the political and existential void at the heart of democracy. Second, to demonstrate that democracy, rather than being merely a voting mechanism, is part-and-parcel of a secular metaphysics and that this secular metaphysics perpetuates the void. Third, that the secular metaphysics which informs the democratic project occludes the possibility of liberation. Finally, this essay will examine the project of *istikhlāf* (vicegerency) as an alternative to the project of democracy. In juxtaposing democracy to *istikhlāf*, this essay highlights our freedom in the face of secularity. If the core aspiration of the Arab Spring was freedom, then we must recognize that the core of freedom is the capacity to choose what trajectory defines our present and future².

¹ "In addition to political, as well as economic, independence there is the essential need for the independence of thought, of the mental, the psychological, and the spiritual; for the exorcising of souls and liberating of minds. While "exorcising" may constitute the most difficult and tormenting phase of decolonization, it is at this level nevertheless that the ambiguities and ambivalences of incomplete and partial forms of decolonization must be addressed." (Sabet 2008, 5)

² The Arabic word for 'freedom' is *ikhṭīyar* but differs from the unconditional connotations of the term freedom in that *ikhṭīyar* is "bound in meaning with *khayr*, meaning 'good', being derived from the same root *khara* (*khayara*), the choice that is meant in *ikhṭīyar* is the choice of what is good, better, or best between two alternatives" . . . "*Ikhṭīyar* is the cognitive act of choosing for the better of two alternatives in accordance with virtues that culminate in justice to oneself and which is, as such, an exercise of freedom" (Attas 1995, 33-34). *Ikhṭīyar*, in turn, means stripping secular metaphysics of its ability to manage the threshold of dissent in the Muslim world and pre-emptively define its future.

For What? Critique and the Nature of Man

The starting point of any immanent critique of a political form must begin with some preliminary remarks on the incursion nature of man. To avoid the pitfalls of essentialism, an account of man begins with examining the *how* of the human being rather than the *what* or essence (Michelman 2008, 111). How does man mediate his relationship to the world? The fundamental observation of existentialism is that the human being exists by projecting possibilities: “the world is experienced as meaningful because it correlates to particular human attitudes and purposes (projects)” (Michelman 2008, 111). In other words, the human being is always already involved in a project that is projective and futural, as the very word existence literally signifies standing-out-toward. As Gabriel Marcel explains, it is standing out towards transcendence, “a straining oneself towards something, as when, for instance, during the night we attempt to get a distinct perception of some far-off noise” (Marcel 1951, 47). What accounts for a desire for transcendence? What shapes those projects and ends? It is, at its core, a concern with the how and why of *existence*. Gabriel Marcel put this aptly when he explained that man can have an array of exigences (e.g., concerns that are familial, political, economic, and so forth), but that the ultimate exigence is the *ontological exigence* which bears questions such as “who am I?” (Marcel 1973, 34). Marcel explains, “I aspire to participate in this being, in this reality—and perhaps this aspiration is already a degree of participation, however rudimentary.” (Marcel 1995, 15). In other words, an authentic project cannot exist independent of some notion of truth. This pursuit of truth is characteristic of the dynamism human consciousness as a process that is perennially in search of meaning (Hughes 2003, 17). This dynamism is present in a collective consciousness. The “we” is the coalescing of individuals around a shared project, a direction. Similarly, word *ummah*, unlike ‘nation’ does not refer to a numerical aggregate of individuals, nor does it have any racial or territorial connotations. *ummah* stems from the root *Amm*, which as a verb means “to head for, to quest,

to lead, to guide, or to mean and intend,” and as a noun it means “destination, purpose, pursuit, aim, goal and end” (Al-Barghouti 2008, 37). Thus, a project is authentic insofar as it is both grounded in and directed towards the disclosure of truth. Truth does not refer exclusively to an objective fact to be discovered but *an attitude towards the world*. It is a fidelity to the spirit of inquiry. Truth is the antithesis of an attitude of indifference. There is always a notion of *for what*.

Critique One: The Existential Void and Closure in Democracy

The start of our critique must go to the heart of democracy and ask: what makes action *democratic*? Al-Qaradawi, despite having insisted that a correct judgement of democracy is predicated on a correct understanding of it, devotes only one paragraph to the question in his sixteen-page *fatwa* on the matter. For al-Qaradawi:

“The essence of democracy – regardless of the academic definitions and terminology – is that people choose who rules over them and manages their affairs; that no ruler or regime they dislike is forced upon them; they have the right to call the ruler to account if he errs and to remove him from office in case of misconduct; and that people are not forced in economic, social, cultural, or political directions that they neither recognize nor accept, such that if someone were to protest or oppose this, he would be punished or frightened off, tortured or even killed. This is the essence of real democracy for which humanity has found such forms and practical approaches as elections and referenda, majority rule, multiparty systems, the right of the minority to express its opposition, the freedom of the press, and the independence of the judiciary.” (Euben & Zaman 2009, 232).

The problem with this definition is two-fold. The first is that democracy cannot be reduced to the electoral process of choosing a ruler. Surely, Qaradawi would not consider the election of a dictator who, following the elections, rules without recourse to popular will to be democratic. Therefore, we need to identify what exactly makes the expression of popular will to be democratic. The second problem is that Qaradawi conflates democracy with constitutionalism and liberalism. The term ‘democracy’ comes to signify all that is good in politics and the antithesis of all that is evil. If democracy embodies all that is good in a government, then there is little wonder as to why it is not subjected to critical reflection. To reiterate, the question of whether or not Islam is compatible with democracy fails to begin by questioning the idea of democracy as a project in and of itself. For example, any astute student of political theory can demonstrate that the idea of a multiparty system and the right of minorities to express opposition were put in place as institutional *constraints* on democracy’s proclivity to a tyranny of the majority as evinced in the Federalist Papers that served as the backdrop for the U.S. Constitution. Therefore, we need to return to the question; what makes the expression of a popular will democratic?

There are three possible responses to what makes the expression of popular will democratic. First, it has the *capacity* to assert a project. Second, it is a *collective* assertion. Third, the collective assertion is *self*-assertion. The first condition is purely descriptive—collective action generates a substantial source of power wherein the collective can choose and materialize one project instead of another, such as the founding of an undemocratic fascist state. The second condition is also lacking in that a collective assertion can reflect the will of a non-majority through the conditioning of public opinion. History has borne witness to many instances wherein collective will reflects the whims of a minority. To define democracy as a capacity or as collective assertion would be a superfluous statement that tells us nothing. It becomes a descriptive theory on the origins of *any* political project. This brings us to our third

possibility which, upon examination, unveils a void and is also lacking. To illustrate, an individual whose self-assertion involves the curtailing of another individual's freedom would not be deemed liberal. While the capacity to engage in self-assertion is a necessary condition for individualism, it is not a sufficient condition. The same problem applies to democracy. This third condition leaves unanswered the question: What makes self-assertion democratic? What are its necessary and sufficient conditions?

The absence of such conditions and ends is at the heart of our critique. The terms of this critique were summed up aptly by Nicolas Berdyaev. He observes that our investigation of democracy, or any project for that matter, must begin with an investigation into their "ultimate boundaries" (Berdyaev 1933, 173). Berdyaev identifies the ultimate boundaries of democracy as follows:

"The character of Democracy is purely formal, it knows nothing of its own essence and, within the limits of its affirmed principle, has no consistency. It does not want to know in *what name the people's will is expressed* or to *subordinate that will to any higher end*. Democracy comes to define the end towards which the people's will should move, if it finds an object worthy of it and is provided with a positive substance above the former principal of the expression of the people's will, and accept them as the basis of a society. But this Democracy is not willing to do. It is *indifferent to the direction and essence of the popular will* and has no criterion whereby it may judge its tendencies or decide the worth of the will itself" (Berdyaev 1933, 174).

The absence of an ends in the name of which people's will is expressed brings us to the core problem with democracy: a void that cannot answer the question *for what?* Towards what ends is the people will be expressed and directed? It is difficult to appreciate the dangers of

extricating the question *for what?* from the political equation because we live in “a broken world” in which “the ontological—the sense of being, is lacking, or, to speak more correctly, the man who has lost awareness of this sense” (Marcel 1995, p. 9). The ‘*for what?*’ is a question that constitutes the very existence of man; it is the existential question that foregrounds and prefigures individual and collective political experience. The ‘*for what?*’ gives shape to the projects through which man experiences the world and is ultimately grounded in a notion of truth through the search for transcendence. This not wanting to know in what name the peoples will is expressed and the indifference to the direction and essence of the popular will is *antithetical to the notion of Truth* as both a reality and as an attitude of openness and receptivity towards the world. The immediate response may be that democracy is a means to an end, that popular will via the democratic project towards a *for what*. The problem with this contention, however, is *not only that democracy cannot answer such questions but that democracy in its very nature must suspend the question*. This amounts to an existential closure. In the absence of an a priori ends, or truth, popular action becomes an end in and of itself, a horizon that is an empty signifier in need to signification. What we call popular will is immovable and characterized by “enigmatic silence” and “there is nothing a priori, nothing anterior to democratic power; no ideas of truth, no notions of good or bad can bind the popular will” (Lindbom 85, 1996). Thus, core principle of democracy is a self-affirmation that is entirely *self-referential*. As an ‘ends’ in and of itself, it *conceals* the void through a hegemonic order—the democratic state³. Action, as such, is extricated from its being directed towards existential prospects and truth. The people whose will is expressed are extricated from an *ummah* which in its essence must be directed towards a notion of truth and overarching

³ The contrast here, between a political project and a political system, is critical. For Kahn, the former is “a popular political project” and “a choice of the people to construct a legal order, informed by an idea or theory.” In contrast, a system, is “an idea of law as a social system” (Kahn 2019, xii).

image of the self. The project of democracy is abortive, and the stillborn child of possibilities never mourned nor eulogized but forgotten.

The collective “ends” that are indefinitely suspended lose their characteristic of being [existential] projects that are oriented towards some notion of truth. The result is a dispersion of meaning on both the individual and collective levels. In the absence of a *for what?* we are left with the question: What possibilities are inaugurated by democracy, or more accurately, what are the possibilities that are veiled by democracy? What questions in relation to our existence are eclipsed? If the questions that animate our ontological exigence are divested – through democracy - from those that animate our political projects, then to what extent can we extricate our desire for meaning from our collective project? If reality is a *realm of meaning* to be understood through a fidelity to the spirit of inquiry, then what is eclipsed when democracy as a project comes to dominate these spaces of meaning?

From an existentialist standpoint, both the absence of an ends and the notion of truth results in a transfiguration of the human being. As Heidegger explains, the being whose primal nature is open to existential prospects is reduced to the *das Man* (neutral pronoun “one” in German) whose choices are limited to what is familiar and respectable and results in a reduction of possibilities⁴. In the absence of recourse to a standard of truth, public opinion devolves into sterile tribalism. The lack of political knowledge and competence, however, is only one form of ignorance. The democratic state and its politics is beset by another form of ignorance⁵. In the absence of guiding values, existential ignorance conflates knowledge of *what is*, with knowledge of *what I want*⁶. The project of the individual and the collective as Kierkegaard would have put it, is driven into a state of estrangement and despair— “it is as if everything were possible—but this is precisely when the abyss has swallowed up the self.” (Kierkegaard

⁴ See Michelman on Heidegger, 212.

⁵ See König on ignorance, 6-9.

⁶ See König on Sartre, 3-6.

1980, 36)⁷ This void takes the form of, as Kierkegaard put it, a monstrous abstraction whose groundlessness produces an established disorder. What perpetuates this groundlessness is a levelling process wherein individuals conform to a common standard, usually a lowest common denominator⁸

The indefinite suspension of the popular will towards a higher end gives way to the ideological encroachment of other regimes. The vacuous nature of democracy creates a condition wherein the collective will become a space for ideological appropriation. In other words, democracy creates the conditions for its own negation. Democracy becomes an empty signifier requiring signification through an external regime of knowledge such as liberalism or socialism⁹. Its meaning is then defined by hegemonic regimes of knowledge which in turn opens the collective will to hegemonic appropriations. That is why Richard Dahl notes that “there is no democratic theory—there are only democracy theories” wherein this loose label becomes prey to exogenous projects that are not of its own making (Sabet 2008, 164). Nowhere is this more evident than in the neo-liberal appropriation of democracy to legitimize its politico-economic hierarchies. This also accounts for the Muslim world’s oscillation between different democratic regimes: Arab nationalist, populist socialism, and neoliberalism. Democracy cannot serve as an ideological and liberatory alternative to these ideological regimes.

The task that is now at hand is to unearth the underlying logic that informs the void that is at the heart of democracy. To do so, we must be cognizant of not only what democracy says but what it does not say (Sabet

⁷ This void also accounts for democracy’s ambiguity: “discussions about democracy...are intellectually worthless because we do not know what we are talking about” (Sabet 2008, 164).

⁸ See Michelman on Kierkegaard, 212.

⁹ As Salman Sayyid explains, of “Democracy is not based on substantive qualities, but rather, like all identities, it is relational and contrastive” (Sayyid 2014, 67).

2008, 163). This, in turn, requires a level of creativity¹⁰. through an exposition of the metaphysical assumptions that are concealed by democracy and the hegemonic regimes of knowledge that employ it. Metaphysics is not an exercise in speculation but is determinative of what forms of governance are deemed possible and what forms are deemed impossible. It provides every epoch with its intelligibility and foundational justification. Metaphysics functions, more often than not, as an unseen order that delineates the boundaries of consciousness. Thus, if we are not aware, or cognizant of the metaphysical foundations of an idea, we are inevitably preyed to being absorbed into its orbit. This is all the more true for democracy which conceals its metaphysical assumptions. We now turn to what democracy does *not say*; *its metaphysical order* and the assumptions that both create and perpetuate the void that is at the heart of democracy.¹¹

Critique Two: The Metaphysical Limits of Democracy

There are two approaches to examining the metaphysical order that informs an epoch. The first approach is to take for granted the grandiose narrative that an epoch has to say about itself. For Modernity, that is, the narrative of “self-affirmation” the tale about the self-assertion of man in the face of totalizing theology, fascism, and so forth. The second approach is to disentangle that narrative by unearthing the latent assumptions that inform the narrative. The grandiose narrative that democracy tells us about itself is one of sovereignty of man and self-affirmation and the overcoming of negative elements that obstruct the authentic self-determination of man. The underlying metaphysical assumptions that inform this narrative of self-affirmation unveils a different kind of sovereignty, on that is concealed. These assumptions are the horizon against which democracy as a totality makes sense. In

¹⁰ “The paradox of creativity,” however, “is that it requires both great familiarity with a subject matter, *and* the ability to approach it from a fresh angle” (Sabet 2008, 2)

¹¹ See Thomson on Heidegger, 298.

unearthing the metaphysical assumptions that inform this narrative, we can demonstrate that “Democracy, more than a mere voting mechanism or procedure, is a value-laden principle incorporated in a secular epistemological whole.” (Sabet 2008, 202).

To understand the logic that informs democracy and its narratives, one must begin with modernity. In his seminal text, *The Legitimacy of the Modern Age* argues that the key characteristic of the modern age is the triumph of human self-assertion and the primacy of immanence over the scandal of religious transcendence. Joseph Albernaz and Kirill Chepurin contest this narrative. If self-assertion is about the actualization of possibilities, then these possibilities are “Inherent in the world, a framework in which the world itself (re)occupies a position that is constitutively transcendent, even though Blumenberg frames modernity as an overcoming of transcendence via the immanence of “human self-assertion” (Albernaz & Chepurin 2020, 85).¹² In turn, the narrative about the sovereignty of man, immanence and self-assertion finds its actual logic of determination in the assumed *sovereignty of the world*, replacing God¹³ as the totality of what is possible. Reality, according to Blumenberg, becomes “a reality to be altered and produced in accordance with human purposes” (Qtd. in Albernaz & Chepurin 2020, 94). The identification of the world as the totality of possibilities provides democracy’s narrative of collective self-assertion with its logic.¹⁴

¹² As Eric Voegelin reminds us, the question of transcendence is not forgotten but transposed onto the world through an array of new immanent grounds, one of which, is popular will. “What has happened to the transcendent ground in [this] connection? It has become, let us say, immanentized.” . . . “The transcendent ground is misplaced somewhere in an immanent hierarchy of being” (Hughes 2008, 55).

¹³ “Yet, contra Blumenberg’s insistence on immanence winning this existential competition, transcendence does not disappear when the position of the transcendent Deity is reoccupied in modernity, because it is *the position itself that is transcendent*: the sovereign position of the transcendent totality of possibility. The world retains the structure of transcendence “equivalent” to that of the transcendent God, and with it, the alienation that transcendence produces.” (Albernaz & Chepurin 2020, 96)

¹⁴ See Albernaz & Chepurin, 93-104

The image of a sovereign and transcendent world is an image of self-sufficiency, totalization, and self-enclosure. How was such a closure even imagined, let alone justified, on philosophical grounds? The foundational justification for such an image was the emergence and *invention* of the ‘secular.’ Millbank writes, “once, there was no secular.” The secular was not latent, waiting to fill more space with the steam of the ‘purely human’ when the pressure of the sacred was relaxed.” The secularization mythos views desacralization “in negative terms.” Such a narrative overlooks the ways in which the Secular had to be “imagined, both in theory and in practice” as a positive institution. That is to say, the secular was not discovered from beneath the rubbles of a pre-secular world but, rather, it had to be created. Through this process of creation, it had to introduce three ‘autonomous’ objects. The first being the ‘natural’ that are governed by natural laws and, as such, is a “sealed off totality.” As Milbank points out, “Grotius, Hobbes and Spinoza can be confident that the self-preserving conatus provides the universal hermeneutical key for both nature and society” (Millbank 2008, 10). Millbank goes on to explain, automization “could not be achieved in the sphere of knowledge alone; it was only possible because the new science of politics both constructed for itself a new autonomous object—the political—defined as a field of pure power. The critical point to make here is that the ‘political’ was not a space—out there—already autonomous, only waiting to be occupied. Its autonomy had to be imaged before it could be occupied and closed onto itself. Glenn Hughes notes:

“The horizon of modernity, one might say, was established through the absolutization of immanence (nontranscendent reality). This transformation of the finite universe into a completeness of reality designated as “Nature” necessarily brought with it a new interpretation of human nature to replace the Christian anthropology that had dominated

European thought for more than a millennium.” (Hughes 2003, 19)

Through the negation of transcendence and the absolutization of a nontranscendent reality, the existential prospects of liberation are circumvented by democracy’s metaphysical commitment to the sovereignty of the world¹⁵. Man, no longer participates in a grander narrative or an order of higher ends but is reduced to a political being participating in a political body that is illusory in nature. The world, and its frontiers, come to represent the totality of possibility and metaphysical boundaries... The idea of liberation and its existential prospects are reduced to a horizontal axis stripped of any “possible relation with a transcendent dimension” (Dosdad 2016, 895). Under the metaphysical horizons of an invented secular, there can be no transcendence through God. The spatial space that is opened up by the secular is an immanent world closed off to any exteriority (which refers to grounds that originate outside of a [political] formation). The temporal place instantiates itself as the natural progression of time that is “oriented to the realization of an ultimate end (*telos*)” that is worldly in its origins and in its ends. There can be no reference to a higher order of intelligibility because the secular reduces legitimate experience to what it considers knowable as opposed to speculative. Thus, the non-Western subject is caught in a double-bind: he is bound by a *telos* of progress, a colonized future and cannot transcend that *telos* because the temporal order is closed off to transcendence. The result is the fetishization of order, that is, the divinization of the system which now appears to be closed and absolute (Dussel 1990, 95). The fundamental characteristic of the fetishized order is its negation of exteriority, that is, what is beyond its horizons.

¹⁵ As Sabet explains, the fundamental problem with this worldview is its “externality to restraining borders and to the absolute standards of a religio-ethical foundation” (Sabet 2008, 31).

Critique Three: Liberation and the Limits of Democracy

For the liberation theologian Enrique Dussel, exteriority originates in the face of the oppressed subject who, living on the margins of the totalizing order, are exterior to the system. The problem with this, however, is that it only pushes further back the question: if it is the point of reference is the exteriority of the oppressed ‘Other’ and those who stand with them in solidarity, then the question becomes: what is *their* point of reference? This question brings to fore three problems. First, the collective consciousness of the oppressed is stamped by the metaphysical order of the fetishized and oppressive state¹⁶. Second, the proclivity towards a metaphysics of immanence, that is characteristic of subaltern and decolonial approaches, affirms the sovereignty of the world and concomitantly reproduces the logic of power and alienation that it entails. Third, if the oppressed have no recourse to exteriority than what is to prevent the fetishization of a future system? The reduction of exteriority exclusively to the oppressed (or the ‘subaltern’) perpetuates the self-referential nature of the fetishized order, which recognizes no reality outside of itself, appearing to be closed and absolute¹⁷. Enrique Dussel anticipates this problem through the recognition of the absolute exteriority of God:

¹⁶ “So powerful is the legacy of colonial rule that the subject of the postcolonial condition is always already somehow predetermined, somehow stamped, indeed inscribed by the colonial experience. Viewing the international from the vantage point of the non-West is hence to do so through a lens that is already prescribed and shaped by coloniality and the desire to resist its continued economic, social, political and epistemological domination” (Vieira 2019, 4)

¹⁷ “Pure atheism, without affirmation of the infinite Other, is not sufficiently critical; it permits the fetishization of a future system. Only if it is affirmed that the divine is other than all possible systems will liberating revolution be possible. Hence disbelief in the fetish atheism must be affirmed as the exteriority of the absolute and of the Origin. The center set itself up as divine: it rejected anthropological exteriority (the Amerindian, the African, the Asian) and hence also absolute Exteriority. Antifetishism is negation of the negation of absolute Exteriority. To affirm absolute Exteriority is to close the road to a future tautological negation of the liberating affirmation. It is, as Proudhon said, the necessary hypothesis of all revolution.” (Dussel 1990, 99).

“It is the *most thorough-going deposition* that no system is eternal, because everything, even the sun and earth, is contingent (it could be non-existent) and possible, unnecessary (at any given moment in time it was not)” which in turn “contingency gnaws at the claim of divinity made by an oppressing state” because God - the creator from *ex nihilo* - is outside any system or formation” (Dussel 1990, 100)

In its negation of transcendence, democracy lacks any recourse to exteriority and as such it cannot serve as a liberatory project. In the absence of exteriority or higher ends, the democratic state totalizes its interiority and becomes entirely self-referential and claims self-sufficiency, the democratic state, as such, appears to create itself and its constituent’s *ex nihilo*¹⁸. The sovereignty of the world translates the world as possibility into “possibility qua manipulability, the possibility of dealing with and mastering reality.” (Albernaz & Cherpurin 2020, 91). This, in turn, produces a logic of domination wherein the world becomes a space of ‘pure power’ and power is distributed immanently¹⁹. The system that is absolute, closed and divine cannot reconstruct an “order *given* in nature”—it “reduce[s] nature forcibly to an order *imputed* to it by man” (Albernaz & Cherpurin 2020, 91). From an Islamicate perspective, this results in the emergence of “second-creators” or in Qur’ānic terms, the *tāghūt* who alienates the self from its primordial God-given self that desires an ontological exigence and an alienation from the

¹⁸ “The metaphysical theory of creation gives fluidity to the whole and to all its parts. Neither the cosmos, nor the world, nor any system is divine. The theory of creation denies such divinization and affirms disbelief in fetishism: the fetish itself is a creature, workmanship of human hands only, a creature made by a creature. That is, if everything is created, nothing is divine. The theory of creation is the atheization of the cosmos and of the world” (Dussel 1990, 100)

¹⁹ “To master possibility, to get ahead in this race, is to occupy a position of power—over the external world, over other subjects and over those who, within this framework, are not considered subjects, as in the case of the enslaved”. (Albernaz & Cherpurin 2020, 100).

First Creator – God who endowed man with that desire²⁰. Toshihiko Isutzu describes the *tāghūt* as having lost the sense of createdness and as such is bound to transgress its proper place in the divine order²¹. The *tāghūt* descends into what the Qur’ān describes as a state of *istigna*, to think as though the self is free and independent from anything that is beyond itself and amounts to *tugyan*, or transgression. This alienation, both metaphysical and political, inhibits the possibility of transcendence, or the passage towards exteriority, in that it arbitrarily demarcates what it deems to be possible from what is impossible, what is desirable from what is undesirable, and as such becomes a seemingly insurmountable and eternal order that is divine, enclosed and absolute in its origins and in its ends.

This alienation that emerges is an alienation from the foundational source of exteriority, God, through the divinization of “second-creators” and Exteriority, Dussel reminds us, is both the affirmative and definitive imperative for any liberatory project²². Exteriority is not an additive to any philosophy of liberation but rather its foundation. What is needed, as such, is a project grounded in the recognition of an absolute Exteriority without lapsing into a future fetishized state through theocratic absolutism or the formation of an ecclesiastical order. Furthermore, it is imperative that this project does not transfigure the ontological exigence of man and the intrinsic desire to participate in a higher order, towards truth as an ongoing process of disclosure. To what extent can we conceive of a politics that recognizes and affirms truth in a supposedly “post-metaphysical” world? In what follows, we will explore the Qur’ānic project of *istikhlāf* as an alternative project to democracy.

²⁰ See Jackson on “Second-Creators”, 173.

²¹ See Isutzu on *tāghūt*, 122.

²² See Dussel on exteriority, 39-49.

Beyond Democracy: *Istikhlāf* as the Project of Man

The task is to recover a project for man that is both liberating and reclaim the ontological exigence of man and his participation in a higher order. Qur'an prescribes this as the task of *istikhlāf* (vicegerency). The foundational task of *istikhlāf* is to preserve the divine order signified by the Qur'an as *al-mizan* (the balance). The project of *istikhlāf* has its foundations in the metaphysics of *tawhīd* which is not only a truth that is revealed to the primordial self but also a *law* that governs reality wherein God is the Center: the only absolute and real existent governing the multiplicity of creation at the circumference. *Tawhīd* is the negation of the *tāghūt* and its orders and the affirmation of the *unique transcendence* and absolute Exteriority of God. Through revelation, conceptions of God cannot be forced into the orbit of the fetishized order because God speaks about Himself through Himself. The Qur'an affirms both the ontological (*rububiyyah*) and temporal (*uluhiyyah*) priority of God in relation to the world and man. The ontological priority of God is affirmed through the concept of *khalq*, or creation which in turn differentiates the Creator-Absolute from the created-relative, or in Qur'anic terms, Allah from *ālam*. As Muhammad Iqbal points out, there is only one word for creation in the English language whereas in Arabic there are two: *khalq* and *amr* which can be translated concurrently as 'creation' and 'direction'. The temporal priority of God affirms that it is God, and not the world, that is the totality of possibility for God is in the act of perpetual creative activity (Attas 1995, 12). The world is not an autonomous space representing the totality of possibilities but is subsumed into '*ālam* or cosmos al-Sabuni defines as the name of the totality of all beings other than God because they are signs that point to a Creator (Davutoglu 1990, 60). As such, the world, through the project of *istikhlāf*, is not alienated from the First-Creator, as with the Aristotelian First-Mover. The world in which the *khalīfah* participates is not a closed off totality but an open world that becomes the space for God's perpetual creative activity (*af'al Allah*).

The temporal priority of God is both autonomous and enacted through human agency, that is, through *istikhlāf*. Man is not an autonomous, self-asserting being, alienated from God but an agent of divine will, entrusted to uphold the law of *tawḥīd*. The Qur’ān states, “He has raised up the sky. He has set the balance. So that you may not exceed in the balance: Weigh with justice and do not fall short in the balance...” The ‘imposition’ of the balance is referred to as *wada’a* which means to ‘put down’. The Qur’ān warns that the order is vulnerable to transgression, disequilibrium, as when the verse states "So that you may not exceed in the balance" (*‘allā taṭṭhawā fī al-mīzāni*) and then repeats this warning stating, "weigh with justice and do not fall short in the balance" (*wa ‘aqīmū al-wazna bil-qisṭi wa lā tukḥsirū al-mīzāna*). The concept of *mizan* signifies that there is a divine order wherein things have their proper place as part of a divinely ordained equilibrium. The warning against transgressing this balance indicates that the *mizan* is both mutable and immutable. The ‘Order’ refers also to the ‘balance’ as being a vocation of man, to maintain the divine order of things²³. The vocation of *istikhlāf* amounts to a retrieval of man’s ontological exigence and a revival of the desire to participate in a transcendent order. Through a recognition of *tawḥīd*, the self ascends to a participation in a reality that is constituted by the divine reality of divine unicity. *Tawḥīd* is a mode-of-participation. As Syed Muhammad Naquib al-Attas points out, Islam "emulates the pattern or form according to which God governs His Kingdom; it is an imitation of the cosmic order manifested in this worldly life as well as political order" (Attas 1995, 55). The Sharī’ah is thus *universal* in the sense that it represents a unison and harmony between man and the divine order that governs the totality of reality²⁴. It is the embodiment of an order *given* in nature, antithetical to *tughyan* whose highpoint is the projection of an order onto reality.

²³ See Hallaq on Taha ‘Abd ar-Rahman, 250.

²⁴ See Sayyid Qutb on the universal nature of the sharī’ah, 95-103.

The Qur'ān further states that the divine purpose behind both God's creative and divine will (*irāda khalqīyya*) and God's divine legislative will (*irāda shar'īyya*) is the enactment of justice (Q 45:22). The enactment of justice through God's legislative will requires human agency and divine authorization. The core of this justice is the recognition of God's absolute Exteriority and, concomitantly, God's ontological priority and temporal sovereignty. 250). Thus, *Adala* is not a static or platonic idea but rather an active recognition – through human agency – wherein we “actualize the condition of being in the proper place” (Attas 1995, 14-16). Similarly, Truth, in Islam takes up a dynamic character as a project. *Haqq* which signifies the proper place of things connotes a future condition that requires recognition and actualization. (Attas 1995, 126). That is the recognition and actualization of both God's ontological priority (*uluhiyya*) and temporal priority (*rububiya*) over the world, in relation to the political, it is the sovereignty (*hakimiyyah*) of God. In contrast, in the absence of a recourse to absolute exteriority, the Qur'ān describes the state as groundlessness with the term *bāṭil*, which denotes a lack, or what is ephemeral in its duration in contradistinction to the stability of *haqq*, or truth. *Bāṭil* is characterized by *hāwa* which connotes falling or emptiness as in the case of the noun *hāwiyyah*, which literally means an abyss²⁵.

The divine sovereignty of God, in Islam, does not amount to the establishment of an ecclesiastical or theocratic order. The Qur'ān describes the proper place of those in authority as “from you” in Arabic is *minkum*. As Syed Mustafa Ali points out, this points to the “contingent and conditional nature of the bond between the ruler and the ruled as ‘horizontal’ and not ‘vertical’” . . . “thereby established that the ruler to be obeyed has the same ontological and political status as the ruled and cannot ‘Lord’ over the people.” Furthermore, the state's executive intervention into society was the exception rather than the rule. The sovereignty of God and the manifest nature of the Qur'an occludes any

²⁵ See Al-Karim on *batil* and *hāwa*, 70-71.

form of human mediatorship, with no priesthood but that of the believers²⁶. The task of discerning and establishing the Shari'ah falls within the purview of the community, with the imperatives, commands, and directives (*amr*) of the Qur'an appearing in plural form (*jam'*). The authority of the ruler is other-referential rather than self-referential - in a *dual* sense: it is contingent onto the revealed *irāda shar'iyya*²⁷ of God and the authority of the community as per enacted through *bay'a* (oath) and *shura* (consultation)²⁸. The discernment and establishment of the Shari'ah, as such, represents a dynamic and creative communal movement that eschews the presence of an ecclesiastical order, or epistemic arrogance. For Ibn Taymiyyah, the community is the source of authority because as the Prophetic narration states, the community is protected from error. This protection does not stem from an infallibility but, rather, a dynamic process of mutual advice and correction, revival and reform, and commanding the good and forbidding the evil²⁹. The will of the community is expressed through the communal practices of *ijtihād* in the discernment of law and the communal practice of commanding the good and forbidding the evil.

Concluding Remarks

Is it possible to think *beyond* democracy? The Arab Spring taught observers that the unthinkable is indeed possible. The courage that is required to demand the fall of an ossified and authoritarian regime must be extended to the cognitive capacity to question the boundaries of what is deemed possible and impossible. What must be reclaimed is the ability

²⁶ See Stoica on Sayyid Qutb and theocracy, 251

²⁷ "Ruling by what God has revealed unto Muhammad, upon him be peace, is but justice in a particular form – indeed it is the most perfect and best type of justice and ruling by it an obligation of the Prophet himself as well as upon those who follow him" (Anjum 2012, 242).

²⁸ "Because the will of the community can never be reduced to that of any individual or institution, a "theocracy," in any usual sense of the world, is not a possibility within the Taymiyyan vision" (Anjum 2012, 232)

²⁹ See Anjum on the Taymiyyan vision 228-265.

to reflect, to call into question what is deemed to be orthodox i.e., the ultimacy of democracy. If belonging to an Ummah means the very act of pursuing, to what extent do we remain an Ummah with an ideal image of itself if the act of pursuing is pre-determined by cognitive hierarchies that colonize the future, arbitrarily demarcating what is possible from what is impossible? The argument that I made in this article is not an exhaustive critique of democracy but merely a demonstration that any critical engagement with the question about Islam's compatibility with democracy must be foregrounded by a critical consciousness that pays attention, not only to the self-proclaimed narrative of democracy but to what it conceals, namely, its narrow metaphysical horizons.

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5. Democracy and Its Discontents: A Study on Trajectories of Jamaat-e-Islami in India

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Introduction

Since India achieved its independence to be a secular state and Pakistan came into existence with the motive of a Muslim homeland, the survival of Indian Muslims was then a prime matter of debate. However, Jamaat-e-Islami leadership under Mawdudi migrated to Pakistan by bifurcating the movement under the title of Jamaat e Islami Hind (JIH). In its historical trajectories in engaging the political realities of India, JIH showed paradigmatic as well as pragmatic shifts from assuming a humanitarian approach of dialogue with Hindu-majority political fronts, to the rejection of democratic institutions, to rallying for the victory of the secular parties against Hindu radicalism, to the formation of its own electoral political party, i.e., the Welfare Party of India.

Islamism

While attempting to present an encompassing definition for Islamism, Salman Sayyid explains that “Islamism is a constellation of political projects that seek to position Islam in the center of any social order” (Sayyid 2014: 9). However, as widely observed, various Islamist movements seek diverse trajectories to achieve the power in their particular, contextual situations. To understand the theological framework of Mawdudi, an approach of moderate Islamism needs to be investigated in detail. Hale and Ozbudun analyze that the “reformist Islamists argue, among other things, that the tradition of *shura* (consultation), in which a Muslim ruler was supposed to consult leaders

of the community before taking decisions, and of *bai'a* (the oath of allegiance which they were required to take to a newly appointed Caliph) implies Islamic legitimacy for the idea of an elected legislature and head of state” (Hale & Ozbudun 2009: 14). At various instances of discussion on the formulation of theo-democracy, Mawdudi touches the aspects of consultation as an inseparable part of democracy.

To understand the similarities between various models of Islamist projects in the current political landscape, Hale and Ozbudun discuss the case of Turkish Islamists and the debates they faced during their attempts to achieve power as follows:

“The argument has been sharpened by the growth of Islamist parties and movements in Turkey since the 1970s, and the emergence from them of the Justice and Development Party [Adalet ve Kalklnma Partisi (AKP)], which has ruled Turkey since its victory in the general elections of 2002. For some, this story has been seen as a beacon of hope for the Muslim world, a clear sign that democratic government is perfectly possible in a Muslim society, even when the ruling party has faith-based roots. By others, the AKP is seen as no more than a facade, behind which radical Islamists hope to impose an authoritarian Islamist state” (Hale & Ozbudun 2009: 12).

This dilemma to comprehend the purpose and objective of Islamism in achieving power led to a number of debates about the behavioral shifts of Islamism in the contemporary political landscape.

Jamaat e Islami: Ideological Transitions

The supreme aim of Jamaat e Islami was set as establishing God’s sovereignty on the earth (*hukoomat e ilahi*) through the means of establishing religion (*iqamat e deen* in Urdu - *iqamat al deen* in Arabic). According to Article 4 of Jamaat e Islami’s constitution, “The objective

of the Jamaat-e-Islami Hind is *Iqaamat-e-Deen*, the real motive of which is solely the achievement of divine pleasure and success in the Hereafter.” *Iqamat-e-deen* can be translated as the establishment of religion or way of life. After Indian independence, Jamaat e Islami Hind changed its objective from *hukoomat e ilahi* to *iqamat e deen* in 1956, after a series of arrests of its leaders under the Preventive Detention Act by the Government of India.

The explanation of the above-mentioned article follows as: “The word ‘Deen’ in the term ‘Iqaamat-e-Deen’ means that true Deen which Allah, the Lord of the worlds, had been sending through all His prophets in different ages and different lands and which He revealed in its final and perfect form for the guidance of all men, through His Last Prophet, Hazrat Muhammad (Allah’s blessings and peace be on him), and which is now in the world the only authentic, pristine Deen and the only one which is acceptable to Allah, the name of which is Islam. This Deen encompasses the exterior and the interior of man as well as all individual and collective aspects of his life. There is not even a single aspect of human life ranging from beliefs, rituals, and morals to economic, social, and political aspects which may be beyond its pale. Just as this Deen ensures Divine pleasure and success in the Hereafter, it is also the best system of life for the proper solution of all worldly problems, and righteous and progressive reconstruction of individual and social life is possible only through its establishment. Iqaamat of this Deen means that it, in its entirety and without exercising any discrimination or division, should be sincerely followed and followed single-mindedly. It should be so enforced and given effect to in all aspects of human life, individual as well as corporate, that the development of

the individual, the reconstruction of society and the formation of State should all conform to this very Deen. The ideal and the best practical example of the Iqaamat of this Deen is that which was set up by Hazrat Muhammad (Allah's blessings and peace be on him!) and the rightly-guided Caliphs (may the Exalted Allah be pleased with them all!)" (JIH Constitution)."

Mawdudi brought forth a range of debating issues related to the basic tenets of Islam. His analyses raised internal as well as external controversies, as these were challenged by the conservative scholarship in South Asia. Mawdudi redefined the longstanding meanings of *deen*, *ibadat*, *tagoot*, *hakimiyyat*, and *siyasa*. These terms were deconstructed by Mawdudi with an overt political connotation in which he emphasized the supreme sovereignty of God and servitude of humans. As we discussed above, Mawdudi challenged the narrow meaning of 'deen' as religion and presented it as a system/way of life with a holistic view of Islam. In the matter of 'ibadat,' he elaborated its scope from the traditional understanding of worship to sole obedience and servitude. He often refers the Quranic verse about *ibadat* to affirm the purpose of divine creation: "I created the Jinn and humankind only that they might worship me" (*li yaa'budun*) (Quran 51:56). In order to frame the sovereignty of God in terms of legislature and law-giving, and to reject all other non-godly (*tagoot*) manifestations, Mawdudi put forward the principle of 'hakimiyya' as part of the basic tenets of monotheism (*tawhid*) (Mawdudi 1971: 11).

Jamaat e Islami was founded to prepare a cadre-based movement to uphold the values of an Islamic comprehensive system in all walks of life. Mawdudi convened a meeting of 75 Muslim scholars and professionals in Lahore, and proposed the idea of Jamaat e Islami and was elected as its first president (*amir*). In the critical juncture of Indian partition in 1947, Mawdudi rallied for a unified India and opposed the

two-nation project projected by the All-India Muslim League led by Muhammad Ali Jinnah. However, when Pakistan was established as the Muslim homeland with an autonomous authority as a nation-state, Mawdudi migrated there in order to push forward his ideal plan of an Islamic state. Khurshid Ahmad writes in his forward to the book of Mawdudi that “the Pakistan movement was an expression of Muslim India’s firm desire to establish an Islamic state. The movement was inspired by the ideology of Islam and the country was carved into existence solely to demonstrate the efficacy of the Islamic way of life” (Mawdudi 1955: 12). He continues that “the idea of Pakistan owes its origin to the belief that Muslims are a nation, an ideological community, and it is a dictate of their faith to establish a state, a society, and a culture in light of the principles given by the Quran and the Sunnah” (Mawdudi 1955: 12). As a large chunk of Muslims migrated to Pakistan in search of autonomy, the remaining Muslims were left with an unpredictable future. In April 1948, Jamaat e Islami was reconstituted in India under the title of ‘Jamaat e Islami Hind.’ In its historical trajectories, the government of India banned JIH twice in 1975 and 1992 in order to “strike a balance with the ban on Hindu radical group Rashtriya Swayamsevak Sangh (RSS)” (Abedin 2010).

Critical Contemplations on Polity

In his analysis on the theoretical foundations of modern socio-political norms, Mawdudi comes across a variety of critical reflections. He thoroughly evaluates these norms by rising its fault lines in imagining a just society and polity. Mawdudi points out the prominence of three concepts in the socio-economic, intellectual, and political spheres of humankind, such as secularism, nationalism, and democracy. The amalgamation of these ideas finds its form in a ‘secular democratic national state’ (Mawdudi 1948: 8). This nation-state gives ultimate authority to humankind to legislate and execute rules and regulations in

all walks of life. Mawdudi opines that this feature of the nation-state directly challenges the sovereignty of God, the creator and sustainer.

In his endeavor to formulate a just and ethical system of governance, Mawdudi comes across the idea of a theo-democracy. By framing theo-democracy, Mawdudi tries to accommodate two conflicting discourses in the public sphere. This particular system of polity represents the divine authority of legislation and the human effort of its execution. It redirects the parliamentary electoral process into electing leadership to discuss (*shura*) the appropriate ways of implementing God's will in all walks of life. While delineating the political concept of Mawdudi, scholars opine:

“This polity, ‘the Islamic utopia,’ will have a democratic system, but not a western type democracy; rather, a theo-democracy. Mawlana Mawdudi has derived the essential systems of such a theo-democratic Islamic utopia, i.e., socio-political and economic systems from the Holy Quran. The three fundamental principles of Islam, i.e., *tawhid*, *risalat*, and *khilafat*, will be the basis of the governance system of the polity” (Mehmood and Ahmed 2018: 28).

Mawdudi declared that it was *haraam* (prohibited) for a Muslim, who believes in the sovereignty of God, to participate in the contemporary secular-democratic polity:

“All the democratic systems that have been developed in the present age, among them the present assemblies of India, are based on the premise that, in worldly affairs, inhabitants of a country themselves possess the right to ... frame laws ... This ideology is absolutely the opposite of the ideology of Islam. Integral to the creed of monotheism in Islam is that Allah is the Lord and Ruler of people and the whole world. Issuing orders and guidance is His job ... From this

ideological standpoint, the source of law and foundation in all the affairs of life recognizably are the Book of Allah and the tradition [*Sunnah*] of His Prophet, and to accept the above mentioned democratic ideology by deviating from this ideological standpoint is tantamount to deviating from the creed of monotheism. We, therefore, say that membership in such assemblies and parliaments, which are based on the democratic principles of the present age, is *haraam*, and to vote for them is also *haraam*. Because to vote means that we elect an individual whose job under the present Constitution is to make legislation that stands in absolute opposition to the creed of monotheism” (Mawdudi 1999 [1945]: 304).

In view of affirming the conviction about the pitfalls of existing systems, Jamaat e Islami Hind’s constitution demands from its member “to relinquish any key-post which he/she holds under an ungodly governmental system, or the membership of its legislature or a judicial office under its judicial system” (JIH Constitution). Irfan Ahmed brings forth an instance of this notion of radical rejection of current political approaches: “So removed had the Jamaat become from its earlier goal of Allah’s Kingdom that, in 1983, Mawlana Abullais Nadwi had gone on record to say that the Jamaat was a ‘non-political organization’ in *Qaumi Awaz*” (Ahmed 2009: 181).

For around three decades, JIH carried out the application of its constitutional obligation carefully on its members, including discouraging them from obtaining government-sector jobs and positions in the democratic polity. However, in the wake of its ban by the government, JIH revisited its policy to vote in the election in order to end the emergency declared by Indira Gandhi during the 1970s. Nevertheless, JIH kept this statement of its constitution intact, even after it formed a proper political party to contest the elections in the secular-socialist-

democratic Republic of India. This dilemma among the cadres of JIH on changing fundamental policies, often justified in terms of *ijtihad* (research) and *tajdeed* (renewal) of a dynamic movement.

However, JIH faced continuous criticism from other Muslim, leftist and Hindu organizations on its stands during elections. According to Abdul Hameed Faizi Ambalakkadavu, a leader of Sunni Yuvajana Sangham in Kerala:

“It [JIH] propagated that following the dictates of an un-Islamic state amounts to ‘shirk’ or polytheism, which is the greatest sin for a Muslim ... the Jama’at held that voting or accepting government jobs under an un-Islamic rule was religiously wrong ... That is why they stayed away from voting or contesting elections for a long time after Independence. Jama’at’s transformation to participate in the democratic process is not convincing” (Prashanth 2020).

Electoral Experiments

During the early stages of its formation, JIH took a decision not to contest in election processes. In 1952, when the first election in India was held, JIH refused to participate or give votes in any election procedures. However, it had released a manifesto by raising the issues of the Muslim minority and worked to form a unity among various Muslim political groups. While the country faced an emergency period between 1972-77, JIH changed its earlier position and rallied for the victory of opposition parties in 1977 in order to end the emergency and to amend the 47th article of the Indian constitution. In the later elections, JIH tried to present its take according to the contextual scenarios.

While analyzing the debates over the policy-level changes of JIH, especially related to the perspectives of Mawdudi, Maidul Islam points out:

“The Jamaat argues that Mawdudi himself revisited and changed some of his positions on secularism, nationalism, etc., and after partition advised the Indian Jamaat to work peacefully by using legal means in a multi-religious country. The Jamaat also believes that since, at the global level, Islamic movements are increasingly realizing to revise the traditional Islamic outlook on issues of secularism, democracy, religious pluralism, and politics, JIH is no exception to this trend. They argue that no movement can remain obsessed with its founding father and refuse to change; as in the case of Marxism, there are forms of neo-Marxism that have sought to move beyond Marx. Therefore, Jamaat also needs to move beyond Mawdudi with a practical approach in the current context” (Islam 2015: 143).

A similar approach on the changing democratic experiments can be seen in the statements of Sheikh Muhammad Karakkunnu, a leader of JIH Kerala, in his conversation with MP Prashanth:

“In fact, there is nothing called Mawdudism because he was only reiterating what is in the Quran and Hadees [*hadith*, or recorded sayings of the Prophet Muhammad]. For Jama’at-e-Islami Hind, Mawdudi is an inspiration, but we moved in a different direction as per the existing situations in the country,” Sheikh Muhammad says. To a question as to why the Jama’at changed the position from staying away from elections to participating in the democratic process, he says that in the intervening time the organization was preparing its cadres. “Our stand on democracy is clear: We are against the concept where majority becomes the factor in deciding what is right or wrong” (Prashanth 2020).

Although the leader of JIH Kerala reiterates his criticism over the majoritarian notion of democracy, he declares his conviction over the realpolitik through the means of democracy in India.

This dilemma of ideological rejection and pragmatic adoption needs to be contemplated in the context of global ideology-based movements, including the communist parties. According to the ideological framework of the Communist Party, the aim of political mobilization is determined over the dictatorship of the proletariat through socialist methodology. However, while explaining the challenges of the Indian political system, the Party Program of Communist Party of India (Marxist) (CPIM) points out:

“The Communist Party of India firmly adheres to its aim of building socialism and communism. This, it is evident, cannot be achieved under the present State and bourgeois-landlord government led by the big bourgeoisie. The establishment of a genuine socialist society is only possible under proletarian statehood. While adhering to the aim of building socialism in our country, the Communist Party of India, taking into consideration the degree of economic development, the political ideological maturity of the working class, and its organization, places before the people as the immediate objective, the establishment of people’s democracy based on the coalition of all genuine anti-feudal, anti-monopoly, and anti-imperialist forces led by the working class on the basis of a firm worker-peasant alliance. This demands first and foremost the replacement of the present bourgeois-landlord State by a State of people’s democracy. This alone can complete the unfinished democratic task of the Indian revolution and pave the way for putting the country on the road to socialism” (CPIM Party Program 1964).

To create understanding about these changing narratives of movements, Irfan Ahmed points out:

“I show how the Jamaat, which once believed that true Muslims must establish Allah’s kingdom and described any other form of government as idolatry, came to canvass for the victory of non-Muslim parties. What was haraam and shirk for the Jamaat in one context became halaal and Islamic in another. This mutation of the Jamaat, or what Crossley (2002:7) calls movement within a movement, indicates, I contend, that Islamism is not frozen in discourse but is dynamic” (Ahmed 2009: 190).

To extend its agenda towards the political domains of India, JIH would release its Election Manifesto on the eve of all elections held since the emergency period. These manifestos often strove to contemplate over the crises the country faced during those five years, and to suggest recommendations for principled governance in order to ensure betterment in every aspect of a citizen’s life. JIH’s Election Manifesto of 2019’s parliamentary elections start with the following statement:

“Jamaat-e-Islami Hind hereby presents this manifesto to voters as well as political parties, with great hope. The document reflects the genuine feelings of people and invites political parties to ensure better and principled governance. The Jamaat does not contest elections itself, but in view of their importance, it reminds people as well as their representatives of their crucial role at this juncture (JIH election Manifesto 2019: 1).

While emphasizing the role of India in the global arena, JIH demands that the state must ‘ensure people’s participation in forming representative governments of their choice’:

“Parliament should ensure that foreign policy is just and free from external pressure. India should stand against imperialist tendencies. It should promote human values in the international arena, ensuring people’s participation in forming representative governments of their choice” (JIH Election Manifesto 2019: 11).

This statement clearly informs us about the transformation of JIH’s view on the promotion of democracy in the global political landscape as part of the resistance against imperialist tendencies. It also underlines JIH’s conviction over the ontological existence of the Indian nation-state and its capability to influence the global power equilibrium.

In its approach towards elections, JIH initially set up a criterion to assess the individual candidate rather than aligning with any political group since 1985. By framing its own value-based criteria, JIH gave priority to the individuals who are ethically progressive and politically anti-fascist. Maidul Islam elaborates that “the basis of such a decision of Jamaat has been the commitment of the party to the People’s Manifesto declared by Jamaat, ability of the candidates to fight fascist forces in the country, and their personal character and adherence to ethical values” (Islam 2015: 139). In the later stages, JIH’s Consultation Body (*Majlis Shura*) approved decisions over its participation in elections:

“The members of JIH can participate in the elections to facilitate service to the people as well as to end iniquity in society. In places where JIH candidates are not contesting, JIH members must support a candidate who is eligible as per the value-based criteria, i.e., who is ethical, anti-fascist, popular, unbiased, just, helpful for the deprived and needy,

and a guarantor of peace and prosperity for everyone (Shihab 2017: 83).

In the Kerala Assembly elections of 2006, JIH supported the Left Democratic Front (LDF) which is led by the Communist Party of India precisely because of the LDF's 'fight against fascism at the national level, its firm opposition to the imperialist threat posed by the US, and its consistent fight against the globalization and liberalization policies of the UPA Government.' This move was widely interpreted as a transition from the earlier approach of value-based support for individual candidates to the total support of a political front. To strengthen the political representation of marginalized communities, JIH came forward to form larger alliances of Muslims, Dalits (Lower Castes), and Adivasis (Tribals). JIH participated in forming the All India United Democratic Front (AIUDF) in Assam, Movement for Peace and Justice in Maharashtra, and Andhra Pradesh and Karnataka Muslim Mutahida Mahaz during the assembly elections in 2006-2007. In Kerala, JIH members formed various local level People's movements (Janakeeya Munnani/Janapaksha Munnani) and contested in elections by rising the slogan 'a vote for change' against the ruling regimes during 2009-2010.

Grounding in Parliamentary Politics

After indulging in a variety of political experiments, JIH endeavored to form an electoral political party in 2011 called the Welfare Party of India. The Welfare Party represents a spectrum of issues of marginalization and discrimination on the part of the ruling governments in India. While explaining the scope of a people's party, the Manifesto of the Welfare Party states:

“Democracy is a system wherein all are equally included and duly accommodated, not isolated or excluded; opportunities are available to all, and the most marginalized and deserving get special care. There is no majoritarianism,

but inclusiveness. Golden letters of promise written in the constitution were countered and contradicted by real happenings. Dalits, Tribals and minorities were driven away from various walks of social life. With legal and legislative acts failing to provide protection, and mainstream political parties playing to the tunes of caste interests, they were forced to turn to assertive and affirmative political formulations for an inclusive democratic social order” (WPI Manifesto).

The Welfare Party of India emphasizes that the party “shall aim at realizing a value-based welfare state governed by the principles of Justice, Freedom, and Equality.” It looks for a just global order by ensuring that international law is adhered to; and within its framework, the integrity and sovereignty of nations are respected, and discriminations based on race, geography, and power are eliminated. The Welfare Party’s constitution points out that it shall strive for the:

- Promotion of ethical values and high moral standards in the political system and other realms of public life;
- Stimulation, advancement, and fortification of democracy in letter and spirit, not in the sense of majority-ism but in the sense of inclusiveness and pluralism;
- Establishment of a welfare state by recognizing and realizing the right to livelihood and other fundamental human rights;
- Empowerment of the weak and oppressed sections of the society and minorities through special measures and affirmative action, realizing the ideals of social justice;
- Protection of the cultural diversity by granting full opportunities to different cultures to thrive and by realizing the notion of cultural federalism (Welfare Party Constitution).

While analyzing the ideological framework of the Welfare Party, it is apparent to see an overwhelming influence of the ethical agenda of JIH in every aspect of its activism. The motto of Welfare Party, ‘Value-Based Politics’ for a welfare state is itself derived from the theological underpinnings of Islamism. The Welfare Party’s constitution raises its concern over majoritarian aspects of democracy and advocates for proportional democracy. In the background of mounting Hindu fascism in India, the Welfare Party emphasizes the relevance of cultural federalism. Its thrust area includes the welfare and social justice for the marginalized communities in India. In a similar tone, student-youth organization of the Welfare Party, the Fraternity Movement works for the promotion of democracy, social justice, and fraternity. The former Ameer-e-Jamaat Maulana Jalaluddin Omari said: “The Jamaat is committed to upholding the values of democracy, secularism, and the principles of the Indian Constitution. We are against the parties which oppose diversity. The very language of cultural assimilation is a threat to the spirit of our Constitution” (Khanyari 2014).

The Welfare Party has attempted to field its candidates in various constituencies across India in both state level and national level elections. In the 2019 West Bengal assembly election, the Welfare Party’s national president SQR Ilyas contested from Jangipur constituency and lost with a mere 1.63% of total votes. Apart from fielding independent candidates, the Kerala chapter of Welfare Party supported the Left Democratic Front in 2015 and the Congress Party led United Democratic Front in 2019. After achieving a landslide victory in the Parliamentary elections of 2019, the Welfare Party tried to form alliances with the Congress in 2020 Local Body elections and got an ample vote-share and posts.

The political experiments of the Welfare Party simultaneously influence the approaches of JIH. JIH members see election participation as part of their religious duty to command the good and to forbid the wrong (*amr bil maroof wal nahy anil munkar*). Through speeches and Friday sermons, JIH propagates that the victory of ethically good

candidates though voting is a bailment (*amanah*). As JIH believes in the comprehensive understanding of Islam, every action in the way of betterment of people and society accounts for *Ibadat* (worship and submission to God). With this theological conviction, JIH encourages its members to work for the victory of Welfare Party candidates with sincere mind and hard work, depicting it as “striving in the path of God (*jihad*)” (Author’s Interview with JIH leader Abdul Lateef).

As the analysis on the Welfare Party’s constitution suggests, JIH shifted its Islamist ideas into more moderate notions while dealing with the day-to-day political stands. Khanyari analyzes the changes the Welfare Party made on JIH: “The Jamaat’s support for the Welfare Party of India is also reflective of the changing position of JIH in relation to India’s secular democracy and its gradual ideological shift towards religious pluralism and tolerance” (Khanyari 2014). However, political commentators opine that, the electoral experiments of the Welfare Party would not change the basic objectives of JIH, as it has been propagating the establishment of Islam (*iqamat e deen*). For them, participation in elections by JIH is a strategy to make people aware of its ideas and objectives in a wide manner and many JIH members believe it as part of propagation (*da’wa*). According to them, the current political scenario compels JIH to participate in the elections in order “to ensure the representation of marginalized communities including Muslims in the power structure” (Author’s Interview with JIH member Mufeed).

Conclusion

To comprehend the multi-faceted contradictions of Islamism, I argue that the observer must be well equipped with the theoretical discourses as well as the praxis. It is also important to understand the discursive tradition of Islamism, in which each group argues for a better contemplation and implementation of founding principles. While keeping in mind that cadre-based activism is one of the significant features of Islamist movements, the mechanism to comprehend the policy changes

works through grassroots-level deliberations and it would be unanimously adopted as the organizational decision. This dynamic nature of Islamist movements needs to be examined in the current scenario, where a variety of political formulations surface with changing contexts. The democratic experiments of JIH explore the vibrancy and dynamic notion of debates between the Islamist discursive tradition and its diverse praxis. As Islamism is one of the prominent attempts to understand the meaning of Islam, these debates are also informational about the theological, as well as sociological, orthopraxies of the common Muslim mass to derive a meaning of their life. It can be argued that, with a mounting wave of Hindu fascism and Islamophobic violence, JIH chose its way to engage in democracy for representation in the power structure. In other words, the historic realities of India, with an overwhelming Hindu majority, catapult JIH to take an active role in the political arena. At the same time, JIH finds a variety of debates and deliberations about its role and responsibility in the contemporary Indian political landscape from both internally and externally. The emerging enthusiasm in dealing with the diverse debates would certainly expand the horizon of debates between Islamist discourse and its praxis.

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Interviews by the author with Abdul Latheef (a JIH leader) and Mufeed (a JIH member) were held in 2020 in Kozhikode, Kerala, India.

6. Social and Economic Support System between Democracy and Islam

[in Arabic]

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Abstract

The system of modernity attempts to completely control every detail of human activity. While some argue that this is a necessity for scientific progress and professional rule in the modern state, others argue that this is an unprecedented and alarming picture of all kinds of dread and fear of modern state tyranny, which monopolized all the factors of power and has completely controlled all societal resources. Since the 1950s, many thinkers have raised the philosophical dilemma of the “state of exception.” This dilemma still exists without answer. Have there been any strength or ability factors left in the community’s hands to resist this new circumstance? This paper discusses the dilemma by presenting the Islamic system of governance that was keen in its sacred texts and in its practical experience to prevent authority from monopolizing sources of power in society. The Islamic system of governance also worked on the continuous strengthening of society through its social and economic system. This has made the Islamic experience in the extreme moments of its tyranny lighter and easier than the tyranny of the modern state. It is also still developing the seeds of resistance to contemporary tyranny in a way that even contemporary Western societies cannot.

السنادوالاي عالااجتم ققصااي نطللاميسالامقراطية الحداثييةالدمالنظنيدي النظام الإسلامي

ي محمد إلهام

المعهد المصري للدراسات، إسطنبول، تركيا

ماذا لو قررت الجيوش الغربية تنفيذ انقلاب عسكري على الحكم؟
لو ظهر في الغرب زعيم عسكري يتمتع بالمواهب الخطابية والقيادية (الكاريزما)، أو
الهيمنة على القوة العسكرية، فقرر أن يعدل الدستور ليتمكن من الحكم مدى
لحاي؟ ما استطاع
ستمسح ثةالحداهلوساءا ولاءل لقادرة علقتدي بق رغباتهم، بتسما أسه من موظ نمه
كامل وسبطرة تامة على تفاصيل حياة الأفراد (المواطنين) كفة وأنشطة المجتمع؟ هل
ثعبيق هؤلاء عن تحقيق هذه الرغبات بما نشرته ورس خته من أفكار الحرية تحكم
والديمقراطية وتداول السلاطة؟ من رأ الحداست
هذه الورقة الفرضية القائلة بل الحداثة منحت سلطة الدولة قواها من التحكم
والاستبداد، حبيث لو ظهر طغايغر¹ ا في ب، حة دجلوت هدي وسائل فكناية تعتمد
ووجد أمامه مجتمعا ضعيفا تنتشر فيه النزعة الفردية والاستهلاكية، وحتى وطريسة
يمكنه تجريمها بمرسوم أو قانون يحولها إلى كيانات محظورة. لتحقيق رغبتة،
منظمات المجتمع المدني

¹ طاغية هي الكلمة المكافئة لمعنى "ديكتاتور" في اللغة العربية، وهي أق من لفظ "المستبد"، فالاستبداد هو
الانفراد وليس معناه سيئا بالضرورة، بل قد يرد بمعنى الحزم والحسم والمبادرة، وأما الطغيان فهو مجاوزة الحد،
وهو شر دائما، وهو الذي يجري في لغة القرآن والسنة، ومنه جاء لفظ "الطواغيت" الذي استعمله القرآن في
وصف من جاروا وظلموا واستعبدوا أقوامهم. وبناء على هذا فسنعلم لفظ الطغيان بدلا من لفظ الاستبداد أو
الديكتاتورية في هذه الورقة. انظر: ابن منظور، لسان العرب، ط1 (بيروت: دار صادر، د. ت)، 78/3،
7/15؛ أبو هلال العسكري، الفروق اللغوية، ط1 (قم: مؤسسة النشر الإسلامي، 2000م)، ص337.

هذه القدرة الهائلة التي منحها الحداثة للسلطة تظهر بوضوح في دول مثل الصين وكوريا الشمالية، وتظهر بدرجة أقل في العالم العربي وكثير من الدول الإفريقية، ولكنّها لم تظهر بعد في الغرب؛ على الأقل منذ ما بعد الحرب العالمية الثانية، وعلى الأقل: لم تظهر بالوضوح نفسه أو بالقدر نفسه من الوضوح.

عند هذه اللحظة سينبثق السؤال البديهي: ولماذا لم تفض الحداثة في الغرب إلى هذه الحالة الطغيانية؟ وقد يجادل البعض بالقول: إنّ المشكلة إذن ليست في الحداثة كمنظومة أفكار أو منظومة مؤسسات، وإنما في الاستغلال السيئ لمنتجاتها في بيئة تقبل ثقافتها الطغيان والاستبداد.

أما سؤال: لماذا لم تفض الحداثة في الغرب إلى الطغيان؟ فلن يكون من مهمّة هذه الورقة أن تجيب عليه، مع أنّ كثيرًا من محتواها يحمل في طياته الإجابة. وإنما تهتم هذه الورقة أساسًا بتوضيح ما إن كانت بنية الحداثة في نفسها مُفضيةً إلى الطغيان وتهيئ الوسائل والأسباب له. فإذا تحقق هذا الوضوح فإنّ الإجابة عن السؤال ستكون مجرد نقاش عن الظروف والأوضاع التي لم تسمح (حتى الآن) بظهور الطغيان في الغرب، مع التسليم بأنّ هذا الطغيان قد يظهر يومًا ما وفي ظرفٍ ما. ومع التسليم كذلك بأنّ منظومة الحداثة لم تساهم في تخفيف غلواء الطغيان في الدول الطغيانية، بل دعمتها بما وفّرت لها من وسائل تقنية لم تتوفر لحاكم من قبل.

من المعروف أنّ العديد من الفلاسفة والمنظرين والباحثين وحتى الصحفيين أشاروا، بكثير من الأدلة، إلى أن أنظمة الحكم في الغرب تمارس القدر نفسه من الطغيانية ولكن بغطاء ديمقراطيّ مزخرف، وأنّ القوى الحقيقية المتحكمة في مسارات السياسة ليست هي التي تذهب وتأتي عبر الانتخابات، وإنما هي القوى الكامنة في شبكات المصالح العسكرية والاقتصادية التي هي خارج نطاق الانتخابات، بل هي التي تستطيع بما لديها من أموال ونفوذ إعداد المسرح الديمقراطيّ واختيار مرشحيه -الذين لا يختلفون كثيرًا عن بعضهم بعضًا وتوفير الفرصة لإقناع الشعوب الغربية بأنّها صاحبة الاختيار.

ومع ما لهذا الكلام من القوة وما يملكه من الأدلة الكثيرة، فلن أستخدم هذه الورقة، ذلك أنني أرمي إلى ما هو أبعد من ذلك؛ أرمي إلى مناقشة أنّ الحداثة نفسها، وفي ظلّ هذا الوضع القائم، ستفضي لا محالة إلى ظهور طغاة في الغرب لا يقلون عن أباطرة الرومان والعصور الوسطى، بل تزيد سطوتهم بما توفره لهم منظومات الحداثة من وسائل المراقبة والتحكم التفصيلي في حياة الأفراد وأنشطة المجتمع. كذلك لن أتطرق إلى الصلاحيات غير المعقولة التي سمحت بها الحداثة "الديمقراطية" لبعض الحكّام المعاصرين مثل ملكة بريطانيا التي تبدو فوق كلّ دستور وكلّ قانون بل كأنما هي مصدر الدستور والقانون، لن أتطرق لهذا لأنّ الشأن فيه يبدو كأنما هي نماذج استثنائية غير شائعة، بينما غرضي الأساس هو التوقف مع نظام الدولة الحديثة نفسه والطغيان الكامن في بنيته وجوهره.

تُكتب هذه الورقة في لحظة قد بدأت فيها تسريباتٌ تقول بأنّ ترمب لن يسلم السلطة لحو بايدن في حالة خسارته، لا أعرف بالضبط ماذا قد ينتهي إليه الوضع، لكنّ الورقة هنا تقول: حتى لو سلّم ترمب بخسارته وسلّم السلطة، فلا بد سيأتي يوم لا يُسلم السلطة من إذا خسر في الانتخابات استطاع أن يجعل الجيش إلى جانبه أو صنع ظرفاً يتمكن به من قلب نتائج الانتخابات، وهذا إذا لم يخطط من البداية للسيطرة على نتائج الانتخابات بتزوير فج أو ناعم، أو بتعديل دستوريّ، أو بإعلان حالة الطوارئ، أو غير ذلك من وسائل لطالما استعملها الطغاة عبر التاريخ. إنّ الديمقراطية -إذن- تقف على منظومة حداثيّة هشة قد لا تلبث أن تنهار!

سيشغل هذا النقاش نصف الورقة الأولى، بينما نصفه الثاني سيكون مخصصاً للحديث عن النظام السياسي الإسلاميّ، بكونه النظام المتفوق بل البديل المنشود لمنظومة الحداثة الغربية "الدولة الحديثة"، وفي هذا النصف سنحاول توضيح أنّ النظام الإسلاميّ، كما جاء في النصوص القرآنية والنبوية وكما تبدى في التجربة التاريخيّة، هو نقيض للطغيان، وهو أبعد الأنظمة من إنتاج حالة طغيانية، وذلك أنّه يقوم على أساس "توازن

القوى"، ففي النظام الإسلامي لا تحتكر سلطة الدولة عوامل القوة، بل هي موزعة بين السلطة والمجتمع، وهذا التوازن لا يتحقق لمجرد وجود النصوص التي تُوجّه إليه وتطلب المسلمين أن يلتزموه، بل هو فكرة راسخة تعمل على تحقيقها العبادات والشعائر والمعاملات، إنها نظام قائم في طبيعة النظام الإسلامي وبنائه بينيته الاقتصادية والاجتماعية، بمعنى أنّ الطغيان لا يمكن أن ينتج في صورته الشاملة على نحو ما هو في "الدولة الحديثة" إلا في مجتمع قد تحطمت بنيته الاجتماعية والاقتصادية بل والشعائرية المستندة إلى الإسلام. وهذا ما تحقق في الحقبة الاستعمارية، فلم تشهد بلاد العالم الإسلامي مطلقاً انتقالاً سلساً إلى الحداثة، وإنما أدخلت إلى هذه الحداثة وأخضعت إلى نظام الدولة الحديثة بالمذابح والحروب.

السّر في هذا أنّ النظام الإسلامي ينتزع من سلطة الحكم أهم خصائص إنتاج الطغيان، ويقلص صلاحياتها إلى الحد الأدنى، في الوقت الذي يزيد من قوة المجتمع وتكثفه إلى الحد الأقصى، فضلاً عن أنّ السلطة لم تكن منتجة للمعرفة في التجربة الإسلامية، مما جعل العلماء الذين يمثلون السلطة العلمية أنداداً للسلطة السياسية ومستقلين عنها بدعم من البنية الاجتماعية والاقتصادية التي تُقوّي نفوذهم، وهم مع هذا لم يكونوا مؤسسة كهنوتية ولا تنظيمًا هرميًا يمكن التحكم فيه سياسيًا، بل كانوا شبكة متغلغلة بين الناس ومرتبطة متميزة ومرموقة ووسيلة في التعامل بين الحكام والعامّة. وعند النظر المنصف سيبين بوضوح أنّ صلاحيات أكثر الحكام المعاصرين ديمقراطية في نظام الدولة الحديثة، هي أكثر وأقوى بكثير من صلاحيات أشد الملوك استبداداً في التجربة الإسلامية لأنّ مجال هيمنة السلطة والملفات التي تديرها في الدولة الحديثة أوسع بكثير، وبما لا يقارن بمجال هيمنة السلطة والملفات التي كانت تديرها في نظام الحكم الإسلامي.

ولا يقتصر الأمر عند هذا الحد، بل إنّ طبيعة المجتمع الإسلامي هي المؤهلة لتمارس المقاومة ضد طغيان "الدولة الحديثة"، فبعد قرنين من القهر والطغيان الاستعماريّ والمحليّ لا تزال المجتمعات الإسلامية هي الأكثر مقاومة للحداثة، ولم تزل منظومة

الحدثة غير متمكنة من ثقافة هذه المجتمعات، ويمكن القول -بنوع من الحذر الناتج عن احتياج المصطلحات إلى تحرير- بأنه: في الفترات التي أتيح فيها لهذه المجتمعات أن تختار، فإن النتيجة كانت ضد الحدثة، أو بلفظ آخر: كان الخيار الشعبي الإسلامي يعيد تعريف الحدثة ليجعلها مرادفة للتطور التقني لا للمحتوى الفلسفي، ومهما تلتقى ممثلو ذلك بأنهم لا يرفضون الحدثة إلا أنهم في أدنى الأحوال كانوا يمثلون تمهيداً للعودة إلى الهوية الإسلامية، حتى وإن اختلفوا في تفاصيل صيغتها المعاصرة اختلافًا واسعًا. لكن المهم هنا، والذي يعيننا في هذا السياق، أن المجتمع الإسلامي لا يزال هو المجتمع الأكثر قدرة على مقاومة طغيان الحدثة، بما لا يزال يحتفظ به من ثقافة راسخة وتكتل اجتماعي وتقاليد دينية عميقة.

وإن أردتُ اختصار فكرة الورقة التي أسعى إلى توضيحها هنا أقول: إن منظومة الحدثة -حتى في صيغتها الغربية الديمقراطية- تقود إلى مجتمع ضعيف ويزداد ضعفًا وسلطة متغولة تزداد تغولًا وسيطرة، مما يجعل من المحتم انقلابها إلى حالة طغيانية ظاهرة عند أول أزمة قوية قد تعصف بالتفوق الغربي المعاصر، مع ملاحظة أنها الآن تمثل فعليًا حالة طغيانية تعمل تحت ستار ديمقراطي زائف. وعلى النقيض من ذلك يأتي النظام الإسلامي الذي يقود إلى حالة من توازن القوى بما يبينه من مجتمع قوي متكتل وسلطة تدير الملفات الأساسية (الأمن والدفاع وما يتعلق بهما) لا غير، وهو يحفظ هذا التوازن من خلال نظامه الاقتصادي والاجتماعي الذي يمثل إسنادًا لهذا التوازن.

طريق الحدثة إلى الطغيان

قد يبدو سخيفًا للغاية أن نقف أمام من يتصور جوعًا لنعطيه درسًا في الأضرار التي يسببها تناول شطيرة من البرجر، وبالمثل سيبدو ربما أسخف أن يكتب عربي معاصر عن عيوب الديمقراطية وهو يعاني في واقعه أشنع أنواع الطغيان. إن البرجر بالنسبة إلى لمتصور جوعًا هو الفردوس التام في هذه اللحظة! مثلما تبدو الديمقراطية في الغرب

فردوسًا تاما لعربيِّ معاصر! لكن لي حجة وعذراً؛ فأما الحجة فهي أنّ جوع الجائع لا ينفى الأضرار الحقيقية الكامنة في شطيرة البرجر وإن كان هذا أمر هو في ذيل أولوياته فيما هو جائع، وأما العذر فهو أنني أدلّ قومي الجوعى إلى واقع مغاير على ما هو خير لهم من البرجر ومن الديمقراطية الغربية، أدلهم على غذاء صحيّ سليم هو النظام الإسلاميّ الذي سُلِب منا قهراً ليوضع أمامنا هذا البرجر المشبوه، ثم حُرِمنا حتى من هذا، وأريد لنا أن نبقى في الجوع الكبير ليكون هذا الطعام المشبوه هو أقصى أحلامنا وغاية أمانينا!

لقد كاد الفيلسوف الإيطالي جورجيو أجامبين يلمس سؤالنا الذي صدّرنا به هذه الورقة، حين أثار النقاش حول حقيقة السيادة في الدولة الحديثة، في كتابه "حالة الاستثناء" (مايو 2003م)، وكانت خلاصة دراسته أنّ حالة الطوارئ هي اللحظة الكاشفة التي يظهر فيها أنّ السيادة في الدولة الحديثة مُحْتَكِرَةٌ تماماً بيد السلطة التنفيذية، لا كما تقول الأدبيات السياسيّة والقانونيّة بأنّ السيادة للشعب، ففي تلك اللحظة تُمَرِّقُ السلطة كلّ الدستور والقانون وتعطل عمل البرلمان وتمنح لنفسها حق إعلان حالة الطوارئ وإعلان الأحكام العرفية، وهي التي تملك تحديد مدة هذه الحالة وتمديدها وإنهاءها، وبهذا لم يعد لأحد سيادة سواها. وقد بنى أجامبين فكرته على البذرة التي بذرها كارل شميت في كتابه "اللاهوت السياسيّ" (1922م)، حيث قرر شميت أنّ صاحب السيادة هو من يملك فرض حالة الاستثناء.

يستمد التنظير في هذه المسألة قيمته من أنها تبدو ثغرة خطيرة في منظومة القانون الذي هو مرجعية الدولة الحديثة، وأخطر من هذا أنها تبدو حتى الآن ثغرة لا حلّ لها، فهما طال التنظير في الدولة التي هي مرجعيّة نفسها والشعب الذي هو سيّد نفسه، فإنّ مصطلح "الدولة" ومصطلح "الشعب" لا يعود في النهاية إلى فاعلٍ عاقلٍ ملموس، دائماً ثمة شخص أو نخبة هي التي تدير الدولة وتقود الشعب، وتملك تنفيذ إرادتها وسياستها على أساس أنّها سياسة الدولة وإرادة الشعب!

وبهذه الطريقة نجد أنفسنا قد وقعنا فيما حاولنا الهروب منه؛ فإذا كان التراث الفلسفي الممتد من فلاسفة اليونان وعصر النهضة والتتوير والحدائثة قد حاول الهروب من الطغيان، فمن الواضح أنه قد عاد إليه مرة أخرى، فأبي فارق عملي بين إمبراطور يزعم أنه من نسل الآلهة وبين زعيم يملك حق السيادة ويستطيع تعطيل المنظومة القانونية ونسف -أو حتى احتواء- نظام الفصل بين السلطات الذي هو جوهر الفلسفة السياسية لمكافحة الطغيان؟

يبدو الأمر وكأنه حلقة جديدة من ارتداد التجارب العلمانية وإنتاجها لعكس مقصودها، فقد هربت الرأسمالية من الاحتكار وقصدت إلى توفير اختيارات متعددة وزعمت أن السوق يعيد التوازن إلى نفسه، فإذا بها تنتج أقوى طبقة احتكارية في التاريخ. وكذلك هربت الشيوعية من التمييز الطبقي وسلطة الأقلية لتفضي إلى طبقة حاكمة حازت ما لم يحزه إقطاعي وفتكت بالشعوب فتكاً لم يستطعه قيصر. وحتى فلسفة النسبية التي حاولت الهروب من العنف وقصدت إلى نشر التسامح انتهت إلى أن تُمَيِّع الحقائق حتى لم يعد من سبيل إلى إثبات شيء ما على أنه "حقيقة" إلا بالقوة، فأفسدت بذلك كل منطق إلا منطق القوة، فأبي تسامح يبقى حينئذ؟ وأخيراً: هل كانت العلمانية ابتعاداً من الدين أم أنها اعتناق لدين جديد: حلت فيه الدولة محل الكنيسة، والدستور محل "الكتاب المقدس"، والعلم محل الصليب، والبرلمان محل الكهان؟

منتج غربي مصبوغ بالطغيان

باستثناء الذين يعتقدون المركزيّة الغربيّة، أو الذين يرون أنّ التاريخ يسير في خط مستقيم إلى الإمام، فثمة اتفاق بين الباحثين على أنّ "الدولة الحديثة" هي بنت التجربة

الغربية²، وأن كل حضارة كان بإمكانها أن تطور نظامًا خاصًا بها يحمل بصمتها الثقافية لو لم يتدخل الغرب فإرضًا نظامه ومنطقه الحضاري بفعل تقوقه العسكري في أحقاب الاستعمار ثم حقبة النظام الدولي. فالوصول إلى الدولة الحديثة ليس حتمية تاريخية، ولا هو بالضرورة من التقدم المنشود لجميع الأمم.

وطالما أن كانت "الدولة الحديثة" بنت السياق التاريخي والاجتماعي الغربي، فإنها تحمل موروثاتها وخصائصها الأصلية، ومن أهم هذه الموروثات هو هذا النزوع إلى الطغيان والتحكم والهيمنة من قبل السلطة مع إضعاف مستمر للمجتمع، ولا يحتمل المقام هنا أكثر من إشارات مختصرة إلى سياقات دينية وسياسية واجتماعية واقتصادية، وخصوصيات أخرى جغرافية وتاريخية أثرت على هذه السياقات كلها، وصنعت هذا النزوع.

1. في السياق الديني يلاحظ أحمد داود أوغلو أن التجربة الغربية مرّت بثلاث مراحل: الوثنية ثم المسيحية ثم العلمانية، وبالرغم من كون كل مرحلة انقلابًا على الأخرى إلا أنها تجتمع في دمجها بين الإله والإنسان، فالآلهة عند اليونان لها صفات الإنسان، وفي المسيحية تجسّد الإله إنسانًا، وفي العلمانية صار الإنسان إلهاً³. وهكذا كانت المرجعية العليا وحق السيادة جزءًا مندمجًا في المجتمع، متجسدًا في بعض مكوناته، دائمًا ما كان ثمة شخص ما أو نخبة ما أو مؤسسة ما تنتهي إليها المرجعية وتملك السيادة حصريًا. لعلّ هذا يفسر الحضور الطاغي لسلطة الدولة في نماذج المدن الفاضلة التي أنتجتها الفلسفة الغربية عبر ألف سنة منذ الجمهورية لأفلاطون وحتى يوتوبيا لتوماس مور.

2. في السياق السياسي فإن الديمقراطية المعاصرة ترجع إلى جذورها في ديمقراطية المدن اليونانية، وتعد الفلسفة اليونانية هي المرجع الأساسي للغرب المعاصر، وبها يبدأ

² أحمد داود أوغلو، الفلسفة السياسية، ترجمة: إبراهيم البيومي غانم، ط1 (القاهرة: مكتبة الشروق، يناير 2006م)، ص59 وما بعدها؛ وائل حلاق، الدولة المستحيلة: الإسلام السياسي ومأزق الحداثة الأخلاقي، ترجمة: عمرو عثمان، ط1 (الدوحة: المركز العربي للأبحاث، 2014م)، ص63 وما بعدها.

³ أحمد داود أوغلو، الفلسفة السياسية، ص29 وما بعدها.

مؤرخ الفلسفة الغربيّ كتابه، بل يجنح الكثيرون إلى عدّ الحضارة المعاصرة استثناءً لتلك اللحظة بعدما قطعها حقبة القرون الوسطى المظلمة⁴ ومع أنّ قرونًا طويلة سبقت سقراط فإن مؤرخي الفكر السياسيّ يقبونه بمؤسس الفلسفة السياسيّة⁵. ما يهمننا في هذا الآن أنّ الفكر السياسيّ اليونانيّ وديمقراطيّة المدن اليونانية وُلدت ضمن خصوصية جغرافية يونانية، الجغرافيا الوعرة والجزر المنفصلة والمجتمعات القليلة المنعزلة، إنّها الدولة المدينة التي هيمنت على هؤلاء الفلاسفة، وهذا ما وُلد فكرة "الوطنية/ القومية"، وهي فكرة ذات وجهين: وجهٌ منها يحمل السعادة والتقدير للمواطنين داخل الحدود، ووجهٌ آخر يرى في غير المواطنين مرتبة أدنى ومادة استغلال لا بأس بقهرهم لتمويل المواطنين اليونان⁶. لقد كان التمايز على أساس قوميّ، وتطبيق السلطة المباشرة في جغرافيا محدودة أمرًا بارزًا طول التاريخ الأوروبيّ، حتى في الحقبة المسيحية⁷، وهو ما ازداد انتعاشًا في عصر المدن الإيطاليّة التي كانت البيئة الحاضنة لفلسفات عصر النهضة ونظرياته القانونيّة. وقد عدّ صلح وستفاليا الذي يرسخ التمايز القوميّ ويرسم الحدود حلًّا لمشكلات أوروبا،

⁴ برتراند رسل، تاريخ الفلسفة الغربية، ترجمة: د. زكي نجيب محمود، (القاهرة: الهيئة العامة المصرية للكتاب، 2010م)، 183/1؛ رونالد سترومبرج، تاريخ الفكر الأوروبي الحديث: 1601 - 1977، ترجمة: أحمد الشيباني، ط3 (القاهرة: دار القارئ العربي، 1994م)، ص18.

⁵ ليو شتراوس وجوزيف كروبسي، تاريخ الفلسفة السياسية، ترجمة: محمود سيد أحمد، (القاهرة: المركز القومي للترجمة، 2005م) 19/1 وما بعدها.

⁶ برتراند رسل، حكمة الغير بعرض تاريخي للفلسفة الغربية في إطارها الاجتماعي والسياسي، ترجمة: د. فؤاد زكريا، سلسلة عالم المعرفة 62 (الكويت، المجلس الوطني للثقافة والفنون والآداب، فبراير 1983)، 30/1، 100، 143، 157؛ أنولند توينبي، مختصر دراسة التاريخ، ترجمة: فؤاد محمد شبل، (القاهرة: المركز القومي للترجمة، 2011 م)، 93/1؛ مونتيكيو، روح الشرائع، ترجمة: عادل زعيتر، (القاهرة: اللجنة الدولية لترجمة الروائع الإنسانيّة، 1954)، 146/2.

⁷ أبو الحسن الندوي، ماذا خسر العالم بانحطاط المسلمين، (المنصورة: مكتبة الإيمان، د.ت)، ص144، 145؛ هنري كيسنجر، النظام العالمي: تأملات حول طلائع الأمم ومسار التاريخ، ترجمة: د. فاضل جتكر، ط1 (بيروت: دار الكتاب العربي، 2015م)، ص20 وما بعدها.

وظل يمثل الأساس والمرجعية إذا تسبب خرقه في حروب وأزمات⁸. إنَّ هذا السياق السياسي الذي وُلِدَ ونما ونضج في ظلِّ جغرافيا وعرة تساهم في تقسيم الأمة إلى شعوب وقوميات معزولة، ينتج سلطة أكثر قدرة على التحكم والهيمنة والسيطرة وممارسة الإدارة التفصيلية على شعوب قليلة العدد محصورة المساحة. نعم، ربما يسرت هذه المدن الصغيرة فرصة للحظات ديمقراطية قصيرة كما هو الحال في مدن اليونان وفي الدولة الحديثة، لكن بمجرد أن تتسع مساحة النفوذ السلطوي تختفي الديمقراطية كما حصل في عصر الإمبراطورية الرومانية وفي عصر الاستعمار، فالديمقراطية -إن حدثت- فإنما يتمتع بها عدد قليل من المواطنين داخل مدن أو أوطان محدودة.

3. في السياق الاجتماعي كانت أوروبا متفرقة بين الأمم بالميل إلى العائلة الصغيرة والنفور من العائلة الكبيرة، تضافر عددٌ من العوامل الدينية والسياسية والاقتصادية لتحطم فكرة القبيلة والعشيرة والعائلات الكبيرة وتعيقها، من ذلك: تقديس العزوبية وتأخر الزواج والاكتماء بزوجة واحدة ومنع زواج الأقارب المقربين والميل إلى إنجاب عدد قليل من الأطفال وصعوبة الطلاق، وميل المسيحية إلى التشريع الفردي دون التشريع للمجتمع والدولة. لقد ساهم هذا كله في إنتاج النزعة الفردية وتعزيزها⁹. إنَّ فكرة المواطن الفرد ذي النزعة الفردية مؤلدة بطبيعتها لسلطة قوية مستبدة، فالمواطن المحكوم هو مجرد فرد أو عضو في أسرة صغيرة لا تستطيع، بل ولا تفكر في مقاومة السلطة، وإذا كانت العلاقة بين مواطن فردٍ وسلطة من دون المرور بمرحلة القبيلة والعشيرة فلا بد أن تتوغل السلطة في تفاصيل حياة المواطن ومنازعاته البسيطة مع غيره من المواطنين. ولأنه لا توجد سلطة يمكنها متابعة الأفراد بهذه الدقة فيما قبل الثورة التقنية الحديثة التي وفّرت هذه

⁸ هنري كيسنجر، النظام العالمي، ص32 وما بعدها.

⁹ ريتشارد كوك وكريس سميث، انتحار الغرب، ترجمة: محمد محمود التوبة، ط1 (الرياض: العبيكان، 2009م)، ص223 وما بعدها؛ أنتوني بلاك، الغرب والإسلام، ترجمة: د. فؤاد عبد المطلب، سلسلة عالم المعرفة 394 (الكويت: المجلس الوطني للثقافة والفنون والآداب، نوفمبر 2012م)، ص117، 118؛ عبد الوهاب المسيري، العلمانية الجزئية والعلمانية الشاملة، ط1 (القاهرة: دار الشروق، 2002م)، 203/1، 204.

الإمكانية، فإن العلاقة البديلة للعشيرة كانت هي العلاقة الإقطاعية بين السيد والخدم¹⁰، وهي علاقة امتلاك سلطوية نفعية قسرية وليست علاقة تعاقد وتكافل وعصبية كما في حال القبيلة والعشيرة، فكأن هذه العلاقة الإقطاعية -من منظور سياسي أمني- وفّرت الحل السلطوي للتحكم في الأفراد ريثما تأتي التقنية الحديثة بإمكانيات التحكم من دون طبقة وسيطة بين سلطة الدولة والمواطن. وهذه التقنية لم تأت إلا في ظل الثورة الصناعية -التي هي حدثٌ غربي ضمن خصوصية السياق التاريخي الغربي- وقد كانت لها تأثيرات حاسمة اجتماعياً كظاهرة الهجرة من الريف إلى المدينة وانحلال ما بقي من روابط القرابة والعائلة لحساب العامل الفرد الذي تهيمن عليه منظومة آية رتيبة، سواء أفي عمله الصناعي أم في سكنه الذي هو مجرد وحدة وظيفية خالية من أي روح أو بصمة حضارية، وقد أنتج هذا الوضع تضخم البيروقراطية لإدارة العمل وتقسيمه، إن الثورة الصناعية أنتجت جملة من العلاقات والظروف والطباع المصبوغة بالفردية والتحكم حتى ليكاد الإنسان فيها أن يكون آلة¹¹.

4. في السياق الاقتصادي لاحظ فرناند بروديل، في عمله الموسوعي عن القرون الأربعة الأوروبية (15 - 18م)، أن التطور الاقتصادي في أوروبا والذي انتهى إلى الرأسمالية لم يكن تطوراً طبيعياً ضمن اقتصاد السوق، بل إن قواعد اقتصاد السوق لم تظهر إلا نادراً في إطار المنافسة الحرة، لكنه تطور صُنِع في منطقة محجوبة غامضة، على يد "المحنكين العلميين بالأسرار"، فالرأسمالية تراكم سلطةٍ تعتمد على موازين القوة أكثر مما تقوم على تبادل الاحتياجات، وهي سلطة تفرض نفسها "تتطفل" على المجتمع وإن لم يكن المجتمع بحاجة إليها¹². ولاحظ المسيري أن مسيرة الحضارة الغربية، في جانبها الاقتصادي، نزعت إلى المرجعية المادية وسارت نحو تحويل الإنسان إلى وسيلة أو أداة

¹⁰ أنتوني بلاك، الغرب والإسلام، ص 119.

¹¹ عبد الوهاب المسيري، العلمانية الجزئية والعلمانية الشاملة، 210/1 وما بعدها.

¹² فرناندو بروديل، الحضارة المادية والاقتصاد والرأسمالية، الجزء الثاني: التبادل التجاري وعملياته، ترجمة:

مصطفى ماهر، (القاهرة: المركز القومي للترجمة، 2013م)، ص 8، 9.

ضمن علاقة نفعية لا تبالي بالجانب الإنساني، فمنذ القرن الرابع عشر وحتى القرن التاسع عشر كان كل تطور اقتصادي يؤسس مزيداً من نزع الإنسانية عن الإنسان وتحويله إلى رقم، مثلما يؤسس ويخضع في الوقت نفسه - لتضخيم الآلة والمصنع، فصار الاقتصاد حالة من القوانين المادية المجردة والثروة المتراكمة رقمياً، وصار حالة مهيمنة على مجمل علاقات المجتمع ورؤاه، وقد تدعم هذا التوجه ودَعَمَ هو أيضاً - النزوع إلى العلمانية والتخلي عن قيم المسيحية، والتأثر بالثورة العلمية المادية التي اعتنقت فكرة القوانين المادية التي تحكم حركة الإنسان¹³.

ثم إنَّ ثمة خصوصيتان جغرافية وتاريخية في التجربة الغربية، كانتا الوعاء الذي تشكلت فيه الأفكار الكبرى، وقد أشرنا إلى الخصوصية الجغرافية لدى الحديث عن السياق السياسي وأثرها في إنتاج الفكر السياسي الغربي منذ فلاسفة اليونان، ونريد أن نشير إلى خصوصية تاريخية تؤثر بشكل حاسم في مسارات التفكير والتنظيم، يهمنها الآن ثلاثة أمور فحسب:

1. ما إن تغادر التجربة الأوروبية نطاق الجزر اليونانية والأوطان المحدودة، وتتزع إلى الإمبراطورية والتوسع، سواء أفي عصر الرومان أم عصر الاستعمار الحديث، حتى نرى أنَّ التنظيم الذي يحكم المجتمع يميل إلى الهرمية، فثمة رأس في الأعلى، ثم طبقات تتوسع تدريجياً حتى المواطن في أسفل الهرم، تَبَدَّى هذا الشكل في الدين والدنيا، أي في التنظيم الديني والسياسي، في البابا والإمبراطور. كان هذا الشكل سبباً ونتيجة معاً في شيوع النزعة الفردية، وفي هيمنة السلطة وتحكمها بمن تحت أيديها من الرعايا وانفرادها بمراد القوة.

2. ما إن تجاوزت التجربة الأوروبية حقبة الكنيسة واعتنقت العلمانية، حتى تحطم الأساس الأخلاقي لأي سلوك سياسي أو اجتماعي، أو بعبارة فاكيلاف هافل: "حينما أعلنت

¹³ المسيري، العلمانية الجزئية والعلمانية الشاملة، 207/1 وما بعدها.

الإنسانية أنّها الحاكم الأعلى للعالم، في هذه اللحظة بدأ العالم يفقد بُعدَه الإنساني¹⁴. نعم كثيرًا ما كان الملوك بلا أخلاق ومثل ذلك كان اللصوص والمجرمون، لكنّ الهيمنة الأخلاقية في مجتمع ما هي ولا شك قادرة على كبح جماح الملوك واللصوص، وإجبارهم في أقل الأحوال على التماس مبرر أخلاقي لسياستهم، وتقديم ما يثبت أنّهم أخلاقيون. لكن مع تحطم فكرة الدين والغيب بالكلية، فإن الأخلاق لا معنى لها، إذ الأخلاق نفسها أمرٌ لا يمكن إثباته علميًا ولا هو من المجال المادي¹⁵. وغاية ما يمكن أن يتوقع من علمانيين أن يتفقوا على قواعد أخلاقية معينة لأنها توفر لهم مزيدًا من المكاسب والمنافع المادية، فليس الأمر أخلاقًا بقدر ما هو تنظيمٌ مادي لتحقيق المصلحة، وهو لا يتمتع بأيّ رسوخ ولا له معنى إذا رأى طرفٌ أنّ مصلحته في انتهاك هذه القواعد. وعند تحطم الأساس الأخلاقي ظهرت العلوم الوضعية التي ترى أنّ مهمتها هي البحث في خصائص ما هو كائن لا فيما ينبغي أن يكون، ومن هنا انبثقت نظريات المعرفة المادية وهيمنت على علوم الاقتصاد والاجتماع والقانون وغيرها.

3. أن "الدولة الحديثة نشأت عن إفلاس الكنيسة"¹⁶، وإن صلح وستقاليالي الذي أعاد تشكيل أوروبا إلى دول قومية كانت المسيحية هي أكبر الخاسرين فيه¹⁷. وبهذا فقد ورثت الدولة الحديثة سلطة الكنيسة واستحوذت على ما كان لها من الهيمنة والنفوذ، لقد كان الأمر أشبه بمنتصر يحصل لنفسه على أملاك المهزوم، إلا أنّ إله الدولة كامنٌ فيها وليس في

¹⁴ عبد الوهاب المسيري، رحلتي الفكرية، ط4 (القاهرة: دار الشروق، 2009م)، ص219.

¹⁵ انظر عرضا بديعا لهذه الفكرة عند: علي عزت بيجوفيتش، الإسلام بين الشرق والغرب، ط1 (ميونخ - القاهرة: مؤسسة بافاريا - دار الجامعات، 1997م)، ص177 وما بعدها، 231 وما بعدها.

¹⁶ رونالد ستروميرج، تاريخ الفكر الأوروبي الحديث، ص36.

¹⁷ ول ديورانت، قصة الحضارة، ترجمة: محمد علي أبو درة، (بيروت - تونس: دار الجيل - المنظمة العربية للتربية والعلوم والثقافة، د. ت)، 315/30 وما بعدها.

السماء . وهكذا - كما يقول كارل شميت - فإن "مفاهيم النظرية الحديثة للدولة هي مفاهيم لاهوتية معلنة، ليس فقط بسبب تطورها التاريخي، بل بسبب بنيتها المنهجية"¹⁸. وإذا جمعنا بين هذه الأمور الثلاثة، فبوسعنا أن نرى مدى ما يمكن أن تقوم به سلطة دولة قوية متفردة تحتكر القوة ومواردها، ورثت بنية منهجية ومفهومية كنسية، ويخلو تفكيرها من أساس أخلاقي تدين له بالتقديس!

لقد تنبأ توماس هوبز أنّ حالة الطبيعة (أي حالة الإنسان بعد انسحاب الإله من الكون) هي حالة حرب من الجميع ضد الجميع، وعندها سيتعاقد البشر لا بدافع من فطرة الخير، بل بدافع الخوف من بعضهم، فيُنصّبون "الدولة التتين" حاكمًا عليهم رجاء تحقيق شيء من الطمأنينة¹⁹. ولهذا فإنّ كفاءة الدولة الحديثة تقاس بقدرتها على السيطرة على الشعب، يستوي في هذا أمريكا والاتحاد السوفيتي برغم تناقضهما في كلّ شيء²⁰.

لا يهمننا الآن الخوض فيما إن كانت الدولة الحديثة قد صارت إلهاً بفعل الضرورة البشرية التي تطمح إلى إله بعد إزاحة الكنيسة، أو بفعل الخوف الذي يبلغ ذروته بزوال الأساس الأخلاقي، أو بفعل الشبق البشري الغريزي لدى الحكام لتطوير استبدادهم وتقويته بكلّ ما تصل إليه عقولهم وآيديهم من أفكار وأدوات، أو لكلّ ما سبق أو لأسباب أخرى، لقد أفاض الفلاسفة والمفكرون في تناول هذا كله، يهمننا الآن أن نقرر اتفاقهم على أنّ الدولة الحديثة قد صارت إله هذا العصر، وأنها صارت مرجعية نفسها، ومصدر معرفتها، وأنها طورت مراقبتها لكلّ أنشطة المواطنين، وتغلّغت في كلّ التفاصيل، وأنشأت جهازًا بيروقراطيًا لا يكف عن التضخم للتحكم في كلّ هذا ومتابعته. كما يهمننا بشكل أهم أن نقرر حقيقة أنّ هذا الإله الجديد خالٍ تمامًا من صفات الرحمة والحكمة والستر وغيرها

¹⁸ كارل شميت، اللاهوت السياسي، ترجمة: رانية الساحلي وياسر الصاروط، ط1 (الدوحة: المركز العربي للأبحاث، 2018م)، ص49. باختصار بسيط.

¹⁹ عبد الوهاب المسيري، رحلتي الفكرية، ص219.

²⁰ ناعوم تشومسكي، النظام العالمي القديم والجديد، ترجمة: د. عاطف معتمد، (القاهرة: دار نهضة مصر، مارس 2007م)، ص5.

من صفات العطف التي يؤمن بها المتدينون في إلههم. الدولة الحديثة إله تحركه المنفعة والذلة التي تخص نخبته الحاكمة، وهو يملك من الوسائل والتقنيات ما لم يحلم بها إمبراطور ولا بابا فيما سبق.

إن عددًا كبيرًا من المفكرين والباحثين الغربيين يتأسفون وينددون أن أوروبا لم تستفد من الميراث الحضاري العربي الإسلامي، لا سيما في جانبه الأخلاقي²¹. لا أقول هذا الآن لأمارس الفخر، بل للتأكيد على أن الدولة الحديثة هي بنت التجربة الغربية حصرًا، وذلك أنها مارست بوعي رفض إسهامات حضارية أخرى ربما ساهمت في تخفيف غلوها.

النزوع إلى دولة قوية وحرية مقدسة

مع الإدراك التام بتداخل هذه السياقات والخصوصيات وتشابكها، وتأثير بعضها في بعض، وتداخل ظروف أخرى كثيرة، ومع اليقين التام بالحاجة إلى تناول أعمق وأوسع، إلا أن المساحة المتاحة والضرورة الدراسية تفرض دائمًا قدرًا من التبسيط والاختزال لتقديم التفسير وربط الأسباب بالنتائج. والنتيجة التي يهمنها الإشارة إليها هنا أن التجربة الغربية كانت نزاعةً إلى الاستبداد والتحكم والسيطرة، حتى إن فلسفات عصر النهضة والتتوير والحادثة لم تستطع الانخلاع من هذا التصور لعلاقة الدولة بالرعية²²، بل نزعت كذلك

²¹ رجاء جارودي، وعود الإسلام، ترجمة: د. طوقان قرقوط، ط2 (بيروت: دار الرقي، 1985م)، ص17 وما بعدها؛ وتأسف جوستاف لوبون أن المسلمين أخفقوا في فتح باريس وإنقاذ فرنسا. جوستاف لوبون، حضارة العرب، ترجمة: عادل زعيتر، (القاهرة: الهيئة العامة المصرية للكتاب، 2000م)، ص317؛ ويعد كتاب وائل حلاق "الدولة المستحيلة" دعوة صريحة للغرب إلى النظر في الميراث الإسلامي لمعالجة أزمات الحداثة.

²² بذكاء وبراعة يكشف علي عزت بيجوفيتش أن المدينة الفاضلة (يوتوبيا) كما ظهرت في عقول الفلاسفة إنما هي في نهاية الأمر معسكرات ضخمة، والمعسكرات هي أقرب نموذج أمكن تحقيقه لتصورات المدينة الفاضلة التي تحظى بالأمن والنظام والانضباط وتوفر الغذاء والصحة، ومع ذلك فإن المعسكرات هي من وجهة نظر إنسانية أسوأ مكان يمكن تخيله، ويجب الإنسان أن يعيش فيه. انظر: بيجوفيتش، الإسلام بين الشرق والغرب، ص239 وما بعدها.

إلى بقاء القوة مُحتَكِرة في يد الدولة²³، مع بذل المجهود في تصميم نظريات وهياكل ونُظْم تُصعِّب الانفراد بالسلطة والاستبداد بها، ولهذا أنتجت هذه الفلسفات أفكار الفصل بين السلطات والديمقراطية الشعبية والبيروقراطية (وأصل معناها: الاحتراف المهني) ومنظمات المجتمع المدني وحرية وسائل الإعلام... إلخ. ولكن واقع التجربة كما هو على أرض الواقع لا كما أنتجتها عقول المفكرين يقرر بأن السلطة التنفيذية، التي هي حقيقة السلطة ومركز القوة في الدولة، كانت أكثر قدرة دائماً على تطويع هذه الوسائل لمصلحتها، وتمكنت من السيطرة عليها واستعمالها. وهو الأمر الذي يتبدى بوضوح فجّ في "حالة الاستثناء"، ويبدو بوضوح ناعم في سائر المظاهر الأخرى²⁴.

إنّ هذا يلفت نظرنا إلى فارق مهم، سنحتاجه بشدة في الجزء الثاني من الورقة، ذلك هو: لماذا كانت الحرية هي القيمة المقدسة التي حامت حولها مدارس الفلسفة الغربية، على العكس من الحالة الإسلاميّة -مثلاً- التي حامت حول فكرة الطاعة والنظام. يكمن الجزء الأساسي من الإجابة في أنّ الدولة الغربية طالما كانت قوية تتحكم في مجتمع ضعيف لا يتمتع بالقدرة على الثورة، بينما كانت الدولة في التجربة الإسلاميّة أضعف بكثير ولا تسيطر تماماً على مجتمع قويّ متكامل قبلياً ومُستَثَّار دينياً ويتمتع بالقدرة على الثورة.

ومن الجدير بالذكر هنا أنني أفترض جدّلاً أنّ أفكار الحداثة وتطور الدولة الحديثة كانت نتاجاً لفلسفة النهضة والتنوير، أريد بذلك أن أوضح أنّه حتى هذه الفلسفات سَعَتْ ورغبت وطمحت -في مجملها- إلى دولة تحتكر القوة وتهيمن على الشعب، مع بذل الجهد وإتباع العقل في الطريقة التي تجعل هذه الدولة تُحسِّن تمثيل الشعب ولا تتغول على حريته، أي باختصار: السعي نحو دولة قوية تقدس الحرية. مع أنني في واقع الأمر أنحاز إلى القائلين بأنّ الدولة الحديثة إنما كانت نتاج السياسة والمعارك والواقع أكثر مما

²³ المسيري، العلمانية الجزئية والعلمانية الشاملة، 308/1 وما بعدها.

²⁴ مع كثرة الكتابات النظرية والفلسفية لهذا الموضوع، إلا أنني أشير على وجه الخصوص إلى كتاب الصحافي الأمريكي جريج بالاس "أفضل ديمقراطية يستطيع المال شراءها"، حيث يصوغ هذه الفكرة من خلال وقائع حية تتجسد فيها الفكرة، وهو ما يجعلها أكثر وضوحاً من التجريد الفلسفي في كتابات المنظرين.

كانت نتاج حركة فكرية، وأنّ بناءها إنما قام على غريزة حب السيطرة والتحكم ورغبات التوسع والهيمنة واحتكار الموارد، أي أنّ الدولة الحديثة إنما هي من صنع الملوك والغزاة والمحاربين لا المفكرين والفلاسفة²⁵. إنني أقول بوضوح: إن أفكار الحداثة نفسها تحمل جنين الطغيان لأنها تقضي في النهاية إلى دولة تحتكر السلطة فيها كلّ عوامل القوة، ولا يبقى إلا أن يأتي ظرف ما فيستغله زعيمٌ ما فيجدد سيرة الأباطرة الطغاة!

طغيان بلا طاغية!!؟

هنا يطرح السؤال نفسه: لماذا إذن لا نرى في الغرب طغاة على نحو من هم في عالمنا العربيّ وفي إفريقيا وآسيا وأمريكا الجنوبيّة؟ تعددت الإجابات عن هذا السؤال، يهمننا من بينها هذه الإجابات الثلاث التي تختص بموضوعنا في هذه الورقة:

1. ثمة تنظير يقول بأنّ الطغاة ظهروا فعلاً في الغرب، ومن بعد الثورة الفرنسية ذاتها وفي فرنسا، مثل نابليون الذي جدد الإمبراطورية وأخمد الجمهورية وحتى هتلر وموسوليني اللذين جاءا وجاءوا بطريقة ديمقراطية، ولكن لا الديمقراطية ولا الحداثة تمنعان ظهور الطغاة.

²⁵ تشارلز تيلي، "صناعة الحرب وبناء الدولة بوصفها جريمة منظمة"، ترجمة: أحمد العوفي، مدونة: نظر، بتاريخ: 27 فبراير 2016. (تاريخ الزيارة 27 نوفمبر 2011م)؛ مارك كوباما، "لم تكن الأفكار كافية"، ترجمة: عمرو بسيوني، مجلة: حكمة، بتاريخ: 12 إبريل 2018. (تاريخ الزيارة 27 نوفمبر 2011م). ومقال تشارلز تيلي مترجم عن مقال محرر ضمن كتاب "Bringing the State Back in"، ولكن فكرته بسطها المؤلف نفسه في كتابه "Coercion, Capital, and European States, A.D. 990-1992". ولفت نظري أن هنري كيسنجر، وهو أستاذ للتاريخ قبل كونه مسؤولاً سياسياً، استعرض تطور أوروبا والدولة القومية الحديثة في كتابه "النظام العالمي"، ولم يكتفِ لأفكار فلاسفة التنوير، حتى أنه لم يذكر فولتير مطلقاً، وذكر روسو مرة واحدة عابرة، بينما ركّز كثيرا عند ريشيلو، المؤسس العملي -لو صح التعبير- لفكرة الدولة المتجاوزة للدين في البلاط الفرنسي، وبشكل أقل مع بالمرستون القائد البريطاني الشهير. انظر: كيسنجر، النظام العالمي، ص30 وما بعدها.

وهذه إجابة تدفعنا إلى التفكير الجديّ في جدوى هذا النموذج الحداثيّ ووسيلته الديمقراطية، ولا تغرينا غريزة الجوع للاندفاع نحو طعام لا يحقق الشبع.

2. وثمة تنظير يقول بأنّ الغرب ليس بحاجة إلى ظهور الطغاة في الغرب، طالما أنّهم يستطيعون حلّ مشكلاتهم وضمان رفاهيتهم على حساب الشعوب الأخرى، وهذا ما يفسر -في جانب منه- كيف أنّ الحكومات الديمقراطية الغربية هي الداعم الأقوى للحكومات الطغيانية في بقية العالم، ذلك لأنّها تحلّ لهم مشكلاتهم الداخلية بما توفره لهم من السيطرة على الموارد ومن أسواق استهلاكية ومن يد عاملة رخيصة²⁶. وفي اللحظة التي تعجز الشعوب المقهورة عن توفير رفاهية الغرب ستبدأ الأزمات التي ستضطرهم إلى فرز طغاة يعيدون حالة الاستقرار عندهم واستعادة حالة الرفاهية على حساب آخرين.

وهذه إجابة تدفعنا إلى التفكير بأنّ هذا النموذج الحداثيّ ووسيلته الديمقراطية لا يعيش إلا بقدر ما نموت، ولا يتألق إلا بقدر ما ننطفئ، وأنّ حياته هناك رهينة بموتنا نحن في بلادنا، لقد توقفوا عن غزو بعضهم لأنهم يغزوننا نحن، وندفع نحن فاتورة فائض القوة والعنف وفائض الإنتاج. ومن ثم فقد يكون تحطيم هذا النموذج على رأس أولوياتنا، بدلاً من أن يكون الاقتداء به هو منتهى أملنا.

3. وثمة تنظير يقول بأنّ الديمقراطية نفسها كوسيلة حداثية، تحولت إلى وسيلة زائفة للتعبير عن الشعوب، وأنّ الطغاة موجودين وقائمين، ولكنهم يفضلون التواري عن المسرح وممارسة القيادة من خلف الستار، وذلك أنّه في مجتمع فردانيّ مغرم باللذة والاستهلاك، تتمكن الأموال من التحكم في عملية الانتخابات واختيار المرشحين وتغطية حملاتهم الدعائيّة والإعلاميّة، كما تتمكن فيما بعد من التحكم في سير القوانين والسياسات التي يصدرها هؤلاء المنتخبون.

وهذه إجابة تدفعنا إلى التفكير في أنّ الديمقراطية مجرد وسيلة استطاع من يملك السلطة والقوة أن يحتويها ويوظفها ويديرها لتحقيق أغراضه، وعجزت أن تكون تمثيلاً حقيقيّاً

²⁶ ريتشارد كوك وكريس سميث، انتحار الغرب، ص30، 31.

للشعوب. وهو ما يدفعنا إلى التفكير لا في الديمقراطية كحلم وأمل، بل إلى تعديل صيغ القوة في المجتمع، تلك التي تمنع أن تكون القوة حكرًا على أطراف ما، فتملك بهذا أن توظف أي وسيلة لتحقيق أغراضها.

وهذه الإجابة الأخيرة هي مدخلنا إلى الحديث عن النظام الإسلامي كنموذج لتوازن القوى.

النظام الإسلامي: نموذج توازن القوى

من نافلة القول إن الإسلام هو الذي صنع الدولة والحضارة، فالعرب لم يكونوا قبل الإسلام أمة ولا دولة ولا قومية، بمعنى أن تجتمع في شكل من أشكال التنظيم السياسي والاجتماعي، فالإسلام هو العامل الوحيد الجديد الذي أحال هذه المجموعات المتناثرة إلى أمة ودولة وحضارة. وهو الأمر الذي يختلف جذريًا عن التجربة الغربية، حيث لا يمكن القول بأن المسيحية هي التي أطلقت الحضارة الغربية، بل هي مسبقة بالفلسفة اليونانية والتنظيم السياسي والقانوني الروماني، وهي أمور تمثلها المسيحية وامتصتها بأكثر مما قضت عليها وغيرتها²⁷، ثم إن السياق الغربي انقلب على المسيحية وانحاز إلى العلمانية التي أنتج في ظلها أشكال التنظيم السياسي والاقتصادي والاجتماعي المعاصرة.

وبرغم ما تعرض له المسلمون من علوم الحضارات الأخرى في أزمنة الفتح وعصر الترجمة ومناطق الاحتكاك الحضاري فإن صبغة الإسلام وطبيعته ظلت مهيمنة ومستوعبة لما سواها من التراث الحضاري، بحيث لا يمكن القول إن حضارات المناطق المفتوحة قد استوعبت الإسلام فيها وأعدت إنتاج نفسها من خلاله، بل إن مؤرخًا مثل أرنولد توينبي يعدّ هذه الظاهرة الإسلامية استثناء بين تاريخ الحضارات²⁸.

²⁷ للقاضي عبد الجبار المعتزلي كلمة مشهورة: "النصارى ترومت ولم تنتصر الروم"، القاضي عبد الجبار، تثبيت دلائل النبوة، (القاهرة: دار المصطفى، د. ت)، ص173؛ ريتشارد كوك وكريس سميث، انحرار الغرب، ص10، 71.

²⁸ توينبي، مختصر دراسة التاريخ، 248/2، 249.

من هنا كانت نشأة الدولة الإسلامية، خالصة للتأثير الإسلامي، لم تكن متأثرة بسياق حضاريّ قبلها، ولم يشاركها مصدر ثقافيز آخر في مصدر المعرفة الذي بُنيت عليه، ولم تتصالح مع واقعها الجاهليّ، بل كانت انقلاباً عليه وتحطيماً لمعتقداته وأشكال تنظيماته السياسيّة والاجتماعيّة والاقتصاديّة. إننا حين ندرس التجربة الحضاريّة فإننا ندرس الإسلام نفسه، وحين ندرس الإسلام ندرس تجربته الحضاريّة في الوقن نفسه. .

نسعى في هذا الجزء من الورقة إلى بيان كيف بنى الإسلام نظامه السياسيّ على مبدأ توازن القوى، وكيف ممّلت تعاليمه وشعائره وشرائعه أساساً دينياً ثم إسناداً اقتصادياً واجتماعياً لهذا التوازن، بحيث إنّ حصول الطغيان في أمة المسلمين هو أمرٌ صعب على أية سلطة سياسيّة، ولا تزداد السلطنة طغياناً إلا بمقدار ما يصيب النظام الإسلاميّ الاقتصاديّ والاجتماعيّ كلّهُ من نقصان وانهايار، وهذا هو ما يفسر لنا كيف أنّ الدولة الحديثة لم تنشأ في بلادنا إلا قسراً وقهراً، ويفسر لنا عدم استقرارها وتمكنها في بلادنا حتى الآن.

سنحاول توضيح الفكرة من خلال محورين؛ الأول: كيف قلّص النظام الإسلاميّ من صلاحيات السلطة ونزع عوامل استبدادها. والثاني: كيف بنى الإسلام مجتمعاً متكثلاً متيناً محفوقاً بنظام اقتصاديّ واجتماعيّ يستمد قوته من الدين نفسه بحيث يكون الاستبداد به أصعب ما يمكن.

تقليص صلاحيات السلطة

يقوم الإسلام على فكرته المركزيّة، التوحيد، كلمة "لا إله إلا الله"، والله تبارك وتعالى مفارق لخلقه، فليس الإله حالاً في إنسان أو في مؤسسة، ولا لأحد من البشر طاقة أن يبلغ مرتبة الإله أو يتحدّ به، بل كلّ البشر عبيده وعباده، بمن في ذلك رسوله وخير خلقه. وليس في البشر من يتكلم باسم الله إلا رسوله حين يوحى إليه، بل إنّ الوحي لينزل بتصحيح موقف اتخذهُ الرسول كبشر، وإنّ الرسول ليسكت إذا عُرضت عليه مسألة لأنّه

لم يوح إليه فيها بشيء ، وهكذا كان كلام الرسول (وما ينطق عن الهوى، إن هو إلا وحي يوحى). وهذه المفارقة بين الله وخلقه هو أول اختلاف حاسم بين الإسلام والغرب، الذي دمج بين الإله والإنسان في كلِّ عصوره الدينية مع اختلافها.

وحين ننظر في التنظيم السياسي للمجتمع الإسلامي نرى معنى التوحيد متمثلاً في "نزع السيادة" عن كلِّ البشر وجعلها حصراً لله تعالى، فليس في البشر من يمكن أن يكون إلهاً أو شبه إله أو من نسل الآلهة²⁹، فالتوحيد هو ما يجعل البشر سواسية، ويُنهى أيَّ أساس لامتياز بعضهم على بعض، فجميعهم أبناء آدم، وجميعهم تتحدد أقدارهم ومكانتهم وفقاً لتقواهم ولأعمالهم الصالحة³⁰.

ومن هنا كان الحاكم في النظام الإسلامي إتما هو وكيل عن الناس لا امتياز له عليهم، ويستمد شرعيته من اختيارهم له، فلم حق نصبه ثم مراقبته ونصحه وتقويمه ولهم حق عزله. . وكان هذا الأمر في زمن نزول الإسلام، زمن الإمبراطوريات الملكية الحاكمة بحق السماء، ثورة هائلة في الفكر السياسي، بل ظلَّ هذا الحال إلى ما بعد زمن الإسلام بألف سنة، إذ لم تعرف الحضارات وسيلة غير الملكية لتحقيق استقرار النظام وإدارة المناطق الواسعة، وبينما كان ولي العهد في أيِّ إمبراطورية يكتسب صفته هذه منذ لحظة خلقه في بطن أمه ومن دون أن يُعدَّ هذا انحرافاً، كانت الملكيات في العالم الإسلامي تعد انحرافاً عن الأصل ولا يُخضع لها إلا بحكم الضرورة والاضطرار، ولا يكتسب فيها ولي العهد صفته هذه إلا ببيعة يأخذها أو تؤخذ له من الناس، ومع أنَّ هذا إجراء شكلي

²⁹ إن طرح التوحيد بمفهوم التحرر من الاحتلال ومن الطغيان هو معلَّم ثابت، بل مركزي، في أفكار سائر الحركات الإسلامية المعاصرة.

³⁰ يتردد في كتابات الرحالة الغربيين والمستشرقين إشاراتهم، وربما دهشتهم، من رسوخ الشعور بالمساواة في المجتمع الإسلامي بخلاف الطبقة المترسخة في الغرب. انظر: جوستاف لوبون، حضارة العرب، ص 391؛ نيبيل مطر، الإسلام في بريطانيا: 1558 - 1685م، ترجمة: بكر عباس، ط1 (القاهرة: المركز القومي للترجمة، 2002م)، ص 61، 62؛ محمد إلهامي، "كيف عامل المسلمون عبيدهم: شذرات من مؤلفات الرحالة الغربيين"، مجلة المجتمع الكويتية، يوليو 2020م.

في أغلب الأحيان إلا أنه إقرار بأنّ الشرعية تُستمدّ من اختيار الناس لا من صلة الدم والعرق النبيلة أو المقدسة.

ربما لا يُقدّر المعاصرون حجم هذا التحول الجذريّ وآثاره، لكون الغرب الآن قد توصل إلى صيغة "الرئيس الموظف"، لكنه في هذا الوقت كان أشبه بالمعجزة الخارقة، ومع ذلك فإنه قد بقي في هذا التحول من الأمور ما لم تصل إليها الديمقراطيات المعاصرة حتى الآن، ذلك هو: نزع الحق في التشريع.

فمن أهم ما يترتب على "نزع السيادة" وجعلها لله حصراً، نزع الحق في التشريع عن البشر وجعل ذلك لله، فالحاكم المسلم ملزم بالحكم بشريعة الله، وهذه الشريعة ليست دستوراً وضعه هو أو حتى ساهم فيه بل ولا كانت له القدرة على التأثير في كتابته، ولا يملك الحاكم المسلم تحت أيّ ظرف أن يعطل العمل بالشريعة أو يستبدل بها غيرها وإلا سقطت شرعيته وأببح للناس الخروج عليه وعزله، فليس ثمة "حالة استثناء" يملك أحدٌ فيها تعطيل الشريعة. وأقصى ما يستطيعه الحاكم المسلم إذا انحرف أن يتكلف في تأويل الشريعة ونصوصها ليجعل أغراضه ورغباته مما تسمح به الشريعة، ويستعين على ذلك بعلماء السلطان، ويكون هذا أمراً مفصوحاً يطعن فيه وفي العلماء الذين استعان بهم ، وذلك لطبيعة وضع العلماء في التنظيم الاجتماعي الإسلامي إذ لم يكونوا مؤسسة كهنوتية ولا كان فيهم من يحتكر الحديث باسم الشريعة.

بينما يملك الحكام المعاصرون المنتخبون ديمقراطياً أن يصدروا من اللوائح والقوانين والتشريعات بل والتعديلات الدستورية ما يحقق مصالحهم ويحوّل رغباتهم إلى بنود تكتسب صفة الشرعية والقانونية. وتزداد هذه القدرة إلى الحد الأقصى في لحظة التحولات السياسية مثل الاحتلال والانقلابات العسكرية، وغيرها من صور "حالة الاستثناء"، حيث يملك الحاكم أن يعطل سائر القوانين وأن يفرض قوانين أخرى، ويملك أن يكتب دستوراً جديداً يكون هو الوثيقة القانونية الجديدة المعبرة عن أهداف المنتصر. وفي السياق العلماني لا يُعدّ خبراء القانون الذين أخرجوا هذه الوثائق والقوانين قد ارتكبوا فعلاً مشيناً

كما هو حال علماء السلاطين- بل يُعدُّ هذا من دلائل خبرتهم وكفاءتهم. فالقانون في السياق العلماني هو تقنين لحالة سياسية ولموازين القوى وليس تعبيراً عن العدالة، ذلك أنه صادر عن سلطة بشرية أرضية في لحظة صراع³¹.
ومن أهم ما يترتب على "نزع السيادة" وجعلها حصراً لله تعالى، توحيد مصدر المعرفة، بكل ما لهذا من آثار ثقافية عميقة³²، فالله تعالى هو مصدر المعرفة وميزان الصواب والخطأ والحق والباطل والحلال والحرام، ومن ثمَّ فلا قيمة لأيِّ فكرة أو معنى يقوله أيُّ أحد إلا بقدر قربيه أو بعده عما جاء به الوحي. وهذا الأمر هو من أهم ما نزع من البشر قدرتهم على تسويق التسلط والاستبداد، أو الزعم بأن ثمة من له الحق أن يفرض أو يخترع أصولاً فكرية خارجة عما جاء به الوحي. إنَّ كل فكرة تأخذ قيمتها من اتساقها مع ما جاء به الوحي³³. ومن هنا فإنَّ كلَّ خلاف بين المدارس الإسلامية إنما خلاف حول فهم النص وتفسيره لا خروج عليه، كما أنَّ كل محاولة انحراف واختراع أصول فكرية جديدة كانت تحاول أن تتسريل بنوع تأويل واجتراء، وهو ما جعلها محاولات مفضوحة ومنبوذة ولم يكتب لها البقاء طويلاً، ومن بقي منها ظلَّ على هامش التجربة الإسلامية.

³¹ تثبت الخبرة التاريخية أن القضاة في الدولة الحديثة دولتيون، بطبيعة التفكير وبطبيعة التنظيم الاجتماعي والبنية الثقافية للدولة، وليسوا سلطة مستقلة على الحقيقة. انظر: وائل حلاق، الدولة المستحيلة، ص100 وما بعدها.

³² حديثنا هنا عن الآثار الثقافية من زاوية ما ناقشه فوكو وأفاض فيه من القوة الثقافية للدولة وتغلغلها في المجتمع، وعمل الدولة الدائب على تصنيع ثقافة المجتمع وفق رؤيتها وأهدافها.
³³ وهذا الأمر حاسم في تفسير استجابة المجتمع الإسلامي لسياسة الحكم القائمة، فحتى الذين يخرجون للجهاد -كمثال على أصعب أنواع الاستجابة وأشدّها كلفة- لا يفعلون ذلك لأن هذا هو واجبهم تجاه الدولة، بل لأن الجهاد تكليف من الله، ولا يفعلونه لتوسيع حدود الدولة، بل لأنه نشر للدين وجهاد في سبيل الله. وهذا فارق مهم في توضيح شكل العلاقة بين المسلم والسلطة، وله دلالاته السياسية الواضحة. انظر: برهان غليون، نقد السياسة: الدولة والدين، (بيروت: المؤسسة العربية للدراسات، 1993م)، ص52، 53؛ هشام جعيط، الفتنة: جدلية الدين والسياسة في الإسلام المبكر، ط4 (بيروت: دار الطليعة، مارس 2000م)، ص72.

بينما كان إقصاء "المقدس" في التجربة الغربية، مفضياً إلى حالة لا انضباط لها من الأفكار، بل إلى حالة من السيولة العامة، وصار ما كان منبوءاً محتقراً بالأمس هو من صميم الحقوق والحريات اليوم، بل ربما جُرم وعوقب من يعارضه أو حتى ينفر منه! والعكس صحيح كذلك³⁴! هذه الحالة من السيولة -لا سيما في سياق علماني - تقضي إلى أوضاع مرعبة تُستعمل فيها المهارات والأدوات والعلوم في إعادة تفسير وإعادة تبرير كل شيء وأي شيء، إذ ليس ثمة معيار أصلاً.

لقد أدى "نزع السيادة من البشر" في النظام الإسلامي إلى تقليص كبير لصلاحيات السلطة³⁵، وبالنظر إلى كتب السياسة الشرعية نرى أنّ الوظيفة المنوطة بالسلطة تنحصر في ملفات الأمن والدفاع وما يتعلق بهما وجباية المقررات الشرعية من الأموال³⁶، وأما أمور التعليم والثقافة والاجتماع والعمران فلا تتحكم فيها ولا تسيطر عليها، وإنما تشارك فيها كفاعل اجتماعي، بتوجيه المال العام إلى إنشاء المدارس والمستشفيات وتعبيد الطرق ونحو ذلك.

كما أدى "نزع السيادة من البشر" إلى قدرة عالية لمعوم المجتمع الإسلامي على تقييم هذه السلطة، والقيام في وجهها بالمراقبة والنصح والتقويم، وكذلك الخروج عليها . . . إذ إنّ

³⁴ حتى إذا قبلنا رأي القائلين بأن الدولة الحديثة يمكن أن تستوعب النظام الإسلامي، وأنه ليس ثمة تعارض جذري بينهما، فسنرى أن سيادة القانون لا تساوي سيادة الشريعة، حتى بالمنطق القانوني الدولي، يشير القانوني المعروف د. توفيق الشاوي إلى هذا الفارق بقوله "الشريعة ملزمة للجميع: سلطات التشريع والتنفيذ والقضاء، وهي تغل يد الحاكم والمشرع عن سنّ قوانين ظالمة، بينما سيادة القانون ملزمة لسلطة التنفيذ فقط، ويبقى الباب مفتوحاً لإصدار قوانين وضعية تسمح بالاستبداد والطغيان. انظر: د. توفيق الشاوي، سيادة الشريعة الإسلامية، ط1 (القاهرة: الزهراء للإعلام العربي، 1987م)، ص14.

³⁵ انظر: وائل حلاق، الدولة المستحيلة، ص130 وما بعدها؛ إبراهيم البيومي غانم، "مقاصد الدولة بين السيادة وولاية الأمر"، ضمن: محمود مصري (تحرير)، الدولة والمجتمع: رؤية مقاصدية، (اسطنبول - لندن: إيثار - مؤسسة الفران، 2015م)، 411/2 وما بعدها.

³⁶ الماوردى، الأحكام السلطانية والولايات الدينية، تحقيق: أحمد جاد، (القاهرة: دار الحديث، دت)، ص40 وما بعدها.

انحراف السلطة عن الشريعة يسقط شرعيتها ويستثير المؤمنين ضدها. والشريعة - كما ذكرنا - مرجعية متعالية مهيمنة على السلطة والمجتمع معا، فهي ليست وثيقة قد أصدرتها السلطة ولا ساهمت في كتابتها ولا لها قدرة على التحكم فيها بال تفسير والتأويل. والمؤمنون حين يقاومون الخروج على الشريعة فإنهم لا يقومون بالحق الذي لهم فحسب بل يقومون بالواجب عليهم، فالحق يمكن التنازل عنه بينما الواجب يتحتم أدائه³⁷.

ولأن المجتمع الإسلامي كان مجتمعا قويا ومتيناً، وهو ما سنتناوله بعد قليل، فقد كانت قدرته على الثورة والخروج على السلطة قدرة عالية، وكان يتمتع بثورية يتخوف منها الوصول إلى الفوضى، ولهذا ناقش العلماء كثيراً وطويلاً مسألة حدود طاعة المسلمين للسلطة القائمة عليهم، وكان إطار هذه المناقشة يوازن بين حدّين؛ الحد الأول: ألا يكون الخروج على السلطة مفسدة تفضي إلى شرّ من الوضع القائم، والحد الثاني: ألا تكون طاعة السلطة مفسدة تفضي إلى زيادة انحرافه وطغيانه. ويمكن القول بكثير من التبسيط والاختصار بأن رأي أهل السنة والجماعة - وهم التيار العام وأغلبية المسلمين - هو أنّ الظلم سبب كافٍ للخروج على السلطة³⁸ طالما لم يترتب على ذلك فساداً أكبر. كما أنّ الطاعة للسلطة لا تكون إلا في المعروف، ولا تُطاع في معصية³⁹. وإذا لم يكن السلطان

³⁷ ناقش عدد من العلماء والباحثين مسألة أن ممارسة الحق في الشريعة إنما هو في نفس الوقت إنجاز واجب، وهو ما يجعل المجتمع الإسلامي نشيطاً في رفض الانحراف ومقاومته. انظر: ديفيد دي سانتيلانا، "القانون والمجتمع"، ضمن: توماس أرنولد (إشراف)، تراث الإسلام، ترجمة: جرجيس فتح الله، (بيروت: دار الطليعة، 1972م)، ص 411 وما بعدها. وللمستشرق الأمريكي مايكل كوك دراسة واسعة استغرقت منه عشر سنوات وصل فيها إلى أن قيمة الأمر بالمعروف والنهي عن المنكر لم تكن واضحة ولا لها صياغة متكاملة في أي فلسفة شرقية ولا غربية وإنما انفرد بها الإسلام. انظر: مايكل كوك، الأمر بالمعروف والنهي عن المنكر في الفكر الإسلامي، ترجمة: د. رضوان السيد وآخرين، (بيروت: الشبكة العربية للأبحاث والنشر، 2009م)، ص 25، 26، 803 وما بعدها.

³⁸ ابن حزم، الفصل في الملل والأهواء والنحل، (القاهرة: مكتبة الخانجي، د. ت)، 132/4 وما بعدها.

³⁹ البخاري (4085)، (6647)، (6725)، (6726)، (6774)، (2796)، (6830)، (مسلم (1839)، (1840).

عدلا فقد انحصر حقه في أمرين: الخروج إلى الجهاد المشروع معه، وبذل الزكاة المشروعة له⁴⁰.

ولابن تيمية تفريق دقيق بين حالتي السلطة هو فيما أعلم تفريق لم يصل نظاماً قانوني إليه، يقول: "الإمام العدل تجب طاعته فيما لم يُعلم أنه معصية، وغير العدل تجب طاعته فيما عُلم أنه طاعة كالجهاد"⁴¹، وهذا التفريق يعدُّ أساساً متقدماً لتنظيم العلاقة بين الحاكم والمحكوم طاعةً أو إنكاراً بناءً على حال الحاكم نفسه؛ ونرى أنّ هذا المستوى لم تصل إليه منظومة قانونية ديمقراطية معاصرة، وذلك أنّ السلطة تتحرك في كثير من الملفات والقضايا في أمور هي محلّ نظر واجتهاد واختلاف آراء، فإذا كانت الأنظمة الديمقراطية المعاصرة تُلزم الناس بطاعة السلطة إلا فيما خالف القانون مخالفة واضحة، فهذا التفريق الذي قاله ابن تيمية يجعل المحكوم في حلّ من طاعة السلطة غير العادلة، إلا فيما يوافق الشريعة موافقة واضحة، ويجعله غير مُلزمٍ بطاعة هذه السلطة فيما تتردد فيه الآراء وتختلف فيه الأنظار.

وهكذا كانت "لا إله إلا الله"، وما انطوت عليه من معنى "نزع السيادة عن البشر"، تحريراً للشعوب وإنقاذاً للبشر من رغبات الحاكمين الذين يسربلون طموحاتهم بأنظمة وقوانين وديساتير وأفكار مهما كانت خرافية.

⁴⁰ ابن الملقن، التوضيح لشرح الجامع الصحيح، تحقيق: دار الفلاح، ط1 (دمشق: دار النوادر، 2008م)، 283/23؛ ابن حجر، فتح الباري شرح صحيح البخاري، تصحيح وإشراف: محب الدين الخطيب، (بيروت: دار المعرفة، 1379هـ)، 6/13؛ العيني، عمدة القاري شرح صحيح البخاري، (بيروت: دار إحياء التراث العربي، د. ت)، 177/24.

⁴¹ ابن تيمية، مجموع الفتاوى، (المدينة المنورة: مجمع الملك فهد لطباعة المصحف، 1995م)، 196/29.

تقوية المجتمع

لم يكتف الإسلام بهذا التقرير النظريّ للتوحيد ومقتضياته، والتي نهتم منها في هذه الورقة بجانب النظام السياسيّ، بل أقام الإسلام نظامه الاقتصاديّ والاجتماعيّ ليكون إسنادًا وقوة داعمة وركنا في بناء الدولة الإسلامية.

كما تقضي تعاليم الإسلام إلى تقليص صلاحيات السلطة ونزع مسوغات الاستبداد وأدواته، تقضي كذلك إلى تقوية المجتمع وتكثيله وتمتينه بحيث يكون الاستبداد به أصعب ما يمكن، وبقليل من التأمل نرى أنّ بناء مجتمع قوي متين هو هدف أصيل تقضي إليه معظم العبادات والمعاملات والشرائع، وسنحاول توضيح ذلك من خلال التركيز على ثلاثة أمور فقط هي: إنشاء الروابط الاجتماعية وتقويتها، الأثر الاجتماعيّ والاقتصاديّ للعبادات، وضع العلماء في المجتمع الإسلاميّ.

أولاً: إنشاء الروابط الاجتماعية وتقويتها

أنشأ الإسلام رابطة أخوة الدين، وهي الأخوة الإسلامية، فكلّ مسلم أخ للمسلم، ورتب على هذا كثيرًا من الحقوق والواجبات، وصلت إلى تفاصيل صغيرة مثل عيادة المريض واتباع الجنّاة بل وردّ السلام وتشميت العاطس. فضلاً عن الحقوق الأصيلة كألا يظلمه ولا يُسلمه، فكل المسلم على المسلم حرام: دمه وماله وعرضه، والأخذ على يد الظالم ونصرة المظلوم وقتال الفئة الباغية، والوعد الجزيل لمن أعان أخاه أو فرج عنه كربة أو ستر عيبه، والحذر من التحاسد والتباغض والتنازع، بل إن تحقير المسلم هو شرّ عظيم، والهدف أن يكون المسلمون كالجسد الواحد إذا اشتكى منه عضو تداعى له سائر الجسد، وكالبنيان يشد بعضه بعضاً⁴². ومن نافلة القول إن هذه التعاليم النابعة من الدين يكون أثرها في المؤمنين أضعاف تأثير التعاليم الوطنية التي يتلقاها المواطن عبر وسائل التعليم

⁴² راجع مزيدًا من النصوص في "الإخاء" في: صالح بن عبد الله بن حميد وعبد الرحمن بن ملوح (إشراف)، نصرة النعم في أخلاق الرسول الكريم، ط4 (جدة: دار الوسيلة)، 95/2 وما بعدها.

والإعلام في ظلّ مجتمع فرדاني ماديّ استهلاكيّ لا يؤمن بالغيب ولا بحياة أخرى بعد الموت. كذلك فإنّ هذه التعاليم لم تكن مجرد وصايا بل لقد طُبِّقت في واقع الحياة وتحققت صورتها المثلى في المؤاخاة بين المهاجرين والأنصار، حيث صاروا كالجسد الواحد وحمل بعضهم بعضاً وأثر بعضهم بعضاً على نفسه مهما اشتدت حاجته⁴³، وقُضِيَ بهذه المؤاخاة على مشكلة اللاجئين التي لا تزال تعجز الدول الحديثة عن حلّها جذريّاً. وقد عملت هذه الأخوة الدينية على تماسك المجتمع المسلم وتقويته، وانبعثت كلّ مسلم للأمر بالمعروف والنهي عن المنكر -يرى هذا حقاً له وواجباً عليه- تجاه أي مسلم، ولا تزال هذه الأخوة الدينية حتى الآن تُخرج المسلم من بيته ليذهب مجاهداً مدافعاً عن مسلمين آخرين في أقصى الأرض لا يربطهم به عرق ولا لغة ولا مصلحة مشتركة.

كذلك فقد اعتنى الإسلام بتقوية صلة الرحم ومع أنّه جاء في مجتمع قبليّ، كانت فيه العصبية القبلية مانعاً وحائلاً دون انتشاره، إلا أن الإسلام حرص على تمتين صلة الرحم وتقويتها، وحرص على الحفاظ على القبيلة، ولم يحاول أبداً كسر هذه الرابطة وإنما كان حفيظاً بالألّة علو صلة الرحم على الحق، فكثرت وصايا الإسلام ببر الوالدين، وبصلة الرحم، والإحسان إلى ذوي القربى، وجاءت الآيات والأحاديث تربط بين صلة الرحم وبين سعة الرزق وطول العمر، وتربط بين قطع الرحم والفساد في الأرض⁴⁴. وقد طُبِّق هذا منذ اليوم الأول لنشأة الدولة الإسلامية في المدينة المنورة، حيث أقطع النبي للمهاجرين ما ليس مملوكاً من أرض المدينة أو تنازل عنه الأنصار أو غنمه من اليهود، فأقطعها إياهم

⁴³ البخاري الجامع الصحيح المختصر، تحقيق: مصطفى ديب البغا، ط3 (بيروت: دار ابن كثير، 1987م)،

(1186)؛ أكرم العمري، السيرة النبوية الصحيحة، ط6 (المدينة المنورة: مكتبة العلوم والحكم، 1994م)،

241/1؛ إبراهيم العلي، صحيح السيرة النبوية، ط1 (عمّان: دار النفائس، 1995م)، ص138، 139.

⁴⁴ راجع مزيداً من النصوص عن "صلة الرحم" في: صالح بن عبد الله بن حميد (إشراف)، نضرة النعيم،

2615/7 وما بعدها.

بحسب قبائلهم⁴⁵، وعلى هذا جرى العمل في المدن التي أنشأها المسلمون كالبصرة والكوفة والفسطاط والقيروان وبغداد والقطائع والعسكر وواسط والمنصورة والموصل وقرطبة⁴⁶، وكانت جيوش المسلمين في الغزوات ثم في الفتوحات تقاتل وفقًا لتقسيمها القبليّ، فالكتيبة في الجيش الإسلاميّ تضم مقاتلي القبيلة ولهم رايثهم التي يُعرفون بها⁴⁷، كما كانت الأموال والغنائم وقسمة الدواوين تُوزَع وفق الانتماء القبلي⁴⁸. ووردت الأخبار باحتماء الصحابيّ بقبيلته لدفع ظلم وإلٍ من الولاة⁴⁹، بل باستدعائهم أحلاف القبيلة الجاهلية للانتصاف من الظلم⁵⁰. ولا أن التكتل القبلي حال دون كثير من ظلم الحكام والولاة، بل حال دون التفكير في ذلك، وجعل العدل والحلول السلمية للنزاعات هي الأولى دائمًا⁵¹. كذلك اعتنى الإسلام بتقوية رابطة الجوار، وجاء بحقوق عظيمة للجار لا نعرف شبيهاً لها في أيّ دين أو فلسفة أخرى، فمن حقوق الجار ألا يبيت جائعاً وإلى جواره شعبان،

⁴⁵ ابن شبة، تاريخ المدينة المنورة، تحقيق: فهمي محمد شلتوت، (قم: دار الفكر، 1410هـ)، 260/1 وما بعدها.

⁴⁶ شاكر مصطفى، المدن في الإسلام حتى العصر العثماني، ط2 (دمشق: دار طلاس، 1997م)، 321/1، 348 وما بعدها؛ محمد عبد الستار عثمان، المدينة الإسلامية، ص49، 57، 58، 61؛ عبد الجبار ناجي، المدن العربية الإسلامية، ط2 (بيروت: شركة المطبوعات، 2009م)، ص163، 191، 214، 257، 305، 329، 403، 428، 471.

⁴⁷ الطبري، تاريخ الطبري، (بيروت: دار الكتب العلمية، 1995م)، 278/2؛ ابن كثير، البداية والنهاية، تحقيق: علي شيري، (بيروت: دار إحياء التراث العربي، 1988م)، 357/6؛ أكرم العمري، عصر الخلافة الراشدة: محاولة لنقد الرواية التاريخية وفق مناهج المحدثين، ط1 (الرياض: مكتبة العبيكان، 2009م)، ص407، 408؛ أحمد عادل كمال، الطريق إلى المدائن، ط6 (بيروت: دار النفائس، 1986م)، ص20. ⁴⁸ أكرم العمري، عصر الخلافة الراشدة، ص231.

⁴⁹ ابن حجر، فتح الباري، 123/5.

⁵⁰ الألباني، صحيح السيرة النبوية، ط1 (عمان، المكتبة الإسلامية، 2001م)، ص36، 37.

⁵¹ مثلاً: ابن خلكان، وفيات الأعيان، تحقيق: د. إحسان عباس، (بيروت: دار صادر)، 500/2؛ الذهبي، سير أعلام النبلاء، تحقيق: مجموعة بإشراف شعيب الأرنؤوط، (بيروت: مؤسسة الرسالة، 1985م)، 373/8 وما بعدها.

ولا يكتمل إيمان المسلم إن كان جاره لا يأمنه ويخشى أذاه، وقد توقع النبي أن الجار سيكون من ضمن الورثة من كثرة ما يوحى إليه من الوصية بالجار⁵²، والجار يشمل المسلم والكافر والعابد والفاسق والصديق والعدو والغريب وابن البلد والنافع والضار⁵³. وهذه الرابطة قد تجمع الروابط السابقة، فالأصل في المدينة الإسلامية - كما ذكرنا قبل قليل - سكن أهل القبيلة الواحدة في مكان واحد، فيجتمع في الجار حق الإسلام وحق القربى وحق الجار.

ثانيًا: الأثر الاجتماعي والاقتصادي للعبادات

تظهر الآثار الاجتماعية والاقتصادية للعبادات والمعاملة في كلّ أركان الإسلام: فالمسجد هو المؤسسة الإسلامية الأولى والمركزية، و أول ما بُني من مؤسسات الدولة الإسلامية إن صح التعبير، بل الأدق أن يقال إن المسجد قد احتوى سائر المؤسسات، فقد كان مركز القيادة السياسية والعسكرية ووسيلة الإعلام ومدرسة التعليم وجمعية التكافل الاجتماعي للفقراء ففيه يسكنون وفيه يأكلون، وفيه عولج الجرحى واستعمل أحيانًا كسجن للأسرى⁵⁴. والصلاة في المسجد إما واجب وإما سنة مؤكدة، وهي تجمع أهل الحي الواحد في كلّ يوم خمس مرات، وكان المسلم في المدينة يأتي إلى الصلاة ولو كان ضعيفًا يتساند بين رجلين حتى يُقام في الصف⁵⁵، هذا بالإضافة إلى يوم الجمعة حيث يلتقي أهل البلد أو أهل الحي الكبير في المسجد الجامع، وقد كانت المدن أول تاريخ الإسلام

⁵² للمزيد في "حقوق الجار"، انظر: في: صالح بن عبد الله بن حميد (إشراف)، نضرة النعيم، 1666/5 وما بعدها.

⁵³ ابن حجر، فتح الباري، 10/441.

⁵⁴ علي الصلابي، السيرة النبوية: عرض وقائع وتحليل أحداث، ط7 (بيروت: دار المعرفة، 2008م)، ص306 وما بعدها.

⁵⁵ حديث ابن مسعود في: مسلم بن الحجاج، صحيح مسلم، ترقيم: محمد فؤاد عبد الباقي، (بيروت: دار إحياء التراث العربي)، (654).

ليس فيها إلا مسجد جامع واحد، فلما كثر الناس واتسعت المدن بُنيت جوامع أخرى صارت تُقام فيها الجمعة بالتعاقب، ومع الزيادة والانتساع صار في المدينة الواحدة أكثر من مسجد جامع، والقصد أن أهل الحي الكبير أو البلدة الصغيرة يلتقي أولهم وآخرهم مرة واحدة في الأسبوع بحدٍ أقصى. ويمكن تصور كيف يمكن أن يتحقق التعارف والتآلف والتعاقد بين حيٍّ يلتقي أهله خمس مرات في كل يوم! وبلدة يلتقي أهلها كل أسبوع، مع ما ينشأ بينهم إثر ذلك من علاقات تعاون وتكافل وانصهار.

وكذلك الزكاة، وهي "حق الله" في المال، تؤخذ من أغنياء الناس لترُدَّ على فقرائهم، فيأخذ منها الفقير والمسكين وأصحاب الديون وأبناء السبيل، كما أنها تُمَوَّلُ العاملين عليها والمؤلفة قلوبهم -الذين يُرجى إسلامهم أو يرجى ثباتهم على الإسلام- وما سوى ذلك من المصالح. والذي يهمننا هنا بشكل خاص أن الأصل في الزكاة أن تتفق في أهل البلد، ولا يجوز إنفاقها في بلد آخر إن كان أهل البلد محتاجون إليها⁵⁶. ويجتمع في الزكاة الأثر الاجتماعي والأثر الاقتصادي في تقوية روابط المجتمع وتخفيض الفوارق الطبقيّة، وتنشيط الحركة التجاريّة وغير ذلك من الآثار.

وكذلك الصيام، فإن اجتماع الناس في العادات والتقاليد مما يقوي الرابطة بينهم، وإن مسارعهم لفعل الخير الفرديّ والجماعيّ كإفطار الصائمين والاجتماع على العبادات كالتروايح والذكر ومجالس القرآن وغيرها مما يكثر في رمضان هو مما يقوي هذه الروابط ويجدها، وتكون فرصة للإصلاح بين المتخاصمين والمتنازعين. إنَّ الأجواء الإيمانية الأخلاقية التي تصنعها العبادات لها أثر بعيد وعميق في العلاقات الاجتماعيّة، كما أن

⁵⁶ قال بهذا المالكية والشافعية والحنابلة، وقال الأحناف: يُكره تنزيها نقلها إلى غير بلدها. انظر: الموسوعة الفقهية الكويتية، ط1 (الكويت - مصر: وزارة الأوقاف الكويتية - دار الصفوة)، 331/23.

بذل الخير والصدقات وزكاة الفطر المرتبطة بالصوم له أثر قوي في تنشيط اقتصاد المجتمع وتمويل أنشطته الذاتية⁵⁷.

وكذلك الحج، الذي يجتمع فيه الناس من سائر أطراف الأمة، فيكون فيه من منافع التعارف والتلاقي، عبر الطريق وفي المحطات الرئيسية وفي الحج نفسه، وما يكون في ذلك من توثق العلاقات البعيدة وتناقل التجارب وتلاقح الخبرات، ومثله ما يحدث من تبادل المنافع في التجارة والمصاهرات وبذل الصدقات وطلب العلم وغير ذلك، وهذا بالإضافة إلى ازدهار طرق الحج التي عمرت بالتجارة والمدارس والتكايا وغيرها من المؤسسات ذات الأثر الاقتصادي والاجتماعي، التي لولا الحج ما نشأت أوقاف إعانة من يريد الحج، وتمهيد الطريق إلى الحج وحفر الآبار فيها، وتقديم الدعم لأهل مكة والمدينة، وأوقاف تعمير الحرمين⁵⁸.

ثالثاً: مكانة العلماء في المجتمع الإسلامي

أكثر ما يعنينا في سياق هذه الورقة الحديث عن العلماء من ثلاث زوايا؛ مكانتهم الاجتماعية كطبقة رفيعة، واستقلالهم الاقتصادي الذي عزز مكانتهم وعوّق احتواء السلطة

⁵⁷ انظر طرفاً من الآثار الاجتماعية والاقتصادية للصوم في: محمد موسى الشريف، مقالات الإسلاميين في شهر رمضان الكريم، ط1 (جدة: دار الأندلس الخضراء، 2001م)، ص225 وما بعدها؛ محمد إلهامي، في أروقة التاريخ، (القاهرة: دار النقوى، 2018م)، 479/2 وما بعدها.

⁵⁸ انظر طرفاً من الآثار الاجتماعية والاقتصادية للحج في: د. محمد موسى الشريف، المختار من الرحلات الحجازية، ط1 (جدة: دار الأندلس الخضراء، 2000م)، 4/1383، 1386، 1438 وما بعدها؛ مجموعة، مؤتمر طرق الحج في إفريقيا، ط1 (الخرطوم: جامعة إفريقيا العالمية، 2016م)؛ مصطفى جولار، أوقاف الحرمين في الدولة العثمانية، ترجمة: د. محمد حرب، ط1 (القاهرة: مركز التاريخ العربي، 2019)؛ منير اطلال، الصرة الهمايونية ومواكب الصرة، ترجمة: د. محمد حرب، ط1 (القاهرة: مركز التاريخ العربي، 2019م)؛ سميرة فهمي علي عمر، إمارة الحج في مصر العثمانية، (القاهرة: الهيئة العامة المصرية للكتاب، 2001م)، ص356، 357، 362، 366؛ محمد إلهامي، في أروقة التاريخ، ط1 (القاهرة: دار النقوى، 2017م)، 141/1 وما بعدها.

لهم، وطبيعتهم التنظيمية كتيار شبكيّ لم يندرج في مؤسسة هرمية وهو ما أعاق احتواء السلطة لهم وجعل قدرة السلطة على إنتاج المعرفة أدنى ما يمكن. كان العلماء يحظون بمكانة اجتماعية رفيعة، تحظى في العموم باحترام العامة وتوقيرهم، كما تتوفر على احترام السلطة لهم كذلك، ومن ثمّ فكثيراً ما مثّل العلماء صوت العامة لدى السلطة، وكانوا كاجاً لاستبداد السلطة وظلمها، ويمكننا أن نرى هذا مضطرباً في التاريخ منذ ثورة القراء في مطلع الدولة الأمويّة وحتى حركات شيوخ الأزهر ضدّ السلطة المملوكية قبيل اقتحام الاستعمار والحدّات بلادنا.

وقد تعززت هذه المكانة من خلال استقلالهم الاقتصادي عن السلطة، حيث لم يكن العلماء موظفين يتقاضون رواتبهم منها، وإنما ضمنّت لهم الأوقاف كما ضمن لهم استقلال القضاء ممارسة عملهم في التدريس والإمامة والفتوى والقضاء من دون احتياج إلى السلطة، ومن ثمّ لم تكن السلطة قادرة دائماً على احتواء العلماء، بل كان يكفيها منهم السكوت والاعتزال.

ومن أهم ما ميّز حركة العلماء أنهم لم يكونوا مؤسسة هرمية تحتكر الخطاب الدينيّ، وإنما كانوا تياراً متغلغلاً في عموم الأمة، وهو ما جعل قدرة السلطة على التأثير في الخطاب الدينيّ وفي إنتاج المعرفة أقل ما يمكن. بل كانت البيئة العلمية تمارس نوعاً من النفور من العالم الذي يقترب من السلطة أو يتولى بعض مناصبها، وكل ما يُقال حول التأثير السياسيّ للسلطة في إنتاج المعرفة في الحضارة الإسلامية هو أقرب إلى الوهم والخيال منه إلى الحقيقة⁵⁹.

⁵⁹ من الدراسات المتميزة التي ناقشت دعوى تأثير السلطة في إنتاج المعرفة الإسلامية: كتاب "المحدثون والسياسة" للدكتور إبراهيم العجلان، وكتاب "التفسير السياسي للقضايا العقدية" للدكتور سلطان العميري، وللباحث ورفقتان بحثتان عن "أحاديث طاعة الأمراء في البخاري" وعن "فحص دعوى أثر السياسة في تدوين الموطأ"، أُلقيت الأولى في مؤتمر "صحيح البخاري" (اسطنبول: جامعة ابن خلدون، نوفمبر 2019م)، والثانية في مؤتمر "كتاب الموطأ" (وجدة: جامعة محمد الأول، أكتوبر 2019م).

ومن نافلة القول إن هذا الوضع لا يعني تقديم صورة مثالية خالية من وجود علماء السلطان، أو خالية من اضطهاد السلطة للعلماء، أو خالية من إخفاق العلماء في بعض ثوراتهم ومعارضتهم، فنحن إزاء مجتمع بشريّ دائماً، ولكن المقصود أنّ ما تمتع به العلماء في الحضارة الإسلاميّة يستحيل أن تتمتع به طبقة ما في دولة حديثة تُهيكل كلّ نشاطٍ ضمن مؤسسة تُمسك بمفاصلها وتحدد لها طريقة عملها وتهيمن عليها بمرجعيتها. إنّ الفارق يبدو ضخماً بين العلماء في المجتمع الإسلاميّ وبين القضاة والخبراء والأكاديميين في الدولة الحديثة، وحتى القضاة - وهم أكثر من يحظى باستقلالية نسبية ضمن الدولة الحديثة - تثبت التجربة أنهم موظفون منحازون للدولة عاملون على تعزيزها وإسباغ الشرعية عليها⁶⁰. لقد كان العلماء عموماً في جانب المجتمع ضد السلطة، وفي جانب المعارضة والمقاومة⁶¹.

ومن نافلة القول إنه لا يمكن مقارنة هذه الشرائع والشعائر والمعاملات وأثرها في تقوية المجتمع وتكثيله بما أنتجته التجربة الغربية من وسائل تقوية المجتمع كالنقابات المهنية ومنظمات المجتمع المدنيّ ووسائل الإعلام، فهذه الشعائر والمعاملات هي جزء من بنية المجتمع وتكوينه وعباداته وتقاليدته، وهي تستمد مكانتها من الدين، ولا تملك السلطة تعطيل هذه الأمور بل إنّ حمايتها ورعايتها وإقامتها هي من صميم واجباتها، وتقصير

⁶⁰ وائل حلاق، الدولة المستحيلة، ص101.

⁶¹ لاحظ نوح فيلدمان بذكاء أن حركة تقنين الشريعة التي قام بها سليمان القانوني كانت أول بذرة في تحطيم العلاقة بين السلطة (الدولة) وبين العلماء، وذلك أنها أول الطريق الذي أفضى إلى تحول العلماء من قوة مستقلة موازية للسلطة إلى طبقة موظفين وخبراء منفذين لما يصدر عنها، مع أن هذا التقنين في أول أمره كان مكتوباً بيد العلماء. انظر: نوح فيلدمان، سقوط الدولة الإسلامية ونهوضها، ترجمة: الطاهر بوساحية، ط1 (بيروت: الشبكة العربية، 2014م)، ص83 وما بعدها. ولأسباب لا تتسع لها المساحة هنا، فإن هذا التقنين ما كان له أن ينجح أو أن يحدث في المجال العربي، وإنما أفرزته عوامل وراثية الدولة العثمانية للتقاليد البيزنطية، ووجدت في المجال الأوروبي مناخاً ملائماً لبعض الميراث التركي الشرقي المتعلق بمركزية السلطان ومركزية الإدارة الحكومية. إننا نفترض بالطبع حسن النية في القانوني والعلماة آنذاك، وأن المسألة في ذهنهم إنما كانت نوعاً من التنظيم لا غير، إلا أن نتائجه كانت مريرة على المستوى البعيد.

السلطة في هذه الحماية والرعاية مما يسقط شرعيتها ويسوّغ الخروج عليها. بينما في النظام الغربي الديمقراطي المعاصر لا تتمتع هذه الإجراءات بأية قداسة ولا يمكنها ممارسة عملها إلاّ بإسماح السلطة لها وفي ظلّ تصدره السلطة نفسها لتنظيم ممارستها عملها، كما أنّ السلطة تملك دائماً تعطيلها بقرار إداري أو في حالة الاستثناء.

خاتمة

كان ينبغي، لولا ضيق المساحة، أن نفرد الحديث عن أمثلة تطبيقية عملية يبدو فيها التناقض واضحاً بين نموذج الدولة الحديثة الديمقراطية وبين النموذج الإسلامي. فالأمثلة التطبيقية أكثر وضوحاً ويتكثف فيها سائر الجوانب التي تميل الدراسة النظرية التجريدية إلى الفصل بينها وتفكيكها.

إنّ مؤسسة الوقف كما كانت عليه في التجربة الإسلامية لا يمكن أن تقبل بها دولة حديثة، لأنّ نظام الوقف قد يحرم السلطة في الدولة الحديثة من أغلب مواردها المالية، فيجعله خارجاً عن سيطرتها وعن إدراتها وعن التحكم فيها، في الوقف يختار فرد ما أن يخرج بعض أملاكه لتكون ملكاً لله بغرض أن ينفق ريعها على وجه مخصوص من وجوه الخير. لا تملك السلطة أن تمنع إنشاء الوقف، ولا أن تغير شرط الواقف، ولا أن تستولي عليه وتضمه إلى خزانتها، بل مهمتها هي تنظيم هذه العملية ورعاية تحقيق شرط الواقف. إنّ الوقف نموذج واضح يظهر فيه معنى نزع السيادة من البشر، ويظهر فيه الحضور القوي لله تبارك وتعالى كمالك لهذا المال الذي أوقف له، إنه امتزاج بين عالم الغيب والشهادة لا تفهمه الدولة الحديثة ولا تعترف به، كما يظهر في الوقف قدرة الأمة على دعم أنشطتها المجتمعية بمعزل عن سياسة السلطة!

ومثل ذلك فقه إحياء الموات، ففي الإسلام يجوز لمن عمّر أرضاً أن يمتلكها، ولا يعترف الفقه الإسلامي بما يُسمّى "مال الدولة" أو "أملاك الدولة"، بل وقع النزاع بين أبي الدرداء ومعاوية رضي الله عنهما في تسمية المال العام، فمعاوية يقول هو "مال الله" وأبو الدرداء

يقول هو "مال المسلمين"، وما كان هذا الخلاف بينهما إلا لأن توصيف المال بأنه "مال المسلمين" يقيد حق تصرف الخليفة فيه، ومثل إحياء الموات حفر الأنهار والآبار، فمن حفر نهرًا أو بئرًا فهو أولى بالاستفادة منه شرط ألا يمنعه عن محتاج لا يملك الثمن، وأهم ما في هذا الأمر هنا أنّ الجمهور -المالكية والشافعية والحنابلة- على أنه لا يُشترط إذن الإمام في الإحياء. فالنظام الإسلامي لا يجعل السلطة مقيدة لحركة المجتمع، بل منظمة له إن لم تكن حافزة له. وهذا وضع لا تقبله الدولة الحديثة التي تسيطر على كل شيء، وتعدّ كلّ ما هو داخل الحدود ملكًا لها، ولا يجوز لأحد التصرف فيه إلا عبر سلسلة من الموافقات والتصريحات والشروط، بل إنّ الدولة الحديثة تتدخل لتتزع أملًا خاصة إذا ما ظهر أنها تحوي بئرًا للنفط أو آثارًا قديمة، وقد جاء الإسلام بنقيض هذا، ففي هذه الكنوز زكاة الركاز التي هي الخمس وتكون ملكًا لصاحب الأرض.

ومثل ذلك موضوع الضرائب والمكوس، فالإسلام فرض قدرًا محدودًا من الواجبات المالية كالزكاة والخراج والعشور ونحو ذلك، وهي مقادير مقدرة في الكتاب والسنة، لم تحددها سلطة سياسية ولا قانون صادر من برلمان ما. ويقف الإسلام موقفًا حاسمًا من فرض الضرائب (المكوس)، ويرى ذلك من الكبائر بل من أكبر الكبائر التي تزيد عن السرقة والزنا، وإذا فرض سلطانٌ ما ضريبةً غير جائزة له فإن مقاومته والامتناع عن بذلها له هو من حقوق المسلم. بينما لا تستطيع الدولة الحديثة أن تعيش من دون أن تفرض ضرائب، بل وأن تزيد في الضرائب بصورة مستمرة لتغطية نفقاتها المتزايدة وجهازها الإداري الذي يزداد تضخمًا، وتعد عملية فرض الضرائب مسألة بسيطة بالنسبة للحاكم الديمقراطي المعاصر فهي لا تكلفه سوى تحقيق أغلبية برلمانية بسيطة، وربما مجرد قرار بقانون، وبعدها يصير الممتنع عن هذه الضريبة خارجًا عن القانون مستحقًا للعقوبة.

ومثل ذلك موضوع الظفر بالحق، فقد أجاز الإسلام للمسلم أن يظفر بحقه إذا لم يستطع أن يقيم حجته أمام القاضي على هذا الحق، ويرى الجمهور -الأحناف والمالكية والشافعية- أن الظفر بالحق جائز، وقال الظاهرية: بل هو واجب، وهذا في حال أن

يكون الظفر بالحق فيما بين الناس، فأما إن كان للمسلم حق في المال العام فيجوز له أن يأخذه في قول المذاهب الأربعة. فهذا الأمر هو جريمة متكاملة الأركان في عرف النظام القانوني للدولة الحديثة.

هذه التطبيقات وغيرها، يظهر فيها بوضوح طبيعة البناء الإسلامي نظامه السياسي والاقتصادي والاجتماعي، وكذلك طبيعة بنائه الشخصية المسلمة، وهو على النقيض من طبيعة الدولة الحديثة ورؤيتها وبنيتها وطريقة تشكيلها لشخصية المواطن. إن المواطن الصالح في النموذج الإسلامي يبدو ثورياً للغاية يأمر بالمعروف وينهى عن المنكر ولا يرى نفسه خاضعاً للدولة بل هو والدولة خاضعين لمرجعية الشريعة، وهو الرقيب عليها، كما أنه عضو في مجتمع متماسك متكامل تتصل علاقاته بالقبيلة والجوار وأخوة الإسلام. بينما المواطن الصالح في النموذج الغربي خاضع للدولة وقانونها مهما تغير وتبدل، مرجعيته هي الدولة والدولة هي مرجعية نفسها، لا يملك الاعتراض إلا من خلال الطرق التي تسمح بها الدولة نفسها، ثم إنه مواطن مكشوف تماماً أمام السلطة التي تعرف سائر تفاصيل حياته، ويمكنها بضغطة زر أن توقف حياته تماماً، وهو في النهاية مواطن معزول يعيش حالة من الفردانية، روابطه الاجتماعية -إن وُجدت- رثة هشّة بالية، لا يمكنها أن تعينه أمام قوة الدولة.

إن هذا يفسر لنا كيف أن الاستعمار ووكلاؤه كانوا أول من حرص على تحطيم بنية المجتمع الإسلامي ونظمه الاقتصادية والاجتماعية، ليتمكنوا من غرس هذه الدولة الحديثة قسراً. ومع ذلك فلا تزال الدولة الحديثة غير متمكنة في العالم الإسلامي ولا تزال المجتمعات الإسلامية تقاومها، وهذا ما يجعل النموذج الإسلامي يمثل البديل القادم والمنشود عن الحداثة منزوعة الأخلاق.

إن حديثنا عن البديل الإسلامي المنشود، تزداد ضرورته في اللحظة التي تتآكل فيها سيادة الدولة الحديثة لحساب النظام العالمي والهيمنة الاقتصادية للشركات الكبرى والتشابك الإقليمي والدولي، الأمر الذي أفضى في النهاية إلى تآكل سيادة الدولة خارجياً

وازدیاد تغول هذه السیادة داخلیاً، فالدولة فی عالمنا العربی والإسلامی تزداد ضعفاً أمام الخارج وتتزف سیادتها باستمرار عبر أنواع لا تحصى من التداخلات العسکرية والأمنية والاقتصادیة والثقافیة، فی الوقت نفسه الذی تزداد فیهِ توحشاً وتغولاً وتمسكاً بالسیادة أمام رعیتها.

ربما رأى البعض أنّ هذه النظرة للنظام الإسلامی مثالیة حاملة و غیر واقعیة ولا ممکنة، وأنّ هذه النظرة للدولة الحدیثة فیها الكثير من التجنی والمبالغة والتوجس. حتی أولئك، یجب علیهم فی ظل تآكل السیادة خارجياً وتغولها داخلیاً أن یفکروا فی هذا النظام الإسلامی كمحفز وباعث علی التحرر من الحكومة العالمیة المتغولة، مهما ظلوا علی إحسانهم الظن فی نموذج الدولة القومیة الحدیثة.

III. Embracing Democracy: Requirements, Perils, Prospects

7. Islamic Law and Democratization: Between Theory, Praxis and Contemporary Challenges

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Introduction

This paper intends to use what Coppedge has termed “thick theory”: “Thick approaches lend themselves to rich understanding of specific events; thin approaches lend themselves to hypothesis testing and generalization.” He further clarifies: “I argue that existing quantitative indicators are adequate for some purposes but that we cannot measure democracy much better until we thicken the concept that we are operationalizing to take multiple dimensions of democracy into account” (Coppedge, 2012: 6). It is important here to indicate that not only is there contestation about the Middle East as a region, the definition of democracy and what democratic transition entails is also contentious: “Unfortunately, one of the most difficult challenges in studying democratization has been reaching agreement on what ‘democracy’ is. In fact, W.B. Gallie once argued that democracy is one of the best examples of an essentially contested concept” (Coppedge, 2012:11).

According to Coppedge, an example of thick concepts on democratization is Cardoso and Faletto in 1971 with the Dependency theory (Coppedge, 2012: 22). Thus, research in comparative democratization is so contested that Coppedge realizes: “When qualitative and quantitative analysts say ‘democracy,’ they literally mean different things. Strictly speaking, research on the causes of thin democracy, speak only to the research on thin democratization; research on the causes of thick democracy has relevance for a longer and richer theoretical tradition” (Coppedge, 2012: 23).

One of the data sets that exemplify thin theory is the Arab Barometer data. The paper written by Beissinger, Jamal, and Mazur, titled

Who Participated in the Arab Spring? A Comparison of Egyptian and Tunisian Revolutions explains how they “measured” piety in Tunisia and Egypt: “To capture levels of piety, we constructed a fifteen-point scale measuring the frequency with which individuals perform five behaviors associated with religiosity, including reading the Quran or Bible and praying” (Beissinger, Jamal, and Mazur, n.d.: 13). The questioning of people’s practice of the faith is so culturally and politically loaded that responses to those questions risk evaluator inaccuracies. Whether we consider colonization or the forced nature of secularization post-colonization, people from all socio-economic levels of society are extremely aware of the sensitivity of such questions. Even the illiterate would be weary to respond to such questions. This weariness is derived from the colonial and post-colonial experience that entails apologetic behavior on the part of indigenous peoples. Without getting into further historical detail (which is exactly what Coppedge thinks is of prime significance), it is obvious that the questions in the survey were inadequate culturally and historically. The research contradicts itself by stating that “[t]hough we have no direct evidence on the religious character of civil society associations, it is reasonable to infer that many were religious in orientation; Islamic charitable societies and religious movements like the Muslim Brotherhood in Egypt and Ennahda in Tunisia exemplify this tendency” (Beissinger, Jamal, and Mazur, n.d.: 16). That is to say, they realize that gathering information about religious practices did not provide them with direct evidence on the religious character of civil society.

The cited paper also indicates that, according to their survey, participants in the revolution in Egypt demonstrated “primarily about the economy, with demands for civil and political freedoms ranking relatively low” (Beissinger, Jamal, and Mazur, n.d.: 20-21). How does this data and research reconcile the fact that Wael Ghoneim¹ was deemed as the symbol of the revolution because of his Facebook page titled “We are all Khaled

¹ A political activist who also worked for Google as a computer engineer.

Saeed,” after a young student who was brutally attacked in public by the police until he died, just a year before the revolution. (The government forced forensics to say that he died because of a drug overdose.)

Again, another example of the study contradicting itself in terms of findings, the co-authored paper starts first by stating: “Participants in the Egyptian Revolution were disproportionately middle-aged, middle class, professional, and religious” (Beissinger, Jamal, and Mazur, n.d: 4). But later on, they state: “Similarly, religiosity does not appear to be systemically related to protest participation” (Beissinger, Jamal, and Mazur, n.d: 13).

Again, a few pages later the authors state:

“Though we have no direct evidence on the religious character of civil society associations, it is reasonable to infer that many were religious in orientation; Islamic charitable societies and religious movements like the Muslim Brotherhood in Egypt and Ennahda in Tunisia exemplify this tendency.” (Beissinger, Jamal, and Mazur, n.d: 16)

The paper’s attempt at defining who the participants were in the Egyptian revolution, however, did detect some important facts: The data reflects on the participants’ social class and whether they belonged to civil society associations, and those questions are easier to answer in a survey than the questions referred to earlier concerning piety and faith. The methods used in collecting the data and their analysis largely also depend on a theoretical map of the field and this is where the focus of the paper will shift to the theoretical component of mass mobilization, revolution, and democratic transition.

Comparative Democratization Theory and the Causes of Democratic Transition

Democratization is a largely contested term as indicated previously. However, there are a few overarching causal variables that affect democratization. A succinct summary of those factors is:

- 1) Economic progress is directly correlated to sustaining democratization;
- 2) Elites are essential participants in the process of democratization;
- 3) Elites are essential participants in maintaining/sustaining democratic transitions;
- 4) Parliamentary systems supersede presidential systems in most countries transitioning towards consolidating democratic practices;
- 5) Lack of border disputes and inclusiveness of all minorities is necessary for democratization to take place and to be sustainable;
- 6) A strong state with institutions and public servants acting on public interest are an essential component to democratization (Bunce, 2011: 706-715).

Comparative Democratization in Search of a Theoretical Agenda

First, a major detractor from forming a common theoretical agenda for democratization is the fact that “[m]ethodological specialization has encouraged conceptual and theoretical divergence, and that divergence has eased our balkanization into different methodological camps. [This] comes at the cost of a common language and a cumulative research agenda. It is in the best interest of the social sciences to resist these trends by encouraging multimethod research that leads to a more holistic understanding of democratization” (Coppedge, 2012: 310-311).

Second, Robert Dahl’s polyarchy has limited the convergence of theorists utilizing “procedural democracy” from other theorists who work with “participatory democracy,” i.e., the theorists who are more focused on the informal non-institutional forms of democratic expression,

e.g., analyzing the role of civil society in bringing about or affecting democratic transition (Coppedge 2011, 2012, Held, 2006).

Third, engaging in more case studies and comparative histories because those studies create theory and allow for rigorous testing. Fourth, and more specifically, in analyzing Egypt's transition to democratization, it is important to note: "The political history of Africa, Asia, and the Middle East is comparatively under-theorized" (pace Brownlee 2007; Hui 2005; Slater 2010). "Expanding into non-Western regions is one way this approach could capitalize on its strengths" (Coppedge, 2012: 316).

Building on Bunce's broad definition of factors affecting democratic transition, there are two factors that have played a considerable role in the Egyptian revolution. The first is the participation of the middle class, and the second is the effect of civil society on the revolution. According to the comparative study cited earlier, the authors stress that according to their data², participants in Tunisia and Egypt had "above average levels of income and education and were disproportionately from professional or clerical occupational backgrounds" (Beissinger, Jamal, and Mazur, n.d.: 12). In this comparison, however, the authors have significantly erred in a number of ways:

- 1) As mentioned earlier, in constructing any survey questionnaire, the rudiments of cultural and social respect are necessary. Generically speaking, this question is extremely private and, specifically in Islam, it is intolerable because it is part and parcel of the faith that "piety" is a relationship between God and the worshipper. There is no hierarchy, there are no intermediaries, therefore it is either that the responders answered incorrectly or that the sample was not representative. Also, as discussed earlier, it is a loaded question because of cultural, historical sensitivity, and colonial occupation and its ramifications.

² The Arab Barometer Survey Data

- 2) The authors mention that “absolute deprivation was not a major factor” in the uprisings, but the spark that led to the revolution in Tunisia was a fruit seller, so how do we reconcile this fact? Also, even if we go along with the assumption that “absolute deprivation” did not play a role, what about “relative deprivation” theory? The authors do not mention it, although it coincides with the majority of their findings.

The study then affirms through its findings that 55% of the participants in the Egyptian revolution were from middle class background. This statement agrees with Joel Beinin’s study (Beinin, 2011). However, again, the Arab Barometer study overgeneralizes when it states: “In both revolutions, participants largely understood participation as being primarily about the economy, with demands for civil and political freedoms ranking relatively low” (Beissinger, Jamal, and Mazur, n.d.: 20-21). In reality, again, the spark for the revolution was a web page created by a Google employee that decried abuse and brutality by the police. Therefore, the collected data is not in agreement with plain facts that the revolutionaries themselves voiced and believe in.

The comparative study, on the whole, presented two pieces of information that are valuable and could be utilized as building blocks for defining the nature of those social movements, which also determines the direction the countries will take in terms of democratic transition: First, the study’s stress on the socio-economic class of the revolutionaries, mainly the middle class, as opposed to the assumption that those revolutions took place because of poverty or below poverty line grievances. This finding indicates that the aspirations for igniting the revolution were based on human and civil rights goals, such as egalitarianism, justice, dignity, and democratization. Second, the study’s stress on the role of civil society associations in igniting the revolution,

particularly in Egypt, is in agreement with other theoretical studies.³ Thus, in effect, the semi-authoritarian state produced the seeds that latter blossomed into the January 25 revolution⁴.

According to Ottaway, she defines semi-authoritarianism as basically the political posturing of an authoritarian regime that attempts to appear “liberal-democratic” without really risking the political status quo. Ottaway, however, underestimates the political space (and even limited power) that is gained by civil society organizations with the regime’s mere flirting with such liberties, i.e., even semi-authoritarian regimes could, in fact, allow the development of political groups/organizations that challenge the status quo.

Complex causality is strongly demonstrated by another factor that thin theory does not capture; that, in Egypt and other Arab countries, social movements have “very limited resources and weak formal organizations. They typically rely on informal networks and innovative repertoires to mobilize” (Beinin, 2011: 6-7). An example of that is the April 6 movement’s member actions before the revolution. They pretended to call on their cell phones and conveyed the message of when, where, and how the revolution was to take place (on metro lines, in taxicabs, etc.).

Social Movements in the Middle East: Current Criticisms of Regional Studies in the Area of Social Movements

Given that social movements and civil society organizations are oppressed and restricted with varying degrees in the region and that they

³ Marina Ottaway “Facing the Challenge of Semi-Authoritarian States,” *The Chronicle of Higher Education*, February 7, 2003.

Republished in *Annual Editions: Comparative Politics 2008-2009* by Christian Soe: pp.28-31.

⁴ There has been a great deal of hesitance to call the “Arab Spring” movements revolutions or uprisings. This paper will use the terms interchangeably. Most literature is wary of calling them revolutions because most countries/movements did not realize change in the political system. As opposed to this rationalist bias of not achieving their goals, this paper asserts that change in political perceptions, breaking the fear barrier, and knowing what the people’s rights are, is central to actually calling it a revolution.

lack major political openings, it is particularly interesting in the field to observe and analyze how those societies operate through those restricted spaces to aspire and demonstrate for political rights.

First, this paper is in total disagreement with “cultural exceptionalism” as an explanation of social mobilization in the Arab Spring, in general, or in the Muslim world more broadly. That is to say, this paper takes a middle range approach, which takes context as a central factor in understanding how informal networks in the Middle East and North Africa operate and how actors among them calculate, when they do so. The implication that Japan and the Middle East and North Africa may share comparable forms of local networking does not mean that there is an essential East/West divide on this or other matters. Rather we suggest that the West may not be as rational and instrumentalist as many have imagined it to be (Beinin, 2011: 11).

Second, theoretically, most modeling in comparative politics, and political science as a whole, is built on the Global North and therefore southern regions become the outliers in what is assumed to be the norm, politically. What this comparative paper studies and emphasizes is that regional cases could also contribute to the classical questions of social mobilization and democratic transition theory; i.e., the Global South also needs to theoretically be included in our studies of all things political. Contemporary politics are full of examples that currently prove that the universality of certain political concepts is challenged every day. It is time, then, to be inclusive of those experiences to enrich our thin theories and recognize that comparative politics or Democratic transition theories are not unilaterally defined.

Third, and last, it is important to note a problem that Beinin and Variel clearly state: “Categories like ‘nation,’ ‘class,’ and even ‘Islam’ have no ‘objective’ existence or trans historical essence. They are inherently problematic and should always be disaggregated, localized, and contextualized” (Beinin, 2011: 8). Generalization, then, or grand

theory becomes hazardous in capturing highly contested definitions such as ‘Islam,’ ‘democracy,’ ‘modernity,’ and so on.

Conclusion

I would like to highlight two points: First, theoretically, the field is going through an identity crisis:

- a) Comparative politics as well as Comparative Democratization is being forcefully pigeonholed to build grand theory, which, by definition, is opposed to cultural and historical nuances;
- b) Analysts are not linking the domestic level of analysis to the international. For example, post-Arab Spring, Egyptian politics were affected by the political stronghold of the military, as well as the foreign policy interests of the United States and its regional ally Israel;
- c) The negligible amount of literature on the agency of political actors in the Arab Spring, which is linked to a bias in the literature that I address in my research, namely, the divide between rational versus irrational, secular versus religious, etc.

Second, the arguments used by the “liberals” in the 20s and 30s have not changed in Egypt post-January 2011. The same tactics and opinions are held. The distance between the “liberals” and the masses is quite vast. The revolt (coup) carried out by the military’s supporters was replicated in many countries, especially in Turkey’s modern history.

“The Egyptian liberals held that, in a culturally ‘backward’ society, the masses do not have the capacity to make meaningful choices, and therefore the exclusion of their voices needs no theoretical justification or political explanation. The kind of social and cultural ‘emancipation’ they preached is grounded in a self-evident cultural justification of political subordination. The masses became the object of an arbitrary and authoritative discourse telling

them how to dress, how to eat, what to read, what to believe, how to cross the street, how to choose a conjugal partner, how to celebrate a birth, and how to mourn and bury the dead. In short, they were expected to renounce their cultural identities and moral values and assume an alien, ‘superior’ political identity. Except for the simplistic and phony racial theories on the inferiority of Arab culture and the superiority of Western civilization, the Egyptian reformers did not bother to offer the public compelling reasons to give up parts of their cultural identity in order to enjoy citizenship rights” (Maghraoui, 88).

It is this disconnect between the few and the masses that brought about the current political climate in Egypt. Democratic practice is founded on “the people.” When political actions and speeches go against the public will and ethos, the regime loses legitimacy and ceases to be democratic. The “liberals” in the 1920s and 1930s were shocked to see the reluctance of the masses in adopting their ways: “The masses cannot adjust to the historic changes the country is undergoing,” complained the liberal reformers. Because of their inability to adjust, their allegiance to the new Egyptian nation could not be guaranteed. The masses were considered “abnormal,” “socially ill,” and in urgent need of containment, surveillance, and medical treatment. Egyptian society was viewed as a mixture of pathological groups to be treated, literally, by medical experts to “normalize” their integration as abstract individual citizens into the newly defined political community” (Maghraoui, 90).

Those realizations noted by Maghraoui have continued to haunt Egyptian politics and act as constraints on the public will, but they have come even further pronounced, as a result of the January 25 revolution and the resultant free election of the Muslim Brotherhood. Oddly enough, the liberals ignited the January 25 revolution. The Muslim Brotherhood were in a constant state of opposition before the revolution. However,

when the public will give birth to a different political view, the “liberals” rushed to erase those choices.

The political-social divide has been addressed by popular media: A well-known pop-singer (Ali el-Haggar) released a song titled *They are a people, and we are a people*. The song vilifies the Muslim Brotherhood as ‘terrorists’ and glorifies the ‘proper’ citizens. As al-Effendi writes in an article published recently: “There is, indeed, a belief that the elite belong to a superior race and that the rest of the Egyptian people are up for slaughter as they increase in number. There is no problem, therefore, if they are killed wholesale. There are still debates about the numbers of those who have been killed. Is it four thousand in total or one and a half thousand? In the end, it does not really matter.”

He continues: “The conflict in Egypt is not simply a matter of disagreements between secularists and Islamists or between liberals and conservatives. It is a dispute between Egypt’s ordinary people, those who are rooted in its soil, and the elite who have been determining the way of things since the time of Muhammad Ali and his successors. These elites are the people who have hijacked the state and monopolized the nation’s wealth for use as a weapon against the people so that they may know their ‘place’” (Middle East Monitor, February 2, 2015).

In conclusion, it is very dangerous to obliterate one side of the population, especially the majority, from political participation and discourse. Social movement theories indicate that change can occur from above or from below. If one does a comparative study of the region, Egypt, in particular, historically has been resistant to change from above. Whether one takes Qasim Amin, Huda Shaarawi, as feminists, or Nasserism, as a national-socialist experiment, neither feminism from above nor socialist Nasserism gained traction as ideas that mobilized the masses.

In examining the history of the Muslim Brotherhood as a social movement, they, on the other hand, gained traction as a movement, and their ideas were popularized because they addressed the real needs of the

people: Free healthcare, free education, transportation, etc. Not only did the Brotherhood act as a state within a state providing those services, but also their reluctance to adopt Western liberalism wholesale brought their ideas and convictions closer to the people. The great divide between upper class-liberal versus masses-religious is replicated in Turkey and Iran's modern history. Whether we talk about Nejm Eddin Erbakan and his struggles, as a precursor to Erdogan, or Iran pre- and post-1979 Iranian Revolution, both are proofs that change from above and trying to shove "secularism" down the throat of a religious population does not work. At the end of the day, people hide their religious convictions until the system allows them to express those convictions freely.

The underscoring of social justice lies at the heart of this great divide, because, as this paper has illustrated, the divide between the elites-interest groups and the masses is complex. This divide is also based on the kind of education they received, the historical context of this education (i.e., power relations), and above all the ripples of colonization, which are still felt until this day in the region.

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8. The Perils of Democracy

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Introduction

There is a certain ambivalence in the title I was given, “The Perils of Democracy.” Am I to talk about the perils democracy poses or the perils democracy faces? In considering this, I have come to realize these questions are interwoven. Democracy is dangerous indeed. I will talk about that, but I warn you: I think the dangers democracy poses are worth the risk. The perils we need to worry about come from those who fear democracy. Let me put this in plainer language: The greatest perils come from those who do not want the people to rule.

I

What are the dangers democracy presents?

Change. Unceasing change

The need to live with your enemies.

Loss: the possibility of grave loss.

Democracies are places of constant change. The more the people rule, the more change is possible. Laws can change, constitutions can change—the people themselves change. Nothing is certain. Everything is at risk. Living democratically is living with change.

To be a democrat, to live among people who rule themselves, is to live with your enemies. There are two reasons for this. First, no matter how much alike we may appear, we are not the same. We have different occupations, different interests, different preferences, different ambitions. We may have different religions—or we may practice the same religion differently. We may have different principles, different ideals, different hopes for our people.

Each party longs for the end of its rival. Right and left, conservative and liberal, we know that the other party wishes for our defeat. We know they hope to keep us out of power, not only for this election, but for all the elections they can foresee. Our differences, and our enmities, go far deeper. We know, we democrats, that there are those who would like to see us silent, dead, or exiled, who wish that we had never been or that we will be no more. A certain kind of conservative longs for the end, if not of history, at least of the possibility of socialists and socialism, anarchism, radical democracy, and change altogether. The socialist and the communist long for the end of the capitalist. Many long for the disappearance of the alien and the queer. Secularists long for the end of the religious, and the religious long for the conversion of the secular.

We live with our enemies. Where speech is free, they announce their aims. They seek our annihilation. Perhaps we seek theirs as well. Perhaps not. Perhaps we are wise enough to see the value of certain of our enemies. Perhaps we are daring enough to take pride in their strength. Whether they fall before us or they triumph over us, we walk among our enemies unafraid. This is the courage that belongs to people who rule themselves.

Do not underestimate what this requires.

Democracy is the practice of a little death, of many small annihilations. Democracy requires that, at some moments one will cease to be. You will be ruled. You will be over-ruled. The people will decide against what you will. Your voice will be silenced, your hopes defeated, your will lost. In every election, in each debate, in reports of public opinion, in reading bumper stickers and yard signs, you are brought face to face not only with the possibility of defeat, but with the prospect of your annihilation. The will of the majority will wash over your vision, your aims, your will, your voice, like a great sea. You will be lost in it. All that you love and honor will be lost.

In the face of this devastation, more profound than death and encountered long before it, you learn courage. You learn to stand for your ideals when they are mocked or rejected. You learn to speak when speech is dangerous. You learn to act when success is far away and even hope is gone. You learn to make your own judgments about right and wrong. You learn to doubt the wisdom of those whose opinions are more popular. You learn to doubt your own. You are forced to a life of choice and refusal, reflection and will. You learn to be thoughtful in the midst of doubt, brave in the face of enemies, courageous in facing the always-present possibility of loss.

And then, perhaps you rise.

Courage is necessary for democrats. If we are to rule ourselves, we must be brave enough to live with our enemies. We must be brave enough to go into the unknown.

Perhaps this is not yet common knowledge, but it is surely the knowledge of the commons. When we look for people brave enough to demand to rule themselves, we see that courage.

Courage may be admired by aristocrats and soldiers, but it belongs to people who rule themselves. Aristocrats wear their courage like jewels. Soldiers wear it like a uniform. For us, it is not a distinction, it is a necessity. People who choose to rule themselves need courage to make themselves a people, courage to debate among themselves and choose their own government, the courage to maintain that government when one is in the minority, the courage to defy it when government is in the wrong.

There is the courage of revolution to be sure. But it is also the ordinary courage of ordinary democrats: living with those who oppose their views.

There are dangers in democracy.

Living in democracy requires courage.

II

What are the dangers to democracy?

There are the dangers people warn us against. They say that Muslims are a danger to democracy. They say that anarchy is a danger to democracy. The dangers I see are quite different. I see the danger of authoritarianism. I see the dangerous myth of Athenian democracy and the belief that social homogeneity is required for democracy.

There are those who think that Muslims are a danger to democracy, that Islam and democracy are incompatible. I opposed that view in my book *On the Muslim Question*. In the book I am writing now, on radical democracy, I make a stronger argument. I find powerful advocates for democracy, for people ruling themselves, among all people. I find those advocates in Muslim theology, political philosophy, and political practice. These teachings are not for Muslims alone. They teach all people some of what they need to rule themselves.

Consider prayer. Prayer is central to Muslim practice. I do not need to remind this audience of the repeated command, sent to prophet after prophet: “Pray and give to the poor.” Muslim prayer captures the interdependence of individual and community action. Each person prays alone, and the community prays together. The form of community prayer makes human equality visible. Muslim prayer teaches democratic practice. The command that one give to the poor reminds us as individuals of our common precarity, and (like so many prescriptions and practices in Islam) works toward greater equality in the community.

If Islam is not a danger to democracy, but a source of strength for it (I will say more on this later) then what are the dangers to democracy?

The myth that democracy belongs to Athens.

The belief that ethnic homogeneity is necessary for democracy.

The desire for authoritarian leader.

Radical inequality: hierarchies of religion, race, sex, wealth.

First, the name, and the genealogy it carries within it. Students are confidently told, year after year, that democracy began in Greece, among the Athenians. It is from the Greeks that democracy takes its name, and in Greek history that it finds its limits.

If Athens gave us democracy with one hand, it has taken it away with the other.

Athenian democracy was a political practice bounded on every side. Only Athenians could vote, hold office, or decide the fate of those brought before the people for judgment. One could live a lifetime in Athens as a foreigner. Athens was a slave society, supported by the labor of the enslaved. The *demos* was thus small, smaller by far than Athens. It was also tribal. There are tribes who embrace foreigners, taking them in, making them their own. Many of the indigenous tribes of North America grew in this way. The tribes of Ghana, a proud Ghanaian told me, have often taken immigrants of every race, as their own.¹ The Athenians did not. Their *demos*, divided into tribes, remained closed to immigrants.

Democracy has been haunted by this Athenian legacy. Democracies must be small, because Athens was; ethnically homogenous, because Athens was. Democracies could have slaves because Athens did. Democracies could not include foreigners or immigrants or those whose ancestry was mixed or uncertain because Athens did not. Athens provided an all-too-ready justification for the exclusion of women, immigrants, and the descendants of slaves. The Athenian legacy still limits political practice in the West. Academics and politicians argue that democracy depends on social trust and trust on homogeneity.

Remember Athens, and forget democracy, because Athens proved that democracies cannot last.

¹ I am grateful to the Ghanaian student who pointed this out to his astonished classmates in my seminar. I am ashamed to say I have forgotten his last name. His first name is Justice.

Forget Athens, there are other pasts. There are accounts of democratic practices among the ancient Sumerians. Massimiliano Tomba, in his brilliant book *Insurgent Universalities*, looks not just to French revolutionaries but to Russian peasants and the Zapatistas. People have pointed to Germanic tribes, indigenous peoples in the Americas, to South Asian and African practices. I have looked to the Muslim world and Muslim philosophy.

I turn away from Plato to al-Farabi, who took Plato's description of democracy and transformed it. Al-Farabi opened the Platonic text, ruptured the Athenian model. Recognizing that the democratic city was capable of the greatest evil, he saw it as also capable of the greatest good. He refused the model of the ethnically homogenous state for a state that attracted and welcomed people of all tribes, all races.

Forget Athens, the *ummah* is a better model. Democratic politics, as al-Farabi saw, is open to all. One needs nothing but humanity. A truly democratic city or people would not insist on integration. A true democracy would embrace immigrants.

The fear of ethnic and racial difference is a threat to democracy.

Radical inequality remains very much with us. There are still men who demand deference simply for being men, with men's bodies. There are still women who are beaten for not accepting it. There are still people who believe that "whiteness" is a title to power. This is the whiteness of the empty page, the whiteness of old bones. We cannot yet ridicule the claims of race: We are too close to colonialism, still in the midst of racial violence, still able to see the bodies shot in the street.

We have reason to fear who long for money and power. There are still ambitious people ready to lead. There are still people who persist in the acquisition of wealth beyond all reason, and the exercise of the personal power that goes with it. Philosophers, ordinary people, fear the appetites of the masses, the passions of the people. We have learned, to

our great cost, that it is the wealthy whose appetites have no limits. They will amass as much power as they can and use it as they wish.

Radical Inequality—of race, of sex, of wealth—puts democracy in peril.

The greatest philosophers, the most honored statesmen, and the simplest people will often point to tyranny of the majority or the danger of anarchy as the greatest perils of democracy. I disagree.

The fear of anarchy fills politics and philosophy. Yet for something that is so often threatened, anarchy is remarkably hard to find. Politicians and media commentators point to “anarchy” but the places they point to are not anarchic at all. Those supposedly anarchic situations have warlords and bosses. They are riven by feuds between the ambitious. They are chaotic, but this is not anarchy: There is not an absence of rule, there is too much.

If anarchy is hard to find, authoritarianism is difficult to escape. Authoritarianism still holds an allure for the fearful.

Every historical epoch gives us its autocrats as evidence. There are the autocrats most often marked as evil: Caligula and Hitler, Ivan the Terrible and Vlad the Impaler, Stalin and Hitler, Idi Amin and Pol Pot. There are the autocrats people praise: Alexander (“the Great”), Alfred (“the Great”), Richard (“the Lion-hearted”), Suleiman (the Magnificent), Cæsar and Justinian, Peter (“the Great”), Catharine (“the Great”), and Napoléon. Some of these had admirable traits. Some did great things. All stood against the right of people to rule themselves. Abraham Lincoln, who knew he carried dangerous ambitions in himself, called them “the family of the lion or the tribe of the eagle” even as he pointed out the dangers they presented to the people.

People who rule themselves must have souls great enough to see that the “family of the lion or the tribe of the eagle” looks more like the family of the jackal and the tribe of the vulture. In order to rule themselves, people must have the courage to oppose those they know are

evil. They must have the pride, the dignity, and the sense of duty to stand against those that are called “great” and “lion-hearted.”

Authoritarianism is not, however, confined to great men. In the United States, we have learned to our cost, that those most hungry for authority, most avid for power, can be very small indeed. The harm these do is twofold, for they do harm out of their ambition, and harm from their stupidity.

Indeed, authoritarianism is not confined to individuals, great or small. Weber famously saw the “iron cage” of bureaucracy imprisoning modern lives. People—people like us—are hedged about by rules and regulations. We are expected to follow laws we do not know and might not understand if we did. We are embedded in systems that assess our wealth, tax obligations, debt, creditworthiness, health, probable longevity, political preferences, and a host of other things, by mystical numerology and without appeal. Critics on both the left and right have long observed the tyranny of the “rule of experts.”² Now we are faced with the faceless rule of algorithms.

We have every reason to fear authoritarianism, whether it comes to us in the guise of a man or a state. We have little reason to fear anarchy, yet the fear of anarchy shadows democracy. Where the people rule, each person is understood to have standing and freedom. Each has the right to leave if they choose, rebel if they choose. Each person may participate, perhaps each person should, but no person can be compelled. Anarchy is not only a possibility; it is a necessity. Anyone can leave, and so it is possible that everyone might leave. Anyone can refuse, and so it is possible that everyone might refuse. That refusal, the right to say no to rule, is the guarantor of our freedom. Fear of those refusals restrains those in power and those who hunger for power.

Anarchy is the shadow of the democratic in a double sense. Fear of anarchy shadows democracy. Anarchy offers shade, a place to rest, a

² Timothy Mitchell, *Rule of Experts* (Berkeley, CA: University of California Press 2002)

place to hide. The shade anarchy offers protects us. The people who are most free are often not those who govern, but those who refuse to be governed, not those who join in rule, but those who refuse to be ruled at all.

Ibn Khaldun taught me that the absence of government is where authority arises.

The desire not to be ruled, not to be dominated, is a human desire. Ibn Khaldun found it at the edges of the Maghreb. One can find the desire not to be governed in any people, at any time. The desire not to be ruled is the first and last defense against domination.³

Most people, in most of their lives, want power to leave them alone. They believe that they should make their own decisions about how they live their lives, that they are the best judges of what is good for them. They know, too, that there are many decisions they are not able to make. The best of them—most of them—know what they do not know. They will have the wisdom to withdraw from decisions they are not competent to make.

If they have the wisdom to withdraw from decisions they cannot make wisely, they also have the wisdom to know the decisions only they can make. The wisdom of the community is great, but all communities need, especially in times of crisis, those who refuse established

³ Ibn Khaldun, *Muqaddimah: An Introduction to History*, trans. Franz Rosenthal, (Princeton NJ: Princeton University Press 1994), James Scott has written many important and fascinating books on the power of the state and how people evade it. Two of my favorites are *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven CT: Yale University Press 1987) and *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (New Haven CT: Yale University Press 2010). Behind Scott one can see Eric Hobsbawm's brilliant writings on bandits and primitive rebels, and that cadre of Marxist historians who brought forward the long history of rebellion and resistance in England and Scotland. See, for example, Christopher Hill's *Liberty Against the Law: Some Seventeenth Century Controversies* (New York, NY Viking 1996), Eric Hobsbawm, *Bandits* (New York, NY: New Press 2000, originally 1969).

knowledge and old wisdom. Politics, as much as art or learning, depends on people with independence of mind.

Ibn Khaldun taught that power arises among people who have had to fend for themselves. The absence of systems, patrons, and protectors makes them self-reliant. It also makes them turn to one another. One of the critical contributions of Ibn Khaldun is his recognition that self-reliance and solidarity are opposites only in the sense that concave is to convex. They are coupled together. People who live at the edges become strong, and strong enough to work together.

Any people who want to rule themselves must leave space for anarchy.

People who have experienced colonialism have a powerful sense of what it means to be free from rule. We see the burden of imposed government vividly in Gaza and Ramallah, and throughout occupied Palestine.

We see it throughout the Muslim diaspora. We see it in the UK, where people live under the burden of surveillance and persecution in the Prevent program. We see it in France and the United States where Muslims and Black people are repeatedly subject to police brutality, judicial entrapment, and discrimination. In the last few years, the US saw our aspirational authoritarian, Donald Trump, encourage attacks on our Muslim members of Congress, especially Ilhan Omar and Rashida Tlaib. Trump told them to “go back where you came from.” They did: they went back to their districts that had voted them in to Congress. When they returned home, they were met by huge cheering crowds of their constituents. When they were up for election, they won easily.

When we resist surveillance, when we resist police brutality, when we insist on the right not to be governed, we continue the anticolonial struggle.

What do we do with the enemies of democracy? When the people rule, nothing needs to be done with them at all. They may be a nuisance

but not more. We can carry a few parasites. When the people rule, they have the strength to carry the weak and shelter the fearful.

What is the greatest peril for democracy? Fear.

What do we need to make democracy safe? Courage.

It is courage that enables the people to rule. We need courage to overcome the inequalities of imperialism and racial regimes. We need courage to turn away from the desire for strong leaders and confront the power of wealth. It is courage that enables people to meet immigrants and refugees as equals. It is courage that enables people to say: you are welcome here, *bienvenue, ahlan wa sahlán*.

Isn't it this courage that lives in the *Ummah*?

9. After the UAE-Israel Deal: Prospects, Challenges and Obstacles to Democracy in the Arab-Islamic World

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Introduction

The surprise announcement on August 13, 2020 that Israel and the United Arab Emirates (and later Bahrain, Sudan, and Morocco) were normalizing relations was celebrated across the American political spectrum (and in many Western capitals). This development was portrayed as “a historic breakthrough and an important contribution to peace in the Middle East.” Despite their deep policy differences on many issues, on this topic Donald Trump and Joe Biden were in full agreement that this was a moment for the world to celebrate, reflecting conventional views in the Republican and Democratic Parties. Joe Biden, in fact, tried to take credit for this news, claiming: “The coming together of Israel and Arab states builds on the efforts of multiple administrations to foster a broader Arab-Israeli opening.”¹

In the *New York Times*, Thomas Friedman wrote that news of this agreement hit him “like a breath of fresh air.” He agreed with the White House that this was a “huge breakthrough” for regional peace and stability.² David Ignatius, writing in *The Washington Post*, concurred. Finally, the “dominoes are falling in the Middle East in the right direction for a change ... it’s a building block for a better future.”³

¹ Joe Biden, “My Statement on the Agreement between Israel and the United Arab Emirates,” August 13, 2020, <https://medium.com/@JoeBiden/my-statement-on-the-agreement-between-israel-and-the-united-arab-emirates-3da70088e519>.

² Thomas Friedman, “A Geopolitical Earthquake Just Hit the Mideast,” *New York Times*, August 13, 2020.

³ David Ignatius, “Bahrain’s diplomatic agreement with Israel is a building block toward Middle East stability,” *Washington Post*, September 11, 2020.

The truth, of course, is quite different, as a moment's reflection will reveal. What possible good could emerge from a secret agreement between a racist American president and his corrupt son-in-law, a neo-fascist Israeli prime minister, and several Arab dictators?

Adding to this roster, there is the figure of the notorious Saudi Crown Prince, Mohammed bin Salman (MBS). Reportedly, he played a key role as a consultant, advisor, and co-architect of this deal. On this measure alone, the Abraham Accords, as they are officially called, should have been met with deep skepticism. The fact that it has not tells us something important about the ideological bias and erroneous assumptions within the mainstream American foreign policy understanding of the Middle East.⁴ It also tells something profound about new challenges and obstacles facing democracy in Middle East.

The only value of the UAE-Israel agreement lies in its ability to teach us something. The celebration of the deal is one of those rare clarifying moments. It exposes what has long been wrong with US foreign policy toward the Middle East, specifically its deep dependence on authoritarian and repressive regimes, while ignoring the core aspirations of the region's peoples for political freedom, accountable government, and self-determination. Given its weak foundations, the likely consequences of this diplomatic deal are that over the long term it will undermine political stability in the region, while further impugning—in the eyes of the people of the Arab-Islamic world—the reputation of its key signatories: Israel, Arab authoritarian regimes, and the United States of America.

⁴ Two high-ranking Israeli officials told the *New York Times* “that Saudi officials, including Crown Prince Mohammed bin Salman, had been involved in the Emirati and Bahraini initiatives. One of the officials said the Saudis also secretly helped lobby other countries in the region to support the moves.” See Ronen Bergman and Declan Walsh, “Sudan Is Focus of US Efforts to Improve Ties With Israel,” *New York Times*, September 27, 2020. Tony Blair is also reported to have played a behind the scenes role in securing this deal. For background on his long history of advising dictators and despots around the world, see Francis Beckett, David Hencke and Nick Kochan, *Blair Inc.: The Man Behind the Mask* (London: John Blake Publishing, 2015).

Changing Geopolitics

Disappointment with U.S. Middle East policy is also a factor in bringing the Gulf monarchies and Israel together. For a long time, these states have been privately urging Washington to “cut off the head of the [Iranian] snake,” in the words of King Abdullah of Saudi Arabia, as revealed through WikiLeaks.⁵ For a moment, it seemed that the Trump administration had finally heeded this call. In 2018, President Trump withdrew the US from the Iran nuclear agreement, and imposed crippling sanctions on Tehran. Talk of regime change among Trump’s foreign policy advisors flooded the airwaves.

On three occasions—twice in mid-2019 and once in early 2020—an American military strike against Iran seemed imminent. Mohammed bin Salman (MBS) and Mohammed bin Zayed (MBZ) waited for the strikes with bated breath. When the strikes did not take place, these leaders were shocked and confused. The timing of the UAE-Israel accord is very much connected to the perceived security implications of these events. The signing of this agreement has been enhanced by the possibility of Trump, who has been a staunch ally of theirs, losing the American election in November [which actually did happen]. Arab Gulf leaders know that Joe Biden wants to renew the Iran nuclear agreement, restart a dialogue with Tehran, and adopt a more critical approach to their domestic and regional politics. Allying with Israel at this moment makes sense to Arab authoritarian regimes in this context.

The Real Threats

While fear of Iran has driven the UAE/Bahrain and Israel together, there is a more urgent threat that binds these three states together: fear of regional democratization. This was on display during the 2011 Arab Spring. The Emirates and Israel strongly opposed the Arab revolutions and celebrated the 2013 military coup in Egypt. In fact, the

⁵ Ross Colvin, “‘Cut Off Head of Snake,’ Saudis Told U.S. on Iran,” *Reuters*, November 28, 2010.

UAE played a critical role in subverting Egypt's post-Mubarak transition.⁶

The Crown Prince of Abu Dhabi (MBZ) has long viewed an “emancipated civil society in the Arab world as a fundamental threat to its national security... Any victory for pluralistic, civilian rule in the region would be a defeat for the UAE’s model of military rule.” It is for this reason that “Abu Dhabi’s strategic narrative of ‘authoritarian stability’ was built on the premise that socio-political pluralism leads to chaos under civilian rule.”⁷ In private conversations with Western diplomats, the UAE has repeatedly made this argument, which sounds persuasive to liberal ears in the West, in part, because it confirms longstanding prejudices about Islam, Muslims, and democracy.

According to a leaked U.S. cable from Wikileaks, MBZ told the American Ambassador that “greater democracy in the region will in the short term empower the Muslim Brotherhood, Hamas, and Hizballah.”⁸ This is the official Arab autocratic regime narrative. For a long time, it has found receptive ears in Western capitals and among liberal intellectuals. This argument, however, is deeply flawed and self-defeating. FACT: Torture states in the Middle East do not produce Jeffersonian Democrats but rather extremists, which is the desired result that Western-backed military regimes in the Arab world prefer. The

⁶ “UAE funded Egyptian anti-Morsi group, leaked conversations suggest,” *The New Arab*, March 2, 2015, <https://english.alaraby.co.uk/english/politics/2015/3/2/uae-funded-egyptian-anti-morsi-group-leaked-conversation-suggests>. On Israel see, Douglas Hamilton, “Israel shocked by Obama’s ‘betrayal’ of Mubarak,” *Reuters*, January 31, 2011. For more details see David Kirkpatrick, *Into the Hands of the Soldiers: Freedom and Chaos in Egypt and the Middle East* (New York: Penguin, 2019), 226-227.

⁷ Andreas Krieg, “How the UAE’s stability narrative threatens change across region,” *Middle East Eye*, April 17, 2019, <https://www.middleeasteye.net/opinion/how-uae-stability-narrative-threatens-change-across-region>.

⁸ Embassy Abu Dhabi, “U/S Burns’ January 22 Meeting with Abu Dhabi Crown Prince and UAE Foreign Minister,” Wikileaks Cable: 07ABUDHABI97_a, January 24, 2007, https://wikileaks.org/plusd/cables/07ABUDHABI97_a.html.

support they derive from Western governments is predicated upon fighting the threat they consciously produce.

The real fear that motivates Arab authoritarian regimes is not the rise of militant versions of political Islam but the potential of democracy that includes religious-based parties that accept the rules of democratic politics. This is clearly visible in Tunisia today, the one Arab country to undergo a democratic transition during the Arab Spring, where the Ennahda party has played a foundational role in the transition to and consolidation of democracy. How has the UAE responded? It has backed political parties in Tunisia that seek a return to authoritarianism.⁹

Another factor that links the UAE and Israel together is opposition to Palestinian nationalism. In the case of Israel, the reason for this is straightforward. Crushing Palestinian aspirations for self-determination makes Israel's conquest of the West Bank much easier. In the case of the UAE (and other Arab authoritarian regimes), Palestinian nationalism is an irritant because it stirs up revolutionary sentiments in the Islamic world, generates popular anger, and produces political mobilization against the regional status quo and the regimes that seek to maintain it.

A Pyrrhic Victory

The Abraham Accords have produced a huge moment of celebration in Israel and among its supporters in the West. Israel has scored a major political, diplomatic, and strategic victory. Israel has never

⁹ Fairouz ben Salah, "Coups, fake footage and proxy parties: What is the UAE doing in Tunisia?" *Middle East Eye*, June 19, 2020, <https://www.middleeasteye.net/news/tunisia-uae-libya-ghannouchi-coups-fake-footage-and-proxy-parties-accused-meddling-affairs>. Also see Benoît Delmas, "Comment les Émirats veulent imposer leur ordre au Maghreb," *Le Point Afrique*, February 23, 2020. Also see, Andreas Krieg, "The UAE and Israel: More than a marriage of convenience," *Middle East Eye*, July 7, 2020, <https://www.middleeasteye.net/opinion/uae-israel-ties-more-marriage-convenience>. The UAE portrays itself as a bastion of liberal tolerance in the Arab world. The factual record suggests otherwise. To cite just one example, on October 6, 2020, the UAE endorsed what was effectively a pro-genocide statement at the UN, on behalf of China, pertaining to Beijing's policy of extreme repression against the Uyghurs.

been stronger while the Palestinians have never been weaker. Several Arab states have now abandoned previous conditions for peace with Israel and have effectively accepted the terms for peace outlined by the Likud party. More Arab states are rumored to be contemplating this move [Morocco]. Furthermore, Israel's sense of euphoria has been bolstered by the fact that the Palestinians are now openly mocked today on prominent Arab television programs by senior members of the Saudi royal family, reflecting this changing Arab state attitude toward the Israel-Palestine conflict.¹⁰

While this is an outright victory for Israel, it is a pyrrhic victory at best. Israel has made a Faustian bargain with autocratic Arab regimes that is rooted in two false assumptions: that Palestinian nationalism has been permanently crushed, and that the people of the Arab-Islamic world will be content with living as second class citizens under repressive governments that deny them dignity and democracy. In most of the mainstream commentary on the Abraham Accords, this topic has been pointedly ignored. Specifically, there has been little discussion or recognition that Israel's new allies in the Arab world suffer from expanding crises of legitimacy, governing restless populations, with poor economic prospects. How long can these regimes last and what will Israel/the West do when they start to crumble?

This is not a hypothetical question. Israel has faced this national security dilemma before. Moshe Arens, former Minister of Foreign Affairs and Minister of Defense from the Likud Party, reflected on this topic with considerable candor at the start of the 2011 Arab Revolts. He contemplated the viability of an Israeli national security doctrine predicated on peace with dictators:

The ugly facts are that the two peace treaties that Israel concluded so far—the one with Egypt and the other with

¹⁰ Isabel Kershner and Ben Hubbard, "Saudi Prince Accuses Palestinian Leaders of Failing Palestinians," *New York Times*, October 6, 2020.

Jordan—were both signed with dictators: Anwar Sadat and King Hussein. ... The question that Israelis ask themselves at this moment is, if Hosni Mubarak's regime were to be replaced by a democratically elected government in Egypt, would this government continue to maintain the nearly 32-year-old peace treaty with Israel?¹¹

Moshe Arens came close to admitting what scholars of the Israel-Palestine conflict have long known. Israel's security in the Middle East, over the long-term, can only be guaranteed by making peace with the people of the region, and not with the dictators who rule over them. This can only happen if Israel is willing to give justice to Palestinians, which is a precondition for its acceptance as a legitimate state in the eyes of the people of the Arab-Islamic world.

Thus, far from enhancing the prospects for peace in the Middle East, the UAE/Bahrain-Israel deal will likely have the opposite effect. Viewed from the perspective of the peoples of the Middle East (not the authoritarian regimes that dominate them), Israel's reputation has been further impugned by recent developments.

Beyond the general perception in the Arab-Islamic world that Israel is a settler-colonial state that has displaced and continues to subjugate Palestinians, Israel has suffered a second blow: Today, Israel is widely viewed as a key regional backer of despotic regimes that oppose democratization, reject political change, and block the advancement of citizens' rights.

The future of the Middle East looks bleak. All the key social indicators suggest that the region is headed for a coming explosion. The current authoritarian order is unsustainable given the volatile mix of repressive states with youthful populations and dim economic prospects.

¹¹ Moshe Arens, "Can Israel Only Make Peace with Dictators?" *Haaretz*, January 31, 2011.

When the next Arab uprising for dignity and democracy takes place, it will be angrier and more violent than the one that preceded it. A key target of this anger will be leaders of the “Axis of Arab Autocracies,” but also their Israeli ally, an ally that is today proudly and openly helping to sustain their autocratic rule.¹²

Conclusion

What does this all mean for the struggle for democracy in the Arab-Islamic world? Three points are worth considering.

First, two themes of Middle East politics that previously were separate in terms of their origins, the Israel-Palestine conflict and the struggle for democracy in the Middle East are now deeply fused together and integrated. This marks a clear departure from the past and is a turning point in the politics of the region.

Secondly, the Israel-Arab Authoritarian regime alliance now stands opposed to regional democratization for the reasons that I have outlined. Both parts of this alliance have much to lose if democracy in the Middle East is advanced. Obviously, Arab ruling elites will lose their power/privileges and Israel’s ability to subjugate the Palestinians and continue its occupation will be weakened. Future democratic governments in the Arab world, supported by public opinion, will demand land concessions from Israel in exchange for recognition or the continuation of existing diplomatic relations.

Third, Western governments are deeply complicit in this arrangement. Recall, their euphoric reception of Abraham Accords this past summer. Now Western governments have another purported reason to back authoritarianism in the region. Beyond their longstanding belief in the myth of “authoritarian stability” in the Middle East, there is now an

¹² Tom Allinson, “Will the Israel deal pave the way for Emirati repression?,” *Deutsche Welle*, August 21, 2020, <https://www.dw.com/en/will-the-israel-deal-pave-the-way-for-emirati-repression/a-54636945>.

additional argument that they will invoke to back the authoritarian status quo—doing so is good for preserving the “Abraham Accords.”

We were reminded of this in early December 2020, when France rolled out the red carpet and hosted the notorious dictator of Egypt, General Abdelfattah El-Sisi. Not only was Sisi hosted by Emmanuel Macron but also he was awarded with the Legion of Honor, the highest French order of merit for military and civil accomplishment in the field of politics and governance. To my knowledge, no Western liberal democracy condemned this outrageous act by France, thus tacitly approving of the politics and policies of the Egyptian dictator.

On the plus side, because of the deep linkages that now exist between the “Axis of Arab Autocracies” and Israel, any net gain for democracy in the Arab world will have positive consequences for the Israel-Palestine conflict. This especially applies in those countries that have now established diplomatic relations with Israel. This future development might open doors for the struggle for Palestinian human and national rights, although this is far from certain and nothing is guaranteed.

IV. Examining Sovereignty, Nation-State, and the Application of Islamic Law in Muslim Societies

10. On Sovereignty: Towards A Future Sultanic Power

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Introduction

After a century of experiments in modern Islamic political thought, little progress has been made on understanding sovereignty from a Muslim point of view.¹ Far more rigorous theoretical groundwork is necessary before the Islamic philosophical tradition can be put in service of a desperately needed new conception of sovereignty. This paper attempts to review and highlight certain background philosophical issues facing current theorizing of modern power in the continental tradition, with a focus on New Italian Theory, that render sultanic power inoperative.

Surprisingly, modern Islamic political thought is either embarrassed or silent about the word sultan. It is hard to find any significant study on the subject (excluding historical studies) that take the concept seriously as an operative political concept. By introducing the word sultan here, I mean it in its classical sense. It has nothing to do with post-colonial monarchies in the Muslim world. Nor does it bear any resemblance to the Weberian notion of ‘sultanism’ or any such orientalist misconception of pre-modern patrimonial monarchy.²

¹ For a review of the literature see, Muhammad Qasim Zaman, “The Sovereignty of God in Modern Islamic Thought.” *Journal of the Royal Asiatic Society* 25, no. 3 (2015): 389–418. Andrew F. March, “Modern Islamic Conceptions of Sovereignty in Comparative Perspective,” *The Oxford Handbook of Comparative Political Theory*, November 2019, pp. 545-564.

² Max Weber and Keith Tribe, “Economy and Society: a New Translation,” in *Economy and Society: a New Translation* (Cambridge, MA: Harvard University Press, 2019), pp. 354-374.

Rather, my intention is to take a deep dive into the historical and the philosophical idea of monarchical power as theorized in current political theory and to distinguish its political theological foundations from an Islamically grounded concept of sultanic power; something modern political theorist often confuse as the same. While monarchical power, rooted in its Christian presuppositions, is a problem for secular democratic theory, I believe that sultanic power is the answer to the problem any future political theory is meant to solve. Sulta/sultan (سلط) undergirded the politics of the Muslim world for over a millennium. Grasping its theoretical content and structure not only de-alienates current political theory, but if necessary, helps to correctly conceptualize the object of critique. Therefore, removing the intellectual obstacles in the way of our understanding of sultanic power is one of the major janitorial tasks left to us by previous generations.

Sovereignty as the Master Concept of Power

The question of sultanic power depends on what we mean by ‘power’ as a category of analysis. Political theorists tend to shy away from directly approaching ‘power’ as such. For them, it is too broad and too ontological an issue to approach directly. Another way to raise the question may be to ask, what does it mean to act politically? Or, at what point does a given state of affairs leave the realm of the economic or the social, and enter the space of political reasons instead?

For the sake of space, I want to pass over two radical answers; that, 1) nothing is political (or everything is economics; politics is economics by other means, etc.) and/or 2) everything is political (including trivial matters such as your choice of coffee). And since we must begin our inquiry from somewhere, the most orthodox route is to begin with the observation that states form the basic units of our political world. Thus, the political must have something to do with the state. This includes the rules and regulations emanating from the state; procedures, such as elections, and state institutions, such as the police and tax

authorities. Yet, by introducing the state, it seems we have only traded one abstract concept, the political, for another, the state. For even within the state there are some regulations that seem more routine than political, such as the color of highway signs. Trivial matters may under certain circumstances become political. However, the very possibility of becoming political—meaning the political enters in afterwards—shows that not everything to do with the state is the source of the political as such. The political nature of things emerges from somewhere outside of the state itself or it is at the very least distinct from the state.

Classical theorists prefer to use the term sovereignty rather than the state to pinpoint that aspect of state theory that captures the essence of the political. Jens Bartelson explains how the question of sovereignty is entangled with the nature of what makes a state a state:

“the presence of states ... will necessarily presuppose some answer to the question of sovereignty in its attempt to classify and investigate those phenomena. Thus, our will to political knowledge is intertwined with the notion of sovereignty right from the start.”³

As opposed to the state in general, sovereignty points to the central constituent source of which the state’s apparatuses are simply constituted powers. If the question of sovereignty is prior to the idea of the state, then our original question of power is best answered by the question: what is sovereignty?

For Bartelson, the question of sovereignty is hardcoded into the idea of a political structure, contributing to sovereignty’s hidden yet immensely consequential potential. Any adjustment can send system-wide ripples. And any shifts in its meaning, let alone its practice, can render standing constitutions illegitimate or turn terrorists into founding fathers.

The sovereign is the central post on which the tent hangs. Sovereignty, as a concept, serves as a governing principle determining the

³ Jens Bartelson, *A Genealogy of Sovereignty* (Cambridge University Press, 1996), 2. 3.

relations between all things political of which the state is simply its outer shell. It is primarily concerned with: what are the basic units of our political world? And who occupies the highest concentration of power within those units? Sovereignty thereby denotes the supreme authority within a given territory. The simplicity of this definition hides many nuanced issues, such as, what is meant by supreme, authority or territory? And, while popular, this notion has come under severe criticism in the past decades. Some theorists believe that too much focus on the sovereign clouds our ability to properly grasp the political as such.

One line of argument goes as follows. If the sovereign is the source of power, then changing the sovereign should change the effect of power. The logic is, if the source of blue light is the blue lightbulb, then changing the lightbulb should change the color of the light. Yet in the case of sovereignty, this does not seem to be the case. If we take the transition from feudal monarchical sovereignty to modern popular sovereignty as an example, then such a radical change in the holder of sovereignty (from one to many) should have changed the fundamental nature of politics. The fact that switching the sovereign did little to counter the experience of the political raises the suspicion that perhaps the political is not simply another word for the sum of sovereign acts. This should not surprise us. In *Politics*, Aristotle had already observed that different constitutions have their just and unjust types.⁴ For Aristotle, the ways in which the rulers wielded power was more important than who exactly had power. That is why each constitutional form had its corrupt alternative. One interpretation of Aristotle is that forms of sovereignty (one or many) do not affect the experience of power. There is good reason to agree with this interpretation of Aristotle. Consider the following arguments against popular sovereignty:

⁴ Aristotle, "Politics," in *The Complete Works of Aristotle: the Revised Oxford Translation*, ed. Jonathan Barnes (Princeton, NJ: Princeton University Press, 1984), pp. 1986-2129. 1278^b5-1280^a5

- 1) Present Voter Fallacy: Popular Sovereignty does not achieve representation better than Monarchy.
- 2) Populism/Majoritarianism: Popular Sovereignty does not succeed in protecting minorities better than Monarchy.
- 3) Iron Law of Oligarchy: Popular Sovereignty masks and protect elites from accountability and does little to control elites any better than Monarchy.

These loopholes in current democratic theory open the way for democratic states to be as despotic and arbitrary as monarchical states. Advocates of democratic theory respond by claiming that democracy is not perfect, and we must struggle to create an ever-perfect union. One can also imagine similar arguments from advocates of monarchical power.

In response to those who reject the idea that sovereignty functions as the master concept of power, we can agree with them that the form of sovereignty does little to change the way power is exercised. Meaning power, in so far as it is coercive and violent, is always monarchical. However, this concession does not reject the idea that sovereignty remains the commanding heights of the political.

The most prominent theorist to study the strange affinities between the experience of power in advanced democratic societies and their pre-modern monarchical predecessors is Michel Foucault. In his 1976 lectures at the College de France published under the title *Society Must Be Defended*, Foucault famously wrote, “We need to cut off the King’s head: in political theory that has still to be done.”⁵ Writing in the wake of the French student uprisings of 1968, he argued that under the guise of popular sovereignty, the specter of monarchy remains in the figure of the people who continue to embody the characteristics of pre-modern kings. Examples abound of modern democracies behaving as tyrannical as arbitrary autocrats of the past. Despite the progressive

⁵ Michel Foucault, Mauro Bertani, Alessandro Fontana, François Ewald, and David Macey. *Society Must Be Defended: Lectures at the Collège de France, 1975-76*. 1st ed. New York: Picador, 2003.

rhetoric of revolutionaries and reformists, changing circumstances, such as a civil war or mass protests, unveil the draconian face of the sovereign. In some sense, democracies are more contradictory than absolutist monarchs because as they oppress, they expect us to believe that the sovereign as ‘the people’ can kill the people in their own name. In his later work, Foucault tried to explore the possibilities for a non-sovereign political philosophy, or a political mode of analysis that did not center the sovereign. He wrote on the theme of biopolitics, shifting the focus away from the traditional understanding of geopolitics.⁶

The biopolitical turn in continental political theory has produced some of the best insights into understanding our political world. Biopolitics gives us the critical ability to see how seemingly innocent civil, economic, and scientific spheres are, in fact, instances of micro-sites of monarchical action spread across the democratic system. Foucault’s work was later developed by three prominent Italian political theorists: Antonio Negri, Giorgio Agamben, and Roberto Esposito. Without deviating into the technicalities of the biopolitical, one of the major contributions of those studying biopolitics is the relationship between sovereignty and its metaphysical assumptions. In this vein, what all three theorists share is a commitment to a resolutely immanentist metaphysics. It is this latter point that concerns me because the metaphysical background shows the possibilities of their insights but also the provincialized nature of modern political theory.

Continental Political Theory From its Southern Shores: Italian Immanentists

In the essay *German Philosophy, French Theory, Italian Thought*, Esposito comments on what brings these three Italian thinkers together. He writes: “...the prevailing mood of Italian Theory seems to

⁶ Michel Foucault and Michel Senellart. *The Birth of Biopolitics: Lectures at the Collège de France, 1978 - 79*. 1st pbk ed., [Repr.]. Lectures at the Collège de France. New York: Picador, 2010.

be one of affirmation. Of course, ‘affirmative thought’ can mean many different things. Here, the phrase is meant to suggest a philosophy of immanence.”⁷ Esposito is saying that what binds together the work of New Italian Theory is its struggle against a particular tendency in Western thought in general. It is a struggle against the philosophy of transcendence towards a philosophy of immanence.

In the field of political thought, a philosophy of transcendence shows itself in the guise of political theology. He explains: “I see political theology as a sort of machine which functions by separating our life from itself, both in the sense that it negates life and in the sense that it transcends life. This machine is a hybrid of Christian theology and Roman law, and, over the course of time, it has taken on different forms, but all linked to a mechanism of exclusionary inclusion (*inclusione escludente*). The phrase ‘political theology’ suggests the convergence, in one and the same category, of two contrasting elements engaged in a mutual exclusion or subjection. Once we start paying attention, we notice that all the universals of Western thought – including the idea of the West, often used to represent a whole – obsessively reproduce this anti-nomial structure. If this structure, in fact, never stops operating, it means that we are in the presence neither of an event nor of an ideology, but of the way in which the order of the Western world is conceived. By political theology, therefore, is to be understood a recurrent two-part structure, a Two that is sublated into One by excluding, or marginalizing, its other part.”⁸

According to Esposito, Italian thought stands opposed to political theology and accordingly stands opposed to the deepest political orientation of the West. If political theology is the dominant tradition of modern political thought, what is this orientation? According to Esposito it is many things: “the religious legitimization of power, the political use of

⁷ Roberto Esposito “German Philosophy, French Theory, Italian Thought.” Translated by Mena Mitrano. “Forum: American Studies and Italian Theory.” *RSA Journal - Rivista di Studi Americani*, 26 (2015), pp. 104–114, 112.

⁸ Esposito, 113.

theology, the engendering of political categories from theological categories, or, inversely, the engendering of the religious from the political.”⁹ Political theology is a “hybrid of Christian theology and Roman law”; a “machine” that never stops “operating.” It sustains the “anti-nomial structure” as the “order of the Western world”. In contrast to secularists, Esposito sees theology at the heart of the modern secular west.

Esposito concludes his article by commending Italian theory: “I believe that the task of thought is to open up to its outside. It is not an easy task because it amounts to the quest for a conceptual language external to the theological-political horizon. Italian Thought has played, and can play, an important role in this task since, as we have seen, it is a thought of the outside, traditionally oriented toward the outside, antithetical to interiority, to transcendence, to separation.”¹⁰

Italian theory lays the framework and task ahead for Muslim political thinkers. While Italian theory may show us the inner workings of modern political thought, there is very little it can offer by way of solution. The “quest for a conceptual language external to the theological-political horizon” means trying to reject the Western tradition without recourse to a language, concepts, or practices that stand outside of the West.

While commenting on Giorgio Agamben’s work, Antonio Negri claims “Agamben’s analysis shows how immanence can be both realist and revolutionary.”¹¹ Agamben expounded on these ideas in an essay titled *Absolute Immanence*, which was a commentary on Deleuze’s death-bed essay *Immanence: A Life*.... Colby Dickinson explains Agamben’s commitment to immanence as follows:

⁹ Esposito, 112.

¹⁰ Esposito, 113.

¹¹ Antonio Negri, “Giorgio Agamben: A Discreet Taste of the Dialectic,” in Giorgio Agamben: *Sovereignty and Life*, ed. Matthew Calarco and Steven DeCaroli (Stanford, CA: Stanford University Press, 2007), pp. 109-125, 119.

“Taking up Deleuze’s interest in Spinoza directly, Agamben conceives how the ‘principle of immanence... is nothing other than generalization of the ontology of univocity, which excludes any transcendence of Being.’ This understanding, for its part, is built upon Spinoza’s elaboration of the ‘univocity of Being’—its openness as it were over and against the medieval scholastics and their presentation of an *analogia entis* (‘analogy of being’) which would confine the relation between God and beings to a strict analogical relation. This is, then, an immanence that is immanent with respect to nothing, as being ‘immanent to’ something would necessarily involve a transcendent counterpart. It is a pure immanence which is present within every thought, as the ‘not external out-side’ and as the ‘non-internal inside.’”¹²

If Western political theory is grounded in political theology, then writing against it would mean committing to a life of immanence. Agamben explains: “...a philosophical movement toward a plane of immanence likewise undoes the representations of thought founded upon a dichotomous logic of transcendence/immanence.”¹³ Agamben’s entire philosophical and political project is condensed, then, within this context: “The plane of immanence thus functions as a principle of virtual indetermination, in which the vegetative and the animal, the inside and the outside and even the organic and the inorganic, in passing through one another, cannot be told apart.”¹⁴

Italian immanentists, such as Agamben, believe that sovereign power is repressive and negative, claiming total control through a process of inclusion-exclusion much like God’s power is imagined standing outside of the world only to periodically interrupt the flow of natural events as He sees fit. In a political-theological mode, the sovereign, popular, or monarchical, remains symbolic and intervenes over life and

¹² Colby Dickinson, *Agamben and Theology* (New York, NY: T&T Clark International, 2011), pp. 228.

¹³ Cited in Dickinson, *Agamben and Theology*, pp.223, cf. RG 129ff -original text

¹⁴ Dickinson, pp. 233.

death, right and wrong, law and illegality, in rare albeit extraordinary moments. Their reading of the political theological foundation of western thought is not unfounded. Ernst Kantorowicz classical book, *The King's Two Bodies*, describes how the sovereign possesses both a symbolic/transcendent essence as well as a natural/biological essence. A similar dualistic medieval model is epitomized in the political theory of Hobbes' *Leviathan* or in Bodin's *Six Books on the Republic*. Both authors try to balance the two paradoxical natures of the sovereign much like how Christian theologians try to defend the paradoxical nature of Christ's divine and human natures.

Immanentists argue that, as European history left behind monarchy, the exercise of power moved beyond this Christo-mythical dyad. The theological and transcendent aspect of power folded into the pure plane of immanence. If one does not have an immanentist philosophical commitment, one can easily be seduced into thinking the political is simply "atheological" or secular, while theology and transcendence is for the private, religious sphere alone. Based on an entirely new framework, immanentists see biopower as a form of power that sovereigns use to construct some life worthy of living out of life itself, thereby repeating transcendental preference for the One. Without reference to the juridical exception, on the plane of immanence the monarchical machinery of political theology persists with biopower by allocating for itself forms of life that are included through exclusion. Agamben has suggested that the concentration camp and genocide are extreme archetypes of this kind of sovereign logic. Through biopower, modern sovereigns repeat Christian notions of transcendence that sublimate worldly life, read now as certain forms of worldly life, through its inclusion as wholly imperfect and sinful.

The Critique of Transcendence: Monotheism and Monarchy

While much of Italian theory's insights into the inner workings of modern western political theory are correct, their use of the word

“transcendence” gives the impression that all philosophical approaches of transcendence repeat the problem present in Western political thought or that all political thought runs along the political theological axis outlined above. All the authors provide a Christian genealogy for the term. On their reading, other religious and cultural traditions, which may rely on the transcendence/immanence distinction, such as Islam, will inevitably fall prey to the specter of monarchy. It is at this juncture, that Gil Anidjar’s skepticism of the current use of political theology is helpful. Anidjar claimed that, “I find it difficult not to wonder about the co-incidence, whereby the interrogation of the concept of religion (its Christian colonial history and its general imperialism) was just getting started, when the new phrase was ushered in as a substitute of sorts, with ever more imperial claims.”¹⁵ Meaning, the analysis of political theology provided by the Italian immanentists ignore the growing body of literature in the study of religion which attempts to provincialized universal categories such as transcendence. Scholars of religion, such as Vincent Lloyd, have pointed to the deeply Christian, Eurocentric, and often racist assumptions packed into seemingly neutral religious philosophical concepts such as transcendence or the sacred. Without provincializing the colonial and Eurocentric imports of the use of general concepts such as transcendence, even critical projects against political theology such as the ones surfacing in Italian theory can run into dead-ends.

To understand the Christian background to the idea of transcendence as present in the theory of political theology, I would like to revisit an episode in European intellectual history. Since the publication of Carl Schmitt’s famous work on political theology, European political theorists have conducted a sometimes secret, sometimes open conversation with him. Debating Schmitt, the Protestant theologian Erik Peterson tracks a set of complicated arguments about the

¹⁵ Gil Anidjar, “Introduction: The State of Political Theology,” *Political Theology* 20, no. 7 (2019): pp. 547-555, 548.

presumed relationship between Monotheism and Monarchy found in Schmitt's work. Peterson examines the analogical thesis proposed by Schmitt that a strict monotheism or an absolute transcendence by analogy leads to an imperial politics. Although for different purposes, this argument has been repeated by Jan Assmann in his genealogy of monotheism. Assmann calls the 'Mosaic distinction' the moment whereby pagan ideas of sacred kingship and the use of sacred cosmology was used to achieve political ends.¹⁶ The arguments are densely historiographical, and I do not have space here to elaborate the ways in which pagan ideas of sacred kingship were incorporated into Christian notions of divine right through the adoption of Neo-Platonism. However, in an article titled *Monotheism as a Political Problem* (1935) Peterson criticized Schmitt's thesis.¹⁷ Through extensive archival work of hitherto untranslated Latin and Greek sources, he argued that a non-trinitarian monotheism was invented by court theologians after the conversion of Constantine to legitimate monarchical government through belief in a single divine power. However, Peterson maintains that a proper understanding of Christian trinitarian theology does not lead to such a strict definition of transcendence and therefore monarchy. These recent debates over the notion of transcendence have implications. Firstly, Peterson shows that the idea of transcendence matters. Unlike, the Italian immanentists, any old notion of transcendence does not necessarily justify imperial politics. Second, that the notion of monarchy imagined above has its roots deep within white, western European, Christendom, and its relation to Roman notions of sacred kingship. Both Monotheism and

¹⁶ Jan Assmann, *The Price of Monotheism* (Stanford, CA: Stanford University Press, 2010).

¹⁷ Erik Peterson, "Monotheism as a Political Problem: A Contribution to the History of Political Theology in the Roman Empire." In *Theological Tractates*, edited and translated by Michael J. Hollerich, (Stanford, CA: Stanford University Press, 2011) pp. 68–105.

Monarchy are products of a particular theology for a particular historical experience.

These can be provincialized when put in comparison with Islamic thought. Unlike Islam, Christianity does not have a worldly and world historical prophetic figure who is explicitly charged with an explicitly worldly mission to make friends and vanquish enemies. At first glance, this omission can seem inconsequential. Yet, it is precisely this lack which drives theologians and political theorists of Christendom to overcompensate by employing or rejecting (depending on which side you are on) theological concepts for social-political use. The prophetic figure in Islamic thought is an immanent figure charged with an explicitly political mission. He not only preached the word of an eschatological future, but was also charged with a mission to implement law and governance here and now. The theory of prophecy, perhaps unique to Islam, raises its own pitfalls regarding the (mis)use of the prophetic figure for imperial purposes, however the prophet is a far cry from Christian political theological analogies with God. Islamic thought has its own notions of transcendence but more importantly it has its own methods in theorizing the political as such. It is explicitly not political theological due to the notion of prophecy. The uniqueness of the prophetic in Islam should not be overstated. The prophetic figure has more in common with Hindu, Confucius, and African sage philosophy than Christian European notions of political theology.

The looming uncertainty around the problem of transcendence and immanence leads to two distinct conceptual strategies in the literature. Some political theologians accept sovereignty as an analogy to the theological concept of the Divine and thereby embrace the specter of political theology. This approach is not just European but also prevalent among modern Muslim theorists such as Mawdudi's widespread concept of *hakimiyat ul-allah*.¹⁸ This group concedes to the transcendent analogy

¹⁸ Andrew F. March, *The Caliphate of Man: Popular Sovereignty in Modern Islamic Thought* (Cambridge, MA: Harvard University Press, 2019).

to political sovereignty. Theorists inclined to this method prefer to deal directly with theology in order to re-work possible political futures. They believe the fundamental issues in metaphysics, such as causality and the laws of nature or the relationship between the universal and the particular, predetermine the ways we can think about worldly sovereignty.

Yet others, such as the Italian immanentists profiled above, reject the very idea of transcendence as a metaphysical reality and therefore reject sovereignty in the name of a purely immanent politics. The latter strategy presents itself as more favorable in analyzing and critiquing worldly power. However, this approach only picks one side of the dyad while keeping the paradoxical and parasitical relations between the transcendent/immanent intact. Remarkably, exactly like their rivals, the immanentists continue to see sovereignty as a concept somehow bearing the mark of transcendence through its absence. As such, transcendence remains largely an unstated premise. Pure immanentists vehemently deny being haunted by the specter of theology. Yet their denial leaves their transcendence untheorized and unable to answer what exactly is being negated lest they become theologians themselves. As we have seen here, immanentists attempt to achieve democratization of the political by taking Christian ideas of transcendence for granted (albeit through their exclusion) coupled with a Eurocentric strategy of ignoring other traditions that may have radically different ideas of the transcendent. Instead of engaging non-Christian, non-European ideas about the transcendent, immanentists behave as though a rejection of European notions of transcendence amounts to a knock down rejection of all other traditions. As Peterson shows, this does not even hold within Christian debates themselves, let alone entirely other intellectual traditions. These blind spots in the immanentist approach unintentionally sustain the problem of political theology as method. It firmly remains beholden to it. Immanentism simply refracts from the overtly theological approach in the

opposite direction all the while smuggling in its Christian universalism through its blanket denial.

The Christian background to Monarchy and then the commitment to pure immanence as a reaction to find the monarchical remainder in the non-political political depends on the ambiguous legacy of Christian metaphysics in modern political theory. On this reading, the remainder is less monarchical nor transcendence but rather white European Christianity.

Sovereignty in a New Key: Beyond Christendom

The fact that both the classical theory of sovereignty and its critique are in a battle with Christian metaphysics leaves us with the possibility of considering, is there a way to be committed to transcendence without importing the ideas of a platonic king?

Unfortunately, recent historiography of pre-modern sultanic power has left us crippled in the face of the political theology. The first is a growing tendency to see Muslim kingship as a different type of sacred kingship embroiled in a mystical and occult symbolism. Perhaps the latest book in this vein is Huseyn Yilmaz's book *The Caliphate Mystified*. This trend is joined by the work of Cornell Fleischer, Kathryn Babayan, Mercedes Garcia-Arenal, Matthew Melvin-Koushki and Azfar Moin. These scholars, alongside Yilmaz, show how rulers after the destruction of the Abbasid Caliphate began to experiment with new modes of legitimation. This included depicting themselves as saintly, mystical, revivalist, millenarian, and cosmological. There, Yilmaz reads a plethora of archival sources and shows in fine-toothed detail how Ottoman scholars were constructing the image of Ottoman rule in mystical terms. Much of the argument relies on how imperial language and symbols borrowed their meaning from Sufi literature of the time.

A second trend is more promising but has its own pitfalls. The second trend is found in the work of Wael Hallaq, Ovamir Anjum, and Andrew March. These works present a more promising analysis of

sovereignty and political thought. However, their focus remains on a marginal group of Islamist Salafi thinkers that advocate what Anjum has called an “ummah-centric” vision of politics. The Salafi Islamist reading of a politics grounded in *siyasa ash-shar‘iyya* is based on the anthropomorphic theology of Ibn Taymiyya which is unable to provide an alternative to the Christian Metaphysics whose own anthropomorphic tendencies are not only the underpinning modern political theology but also the source of its ambiguities. In fact, Faisal Devji and Dragos Stoica have shown how Mawdudi’s own work and by extension most modern Islamist theorization imitates Christian conservative political theologians’ dreams of theocracy, such as Donoso Cortes, Joseph de Maistre, and Robert Filmer.¹⁹

Both trends prevent us from taking the question of sultanic power head on. By sultanic power, I mean a power that is immanent through and through based on a world as pure contingency. The coming sultanic power would have to build on the insights of Italian theory in that sultanic power must be committed to pure materiality and a rejection of all non-material reification. Nothing is holy or permanent in the world. However, it is different from Italian theory in that it leaves room for transcendence and sovereignty.

Muslim political theorists are uniquely positioned to fulfill the aporia of modern political thought as left over by Italian theory. The task ahead for Muslim political theorists is to reinstate sultanic power by returning to the world of politics on a plane of pure immanence. Interestingly, Muslim thinkers have in their arsenal the theory of prophecy which allows them to bypass Christian notions of transcendence, which perpetuate the project of political theology. The task begins by deconstructing colonial Christian theological ideas smuggled into the universal idea of transcendence and monarchy in favor

¹⁹ Dragos C. Stoica, “In The Shade of God’s Sovereignty: The Anti-Modern Political Theology of Sayyid Qutb in Cross-Cultural Perspective” (PhD Diss., 2017).

of Muslim visions of transcendence that do not fall into the trap of closing down the world of pure contingency, as has been argued by Italian theorists.

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11. Political Obstacles in the Application of Shari'ah (Islamic Law)

[in Arabic]

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Abstract

Implementing the provisions of Islamic law faces major political obstacles and challenges that prevent from resorting to it in all areas, especially in our modern and contemporary history after the fall of the Islamic caliphate. The massive international and regional events that followed resulted in Arab and Islamic regimes going in various directions: Some deny their Islamic heritage and follow the West; some adhere to what is present in a small geographical area; others adhere to ethnicities or tribal groups or other loyalties far from the Islamic way of governance. This was followed by the emergence of multiple political challenges, which have had the greatest impact on the forced or voluntary moving away from the application of Shari'ah in many fields. This study aims to explain the position of Islamic law in the considered method of governance and identifies the political obstacles in implementing it.

العقبات السياسية لتطبيق الشريعة الإسلامية

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المقدمة

تواجه مسألة تطبيق أحكام الشريعة الإسلامية، عقبات وتحديات سياسية كبيرة، تحول دون الاحتكام إليها في مجالات الحياة كافة، خاصة في تأريخنا الحديث والمعاصر، وتحديدًا بعد سقوط الخلافة الإسلامية، وما تبع ذلك من أحداث دولية وإقليمية جسيمة، نتج عنها أنظمة حكم عربية وإسلامية في شتى الاتجاهات: فبعضها تنكر للأثر وأفتى طائر الغرب، وبعضها تمسك بما هو موجود من رقعة جغرافية صغيرة، وأخرى قبائلية أو عرقية أو بولاءات بعيدة عن المنهج الإسلامي في الحكم، ثم تبع ذلك ظهور بثور سياسية متعددة، لها أبلغ الأثر في الابتعاد القسري أو المختار عن تطبيق أحكام الشريعة، ومنها: التدخل الأجنبي في شؤون الدول العربية والإسلامية، ومنها: اتجاهات اللجوء إلى المناهج الغربية في الحكم، ومنها تشويه صورة الإسلام في ميادين السياسة والإعلام والفكر، ومنها: بث الرعب والخوف من تطبيق هذه الشريعة، ومنها: إتهام الشرع الإسلامي بعدم صلاحيته للحكم، ومنها: بعض ما فعلته المنظمات الدولية أو التحالفات السياسيّة بسلخ الجزء عن الكلّ، حتى لم يعد مترابطاً، وغيرها من عوامل سياسية لها الأثر الواضح في عدم الاحتكام إلى الشريعة الإسلامية، الأمر الذي يناقشه هذا البحث في أطره النظرية، متسلحاً بما كتب سابقاً ومن مصادر شرعيّة وسياسيّة مختلفة.

مشكلة البحث: يمكن تحديدها في الأسئلة الآتية:

- 1/ ما مدى فرضيّة الحكم بالشريعة الإسلامية، وما موقفها من السياسة؟
- 2/ ما العقبات السياسيّة الوافدة التي تحد من تطبيق الشريعة الإسلامية؟

3/ ما موقف السياسيين وأهل الحكم من تحكيم الشريعة والعمل بها؟
أهداف البحث:

- 1/ بيان فرضية الشريعة الإسلامية وتحديد علاقتها بالسياسة.
 - 2/ الكشف عن العقبات السياسية الوافدة التي تحد من تطبيق الشريعة الإسلامية.
 - 3/ إضاح موقف السياسيين وأهل الحكم من تحكيم الشريعة والعمل بها.
- أهمية البحث: ويمكن اختصارها في:

- 1/ تتبع من خطورة الخيارات السياسية في تحديد مناهج الحكم.
 - 2/ من أهمية الشريعة الإسلامية وكونها دينية ودنيوية.
 - 3/ موقع السياسيين والحكام وأثرهم في المجتمعات.
- منهج البحث: هو من الدراسات الوصفية النظرية، التي تسعى إلى وصف الظاهرة من غير تحديد إطار زمني ومكاني لها، وذلك لقبول الموضوع هذا النمط من البحوث، وقد قسّم إلى مبحثين في كلّ منهما ثلاثة مطالب للوصول بالبحث نتائجه المرجوة.

المبحث الأول/ الشريعة والسياسة: تفصيل المفاهيم

المطالب الأول/ مفهوم الشريعة لغة واصطلاحاً

أولاً/ الشريعة لغة: تتفق معاجم اللغة على أنّ مادة (ش. ر. ع) وما يشتق منها من ألفاظ: الشريعة والشرعة والشرع، يقصد بها كلّ ما أنزله الله تعالى لعباده، من عقائد، وعبادات، وأحكام، وأخلاق، وآداب، ومعاملات، وتمثل العقائد والعبادات أهم ما طلب المولى - عز وجل- من عباده، وقد ورد ذلك في القرآن الكريم، قال تعالى: ((شَرَعَ لَكُمْ مِنَ الدِّينِ مَا وَصَّى بِهِ نُوحًا وَالَّذِي أَوْحَيْنَا إِلَيْكَ وَمَا وَصَّيْنَا بِهِ إِبْرَاهِيمَ وَمُوسَى وَعِيسَى أَنْ أَقِيمُوا الدِّينَ وَلَا تَتَفَرَّقُوا فِيهِ/ الشورى/13)) ومعناها: الدين كله¹³⁵، أما كلمة (شريعة) فقد وردت في كتاب الله تعالى مرة واحدة، في قوله عز وجل: ((ثُمَّ جَعَلْنَاكَ عَلَىٰ شَرِيعَةٍ مِنَ الْأَمْرِ فَاتَّبِعْهَا وَلَا تَتَّبِعْ أَهْوَاءَ الَّذِينَ لَا يَعْلَمُونَ/ الجاثية/18)).

¹³⁵ ينظر: ابن منظور، لسان العرب، (8 / 60)

وكذلك كلمة (شريعة) وردت مرة واحدة كذلك : ((وَأَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ مُصَدِّقًا لِمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيْمِنًا عَلَيْهِ فَاحْكُم بَيْنَهُمْ بِمَا أَنْزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ لِكُلِّ جَعَلْنَا مِنْكُمْ شُرَعًا وَمِنْهَا جَاءَ / المائدة/48)) والشريعة: هي الشريعة بعينها، وتُجمع الشريعة شُرَعاً، والشريعة شرائع، ولو جمعت الشريعة شرائع كان صواباً، لأنَّ معناها ومعنى الشريعة واحد، واللفظتان تدلان على الطريقة التي تنتهج في طاعة الله والنجاة،¹³⁶ ومنها: لفظة الشريعة في اللغة: الطريق الذي يصل بسالكه إلى الماء، وعلى هذا فالشريعة هي كل ما شرع الله جل جلاله لعباده من الدين، وقد شرع لهم يشرع: أي سنَّ، والشارع معناها: الطريق الأعظم.¹³⁷ والخلاصة: لفظة الشريعة في مفهومها اللغوي، تعني الطريق العظيم والصراط المستقيم.

ثانياً/ الشريعة اصطلاحاً : ينحصر المفهوم الاصطلاحى لكلمة (الشريعة) في: كل ما شرعه الله لعباده من الدين، كالصوم والصلاة والحج، وغيرها، وحملت هذا الاسم بسبب قصدها واللجوء إليها ،كما يلجأ إلى الماء عند العطش ،ولهذا قال تعالى: ((ثم جعلناك على شريعة من الأمر فاتبعها/ الجاثية:18)) وتستمد الشريعة الإسلامية، أحكامها من القرآن الكريم ، ومن السنة النبوية الطاهرة ،ومن إجماع العلماء على حكم من الأحكام في عصر من العصور بعد وفاة رسول الله -صلى الله عليه سلم- ، مثل الإجماع على مبايعة أبي بكر الصديق -رضى الله عنه- بالخلافة، وغير ذلك أدلة الأحكام الشرعية¹³⁸. فهي بهذا المفهوم تخص الأحكام العملية في الدين، أي كل ما سوى العقائد، لكن مع الاحتفاظ في هذه الدلالة بجميع المجالات التشريعية العملية الواردة في الدين، ومنها

¹³⁶ الفيومي، المصباح المنير، القاهرة، مكتبة المعارف، 2006، (1 / 310).

¹³⁷ ينظر: القرطبي، الجامع لأحكام القرآن، القاهرة، دار الكتب المصرية، 1964، (8 / 83).

¹³⁸ ينظر: د. فتحي الدريني، خصائص التشريع الاسلامي في السياسة والحكم، مؤسسة الرسالة، 2008،

ص 19 وما بعدها.

العبادات الظاهرة والباطنة، والأخلاق والآداب¹³⁹.

والشريعة الإسلامية تسعى إلى الوصول إلى: الغايات الثلاث الكبرى للوجود الإنساني، وهي: العمارة، والعبادة، والخلافة، ومن محاسن هذه الشريعة الغراء، هدفها لبسط: الحكمة، ونشر العدالة في المجتمع، والتكافل، والإحسان، والتعاون، والأمر بالمعروف، للوصول بالإنسان إلى رضا الله تعالى وجنته، وجواره: فقد (أوجب الإسلام على الإنسان المكلف أن يعمل عقله، في مظاهر إبداع الخلق الإلهي في السماوات والأرض وما بينهما، وفي النواميس العامة التي تحكمها، وتهيمن على حركتها وسيرها المنتظم¹⁴⁰، والشريعة كذلك: كلمة (جامعة لكل ولاية وعمل فيه صلاح الدين والدنيا، والشريعة إنما هي كتاب الله وسنة رسوله، وما كان عليه سلف الأمة في العقائد والأحوال والعبادات والأعمال، والسياسات والأحكام والولايات والعطيات)¹⁴¹ وكل ما يحقق ويخدم مقاصد الشريعة، في حفظ الدين والنفس والعقل والنسل والمال، فهو من صميم الشريعة، ومن مصالح الشريعة، كما قال الإمام الغزالي: (ومقصود الشرع من الخلق خمسة: وهو أن يحفظ عليهم دينهم ونفسهم وعقلهم ونسلهم ومالهم، فكل ما يتضمن حفظ هذه الأصول الخمسة فهو مصلحة، وكل ما يفوت هذه الأصول فهو مفسدة ودفع مصلحة)¹⁴². وللشريعة الإسلامية خصائص عدة، أهمها:

1/ مصدرها رباني: ومصدرا الإسلام الرئيسيين: القرآن الكريم والسنة النبوية الشريفة، وبعدهما الأدلة التبعية كالقياس والاستحسان والاستصحاب وسدّ الذرائع وغيرها، والتي

¹³⁹ مناع القطان، التشريع والفقّه في الإسلام: تاريخاً ومنهجاً، مؤسسة الرسالة، بيروت، 1982، ط2، ص15.

¹⁴⁰ د. فتحي الدريني، خصائص التشريع الإسلامي في السياسة والحكم، مصدر سابق، ص 27.

¹⁴¹ ابن تيمية، مجموع الفتاوى، الرياض، وزارة الأوقاف، 2004، (308 / 19).

¹⁴² أبو حامد الغزالي، المستصفى، تحقيق: محمد عبد الشافي، بيروت، دار الكتب العلمية، 1993،

(438 / 1).

يفهم من خلالها أن التزام المسلم بها، هو لنيل رضا الله تعالى، والفوز بالآخرة، قال تعالى: ((وَأَوْحِي إِلَيَّ هَذَا الْقُرْآنَ لِأُنذِرْكُمْ بِهِ وَمَنْ بَلَغَ / الأنعام: 19))

2/ خاصة الشمول والتوازن: فالتشريع الإسلامي منظومة واسعة من الشرائع السلوكية والاجتماعية، والاقتصادية والسياسية، وهو: (رسالة لكل الأزمنة والأجيال، ليست رسالة موقوتة بعصر معين أو زمن مخصوص، ينتهي أثرها بانتهائه)¹⁴³ وهذا التشريع ثابت إلى يوم القيامة، فهو تام ونهائي ولا تشريع بعده، قال تعالى: ((الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتْمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا / المائدة: من الآية: 3)).

3/ العدالة والمساواة: فالشريعة الإسلامية لا تسعى إلى فرض تكاليف تفوق طاقة الإنسان أو مما لا يستطيع القيام به، بدليل قوله تعالى: ((لَا يَكْفُلُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا لَهَا مَا كَسَبَتْ وَعَلَيْهَا مَا اكْتَسَبَتْ / البقرة: من الآية: 286)) والمساواة تعني عدم التفرقة بين الناس على أسس المذهب أو الطائفة أو الجنس أو العرق وغيرها، وإنما أساس ذلك التقوى وطاعة الله تعالى.¹⁴⁴

4/ الواقعية: وتعني أن يكون للإنسان سلوكاً يتناسب مع فطرته، التي تحقق رغباته وحاجاته التي شرعها الله تعالى، بالأحكام التي تتناسب هذه الحاجات.

5/ المثالية: وتتبع من إحاطة الشريعة الإسلامية بما تتطلبه النفس البشرية، قال تعالى: ((وَلَقَدْ خَلَقْنَا الْإِنْسَانَ وَنَعَلْمَا تَوْسُوْسَ بِهِ نَفْسُهُ ۖ وَنَحْنُ أَقْرَبُ إِلَيْهِ مِنْ حَبْلِ الْوَرِيدِ / ق، آية: 16)).

6/ الثبات والمرونة:¹⁴⁵ ومفهومها الثبات على الأهداف، والمرونة في الوسائل والأساليب،

¹⁴³ د. يوسف القرضاوي، الخصائص العامة للإسلام، مؤسسة الرسالة، بيروت، 1999، ص 95.

¹⁴⁴ ينظر: د. فتحي الدريني، خصائص التشريع الاسلامي في السياسة والحكم، مصدر سابق، ص 242.

¹⁴⁵ ينظر: د. يوسف القرضاوي، الجمع بين الثبات والمرونة في رسالة الإسلام، مجلة الوعي الإسلامي، ذو

القعدة 1396هـ العدد 143، وموقع رابطة العلماء السوريين، موقع: < site > islamsyria.com

كما في قوله تعالى: ((وَأْمُرُهُمْ سُورَى بَيْنَهُمْ/الشورى:38)) فيتمثل الثبات في وجوب الشورى، والمرونة تتضح في عدم التقيد بشكل أو طريق واحد للشورى.

المطلب الثاني: فرضية الشريعة الإسلامية

المتأمل في أمر الشريعة الإسلامية يلاحظ أنها تتعامل مع الإنسان بناءً على إنسانيته، فلا حساب فيها لعرق، أو جنس، أو طائفة، فالتفاضل فيها للتقوى، وطاعة الإنسان لربه -جل وعلا- هي المعول عليها، بدليل قوله تعالى: ((يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقَاكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ/الحجرات، 13))، كما أن هذه الشريعة تسعى إلى مراعاة مصالح العباد، استنادًا إلى جلب المصالح لهم، ودرء المفاسد عنهم، وهذا جعل منها شريعة عالمية تراعي مصالح جميع الناس، وهي صالحة لكل زمان ومكان، فقد أرسل الله تعالى نبيه محمداً -عليه الصلاة والسلام- رحمةً للعالمين، لقوله عز وجل: ((وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ/الانبياء، 107)) ومن موجبات هذه الرحمة أن تكون الشريعة التي أرسل بها متسقة ومشبعة لمصالح الناس وحاجاتهم، وذلك يدفع عنهم ما يضرهم، في دينهم ودنياهم، ولهذا نجد أن عدداً كبيراً من أحكام الشريعة الإسلامية، جاءت بهدف جلب مصلحة، أو دفع مفسدة - أي ذاكرة لسبب الحكم - لبيان أن تشريع الأحكام مرتبط بتحقيق مصلحة الأفراد والمجتمعات،¹⁴⁶ وفرضية الشريعة الإسلامية مسوغات وأدلة:

أولاً/ من مسوغات جعل الشريعة الإسلامية حاکمة ومهيمنة:

1/ النظم الإسلامية المؤسسة على شريعة الإسلام الغراء ناجحة وملائمة للحكم بها، فقد أقامت حضارة عظيمة، امتدت رقعتها الزمانية والمكانية قرونًا طويلة وشملت أصقاعاً شاسعة، وبسطت ظلها على شعوب مختلفة، وأجناس عديدة، فما عجزت عن الوفاء

¹⁴⁶ ينظر: الشاطبي، الموافقات، تحقيق: مشهور بن حسن آل سلمان، دار ابن عفان، 1997، (2/ 12-

بجارات مَنْ عاش في ظلها، وهي ملائمة لاستيعاب المشكلات الإنسانية المعاصرة، وإيجاد الحلول الصائبة والملائمة لها.¹⁴⁷

2/ الشريعة الإسلامية تخاطب العقل والقلب معاً، فأحكامها ليست نصوصاً قانونية، توجه خطابها إلى العقل وتتجاهل القلب، كما لا تتوي مصادر هذه الشريعة الغراء تجاهل المشاعر والعناية بالعقل فقط، بل أن نصوصها تترك أثرها في القلب من جانب، وهي متلائمة مع العقل من جانب آخر.¹⁴⁸

3/ إن الشريعة الإسلامية هي الحاكمة، وهي المهيمنة، وهي الباقية، المحققة لغرض الله تعالى من خلق الكون والكائنات، قال تعالى: ((هُوَ الَّذِي أَرْسَلَ رَسُولَهُ بِالْهُدَى وَدِينِ الْحَقِّ لِيُظْهِرَهُ عَلَى الدِّينِ كُلِّهِ وَلَوْ كَرِهَ الْمُشْرِكُونَ /الصف، 9)).

ثانياً/ من أدلة فرضية الشريعة الإسلامية:

1/ قوله تعالى: ((إِنَّا أَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ لِتَحْكُمَ بَيْنَ النَّاسِ بِمَا أَرَاكَ اللَّهُ/ النساء، 105)) يقول القرطبي: في هذه الآية تشريف للنبي صلى الله عليه وسلم وتكريم وتعظيم وتقويض إليه ، وتقويم أيضاً على الجادة في الحكم¹⁴⁹، وفي حديثه - عليه الصلاة والسلام- في حجة الوداع: (تركْتُ فيكم أيها الناس، ما إن اعتصمتم به، فلن تضلُّوا أبداً: كتاب الله، وسُنَّة نبيِّه)¹⁵⁰ فحاجة البشر إلى شرع مصدره رباني ضرورة دنيوية وأخروية أساسية، ولن يتحقق ذلك إلا بالتشريع الإسلامي، فهو حكم وهداية ورسالة الله تعالى الأخيرة للبشر: (أنَّ رسالة محمد - صلى الله عليه وسلم - لجميع النَّاس: عربهم وعجمهم، ملوكهم وزهادهم، وعلمائهم وعامتهم؛ بل عامَّة إلى الثقلين الجنِّ والإنس. وأنها باقية دائمة

¹⁴⁷ ينظر: د. اسماعيل علي محمد، العولمة الثقافية وموقف الإسلام منها، دار الكلمة، المنصورة، مصر،

2001، ص 76.

¹⁴⁸ ينظر: عابد السفيني، الثبات والشمول في الشريعة الإسلامية، مكتبة المنارة، مكة المكرمة، 1988، ص

110.

¹⁴⁹ القرطبي، الجامع لأحكام القرآن، (4 / 95).

¹⁵⁰ أخرجه البيهقي في دلائل النبوة، (5/449).

إلى يوم القيامة، وأنه ليس لأحدٍ من الخلائق الخروج عن متابعتة وطاعته وملازمة ما يشرعه لأمتة من الدين).¹⁵¹

2/ إن حكم الانبياء ملزم للناس، ولا يجوز مخالفته، وهي الغاية من إرسالهم إلى لبشر، قال تعالى: ((لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيَقُومَ النَّاسُ بِالْقِسْطِ/ الحديد، 25)) كما أن رسول الله صلى الله عليه وآله وسلم حينما بعث معاذًا إلى اليمن (قال له بما تقضي؟ قال: بكتاب الله. قال فإن لم تجد في كتاب الله؟ قال: أقضي بسنة رسول الله صلى الله عليه وآله وسلم. قال: فإن لم تجد في سنة رسول الله؟ قال: أجتهد رأيي ولا آو جهداً. قال: فضرب بيده في صدري وقال: الحمد لله الذي وفق رسول الله لما يرضي رسول الله)¹⁵² ولهذا فمن: (اعتقد أنّ الحكم بما أنزل الله غير واجب، وأنه مخير فيه، أو استهان به بعد تيقنه أنه حكم الله، فهذا كفر أكبر)¹⁵³ ولكون الشريعة الإسلامية خاتمة الشرائع، ونبيها - عليه الصلاة والسلام - هو آخر الانبياء، فإن تلك الحقيقة تعني وجوب تطبيق حكمها واتباع المرسل بها: (بل ثبت أنّ المسيح عيسى ابن مريم إذا نزل من السماء يكون متبعًا لشريعة محمد بن عبد الله - صلى الله عليه وسلم - بل مما يعلم بالاضطرار من دين الإسلام: أنه لا يجوز لمن بلغته دعوته أن يتبع شريعة رسول غيره كموسى وعيسى؛ فإذا لم يجز الخروج عن شريعته إلى شريعة غيره، فكيف بالخروج عنه وعن الرسل؟!)¹⁵⁴ فالكلمة العليا في الإسلام للشريعة مبينة في نصوص القرآن الكريم والسنة النبوية، ولا تجوز مخالفة ذلك، أو هيمنة جهة أخرى على حكم الكتاب والسنة: (أنّ الله - تعالى - لم ينزل أحكامه في كتابه، وعلى لسان رسوله، للتبرك بها، أو لقراءتها على الموتى! أو لتعليقها لافتات تزيّن بها الجدران؛ وإنما أنزلها

¹⁵¹ ابن تيمية، مجموع الفتاوى: 424/11.

¹⁵² أخرجه أبو داود، كتاب الأقضية: باب اجتهاد الرأي في القضاء، (2/ 327)، حديث برقم: 3592، و:

3593.

¹⁵³ شرح العقيدة الطحاوي، لابن أبي العز الحنفي، تحقيق: أحمد شاكر، الرياض، 1418هـ، ص 304.

¹⁵⁴ ابن تيمية، مجموع الفتاوى: 424/11.

لَتُتَّبَعِ وَتَتَّقَدْ، وتحكم علاقات الناس، وتضبط مسيرة الحياة وفق أمر الله ونهيه، وحكمه وشرعه).¹⁵⁵

3/ قوله تعالى: ((وَأَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ مُصَدِّقًا لِمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيِّمًا عَلَيْهِ فَاحْكُم بَيْنَهُمْ بِمَا أَنْزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَ هُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ/ المائدة، من الآية: 48)) ويمكن ايجاز أسباب هذه الهيمنة:¹⁵⁶

أ/ إنَّ التشريع مقوم أساسي من مقومات المجتمع، فلا بد لأيّ مجتمع من قانون يضبط علاقاته، ويعاقب من انحرف عن قواعده، ولا يوجد أفضل من التشريع الرباني.

ب/ إنَّ التشريع في الإسلام ينظم العلاقة بين الإنسان وربه، وبين الإنسان وأسرته، وبين الإنسان ومجتمعه، وبين الحاكم والمحكوم، وبين الأغنياء والفقراء، والملوك والمستأجرين، وبين الدولة الإسلامية وغيرها في حالة السلم وحالة الحرب.

ج/ إنَّ الإسلام ليس مجرد تشريع وقانون، إنه عقيدة تفسر الوجود، وعبادة تربي الروح، وأخلاق تركزى النفس، ومفاهيم تصحح التصور، وقيم تسمو بالإنسان، وآداب تجمل بها الحياة.

4/ قوله تعالى: ((أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْغُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِقَوْمٍ يُوقِنُونَ/ المائدة: 50)) يوضح إنَّ الحكم بما أنزل الله ليس فريضة فحسب، وإنما عدم العمل به يقود إلى طرق أخرى كلها من الجاهلية، وهذا يعني الوقوع في محظورات أخطر، وأكثر ضرراً بالإنسان والمجتمع: ((وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ/ المائدة: 44)) وكذلك: ((وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ/ المائدة: 45)) وكذلك: ((وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ/ المائدة 47)) والتي يتضح منها: إنَّ وسم الفرد أو المجتمع بسمات الكفر والظلم والفسق، إنما هي علامات انهيار لا قيام بعده ولا نهضة.

155 د. يوسف القرضاوي، من فقه الدولة في الإسلام، القاهرة، دار الشروق، 1997، ص 102.

156 ينظر: تفسير المنار، محمد رشيد رضا، القاهرة، الهيئة المصرية للكتاب، 1990، (6 / 339).

5/ إن فرضية التشريع الإسلامي والحكم به، هو ليس حكم أحد المذاهب الفقهية أو رأي أحد الائمة، بل هو الاحتكام إلى التشريعات والقواعد والأحكام التي وردت في القرآن والسنة النبوية، وهذا يدفع عن الإسلام اتهام المشككين له، بأنه متعدد المذاهب والاتجاهات الفقهية والفكرية، متجاهلين أنها اجتهادات علماء تصلح للأخذ أو عدمه، فهي ليست بقدسية القرآن والسنة، قال تعالى: ((وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِقَوْمٍ يُوقِنُونَ/ المائدة، 50)) ومن حديث طلحة بن عبيد الله رضي الله عنه قال: سمعت رسول الله صلى الله عليه وآله وسلم يقول: (ألا أيها الناس لا يقبل الله صلاة إمام حكم بغير ما أنزل الله).¹⁵⁷ كما: (إن المسلمين عامة، وحكام المسلمين خاصة ليس لهم الخيار في تطبيق الشريعة أو عدم تطبيقها؛ بل هي إلزامية من الله - تعالى - الذي تفرد وحده بالخلق، وتفرد وحده بالأمر والتشريع)¹⁵⁸.

المطلب الثالث: مفهوم السياسة في الإسلام

تشير كلمة (سياسة) في معناها اللغوي إلى أنها مصدر ساس الأمر سياسة: إذا قام به، وهي القيام على الشيء بما يصلحه، وسوسه القوم: إذا جعلوه يسوسهم، ويقال: سوس فلان أمر بني فلان أي كلف سياستهم، وسنت الرعية سياسة، وسوس الرجل أمور الناس على ما لم يُسم فاعله إذا ملك أمرهم.¹⁵⁹ وفي الحديث النبوي الشريف، قوله صلى الله عليه وسلم:-: (كَانَتْ بَنُو إِسْرَائِيلَ تَسُوسُهُمُ الْأَنْبِيَاءُ ، كُلَّمَا هَلَكَ نَبِيٌّ خَلَفَهُ نَبِيٌّ).¹⁶⁰ قال النووي رحمه الله: (تَسُوسُهُمُ الْأَنْبِيَاءُ) أَي : يَتَوَلَّوْنَ أُمُورَهُمْ كَمَا تَفْعَلُ الْأُمَرَاءُ وَالْوَلَاةُ بِالرَّعِيَّةِ , وَالسِّيَاسَةُ: الْقِيَامُ عَلَى الشَّيْءِ بِمَا يُصْلِحُهُ.

¹⁵⁷ أخرجه الحاكم في المستدرک على الصحيحين، وقال صحيح ولم يخرجاه، (5/ 121).

¹⁵⁸ د. محمد الزحيلي، التدرج في التشريع والتطبيق في الشريعة الإسلامية، الكويت، 2000، ص 103.

¹⁵⁹ انظر: لسان العرب (6/ 107)، والقاموس المحيط (ص 710).

¹⁶⁰ رواه البخاري برقم (3455) ومسلم: كتاب الإمامة، باب الأمر بالوفاء ببيعة الخلفاء، الأول فالأول، برقم

(1842).

وفي الاصطلاح: وردت لفظة سياسة في المصادر القديمة قريبة من دلالة المعنى اللغوي لها، فقال ابن نجيم (:السياسة هي فعل شيء من الحاكم لمصلحة يراها وإن لم يرد بذلك الفعل دليل جزئي)¹⁶¹، وعرف ابن خلدون السياسة من المنظور الشرعي بأنها: (حمل الكافة على مقتضى النظر الشرعي في مصالحهم الأخروية والدنيوية الراجعة إليها، إذ أحوال الدنيا ترجع كلها عند الشارع إلى اعتبارها بمصالح الآخرة، فهي في الحقيقة خلافة عن صاحب الشرع في حراسة الدين وسياسة الدنيا به)¹⁶². وبهذا يتبين إن السياسة في لفظها ومعناها، وفي تطبيقها، تعد جزءاً لا يتجزأ من الشريعة الإسلامية، أكد عليها القرآن الكريم وعمل بمقتضاها رسول الله - صلى الله عليه وسلم- ولا فرق في الإسلام بين السياسة والدين، فالنبي -صلى الله عليه وسلم- كان يعمل بالسياسة الحكيمة الراشدة في حكمه، وفي تدبير شئون الدولة؛ لأنَّ الشريعة الإسلامية تؤكد على تحقيق المصالح وتكميلها، وتعطيل المفساد وتقليلها، في العمل السياسي وغيره، وقد عمل الخلفاء الراشدين وأئمة الهدى من بعده بنفس المنهج والرؤية.¹⁶³ وعلى الرغم من عدم ورود كلمة (سياسة) في القرآن الكريم، فإن الله تعالى ذكرها في مواضع عدة وبصيغ متنوعة، بل أكد على من يتولى العمل السياسي أن يتحلى بصفات عدة، ومن هذه الصيغ التي ورد فيها مفهوم السياسة:

1/ الحكم: بمعنى تسيير شؤون الناس، ورعاية مصالحهم، كما في قوله تعالى: ((فَقَدْ آتَيْنَا آلَ إِبْرَاهِيمَ الْكِتَابَ وَالْحِكْمَةَ وَآتَيْنَاهُمْ مُلْكًا عَظِيمًا/ النساء، 54)) وكذلك: ((وَقَالَ لَهُمْ نَبِيُّهُمْ إِنَّ اللَّهَ قَدْ بَعَثَ لَكُمْ طَالُوتَ مَلِكًا/ البقرة، 247)) وعلى لسان يوسف - عليه السلام- : ((رَبِّ قَدْ آتَيْتَنِي مِنَ الْمُلْكِ/ يوسف، 101)) وفي غير ذلك من المواضع.

¹⁶¹ ابن نجيم، البحر الرائق، دار الكتب العلمية، بيروت، (5/ 11).

¹⁶² ابن خلدون، المقدمة، القاهرة، دار الشعب، 1950، ص 97.

¹⁶³ ينظر: ابن القيم، الطرق الحكمية، دار البيان، 2010، ص 17.

2/ الخلافة والإستخلاف: قال تعالى: ((قَالُوا أُوذِينَا مِنْ قَبْلِ أَنْ تَأْتِيَنَا وَمِنْ بَعْدِ مَا جِئْتَنَا قَالَ عَسَى رَبُّكُمْ أَنْ يُهْلِكَ عَدُوَّكُمْ وَيَسْتَخْلِفَكُمْ فِي الْأَرْضِ فَيَنْظُرَ كَيْفَ تَعْمَلُونَ/ لأعراف،129)) وكذلك: ((وَإِذْ قَالَ رَبُّكَ لِلْمَلَائِكَةِ إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً ۗ قَالُوا أَتَجْعَلُ فِيهَا مَنْ يُفْسِدُ فِيهَا وَيَسْفِكُ الدِّمَاءَ وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَ ۗ قَالَ إِنِّي أَعْلَمُ مَا لَا تَعْلَمُونَ / البقرة، 30)) وفي غيرها من المواضع، وأما (الإسلام فجمع الرسالة والخلافة لأنّ دين الإسلام غاية مراد الله تعالى من الشرائع، وهو الشريعة الخاتمة، ولأن امتزاج الدين والملك هو أكمل مظاهر الخطتين... ولهذا أجمع أصحاب رسول الله بعد وفاة النبي صلى الله عليه وسلم على إقامة الخليفة لحفظ نظام الأمة وتنفيذ الشريعة).¹⁶⁴

3/ التمكين: كما في قوله تعالى: ((الَّذِينَ إِنْ مَكَّنَّاهُمْ فِي الْأَرْضِ أَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ وَأَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنِ الْمُنْكَرِ ۗ وَاللَّهُ عَاقِبَةُ الْأُمُورِ / الحج، 41)) وكذلك: ((وَنُرِيدُ أَنْ نَمُنَّ عَلَى الَّذِينَ اسْتُضِعُوا فِي الْأَرْضِ وَنَجْعَلَهُمْ أَئِمَّةً وَنَجْعَلَهُمُ الْوَارِثِينَ/ القصص، 5)) ويتضح منهما أنّ التمكين لا يمكن أن يحصل من دون تولي أمور السياسة والحكم. بل إنّ الشريعة الإسلامية أمرت الحاكم بالعدل، قال تعالى: ((إِنْ اللَّهُ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا/ النساء، 58)) وذمت الظلم والتجبر والاستبداد، فيبتعد عن سيرة: النمرود، الذي حاجّ إبراهيم في ربه بعد أن آتاه الله الملك، وعن سلوك فرعون الذي: ((علا في الأرض وجعل أهلها شيعا يستضعف طائفة منهم يذبح أبناءهم ويستحيي نساءهم إِنَّهُ كَانَ مِنَ الْمُفْسِدِينَ/القصص:4)).

وبناء على ما تقدم من أدلة وشروح، يتبين إن الشريعة الإسلامية ترى إن العمل السياسي هو ما يولد من الإسلام، جامعاً للمسلمين ومن عاش معهم، في إطار تنظيمي سياسي شامل، متطلعاً للوصول إلى السلطة بالطرق السلمية المتاحة، لتطبيق تعاليم الإسلام والقيام على مصالح الناس ورعايتها، وإن السياسة في المفهوم الشرعي ليست حبلاً

¹⁶⁴ ابن عاشور، تفسير التحرير والتنوير، الدار التونسية للنشر، تونس، 1984، (1/ 399).

للوصول إلى السلطة أو استخدامها بما لا يحقق رضا الله تعالى ولا مصلحة الناس¹⁶⁵، كما أنها ليست وليدة اليوم أو بدعة مستحدثة، فقد مارس رسول الله - صلى الله عليه وسلم - العمل السياسي، وعمل بمبدأ التعايش السلمي في مكة، ثم نظم وثيقة المدينة لتكون دستوراً سياسياً واجتماعياً مؤسساً لدولة الإسلام الأولى، وكان هو حاكمها الشرعي، ف (نصب الإمام من أتم مصالح المسلمين وأعظم مقاصد الدين)¹⁶⁶ ومقصد الدولة في الإسلام هو: (حفظ الدين وسياسة الدنيا به)¹⁶⁷

أما فصل الدين (الإسلام) عن السياسة فهو مبدأ عدواني مرفوض يسلب حق الإنسان المسلم وأمته من حق وحرية الرأي والتعبير: (الدين والملك توأمان، والدين أصل والسلطان حارس، وما لا أصل له فمهودوم، وما لا حارس له فضائع)¹⁶⁸ ويتعدى الأمر إلى ما هو أخطر من ذلك: (القول بفصل الدين عن السياسة معناه: إيعاء عدم لزوم الدين للحكومة، ومعنى عدم لزومه للحكومة: ألا يكون له - أي للدين سلطة عليها، ورقابة على أعمالها كما كانت للحكومة سلطة على الأمة، ورقابة على أعمالها) وفي معنى آخر: (إعلان استقلال من الحكومة التي كانت تابعة في أحكامها لأحكام الإسلام ضدّ متبوعها، وهو لا يقلّ في المعنى عن إعلان الحرب؛ لتمردها على متبوعها وخروجها عن طاعته)¹⁶⁹ وإنّ للعمل السياسي في الإسلام غايات وأهدافاً منها:¹⁷⁰

1/ إخلاص النية لله تعالى في العمل السياسي.

¹⁶⁵ د. أمين حسن عمر، دراسة في أصول سياسات الدولة الإسلامية المعاصرة، الخرطوم، 2014، ص 29.

¹⁶⁶ ابن تيمية، مجموع الفتاوى، (28/ 390)

¹⁶⁷ إبن خلدون، المقدمة، القاهرة، دار الشعب، 1950، ص 131.

¹⁶⁸ الغزالي، الاقتصاد في الاعتقاد، ص 99.

¹⁶⁹ الشيخ مصطفى صبري، موقف العقل والعلم والعالم من رب العالمين وعباده المرسلين، بيروت، التراث

العربي، 1981، (4/ 281)

¹⁷⁰ ينظر: د. فتحي الدريني، خصائص النظام الإسلامي، مصدر سابق، ص 197، 329، وكذلك: الفقه

السياسي الإسلامي، د. خالد سليمان الفهداوي، دمشق، الأوائل، 2003، ص 362، و376، وكذلك: نظام

الحكم في الإسلام، د. عارف خليل ابو عيد، عمان، النفاثس، 1996، 75، وغيرها من المصادر.

- 2/ الحرص على وحدة المجتمع والتعايش بين الناس .
- 3/ إحياء فرائض الإسلام، وإقامة دولته، ونشر دعوته.
- 4/ العمران والاصلاح وإقامة دولة المؤسسات .
- 5/ تطبيق العدل وإحترام حقوق الإنسان، وتوفير الحريات العامة ضمن إطار الدولة العام.

المبحث الثاني: العقبات السياسية لتطبيق الشريعة الإسلامية

المطلب الأول: العقبات السياسية الوافدة

ونقصد بها العقبات التي نشأت خارج العالم الإسلامي نتيجة لعوامل وتحديات سياسية أو فكرية أو تاريخية أو دينية، وهي عقبات قديمة نشأت مع ظهور الإسلام وبقيت إلى اللحظة الراهنة فاعلة ومؤثرة في منع تطبيق الشريعة الإسلامية، ومنها:

1/ العداة السياسيّة التّاريخيّة الواضح للإسلام وشريعته: وهو ما حذر منها القرآن والسنة أشد تحذير، كما في قوله تعالى: ((وَلَا يَزَالُونَ يُقَاتِلُونَكُمْ حَتَّى يَرُدُّوكُمْ عَن دِينِكُمْ إِنِ اسْتِطَاعُوا/ سورة البقرة، من الآية: 217)) وقوله تعالى: ((وَلَنْ تَرْضَىٰ عَنْكَ الْيَهُودُ وَلَا النَّصَارَىٰ حَتَّى تَتَّبِعَ مِلَّتَهُمْ/ البقرة، من الآية: 120)) وقال - عليه الصلاة والسلام-: (يوشك الأمم أن تداعى عليكم، كما تداعى الأكلة إلى قصعتها. فقال قائل: ومن قلة نحن يومئذ؟ قال: بل أنتم يومئذ كثير، ولكنكم غثاء كغثاء السيل، ولينزعن الله من صدور عدوكم المهابة منكم، وليقذفن الله في قلوبكم الوهن. فقال قائل: يا رسول الله، وما الوهن؟ قال: حبُّ الدنيا، وكراهية الموت) ولاشك في أنّ من يقودون ويأججون هذا العداة هم السياسيون، كما وقف حكام الفرس والروم في بدء الخلافة الإسلامية على رأس جيوشهم وحملاتهم السياسية والعسكرية لتأليب الناس ضد الإسلام، وما حدث فيما بعد في الحملات الصليبية الشهيرة، وما زال هذا العداة مستمراً حتى اليوم، وأحد أهدافه المهمة هو منع إعادة الحكم وتطبيق الشريعة الإسلامية: (أعتقد إنّ علينا أن نعمل جاهدين لتمزيق العالم الإسلامي، وتحطيم وحدته الروحية، مستخدمين لتحقيق هذا الغاية الانقسامات السياسيّة

والعرقية، دعونا نمزق الإسلام ونستخدم من أجل ذلك الفرق المنشقة والطرق الصوفية وذلك كي نضعف الإسلام ونجعله عاجزاً إلى الأبد عن صحوة كبرى).¹⁷¹

2/ تجزئة بلدان العالم الإسلامي إلى كيانات سياسية صغيرة ومتنافرة، وذلك بعد إسقاط الخلافة الإسلامية عام 1923، والتي احتلت من خلالها دول عربية عدة، وتعرض تركيا لأبشع عملية تغريب، وتدمير للقيم الإسلامية، والغاء الخلافة الإسلامية التي كانت تمثل القوة التي توحد المسلمين في مواجهة الغزو الاستعماري، وفرضت عليها شروطاً مذلة، بعضها يعرقل جانب السيادة السياسية، وهي¹⁷² :

أ/ قطع كل صلة لتركيا بالإسلام .

ب/ إلغاء الخلافة الإسلامية إلغاء تاماً .

ج/ إخراج الخليفة وأنصار الخلافة والإسلام من البلاد ومصادرة أموال الخليفة .

د/ اتخاذ دستور مدني بدلاً من الحكم بالشرعية الإسلامية .

3/ الهيمنة الغربية على القرار السياسي في دول العالم الإسلامي: ومن صورها التدخل العسكري ثم السياسي الأمريكي في العراق وأفغانستان وفي دول الخليج العربي¹⁷³، بل إبداء قبول السياسة الأمريكية لتسلم السلطة من قبل الحركات والأحزاب الإسلامية بعد إحتلال العراق في 2003، وفق شروط تفرغ عملية تطبيق الشريعة الإسلامية من جانبها الفعلي، ومن هذه الشروط¹⁷⁴:

أ/ عدم تهديد الأنظمة الحليفة لأميركا والغرب.

¹⁷¹ ريتشارد هيريد كجيان، الاصولية في العالم العربي، ترجمة عبد الوارث سعيد، مصر، دار الوفاء،

1989، ص 8

¹⁷² ينظر: حاضر العالم الإسلامي وقضايا المعاصرة، د. جميل عبد الله محمد المصري، الرياض، 1986، (113 /1).

¹⁷³ أحمد أصفهاني، أمريكا والإسلام السياسي، بيروت، دار الفرات، 2011، ص 18 وما بعدها.

¹⁷⁴ صلاح الدين خليل، موقف ادارة بوش الابن من الأصولية الإسلامية في منطقة الشرق الاوسط، رسالة ماجستير، جامعة بيرزيت، فلسطين، 2001، ص 24.

ب/ الإمتناع عن معاداة الغرب في قيمه وإستراتيجياته.

ج/عدم التكرر للعملية الديمقراطية بعد الانخراط فيها.

د/عدم اللجوء إلى العنف والنشاطات الإرهابية والقمعية في حال الوصول إلى السلطة.

هـ/ عدم الوقوف ضد العملية السلمية بين إسرائيل والفلسطينيين، وعدم الوقوف ضد الدول الساعية إلى التطبيع.

وكذلك التدخل الروسي العسكري والسياسي في السياسة السورية والليبية، والتدخل الفرنسي في الدول الإسلامية الإفريقية، و ذلك كله يتم لتحقيق أهداف كبيرة، بعضها متخيل أو مبالغ فيه، حيث تتصور الولايات المتحدة الأمريكية أن كل ما يخاف منها يشكل خطراً عليها: (لضرورة استمرار الهيمنة الكونية للولايات المتحدة يجب عليها الاعتماد على القوى الإقليمية الفاعلة لمواجهة الأخطار المحتملة)¹⁷⁵ وهذا الاعتماد هو هيمن وتدخل في القرار السياسي للدول العربية والإسلامية، بما يمنع أية محاولة للتفكير بتطبيق الشريعة الإسلامية من قبل هذه الدول: (تتطلب الهيمنة السياسية كذلك تهميش الدور الاقليمي الفعال للقوى الرئيسة في المنطقة وإعاقة هذه الدول عن إحداث أي تغييرات سياسية أو ممارسة نفوذ إقليمي).¹⁷⁶

وأسباب سياسية أخرى مؤثرة في عدم تطبيق الشريعة الإسلامية، لا يتسع المجال لبحثها: كتدخل المنظمات الدولية، وحملات التسقيط السياسي الموجهة من الخارج والوافدة إلى العالم الإسلامي، لتشويه الشريعة الإسلامية عموماً، والحركات الإسلامية الحديثة التي تسعى لتطبيق الشريعة -بشكل خاص-، كما حدث بعد ما يسمى بالربيع العربي، وغيرها من الأسباب.

¹⁷⁵ هينتينغتون، القوة الخارقة الوحيدة: البعد الجديد للقوة، آذار، 1999، تاريخ التعديل 15 2 2008، موقع:

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¹⁷⁶ حسن جوهر وعبد الله محمد، الخليج ومحاولات الهيمنة العالمية على منابع النفط مجلة السياسة الدولية،

العدد 133، تموز، 1998، ص 80.

المطلب الثاني: العقبات السياسية المتعلقة بالفكر :

وهذه العقبات نشأت من علاقة الدول الإسلامية بالدول الغربية، وانصهارها ضمن منظومة الأمم المتحدة وبقية المنظمات الدولية وما نتج عن ذلك من علائق فكرية ونفسية كان لها تأثير بالغ في عرقلة تطبيق الشريعة الإسلامية، ومنها:

1/ جهل معظم السياسيين المسلمين بقدرة الشريعة الإسلامية على مواكبة العصر، ومسايرة التقدم الحاصل في العالم، بسبب تنوع ثقافات وانتماءات هؤلاء، ومعظمها بعيد عن التفكير الإسلامي الصحيح، و(من ادعى إنَّ الشريعة ناقصة فإنه غير مؤمن لأنه مكذِّب لكلام الله، الذي صرَّح بأنَّ الشريعة تامة لا نقص فيها ولا عوج).¹⁷⁷ وهذه الحالة يمكن تسميتها بالأمية الدينية وتعني: الجهل بالدين وعدم معرفة مكانته وأحكامه، فإذا جهل ذلك أو جزءاً كبيراً منه، كان جاهلاً بالدين لا يصلح لسياسة الناس، مهما بلغ من درجة علمية أو تفوق في مجال ما.¹⁷⁸ ونماذج هؤلاء من أهل السياسة والحكم في العصر الحديث تكاد تبدأ سلسلتهم بأنتورك، الذي يقول: (القرآن إذا تصفحناه لا نجده يتحدث عن المشكلات التي نحكم بها المجتمع، نحن البشر نحكم أنفسنا)¹⁷⁹ ومثل هذا النموذج السياسي وضع نفسه في حرج شديد، قال تعالى: ((أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِنَ الدِّينِ مَا لَمْ يَأْذُنْ بِهِ اللَّهُ/الشورى، ٢١)).

2/ خسارة النخبة السياسية في الدول الإسلامية لثقة مجتمعاتهم: ذلك إنَّ (انعدام الثقة في الإسلاميين من مفكرين وسياسيين وقانونيين منوطٌ بهم وضعُ الشريعة الإسلامية في موضعها الصحيح في النظام السياسي والقانوني للدولة، أدى إلى قُفْد الناس الثقة في التشريع الإسلامي، وقد حدث هذا نتيجة أمرين:

¹⁷⁷ د. عمر سليمان الأشقر، معوقات تطبيق الشريعة الإسلامية، عمان، دار النفائس، 1992، ص 114.

¹⁷⁸ مناع الفطان، معوقات تطبيق الشريعة الإسلامية، مصر، مكتبة وهبة، 1991، ص 8.

¹⁷⁹ مجلة الإنقاذ، عدد 39، 1982، نقلا عن: الأشقر، مصدر سابق.

الأول: تعليق كثير من الناس الحكم على التشريع الإسلامي بحكمهم على الدعاة ونخبة المفكرين والسياسيين والقانونيين الإسلاميين.

الثاني: الممارسات المغلوطة لبعض هؤلاء السياسيين والقانونيين، وهو ما ينعكس بالضرورة على دعوتهم وسياساتهم ومناهجهم¹⁸⁰ وهذا النمط من السياسيين والحكام، يعارضون حكم الله تعالى وتحكيم شريعته، فكانوا سبباً واضحاً في تعثر تطبيق الشريعة الإسلامية، قال تعالى: ((وَيَقُولُونَ آمَنَّا بِاللَّهِ وَبِالرَّسُولِ وَأَطَعْنَا ثُمَّ يَتَوَلَّى فَرِيقٌ مِنْهُمْ مِنْ بَعْدِ ذَلِكَ وَمَا أُولَئِكَ بِالْمُؤْمِنِينَ 47 وَإِذَا دُعُوا إِلَى اللَّهِ وَرَسُولِهِ لِيَحْكُمَ بَيْنَهُمْ إِذَا فَرِيقٌ مِنْهُمْ مُعْرِضُونَ 48 وَإِنْ يَكُنْ لَهُمُ الْحَقُّ يَأْتُوا إِلَيْهِ مُذْعِنِينَ 49 أَفِي قُلُوبِهِمْ مَرَضٌ أَمْ ارْتَابُوا أَمْ يَخَافُونَ أَنْ يَحْيِفَ اللَّهُ عَلَيْهِمْ وَرَسُولُهُ ۚ بَلْ أُولَئِكَ هُمُ الظَّالِمُونَ 50 / سورة النور)).

3/ كثرة الأحزاب السياسية وتعدد أيديولوجياتها: وهذا مما لا يخدم وحدة المسلمين ولا يسهم في تطبيق شريعتهم، وهو عين التفرقة التي حذر منها الله تعالى بقوله: ((وَاعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا ۚ وَاذْكُرُوا نِعْمَتَ اللَّهِ عَلَيْكُمْ إِذْ كُنْتُمْ أَعْدَاءً فَأَلَّفَ بَيْنَ قُلُوبِكُمْ فَأَصْبَحْتُمْ بِنِعْمَتِهِ إِخْوَانًا وَكُنْتُمْ عَلَى شَفَا حُفْرَةٍ مِنَ النَّارِ فَأَنْقَذَكُمْ مِنْهَا ۗ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَهْتَدُونَ/ آل عمران، 103)) ومن مشكلات هذه الأحزاب وقادتها حصولها على تأييد بعض الجهات التي تقوي شوكتها: فأصحاب المناصب العليا بحكم كونهم أعضاء في الهيئة الحاكمة يميلون إلى تعزيز شرعية الصفة الحاكمة وتصرفاتها عن طريق تفسيراتهم للشريعة الإسلامية¹⁸¹ وتتضح: (خطورة قضية -الأحزاب السياسية- تظهر في حال تعددها وضعفها؛ فتعدّد الأحزاب الضعيفة يعني بالضرورة تعدّد السياسات والبرامج وتشعّب توجهاتها، وهو ما يستتبع - في الغالب - الأعم الاختلاف والتناحر والتمزق، وقد انعكس هذا على قضية تطبيق الشريعة؛ إذ عملت كثير من الأحزاب السياسية على اتخاذ هذه القضية مطيةً لجمع المؤيدين وتحقيق أهدافها السياسيّة بالوصول

¹⁸⁰ محمد وفاق زين العابدين، معوقات تطبيق الشريعة الإسلامية، مجلة البيان عدد 292، ص 8.

¹⁸¹ ريتشارد هيريد كجيان، الاصولية في العالم العربي، مصدر سابق، ص 45.

إلى سُدة الحكم، تارةً برفضها وتارةً بوضع خطط منهجية لقبولها تؤدي في النهاية - حتماً - لعدم تطبيق الشريعة¹⁸².

المطلب الثالث: العقبات السياسيّة على أرض الواقع:

1/ مخالفة السياسيين وأهل الحكم لشرع الله تعالى ومنع تطبيق الشريعة الإسلاميّة بالقوة وإجبار الناس على اعتناق أفكارهم أو أفكار غيرهم، بالإكراه وغسل الأدمغة وتشويه الحقائق عن الإسلام، وهؤلاء الحكام لا يرون منافساً لهم في فكرهم وسياستهم مما شكل سلوكهم هذا عائقاً لتطبيق الشريعة الإسلاميّة، فمثل هؤلاء الحكام: (لا يوجد من يحدّ صلاحيّاته في الحكم غير إرادته ومشيّته هو نفسه، وأنّ القانون يسبب إرادته فهو صاحب الحاكمية ويجب على الأفراد طاعته فهو القادر المطلق في ذاته ولا يجوز سؤاله فيما أصدر من أحكام عن الخير أو الشر ولا عن الصواب أو الخطأ، ولا يحلّ لأحد ممن يتبعه أن يرى منه شيئاً خطأ، فلا بد أن يعترف له الجميع بكونه سبوحاً قدوساً منزهاً عن الخطأ).¹⁸³ ومثال ذلك ما فعله (بورقيبة) رئيس تونس في سبعينيات القرن الماضي، حيث أصدر قرارات ألغى بها الوقف العام والخاص، وحوّل سلطة المحاكم الدينيّة الى مدنيّة، وألغى نظام تعدد الزوجات، وأمر بمراقبة حكومية مباشرة على جامع الزيتونة ومؤسساته التعليميّة¹⁸⁴، وبذلك فقد وضع نفسه مشرعاً في الثوابت من شريعة الله تعالى.

2/ خضوع حكام المسلمين لأعداء دولهم: وهؤلاء يشيرون على الحاكم ويأمرونه بتعطيل تطبيق الشريعة فيستجيب لهم، بسبب (موافقة هواه لهواهم: وذلك كونه كافراً أو منافقاً لهم فاتحدت أهواؤهم والتقت على تعطيل الشريعة، وطمعه في إغراءتهم: وذلك أنه يعطل تحكيم الشريعة لتحصيل منافع مادية ومعنوية منهم، كأن يعطونه مالاً، أو سلاحاً، أو

¹⁸² محمد وفيق زين العابدين، معوقات تطبيق الشريعة الإسلاميّة، مجلة البيان عدد 292، ص 8.

¹⁸³ المودودي، نظرية الإسلام وهدية في السياسة والقانون والدستور، ترجمة: جليل الاصلاحى، بدون مكان طبع، ص 201.

¹⁸⁴ ينظر: د. عمر سليمان الاشقر، معوقات تطبيق الشريعة مصدر سابق، ص 50.

طعاماً، أو جيشاً منهم يحارب معه، أو تأييداً سياسياً في المحافل الدولية، أو يقفوا معه ضد أعدائه، أو لخوفه من تهديداتهم: وذلك بأن يخوفوه ويرعبوه ويهددوه بالحرب والغزو، أو بالحصار، أو بتأليب الأعداء والمنافقين عليه..¹⁸⁵ وهؤلاء الحكام وأهل السياسة يتجاهلون حديثه - صلى الله عليه وسلم-: (نفث روح القدس في روعي أنّ نفساً لن تخرج من الدنيا حتى تستكمل أجلها وتستوعب رزقها فأجملوا في الطلب ولا يحملنكم استبطاء الرزق أن تطلبوه بمعصية الله فإن الله لا ينال ما عنده إلا بطاعته).¹⁸⁶

3/ فشل السياسيين المسلمين في تطبيق الشريعة الإسلامية، لضعف حنكتهم الدينيّة والإداريّة والسياسيّة، فهم في الأغلب يرتقون مناصب الحكم في الدول الإسلامية عن طريق توريث الحكم أو الانقلابات العسكريّة أو الثورات أو الانتخابات غير النزيهة، وهي طرق لا تكشف كفاءة السياسيّ أو حنكته، ثم تكتمل دائرة الفشل بوجود بعض المستشارين الذين لا يفقهون دينهم ولا واجبه في تطبيق الشريعة: و (يزعم بعضهم أنّ أحكام الشريعة منثورة في بطون أمهات الكتب، وأنها كثيرة متشعبة تستعصي على الجمع والتقنين، ولا سبيل لتطبيق الشريعة من دون تشكيل اللجان وعقد المؤتمرات والندوات ووضع الأبحاث والدراسات والمشروعات لتقنين أحكام الفقه في المجالات القانونية المختلفة، وهو ما يستغرق وقتاً طويلاً ربما يصل إلى عدة سنوات).¹⁸⁷ قال تعالى: ((وَقَالَ مُوسَى لِأَخِيهِ هَارُونَ اخْلُفْنِي فِي قَوْمِي وَأَصْلِحْ وَلَا تَتَّبِعْ سَبِيلَ الْمُفْسِدِينَ/ الأعراف، 142)) فمثل هؤلاء السياسيين فشلوا في خلافة الله في أرضه، ولم يصلحوا، وأتبعوا سبل الفساد، فكانت النتيجة عدم تطبيق أحكام الشريعة الإسلامية.

¹⁸⁵ عصام العبد زهد، و د. جمال الهوبي، تحكيم الشريعة ومعوقات التطبيق، بحث مقدم الى مؤتمر (الاسلام وتحديات العصر) الجامعة الاسلامية، غزة، موقع: soool.iugaza.edu.ps.

¹⁸⁶ رواه ابو نعيم الاصبهاني، حلية الأولياء (27/10) وصححه الألباني في الجامع الصغير (420/1) برقم (2085).

¹⁸⁷ محمد وفق زين العابدين، معوقات تطبيق الشريعة الإسلامية، مصدر سابق، ص 8.

نتائج البحث

- 1/ الشريعة الإسلامية هي: كل ما شرعه الله لعباده من الدين، وهي تسعى: لعمارة الكون، والعبادة، والخلافة.
- 2/ تتجسد فرضية الشريعة الإسلامية في نظمها المؤسسة على شريعة الإسلام الغراء، فهي ناجحة وملائمة للحكم بها.
- 3/ إن السياسة في معناها وتطبيقها، تعد جزءاً لا يتجزأ من الشريعة الإسلامية، أكد عليها القرآن الكريم وعمل بمقتضاها رسول الله -صلى الله عليه وسلم-.
- 4/ العداء السياسي التأريخي الواضح للإسلام وشريعته، من أهم عقبات تطبيق الشريعة الإسلامية.
- 5/ من عقبات تطبيق الشريعة الإسلامية: جهل معظم السياسيين المسلمين بقدرة الشريعة الإسلامية على مواكبة العصر، ومسايرة التقدم الحاصل في العالم.
- 6/ الممارسات المغلوطة لبعض السياسيين المسلمين ينعكس بالضرورة على أية دعوة لتطبيق الشريعة.
- 7/ منع تطبيق الشريعة الإسلامية بالقوة من قبل بعض السياسيين وإجبار الناس على اعتناق أفكارهم أو أفكار غيرهم بالإكراه حالة موجودة ومؤثرة.

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V. Conceptualizing Political Models

12. Caliphate as the Site of Future (and Futurist) Ummatic Political Imagination

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Introduction

Can Muslims *qua* Muslims think politically? If so, what might be the sites and modalities of such thinking? Furthermore, how can Muslims *qua* Muslims *act* politically, fulfill their obligations to other Muslims, and to the world at large, especially those separated from them by national boundaries? Are Muslims even permitted—by our own imagination first of all—to probe these questions and imagine alternative responses and courses of action?

Ever since the beginning of the War on Terror, that is, for nearly a generation, these questions have been especially neglected. They have been neglected not because they are irrelevant, but precisely because they have become both the most consequential and riskiest to ask. These questions, I submit, are the ones that compel us to *recall* the caliphate. *Recalling the Caliphate* is, of course, the title of an important book by Salman Sayyid, who attempts to create a psychological space for thinking about the affairs of the Ummah in a new register. For my own thinking, Sayyid's book is a point of departure rather than a sustained interlocutor. One of the accomplishments of Sayyid's book is that it focuses not on institutions (it, in fact, has almost nothing to say about the caliphate as an institution *per se*), or on a path toward establishing a global Muslim polity, or on legal theories of the caliphate, or even on the obligation—religious or pragmatic—of the caliphate. Rather, Sayyid focuses in his book on the problem of imagination and what hurdles and obstacles confront us when we think about the Ummah as an epistemic category. Sayyid observes that we seem unable to wrestle our way out of the political language of “Westernese”—the language of the nation-state, and

problems of constitutionalism, democracy, and human rights as conceived within the limits of this newfangled European imposition. Indeed, it appears impossible to expunge these registers from our discourse. Their linguistic presence inevitably defines and delimits our political aspirations and imagination. How has this challenged what it means to think about the Ummah, and in what ways do these self-imposed limits hinder our political imagination? These are the questions I want to broach.

Politics is an activity that is crucially dependent on collective imagination of a community. Unlike the palpable activities that our biological and social existence makes necessary, politics is not a “natural” activity, and is often understood through metaphors or analogies. Nearly all politics is thus imagined through some more immediate metaphors: the ruler as the father (the patrimonial state), as divine or divine representative, as the shepherd, and to recall some recent metaphors, the “nanny state,” the night-watchman state (the libertarian ideal), and so on. A nation (whether territorial or faith-based) is born when the vocabulary and metaphors, through which they imagine their collective existence, and its problems and solutions become widely shared; this sharing allows us not only to debate and resolve problems, foresee possibilities, but to create actionable desires and memories. The political imagination of a people, whether or not inscribed in institutional form, dictates its political possibilities. For instance, the rulers of Saudi Arabia, a highly “ideological” and “religious” state, can reasonably expect to get away with arbitrary executions (even putting opponents through meat-grinders!) and eliminating opponents, not to mention appointing dynastic successors within the royal family. This is not to suggest that the absence of institutions of accountability is not a factor in explaining the Saudi rulers’ behavior, but rather that it is only one and perhaps not the most important factor. Democratic rulers, such as American President Truman, have dropped atom bombs on populated cities just to make a point (rather than for political necessity) and American society has gotten away with

calling it “the good war.” Regardless, no autocrats’ powers are truly absolute. The point, simply, is that even the most egregious actions of rulers, whether autocratic or democratic or somethings else, are made possible by a discursive context and a preexisting imaginary. In the Saudi case, this is the absolute powers of the *wali al-amr*—who has complete autonomy in *certain current interpretations* of Sunni Islam, so long as he does not publicly apostatize from Islam. In the American case, the deep racism against non-whites may go a long way in explaining the indifference of a free, democratic society in objecting to the killing of hundreds of thousands of non-combatant civilians in the blink of an eye. No doubt, when challenges to such acts are found to be weak, far and few between, or otherwise easily contained, such acts publicly create or strengthen the discursive and psychological capacity that can tolerate, if not encourage, further such acts. Conversely, rulers are often penalized for such behaviors as looking weak, violating religious taboos or sexual mores, dissolving parliaments, and so on. These are all possibilities that are first and foremost ensconced in political discourse and imagination. Political discourse shapes and articulates the political imagination of a people, and as such the people’s vision of the collective ideal. It is the power of this shared envisioning that enables the existence of a political community and brings political practice out of the realm of unadulterated might to morally comprehensible practices. The creation of a morally grounded political discourse enables the attainment of high-minded ideals, however occasionally, in a realm that is all-too-often pervaded by the narrow-minded and short-sighted jockeying of self-interested actors.

This takes me to a second point: The asymptotic nature of political ideals. As human beings, we always aspire to ends that we cannot fully realize or achieve. Ends that we have already reached are not worth aspiring to. This is true of people who think themselves secular just as much as the religious. As Muslim believers, for instance, we aspire not to commit sins, and are asked by God not to commit sins or even come close to them. Yet none of us ever believes that we in fact would ever cease to

commit sins. Falling into sin and error is inevitable. It would seem an enormously foolish idea to spend one's days and nights thinking about achieving a goal that, at the same time, is evidently not fully achievable. Why, then, do we try not to sin? Why do we not figure out a different paradigm of life? To some degree this latter question marks a fundamental feature of modernity and of the modern imagination: an attempt to bring our ideals down to earth, rather than ourselves trying to rise to heaven, to reach for only those objects that we can in fact attain in this life, to "immanentize the eschaton," and either deny or at least set aside for all practical purposes any discussion of matters that are beyond our reach.¹ Yet we find that, in fact, this has never been the case. Not only do we not have any hope that this will be the case—that we will only aspire to ideals that we have achieved—but in fact we positively do not want to have such a hope.

Not only is this true of religious goals and goals of religiously inspired politics, but it is also true of modern secular ideals such as democracy, constitutionalism, and liberal human rights. Our best theorists of democracy like Sheldon Wolin and others have argued that democracy is a rare, momentary existence, a fugitive that is always on the run and must be sought, that it is a moment in the life of a people rather than the name of an institutional arrangement. There are moments in which a people's collective will, after due deliberation, will coalesce and make a difference; such moments quickly disappear. The most common refrain in a democracy is how elections are controlled by corporate powers or other special interests. Yet we do not stop calling ourselves a democracy or stop imagining that there could be another democratic moment. Those committed to democracy are, by definition, those who are not thwarted by such realizations. When democracy delivers rotten eggs to us, we still hope and aspire that another moment of democracy will give us

¹ The phrase "immanentize the eschaton" was coined by conservative philosopher Eric Voegelin in *The New Science of Politics* in 1952 and became popular among the mid-century American conservative intellectuals.

something better. When we realize that democracy will never be able to solve, for instance, the problem of global climate change (because the empirical and scientific data confirm that humans do not work for their long-term interests), that vast majority of human beings will not sacrifice immediate tax benefits in order to plan for the next fifty years, and that the rhythm of the planet on which we must live is measured in decades and centuries for which a democratic system cannot plan without fundamentally curtailing the four-year-cycle of a democracy, we still aspire for a truer democracy to emerge.

This is precisely what it means to live according to an asymptotic ideal.² Perhaps the metaphor of an asymptote is not quite perfect because we are not even really inching close to democracy, or whatever ideal we might have. But in our imagination, it is always within reach and worth living for, even as we fail in achieving it and seem to be failed by it. This is true faith, and in this respect, all political thinkers are religious. Those who use democracy as merely a useful tool are not really committed to democracy. The same is true of liberalism, progressivism, and other such ideas. We can say this about capitalism, for example, a system which, on the one hand, is believed to govern all modernity, but, on the other, is always beyond reach, for at no moment have our markets actually been free. Still, its devotees swear by capitalism and maintain that the monumental problems we encounter are not because of capitalism but rather due to its deficient application or neglect of its true demands.

The modern Muslim mind has been the captive of foreign visions, of someone else's dreams, of dreams from whose creation Muslims as Muslims are decidedly excluded. To draw on Ibn Khaldun's insightful remarks about the psychology of defeat, the vanquished—and he meant not military but what we would today call intellectual and spiritual defeat—imitates his conqueror in every respect, not knowing which of the conqueror's traits make him superior and invincible. Muslim

² Ovamir Anjum, "Who Wants the Caliphate?" Yaqeen Institute, 10/31/19 <https://yaqeeninstitute.org/ovamiranjum/who-wants-the-caliphate> (accessed 6/12/21).

intellectuals today also labor under a self-imposed exile of their own imagination.

My contention is that we must challenge this iron cage of alien dreams that have become nightmares and dare to sketch out our own dreams. I do not mean that we must oppose modernity or reform and adhere to some idealized past. The most oppressive paradigms, such as that of the nation-state, the current world-order, the assumptions of the modern human rights discourse, the path to progress through catching up with the West, and so on, are not necessarily false but rather nefarious insofar as they cripple our imagination.

Today, the very possibility of public discussion of the limits of the nation-state is the result of almost three decades of erosion of the nation-state worldwide, otherwise known as globalization. In talking about the political (re)unification of certain Muslim states, we are hardly engaged in brave, new thinking, nor are we exploring any uncharted waters; the creation of the European Union in the very birthplace of the nation-state began to erode the defining commitments of the nation-state (monopoly over violence and legislation, economic activity, and loyalty of its citizens) more than thirty years ago.

Why has Muslim political imagination lagged so far behind? I do not have a satisfying answer, but it seems clear that after the traumatic fall of the Ottoman Caliphate in the early twentieth century, the thinkers, jurists, and even the more world-wise Islamic reformers largely failed to identify or sufficiently question the paradigmatic limits the nation-state imposed on Islamic solidarity, belonging, governance, and norms. Perhaps it was the post-traumatic condition that allowed the Turkish, Arab, and South Asian Muslim societies to forget their past, their bonds of solidarity, and their rich reservoir of tradition and faith, and embrace their very tormenter, the secular nation-state, as the only realistic alternative. Be that as it may, as many historians and observers have since noted, the Middle East has never recovered from this trauma. The traumatized nations now under the shadow of secular dictators were rather

quick to accept this new entity as part of the natural order.³ The powers of modernity so stunned the Muslim mind that the factors that were seen as the basic elements of modernity were received as unquestionable and then gradually as givens—as unquestionable facts to which Islamic legal, ethical, and political imagination had to submit the same way that we must respect the law of gravity. The inherited Islamic norms such as the caliphate, *dar al-Islam*, and *jihad*, not to mention numerous other socioreligious institutions that underpinned a more-or-less coherent premodern life, were abandoned not based on some coherent vision of norms and realities but by the force of inevitability, rendering unthinkable any alternative to the catching up with the West that the Muslims had to do.

What kind of agency do the vanquished have? Does military and material defeat necessitate the surrender of moral and political imagination? The upshot of my contention is that it does not. Today, after being ravaged by the Cold War and then the War on Terror, the Muslim Ummah finds itself just as divided against itself, just as unresolved and unassembled as in the early decades of the twentieth century, and the problem of political legitimacy remains our single greatest concern.

Our first act of rebellion against the darkness at home and foreign imperialism must begin, I submit, by brazenly talking about ourselves as ourselves, by abjuring the embarrassment of speaking as Muslims. This is the beginning of the restoration of our political vision, or refusal to surrender what has survived, sometimes subconsciously, of our shared political imagination. This brazenness, this act of imagination that irritates the hard-nosed realist as well as the anxious priests of the current order, comprises the first impulse of our agency as an Ummah. All original political thought, as the seminal American political philosopher

³ For an accessible new history of the “social contract” the post-colonial Arab states offered their “nations” over the course of the three or four generations in return for subjugation, see Iyad El-Baghdadi and Ahmed Gatnash, *The Middle East Crisis Factory: Tyranny, Resilience and Resistance* (2021).

Sheldon Wolin remarked, is born in moments when the institutions of an old world seem to be failing and new ones have not taken hold, when the existing institutions cannot support the needs and aspirations of the majority yet no alternatives seem inevitable.⁴ Precisely because the old systems are crumbling, any new envisioning appears to be risky, ungrounded in evidence, unsupported by memory or experience, and hence, to most who have the luxury to be cautious, unattainable. To delineate such a vision, one may look at the past near and distant in order to speculate about the future; or read the signs of the forces not yet fully apparent and try to see past the shadow cast by the forces of the crumbling order, the shadow that dims the possibility of seeing past them, no matter how unsustainable, illogical, and immoral they might seem. This is the challenge, and exhilaration, of all political envisioning.

The caliphate to me is the label for such imagination for the future of the community of Islam. It is not a particular medieval institution that would confer absolutizing power upon one strongman. Even if such a thing were possible, it would not be a sustainable or bearable fact. I need not reiterate here what I have explained at some length about the various configurations of the caliphal institution in the past in my aforementioned article. Here I wish only to emphasize that for there to be a political institution that represents the Ummah one day, it will need to be a place in the Ummah's imagination first. This political imagination that is premised on both the hope and necessity of our current reality must be cultivated through discourse, nurtured through stories and songs, and honed through critique and debate before it can become a worthy ideal for a global Ummah to aspire to. To delineate this political vision, it is important not only to engage with the classical caliphate discourse (which has been at the heart of the history of Sunni orthodoxy), but also the critical, clear-eyed political history of the caliphate (inevitably its Ottoman manifestation in the nineteenth century), the geopolitical history of the world orders, and the more recent technological and political

⁴ Sheldon Wolin, *Politics as Vision* (Princeton University Press, 2004 [orig. 1960]), 9.

developments that have led to the rise of civilizational states such as China and India. My call to revive an ummatic imagination, then, is a call not only to write poetry and shout slogans but also, and more importantly, to engage in historical and critical scholarship and strengthen networks of Muslim public spheres worldwide.

The creation and nurturing of a global ummatic discourse that dreams up the caliphate is not a pale substitute for the real thing, but a necessary requisite and complement, for without a discourse that attracts and involves the visions of a multitude of viewpoints and sections of the Ummah, the claim to the global leadership of Islam, as we have seen over and over again, is liable to be meaningless, arbitrary, and open.

13. The Caliphate of Man: The Problem of Popular Sovereignty in Modern Islamic Thought

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Introduction

The Caliphate of Man is a study of the development of a particular political theology in modern Islamic thought that grounds a doctrinal commitment to a form of popular sovereignty in the Qur'ānic claim that God has created a “caliph” on earth. My book argues that this vision of popular sovereignty is not merely a superficial apologetic moved designed to refute claims that “Islam is not compatible with democracy,” but rather reflects a genuine intellectual revolution in modern Islamic thought. This revolution consists in a move away from a view of politics as just guardianship and pious representation by rulers and scholars to a distinctive vision of democracy whereby a just and pious people governs itself while also representing God’s instructions to humanity. This intellectual revolution involved more than political pragmatism or superficial adoption of democratic language. It consisted in a comprehensive reformulation of Islamic political philosophy, built in particular on a theological claim about mankind’s status as God’s vicegerent—or caliph—on earth. That reformulation involved not only reducing rulers to their proper status as agents of the people but also implicitly raising the people to the ultimate arbiters of God’s law. My claim is that if Islamism as a political theology represents a grand idea, one that is meant to challenge and replace others in the modern Muslim public sphere, it is this. My book seeks to explore this ideal, where it came from, and what were its theoretical conditions of possibility. But in the wake of the authoritarian counterrevolutions after the Arab Spring, I also ask whether this ideal theory of a kind of Islamic democracy is now a matter of history, and intellectual history at that. And, if so, does this not

leave Islamists with a kind of intellectual crisis as they seek to define what distinctive approach to political life Islam has to offer?

In the first order, my book seeks to take seriously the aspiration to theorize comprehensively the fusion of divine and popular sovereignty. What does it mean to hold that both God and the people can be said to be “sovereign?” Imperatives of the divine and the popular, the theocratic and the democratic, often speak in different voices. Divine sovereignty is the language of transcendence and alterity. Whatever the place of human nature in knowing God and embracing His law, the Islamic conception of the divine law locates it outside of us—not as written in our hearts, but primarily written in texts and signs. God’s command is addressed to humans, and their initial obligation is entirely passive: to receive, hear, submit, obey. Responsive action is in the first order a matter of trust and faithfulness.

By contrast, much of what is involved in popular sovereignty involves the absence of God. God (for Sunnis) has not designated a ruler and so the people have a collective duty to choose and appoint one. God’s law may, in theory, be comprehensive, but it is silent or imprecise on countless particular questions, and so the people have to judge and act in the spaces left by that silence. If to speak of divine sovereignty is often to speak of that which is fixed and constraining, popular sovereignty often refers to the indeterminate spaces of judgment and uncertain consequences of action.

But a core thesis of my analysis is that the divine and popular elements in Islamic democratic theory are often derived from the same commitments and materials. Divine command is not just a constraint on human freedom, and human freedom is not just the absence of divine command. Rather, the foundation of Islamic democratic theory is the same as the foundation of Islamic theocratic theory. That foundation is the relationship between divine address and the divine delegation. The political theology of popular sovereignty in Islam is that the *ummah* has been entrusted by God with the realization of His law on Earth. God is

the principal agent and actor, and the first response of the people-as-deputy is a passive and receptive one. But the force of God dignifying mankind as His caliph is that He has deputized no one else in between God and man—no kings, no priests, no scholars. Adherence to the covenant of vicegerency is also synonymous with human virtue and perfection. But above all, the idea of the universal caliphate of mankind points beyond the mere fulfillment of the law to the popular creation of the law, the ultimate marker of sovereignty.

But this ideal leaves unresolved certain paradoxes and uncertainties. Which specific aspects or powers of sovereignty are the “people” said to enjoy? Are they fully sovereign powers, or are they constrained? What are the implications for traditional conceptions of the divine law and those agents who claim to represent it? What kind of “people” is imagined to be sovereign; what are the conditions for it to claim this authority; and how is this sovereignty represented and enacted?

In my analysis, the attempt to answer these questions at a theoretical level reaches its apotheosis in the pre-2011 thought of figures like Rāshid al-Ghannūshī. Ghannūshī’s views are complex and I cannot summarize them entirely here (I do so in Chapter 6 of *The Caliphate of Man*), but on my reading the aspiration to theorize an ideal regime type based on a sovereign people that this is at the same time constrained by divine address culminates in the claim that the *ummah* can be seen as “the source of legislation” because, while God is the primary and original source of legislation, the *ummah* participates in divine will through its public practice of mutual consultation. Moreover, for all the binding and constraining quality of God’s eternal law, “the goal of the eternity of this final, sealing law required restricting and limiting the text of revelation to a determination of general principles and a few select particulars for organizing human relations and economics.” The revealed law leaves the “filling out of the details of that framework to the legislative efforts of the *ummah*, developing with time,” a practice that Ghannūshī equates with the idea of universal communal consensus (*ijmā‘*) as a source of divine

law alongside revelation. This fact induces Ghannūshī to proclaim that when deliberating about political matters, “the *ummah* is guided by God and acquires from His light protection against collective error.”¹

When Ghannūshī writes that the *ummah* participates in sovereignty and rulership with its legislative authority, this implies a very specific relationship to the sources and outcomes of lawmaking. In this perfectionist scheme “it is not sufficient for a citizen to follow the law because its legality emanates from a legal body, that is, an elected one, or even from the people as a whole, but it must also agree with the divine authority represented by the *sharī‘ah*. Otherwise, the believer must not only refrain from applying it, but he must resist and rebel against it, according to his means. For that reason, Islam does not entrust the supervision of the state’s laws to a particular body—though that too is needed—but rather to the people as a whole, who are the guarantors of God’s law.”² What holds together this imagination that divine sovereignty can be realized as popular sovereignty? Divine sovereignty as a pre-political law embodied in Text, constraining political life, only comes to life through a particular kind of collective and individual popular agency. This is an agency built on moral and epistemic commitment to fulfilling the covenant of vicegerency. The theory of popular sovereignty envisioned by the caliphate of man is thus a kind of republic of virtue in that it presupposes a people that is both united morally around a shared conception of truth and committed both epistemically and practically to seeing politics as the realization of the divine trust to be faithful to God and pursue the *ummah*’s legitimate worldly interests.

My hope is that my book will have the effect of making central the theology of the “universal caliphate” to scholarly discussions of modern Islamic political theory. I also hope that my book moves discussions of “Islam and democracy” beyond questions of (in)compatibility toward more detailed considerations of the variety of

¹ Ghannūshī, *al-Hurriyyāt al-‘amma*, 119 (2015 ed., 133).

² *ibid.*, 221 (2015 ed., 253).

forms of democratic theory and the conditions of possibility for specific democratic regime types to be realized. In addition, there are a few other themes from the book that I would like to bring separate attention to, especially now that it has become so common for Islamist thinkers to shift their attention from the ideal of a thorough-going Islamic democracy to a more modest ideology of “Muslim democracy.” Is the intellectual tradition of “democratic Islamism,” developed in an ideal form during the decades of exile from power, destined to remain just that—an ideal theory forming an intellectual tradition rather than an actually realizable regime type?

One preliminary observation may be that insofar as the ideal regime type of an “Islamic democracy” is a kind of republicanism, it confronts many of the obstacles faced by all forms of republicanism. The notion that republicanism demands too much of ordinary citizens by way of participation, knowledge, and virtue is precisely the source of the modern view that popular sovereignty can only be expressed through exceptional moments of constituent power, leaving government to elected representatives. Moreover, it places a faith in politics and the state that is simply absent in most modern societies, particularly in most Muslim ones that have high levels of alienation from the state and ruling oligarchies.

But I would like to conclude by raising what I consider the single most important *moral* factor that makes the specific vision of an Islamic democracy likely to remain at the level of an ideal, what I refer to in the book as “the irreversible moral pluralism of modernity.” Modern Islamist political thought attempts to repurpose classical Islamic legal concepts for a modern structural and institutional context. One first tension between the core assumptions of this project and modern sociological realities in Muslim societies is that Muslim-majority societies are characterized by the same fundamental challenge of pluralism as other modern societies. It is maybe true that “for the great majority of Muslims today, the Sharī‘ah remains a source of religious and moral authority.”³ But Muslims disagree

³ Wael Hallaq, *The Impossible State*, x.

radically on what this implies and who they want to speak in the name of the *sharī'ah*. For many (including Hallaq), this kind of pluralism is itself a tragedy that Muslims only have to face because of colonialism. But if it is true that a genuinely “Islamic” popular constituent moment is an impossibility today, that is more likely to be because of the combination of moral pluralism in Muslim societies and the irrelevance or inadequacy of the premodern Islamic legal rulings (not principles) for most social and economic policy areas. In modernity, there is reasonable disagreement about ethics, even for Muslims or those living in Muslim countries. This is a fact that cleaves the idea of an “Islamic” popular constituent power in two: either a given people is free to choose to form whatever government it wishes (in which case Islamic legal theory has nothing to say), or the freedom of the constituent moment is usurped by the prior constraints of fidelity to some pre-political Islamic social contract.

I would submit that this is particularly a problem for modern Islamic political thought precisely because of its aspiration to deep legality. Although much modern commentary has focused on the problem of “Islam and violence,” the more accurate story is that the modern Islamist vision is (though not pacifist) one of consensus as the deep foundation of politics. From Riḍā’s preoccupation with re-founding the caliphate on purely consensual grounds to Ghannūshī’s vision of a people that sees itself as God’s caliph enacting a kind of dual social contract between God and it, and then it and its government, modern Islamism shares with certain kinds of liberalism precisely an embarrassment at the violent origins of politics and the violence needed to sustain it. Even the utopianism of Quṭb, arguably responsible for the ease with which some more radical Islamist groups have rationalized violence, structures his reflections around a humanity that might well be conceived of as born free, that is, in its innate condition of monotheism and good (enough) moral disposition. What all of these theories have in common is beginning by simply positing the existence of an *ummah*, with its essence of piety and moral unity already established. Of course, an Islamist theory of

politics could acknowledge that this *ummah* does not exist, but must be formed through education and coercion, as Quṭbist theories do by calling for a vanguard to take power in our present fallen times. But this is simply not the spirit of so much of modern Islamist thought before and after Quṭb, which not only rejects the violence authorized against *jāhiliyya* but also tends to imagine *jāhiliyya* away at the level of ideal theory.

Of course, the option remains for Islamic democrats to imagine an “Islamic democracy to come,” a future sovereign *ummah* that can express its moral unity politically, after the people has “returned” to its natural piety by a combination of removing the alien causes of disunity and gentle education. This is not a contradiction. Every democratic theory, if it hopes for more than managed competition or the minimalization of the evils that government can do, has to rest on a faith in the people becoming fit for self-rule. All that remains to be said is that because this Islamic democratic vision of self-rule involves a very deep kind of consensus about metaphysical truths and the ethical purposes of human life, it does not escape the possibility that such deep moral agreement is no longer likely in the contemporary world, at least without the kinds of coercion and limitation on freedoms of conscience and speech that Islamic democrats claim to reject. What if moral pluralism is here to stay?

This may indeed be a moment when the vision of both democratizing and Islamizing the modern state finally gives way to other horizons and possibilities. When Islamizing law seems less of a panacea or even a minimal condition of legitimacy, living and acting politically in such a moment is less of a challenge, perhaps, than theorizing it. Beyond subtracting Islamist idealism, even utopianism, and accommodating political reality, what are Islamic norms adding to the political?

It is possible that the most important horizon for Islamic political thought today is a post-statist, even post-sovereignist, one. This is not just an observation imposed by the theoretical structure of my book. Alongside the claims to have moved into “post-Islamism” or “Muslim

democracy,” there is a nascent discourse on Islam and the political “after the state.”⁴ Although this may require a new generation of thinkers, it may also be a horizon that traditional Islamist thinkers themselves are best equipped to observe. This is not only because they best acquainted with the difficulty of realizing a fully Islamic public sphere, but also because they are some of the greatest witnesses of the brutality and danger of state power. Ghannūshī himself, while observing the inherent authoritarianism of any state (even an Islamic one), when it holds the society and the economic in its grip, that the post-statist, post-sovereignist Islamic vision may be one that focuses on society as a space for expanding the freedom from state tyranny for a variety of ways of life, not only religious ones but also materialist, secular ones. His model for this more normatively laden vision is not the Constitution of Medina, but ninth-century Baghdad which, in his telling, saw no contradiction in allowing for the flourishing of multiple ways of life and moral-intellectual communities, including those pursuing materialists and nontheist cosmologies.⁵

There is something of a “liberalism of fear” to this insight. Islamists like Ghannūshī have experienced more than their share of the awful and tyrannical power the state is capable of. And so, limiting that power, not only for the sake of the ordinary goods of nonviolence and nondomination, but for the freedom for religious ways of life to be able to flourish, is less a theoretical, doctrinal achievement than one earned by the practical, political experience of opposition to authoritarianism. In my view, this potentially heralds an Islamic political thought in a new

⁴ See, for example, Hiba Ra’ūf ‘Izzat, *al-Khiyāl al-siyāsī li’l-Islāmiyyīn: mā qabl al-dawla wa mā ba’duhā* (al-Shabaka al-‘arabiyya, 2015), which is a study of the “Islamist political imagination” before and after the state, and the earlier cited Jāsir ‘Awda, *al-Dawla al-madaniyya*, which less a traditional claim that the Islamic state is a civil state and more that a non-authoritarian, civil state is what will make society safe for the development of Islamic ethics.

⁵ This is that theme that emerged repeatedly in my dialogues with him (transcripts on file with the author, forthcoming in translation).

register, a *political* Islamic political thought,⁶ one that is informed both by the political as its own domain of pluralism and novelty, and also by Islamists' reflection on their cumulative historical experience of political action. There need be no preset script for this register of thought (liberal, theocratic, or otherwise), but it may take place without the fantasy of sovereignty.

⁶ To invoke Jeremy Waldron, "*Political* Political Theory: An Inaugural Lecture," *Journal of Political Philosophy* 21, no. 1 (2013): 1–23.

VI. Case Studies in Governance, Government Reforms, and Authoritarianism

14. Islamism, Politics and Bangladesh: The Democratic and Political Culture of Bangladesh Jamaate Islami

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Introduction

Bangladesh is a country in South Asia on the southern side of India and above the Bay of Bengal. It is a tiny country, with a population of about 163 million people. Following a nine-month bloody Liberation War in 1971, Bangladesh was liberated as an independent country. This however came at a huge cost as three million people were killed during the Liberation movement against the government of West Pakistan. At the time of the liberation war, some political parties thought it would not be in the interest of the Bangladeshi people to secede from Pakistan because they believed India was behind the calls for separation of Pakistan so as to achieve its own political and imperialistic interests. Consequently, there were more than six political parties who disagreed with the separation movement of Bangladesh from Pakistan. The respective parties were namely Bangladesh Jamaat-e-Islami (BJI or better known as Jamaat) Muslim League, and Nejame Islami, a renowned Pro-China Communist Party. In addition, thousands of scholars and intellectuals who were not involved in any political party also sincerely opposed the Liberation of Bangladesh from Pakistan. This is because they hypothesized liberating Bangladesh with the assistance of India might not be favorable for the future of Bangladeshi people. Unlike the other parties, Jamaat-e Islami has the added emphasis of trying to execute the code of conduct ordered by the Almighty Allah and guided by Prophet Mohammad (Peace be upon him) in order to change Bangladesh into Islamic welfare and peaceful state, ultimately, obtaining the contentment of Allah and escape in the life henceforward. In Bangladesh, as in March 2019, the number of members (Rukon, a highest-level member) stands at 55, 000 including 17, 000 female members, and its associate members and supporters crossed

almost 16 million (Jamaat Internal Report, 2020)¹. The Jamaat is now facing an acute crisis in leadership. Currently, most of the Executive Committee, including its Late President (Ameer-e-Jamaat), working committee members, including the top leaders of BJI, Abdul Quader Mollah, Muhammad Kamaruzzaman, Ali Ahsan Mohammad Mojaheed, Mir Quasem Ali, are being hanged or in prison on charges of committing crimes against humanity in 1971. This crackdown against Jamaat, its student front, and other affiliated organizations are going on unabated for the last six years and a half. Most up-to-date information showed that over 35,000 cases have so far been instituted against more than 7,500,000 Jamaat leaders and workers across the country (Odhikar Reports, 2011, 2012, 2013 and 2014), though the current internal report by BJI showed that in 2020, the individual cases instituted against more than three hundred thousand Jamaat members where about ten thousand members are in the prison (Jamaat Internal Report, 2020)².

Moreover, to understand the last decade's political situation in Bangladesh, the incident on February 28, 2013 when government killed 170 people who were shot dead on a single day when Moulana Delowar Hossain Syeedi's verdict was announced (Human Rights Watch, 2014). By identifying the current scenario, this study investigates the policies, motives, and experiences of this organization from the historical arena to the current situation. Accordingly, this study also evaluates the programs, contemporary controversies, and policy challenges of this organization by examining the engagement and on-going political activities of BJI through an ethnographic analysis with regard to its role in the democratic movement in the country. This paper identifies the three thematic aspects of the Bangladesh Jamaat-e Islami (BJI): historical development of BJI; political culture of BJI and recent policy challenges of BJI. For examining this, qualitative content analysis has been utilized to find out the purpose of this research, as Julien

¹ Interview with one of the leaders of BJI.

² Ibid.

(2008) portrays qualitative content analysis as latent content analysis, which is shortening facts and simplifying information and data in an understandable way by analyzing textual data, such as recording of the interview, observations of artificial intelligence (AI), descriptive studies, open-ended surveys, speeches, and media highlights, like videos, photos, and sketches. In the assessment, units of groupings or codes throughout all the variables and samples are converted into “themes” or “categories” (Mayring, 2015 and İslam and Cansu, 2020). As Nyadera and İslam (2020) argued: “significant changes experienced at the domestic and international levels have compelled scholars and practitioners to rethink the different dimensions in theoretical and practical application.”

Historical Development and Challenges of Political Culture in Bangladesh

Scholars like Önder and Nyadera (2020 & 2011) explores the meaning of political and administrative culture in the political parties and administration, as they refer to identify the culture in the political environment as “to the analysis, perceptions, and interpretation of bureaucrats (politicians) behavior. The analysis of these behaviors can be done internally, for example, by examining how public servants interact among themselves or with their superiors as well as internal organizational units on the one hand. On the other hand, it can be done externally, mainly by examining the nature of politics, other public and private organizations, the media, character, and beliefs of the citizens among other factors. Administrative culture thus represents a set of public interests as it seeks to represent both the collective interest of people and personal attitudes and behavior”.

After the independence from Pakistan in 1971, Bangladeshi politics as it has evolved, and the country’s politics tend to take regime histories as their point of departure. Historically, several interlocking themes characterize political culture in the country. Dependence on totalitarianism in times of catastrophe and promise of political differences

through extra-parliamentary way is consistently conveyed by appeals to contradictions in nationalist ideology and the representation of political balk as anti-patriotic. Along with the extraordinary partisanship that informs the politico-cultural landscape under all regimes, patronage politics tends to predominate whether governments are elected or military. Ironically, both ordinary citizens and opposition parties often find that the only effectual mode of political engagement open to them is mobilizing on the streets. The most lasting sites of contestation rotate on the question of national uniqueness and the place of religion in defining Bengali/Bangladeshi nationalism, and the historically constructed Bengali/Muslim dichotomy. As we shall see, efforts over narration and reminiscence have confidentially formed the construction of political oratory and practice. To put it differently, the setbacks of statecraft and record script have been profoundly knotted. Highly charged ideological debates about nationalism frequently eclipse conversations on other critical issues, such as distributive justice. Moreover, constant “culture wars” have permitted a deepening division of the political scene; the general upshot is a progressive hollowing out of political philosophy and performs (Siddiqi, 2010: 8 and Sobhan, 1979). “The challenges that confront politicians and policymakers, as well as the general public, are mostly due to negative legacies that may have roots in the colonial past” of Bengal and current Bangladesh (İslam, 2017).

Characteristics of Political Culture in Bangladeshi State from Socialism to Neo-Liberalism

At first, the structure of Bangladesh is different compared to ancient times. Today this state appears as fundamentally diverse from its antecedent at independence time. The first original constitution of Bangladesh (1972) was drafted by the Awami League (AL) as they formed the government. The government created a team to formulate a constitution and set four fundamental state policies of Bangladesh. They passed the constitution and enacted nationalism, democracy, secularism,

and socialism as fundamental principles of state policy (Riaz, 1994: 116). Less than three years later, the “father of the nation” and the country’s first Prime Minister, the Awami League’s Sheikh Mujibur Rahman (1972–5) pushed through the Fourth Amendment to the constitution, which instituted an authoritarian one-party rule in place of parliamentary democracy. The military government of General Ziaur Rahman (1975–81) dispensed with both socialist ideology and secular state policies. Zia lifted the ban on the practice of religion in politics, thereby, political groups such as the Jamaat-e-Islami got the prospect to enter in Bangladesh political system. In 1978 the Bangladesh Nationalist Party (BNP) embraced an explicitly Muslim Bangladeshi identity inaugurated by Major Zia. Zia’s successor in the army, General Ershad consolidated the non-secular face of the nation by declaring Islam the state religion. Moreover, both Generals Zia and Ershad reversed the socialist policies, withdrawing state subsidies, and promoting a regime of trade liberalization and export promotion (Siddiqi, 2010).

Democratic Culture and Political Nature since the 1990s

The immediate post-Ershad and post-military period was one of euphoria and high expectations for a new beginning. It was followed by extreme disenchantment, especially with the actions of the newly elected Bangladesh Nationalist Party (BNP) government and the opposition Awami League (AL). The reinstatement of democratic politics opened up old ideological fissures between the AL and the BNP; those soon became the two prime strong actors in the political landscape. Although an estimated 170 political parties existed in 1996, Bangladeshi politics operates – for all intents and purposes as a two-party system with the Ja’amat-e Islami (JI) and, on occasion, the Jatiya Party (JP) playing a vital side-role. The outcome of parliamentary elections in 1991, 1996, and 2001 demonstrates this – the BNP and the AL together secured almost 80 percent of the votes. Remarkably, the margin of victory in each case has been very close. In 1991, the BNP obtained 31 percent of

the vote and the AL 28 percent. The AL won in 1996, with 38 percent of the vote (BNP received 34 percent). Finally, in 2001 the BNP won through an even narrower margin – 41 percent in contrast to the AL’s 40 percent. The small gap suggests that the differences between the two parties are not necessarily sharply defined at some level. Understanding the nature of the intense rivalry between the two parties is critical to understanding the political landscape in Bangladesh. Sheikh Hasina, the leader of the AL and daughter of Mujib and Khaleda Zia, the widow of Zia who had taken over the BNP, successfully overcame their differences during the anti-Ershad movement. The Mujib regime had branded its opponents BNP as anti-patriotic, anti-secular, and pro-Pakistani. Its opponents in the BNP painted AL supporters as pro-Hindu, pro-India, and anti-Islamic. The AL represented itself as the keeper of secular Bengali cultural identity and values. The BNP under Zia promoted Bangladeshi nationalism, one that explicitly acknowledged the role of Islam in the making of identity. The AL heroized the role of Mujib in the Liberation movement while the BNP under Zia attempted to erase all mention of Mujib and represented Zia (and the military) as saviors of the 1971 war. The polemics approximately distinctiveness politics lay down the character and skeleton for future political debates in Bangladesh (Siddiqi, 2010). These types of the division led some polarizations and institutionalized and naturalized in the society. As a result, everyone directly declared their affinity to the political parties, including public and professional associations. Different types of educational and professional institutions were also maintained their relationships with the political and ruling parties, including public university students and teachers, medical colleges, bar councils, and lawyer associations. As a result, surprisingly, the ultimate beneficiary group was the government. The skeleton for political debate in favor of and opposed to AL/Liberation stayed fundamentally iced up in this circumstance. This trend threatens to the ownership of the Liberation War. The question remains in a dilemma, who led the nation in the Liberation War and undermined the national

identity regarding the ownership of the Liberation War. Conversely, these sorts of debates and initiatives portioned society from different angles. People were divided into various levels (Siddiqi, 2010 and Uddin, 2006).

History of Islam in the Land of Bangladesh

Islam entered Bangladesh as a process of amassing sediments with the same progression as the territory has been shaped in a continuous procedure.

Before the formation of the Muslim empire in this region for six centuries, it was sermonized by cohort after cohort. Consequently, people were welcomed to know the Islamic rule and culture, and this region was turned into a suitable consign for Islam in the company with fundamental comprehension. Islam preached in Bangladesh (Bengal Region) in the following three approaches.

- *Arabic merchants preached Islam in this region. The Chittagong port was a primary hub of a business port in Bengal. It was also a prime port for continuing business with the eastern regions together with Indonesia, Thailand, Malaysia, and China. Some traders used to run their business by using the Chittagong port and Bengal land in order to visit China. The Arab businessmen were used to lead their crafts in this path before the past and post-Islamic period. They also preached Islam in conjunction with running their merchant's activities. Hence, the genesis of Islam was started since then.*
- *There was also a historical trend of preaching Islam. King Cherumol Perumol, a Tamilnadu³ coastal kingdom, hugged Islam during the existence of Prophet Hazrat Mohammad (PUH). Subsequently, this region was transformed into a hub for advocating Islam. The respective preachers used to visit Bangladesh in order to convey the message of Islam in this area.*

³ Currently, one of the districts of India.

• *In the 7th Century, after the triumph of Sindh by Muslim General, Mohammad Bin Kashem, many clergymen came to the Bengal from the Arabic land, Turkey, Iran, and Iraq to preach Islam.*

The unvoiced sermonizing of Islam was remained concealed due to the shortage of historical evidence. Some books that were written by Arab Muslim historians, geographers, and Muhaddises⁴ favored the mentioning arguments. E.g., it was verified from the narratives of Muhaddis, including Imam Abadna Marwazi highlighted that groups of Sahabis⁵, for example, Abu Oakkas ibn Ohaib visited Chittagong in 618. There were other narrators who described the merchant relationships and settlement of Arab traders in Chittagong seaport, Ramu, Cox's Bazar and Chandpur river port, etc. For example, this narrative was cited by including Abul Kasem Obaidullah Ibd Khurdadbih, Al Idrisi, Al Masudi, and Yaqub Ibn Abdullah. These Arabic geographies belonged to the 11th century. Their argument favored the recent discovery of archaeological evidence. A coin, gold coin of Harunur Rashid (788) was found at Paharpur in Rajshahi, Bangladesh. On the other hand, another set of coins was discovered at Mainamoti in Comilla, Bangladesh. There was also discovered lately in Lalmonirhat district of Bangladesh that was constructed in the 7th century (689 BC, Arabic calendar year 69 Hijri). The folk stories and songs of Bengal indicated a considerable historical foundation of Islam for the favor of Islamic preachers and saints. Some other indicators were verified for the gestures of their tombs and Dargahs⁶. It was found that many Mosques (Masjid) were built by their hands. These historical trends and developments of Islam proved that Islam conquered in the 6th century before the Muslim triumphed over Bengal. So, the self-conscious Anti-Aryan people of Bengal began to start to admire Islam from that time. It was recognized that the

⁴ Expert on Prophet Mohammad's Speech.

⁵ Companions of Prophet Mohammad.

⁶ Rest and residential house of Islamic preachers, refugees, and insolvent people.

triumph of Bengal began in 1204 with the hands of Muslims. Aftermath, Islam started to patronize the region through proper ways, including justice and equality (Islam, 2017; Islam & Hossain, 2020). The rise of political Islam and political culture in Bengal and Bengali Muslim identity, obviously, the flow of the incidents must be discussed through the three major historical events and initiatives during the colonial period (Islam and Islam, 2018): firstly, the Fara'idi movement led by Haji Shari'at Allah in the 1820s (1781–1840); secondly, the Basherkeilla movement led by Mir Nisar Ali alias Titu Mir (1782–1831); and thirdly, the major initiative led by Deoband and Bengali Ulema against the British colony to preserve the Ottoman Empire, historically, which was introduced as the Khilafat movement between the late 1910s and early 1920s (1918–1924). These were the primary factual movements for identifying the Bengali Muslim identity, Islam and its vast and deep impacts on the sociopolitical and cultural aspects of Bengal, and current Bangladeshi Muslim society. “The challenges that confront politicians and policymakers, as well as the general public, are mostly due to negative legacies that may have roots in the colonial past” of Bengal and current Bangladesh (Islam, 2017). “Despite an end to Muslim political rule, seeds of Muslim identity remained buried in Bengal, coming to the fore with the establishment of a Muslim political movement in Dhaka in the early decade of the twentieth century. The movement gradually turned into a movement calling for an independent homeland for Muslims, leading to the formation of Pakistan in 1947. Although designated as a homeland for Muslims, discontentment arose in the eastern part of Pakistan over economic and social policies which were seen to be favoring the western part. East Pakistan became independent from Pakistan after a 9-month bloody war which led to the formation of Bangladesh in 1971” (Islam & Hossain, 2020).

Historical Measurement to Promote Islam and Democracy in Bangladesh

Historically, there were some procedures that followed to uphold Islamic values and cultures in Bangladesh. Some important features are mentionable for Islamic teaching and values (Hasan, 2011: 8): (1) The government of Bangladesh enacted one of the four state principles, i.e., ‘absolute faith and trust in the Almighty Allah instead of previous secularism principle and added “Bismilla-hirrah-manir-rahim” (In the name of Allah, the Merciful, and the Compassionate) into the Constitution of the People’s Republic of Bangladesh. Moreover, it (absolute faith and trust in the Almighty Allah) was amended by the 15th Amendment of the constitution in 2011. On the other hand, the Supreme Court, an apex court of Bangladesh declared illegal Amendment which was a favor for the 15th Amendment.

(2) There is a symbolic initiative to hang various posters in government offices, residential houses of the premier and president with the quotations from the holy Quran (Divine Verse of Allah), displays some verses of Quran, and finally the Prophet Mohammad’s advice in public places.

(3) Taking off some flags, festoons especially in Eid for celebrating religious festivals and wishing some welcome messages from the head of state or government on various religious circumstances.

(4) Proffering of Munajat (prayers) on special occasions.

(5) Perform Namaz (Prayers) and call of Azan (Prayer) five times in a day

(6) Foundation of a newly separate division of Religious Affairs, under a matured ministry.

(7) Institution of the Islamic Foundation with an extensive network of research facilities.

(8) Set of connection of an Islamic University with an Islamic Research Centre attached to it.

(9) Foundation of a Zakat (One of the basic principles of Islamic Foundation) Fund headed by the President.

(10) Suggestion for an education policy intended to introduce Arabic schools, starting with class.

(11) Expenditure of enormous funds for the building of the Mosque before and after election and Madrasah (religious, educational institutions).

(12) Foundation of the Bangladesh Madrasah Education Board.

Additionally, there are seven Islamic political parties catalogued with the Election Commission Bangladesh. E.g., Bangladesh Jamaat-e-Islami, Jaker Party, Khelafot Andolon, Muslim League, Jomioti Ulamaye Islam Bangladesh, Islamic Front Bangladesh, and Islamic Oikko Jot (IOJ). Only JIB and IOJ achieved Parliamentary seats in the Nation of House among these seven parties in the 2001 general election. On the other hand, Bangladesh Nationalist Party (BNP) won 193 seats in that Parliament. JIB and IOJ turned into a leading alliance cohort with BNP for assisting to form the central government during this time; even two BJI MPs got an opportunity to hold the ministerial positions in the BNP-led government until 2006.

Political and Democratic Culture of Bangladesh Jamat-e-Islami (BJI) Historical Development

The Jamaat-e-Islami (BJI) emerged in North India as an ideological group in the 1940s. Maulana Maududi was the founder of Jamat-e-Islami (JI), formed the institution of an Islamic values-oriented state (Hashmi, 2011). However, Jamaat-e-Islami is an Islamic movement that was established by the theologian expert and socio-political logician, Abul Ala Mawdudi (1903–1979), in 1941, in undivided British India. It was initially founded as a religious movement aiming at the socio-religious development of the Muslim community in the colonized Indian subcontinent. The division was visible after the establishment of the division between Muslim-majority Pakistan and Hindu-majority India in 1947. Maududi migrated to Pakistan, while the movement also continued to function in India, with autonomous and independent leadership but with a strong ideological influence from Maududi's writings. Similarly,

the Jama'at in Bangladesh has also functioned with completely independent policies and leadership since it began work in Bangladesh in 1979, eight years after the country gained independence from Pakistan in 1971 (Amin, 2016: 25). Since its creation, in academia, Jamaat-e-Islami argued as “well-organized and controversial Islamic party” which has some “similarities, but more dissimilarities with other political parties,” (Banu, 1994: 80) whatever, it is in Bangladesh, India or Pakistan. Emerging as an influential social movement with a strong voice on religious issues in Pakistan and India, the movement started to become more involved in political issues in the late 1940s. In 1951 it participated for the first time in a provincial election in Pakistan. Since then, the Jama'at has functioned as a full-scale political party in Pakistan (Jama'at -e-Islami, Pakistan), India (Jama'at -e-Islami Hind), Kashmir (Jama'at -e-Islami Kashmir) and Bangladesh (Bangladesh Jama'at -e-Islami). Moreover, expatriates originating from these countries, who are influenced by the ideology of the movement, have formed several religious-social movements in various countries: for instance, the Islamic Society of North America (ISNA), Islamic Forum Europe, and the UK Islamic Mission. All of these groups continue working, with their own independent constructs and activities in their respective countries, towards Islamizing the society, as advocated by the movement's founder, Maududi (Haq, 2010; Nasr, 1994; Nasr, 1996; Riaz, 2010). Maududi's objective is summarized in the World Almanac of Islamism: “Maududi hypothesized and selected a way in which Muslims might safeguard their political and religious interests by understanding pure Islam and Practices those were contradictory with Hinduism. He condemned the earthly ideologies, i.e., nationalism and secular politics, and strongly proposed that Islamic State could reduce all types of problems Muslim communities are facing those” (Amin, 2016). In other way Bano (2012) argued the Jamaat's social roots through its social welfare works as that “in Pakistan and Bangladesh there are other Islamic parties but none on the scale of the Jama'at and none with as extensive welfare network. Thus, a

sophisticated organizational hierarchy and not just commitment to welfare work is critical for enabling a religious political party to maintain a large network of welfare organ” (Bano, 2012: 93). This revivalist approach has ideological similarities to the approach of Muslim groups in other Middle Eastern countries, e.g., the Muslim Brotherhood in Egypt. The objective of Hasan al-Banna, the founder of the Muslim Brotherhood in Egypt is also described in the World Almanac of Islamism: “He proposed that the fault of Muslim Communities could only be alleviated through revisiting to the unique structure of faith, following its guidelines developed from the divine book .e.g. the Holy Quran and prophetic tradition to all aspects of modern life as well as in the political ground” (Amin, 2016). In the arena of Bangladesh, during the Mujib government, Jamaat was prohibited like other religious organizations, but following the regime of the Sheikh Mujib government in 1975, the Jamaat became a legitimate political party in Bangladesh. Aftermath, the Jamaat led religious-based politics and pursued mostly by upper peasants and lower-middle classes in Bangladesh dissimilar to its counterparts in India and Pakistan. On the other hand, it was welcomed by several NGOs, clinics, and philanthropic organizations across Bangladesh, which had been ahead ground for appearing as a different to the secular parties in Bangladesh. That being the case, there is no simple way to identify the Jama’at as either a political party or a small religious revivalist movement (Pattanaik, 2009). Nevertheless, due to its emphasis on political action, the Jama’at is predominantly considered as a political party, with a mention of its distinctive aspect of ideological identity. For instance, the Jama’at is described in the Encyclopedia of Islam (Sija, 2009: 388):

“The Jamaat-i-Islami is an Islamic political party in Pakistan founded in 1941 by Abu Al-Ala Mawdudi (1903–79), the most widely influential Muslim thinker of South Asia in the 20th century. It is an ideological movement that has aimed to create an Islamic state in which all aspects of social and political life would be governed according to Islamic standards and law.”

BJI's Activities in the Political Environment of Bangladesh

Bangladesh Jamaat-e-Islami is the popular Islamic organization as well as one of the most historic and popular political party in this country. As the constitutional objectives of Bangladesh Jamaat-e-Islami articulated that BJI firmly believe that for the sake of world peace and the salvation in the hereafter, each and every human being should accept and acknowledge Allah as the only God and Prophet Mohammad (Peace be upon him) as an ideal leader. The main activity of Jamaat is encouraging people to follow Islam meticulously in their personal lives. They believe that the society based on Islamic values can ensure peace and welfare to the world humanity where competent government is very much crucial for protecting and sustaining welfare of the society. By this way, Jamaat has involved with the democratic and systematic activities of Bangladeshi politics to formulate a government on the basis of Islamic values and responsibility. According to the statement of BJI, they are working and involved in politics in a democratic way where they maintain no hatred for any political party and organizations working at home and abroad. Additionally, historically, Jamaat is keen to keep up a friendly relationship with the followers of different faiths, beliefs and opinions to build welfare, happy and prosperous Bangladesh in a democratic way. Moreover, as a part of such a vision; Jamaat has joined in all the national and local elections since the independence of the country and played their role as a democratic political party. Literally, BJI's constitution and its activities in the political environment of Bangladesh pleas to human being in general and the Muslim Communities in meticulous in retorting to three points call derived from the unique message of all envoys of Allah cited in the Holy Quran. "O people, surrender to Allah, there is no other Lord for you except Him". Hence, these pleas can construe in universal and eternal call, which will attain through the following three points (jamaat-e-islami.org, 2020):

1. *“Admit Allah as the only sovereign Lord and the messenger Mohammad (Peace be upon him) as your one and only leader in all segments of your life for desiring peace in this life and desire recovery after death.”*

2. *Every judgments, actions and habits revolting faith and proclaim not to follow anybody against Allah and His envoy Mohammad (Peace be upon him).*

3. *Build practical efforts to modify fake and inactive chiefs by good and active ones to execute these two procedures in the life.*

BJI wants to change the feelings of the people, which will be followed to the right path. People of same thinking have to be united and instructed as active chiefs, and capable activists in order to remove the social upheavals with the strength of with the strength of selfless examine of the people, they shall outline the government and shall revolve the country into a peaceful and prosperous state in the light of the Quran and the Sunnah (Prophet Mohammad’s Guidelines). Additionally, to sustain these types of missions and vision; BJI clarified their activities through four approaches:

(1) “Decontamination and renovation views: Some specific methods are mentioned categorically-to proliferate Islam and to entitle the people to the method of Allah, to sanitize and recreate the thoughts of the human beings on the base of the Quran and the Sunnah, to carry out an association for making authentic Islamic ideology in all sections of the people and to craft them experience the requirement to pursue Islam in each globe of life.

(2) Association and teaching: Some methods are distinguishable. E.g. To investigate and systematize Islam-loving conscious and truthful people and those intending to be sincere, to educate them up through realistic activities in order to appropriate to enlarge them as true servant of Allah and competent activists for the basis of Islam and kindness and build up a cluster of activists for providing the society with frank management at all segments of the society.

(3) Community repair and public improvement: To Endeavour to fortify the conditions of the people and the country through general and common

examine and some societal wellbeing activities, to hand out the misery of humanity, to commence Islamic traditions and rebuild human quality on foundation of Islamic teachings and values. Finally, take some steps to prepare people for resisting anti-social activates through cooperative and diplomatic ways.

(4) Reforming the Government and Organization: BJI undertakes some reforming of the government and organizational transformations for administrative and country's development. These are-to counsels the government in the illumination of Islam concerning internal administration, oversees strategy, laws and acts, ethical and worldly expansion of the people, teaching system, the proper management of the country, to restore active and productive people in every segment of public services through truthful and competent persons." The campaigners of Bangladesh Jamaat-e-Islami (BJI) try to set up individual contact with common people belonging to all aspects of life, clarify dissimilar aspects of Islam and advocate upon them to interpret Islam text and this kind recommend is differentiated with Quran and teaching of Prophet Mohammad (Peace be upon him) class at diverse venues for creating the people familiar with the knowledge of Islam. Moreover, the Jamaat coordinates public meetings in cities, at townships and pastoral areas for communicating the memorandum of Quran and teaching of Prophet Mohammad (Peace be upon him).

If anyone responded by the calling of Jamaat member, then they will be trained through its regular activities which are included with social, political, educational and cultural campaigners. They are inspired to study the Quran, teaching of Prophet Mohammad (Peace be upon him), and other Islamic text for improving personal development. They are advised to say their daily prayers in parishioners. They are motivated to employ new associate members by individual communication and good relations. On the other hand, they have to present a report of the daily activities at regular contacts with organizational hierarchical members. Finally, at the third phase, Jamaat-e-Islami members endeavor to restructure the

sufferings of the unfortunate and the impoverished by extending assistance to them both money and kind. This political and religious organization initiates some relief programs and endeavors to recover the victims as far as potential whenever environmental, natural or human-made disasters happen in the country. It endeavors to assemble community estimation, in distinct ways, alongside all sorts of anti-societal and anti-religious activities. Lastly, in this stage, Bangladesh Jamaat-e-Islami endeavors to encourage the ordinary people with the spirit of independence in order to uphold the survival of Bangladesh and national development. The major goal of “Jamaat-e Islami is to turn Bangladesh into an Islamic welfare state. Only practitioner and good followers of Islam can achieve this goal. As a result, some committed members to the organization can fulfil the dream of BJI. To this end, this organization does not welcome inactive and uncommitted people to the philosophy and Islamic movement like BJI. Hence, without memberships of the organization, on one can able to start his/her journey with this organization. The pattern of leadership is different from anti-Islamic political parties. Though elections hold regularly, proclamation of candidature is prohibited in this organization. The system is like the democratic system as members voted secretly and openly. The voters of the organization usually follow some qualities and characters in selecting their leaders. These include religious traits regarding Islam, integrity, activeness and commitment to the organization (jamaat-e-islami.org, 2020).”

BJI’s Structure

BJI is a cadre based, hierarchically organized political party which emphasized by Riaz and Raji (2011) as they explained BJI is a “hierarchically organized and well-disciplined and cohesive”. Through Central Member Conference (CMC) and by the highest member (Rukon), BJI assembles their political leaderships in every three years where the members of BJI elect the executive head of the party which they usually

called as Ameer-e-Jamaat and Central Majlis-e-Shura (CMS). The chief of the BJI, called Ameer-e-Jamaat look at the political and organizational activities of the party where CMS activities confined to support and guidance the BJI's Ameer-e-Jamaat, as they are the top policy and decision-making body of the BJI. There is a Central Working Committee (CWC) who are evaluating the daily works and look at the managerial activities of the BJI, as Jahan (2014) and Upendra (2017) explored through the BJI's constitution that CWC "formed with one secretary general, number of Nayeb-e-Ameers, assistant secretary, divisional secretaries, and members of women's working committee and other member." CMS and Ameer-e-Jamaat is controlling the CWC, as they are accountable for their activities to them. There is another organ of BJI, called Central Executive Committee (CEC) whose functions directed from the CMS and CWC, as they implement their decisions in the field level. The members of the CEC elected by the CMS where 15 member's body elected to implement the activities provided by the CMS and CWC. For greater interest like social welfare, vote, study and work, BJI's women wing played very important role through its organizational structure, as that stressed by Shehabuddin (2008), Jamaat "go to great lengths to highlight Islam's recognition of women as 'individuals' with 'individual' responsibilities to God and Islam as well as Islam's support for women's right to study, work and vote" (Shehabuddin, 2008: 577).

BJI's Role in Political and Democratic Participation of Bangladesh

From the political history of Bangladesh, Jamaat has an influential role, and significant contribution, particularly this political organization joined for the democratic continuousness in all national and local level elections within the Bangladesh constitutional scaffold. The important thing is that BJI has a vital role in the democratic movement of Bangladesh from the military and authoritarian regime of Bangladesh. According to the BJI, hundreds of its well-wishers and members of the organization sacrificed their lives and injured severely in upholding the philosophy of the

organization and in many democratic processions of Bangladesh. There are some particular contributions of BJI in the democratic movement of Bangladesh particularly establishing of the baseline for non-partisan caretaker government system (CGS) which was in mid of the 1980s where eminent professor Ghulam Azam, the Late Ameer (Former President of the party, BJI) fixed some proposals concerning non-partisan CGS for a free, fair and credible election before the party central working committee. On the other hand, the then acting Ameer of Jamaat, Abbas Ali Khan has also presented that proposal before the nation in a press conference in Ramna Green auditorium in Dhaka on 7th December 1980 (jamaat-e-islami.org, 2020), United movement for restoring democracy in 1983 against the military and autocratic government and mass uprising in 1990 for protecting democracy. Moreover, the CGS was annulled by the 15th Amendment of the Bangladesh Constitution in 2011 by the AL government.

The Jama'at even enjoyed the position of a stakeholder during the formation of the governments in 1991, 1996, and 2001, when both of the major political parties failed to achieve absolute victory in the national elections. The following table shows the position of the Jama'at, which is usually considered to be the third or fourth-largest political party of Bangladesh⁷, in four general elections contested for the 300-constituency national parliament.

⁷ The three parties which are larger than the Jama'at are, in decreasing order of size: 1) Bangladesh Awami League (Urdu: lit. Bangladesh People's League), a centre-left secular party; 2) Bangladesh Nationalist Party, a centre-right nationalist party; and 3) Bangladesh Jatiya Party (Bengali: lit. Bangladesh National Party), the party of a former military dictator, which preceded the Jamaat in Bangladesh with regard to its position in the national political arena.

Table 1. Election Results of Bangladesh Jamaat-e Islami in the National Elections of Bangladesh

Election	Date	Total Votes Cast	Votes for Jamaat	Seats		% of Total Vote
				Contested	Won	
Third National Parliamentary Election 1	7 May 1986	28.903.889	1.314.057	77	10	4,6
Fifth National Parliamentary Election 2	27 February 1991	34.477.803	4.117.737	222	18	12,2
Seventh National Parliamentary Election 3	12 June 1996	42.880.576	3.653.013	300	3	8,61
Eighth National Parliamentary Election 4	1 October 2001	55.736.625	2.385.361	31	17	4,28
Ninth National Parliamentary Election 5	29 December 2008	69.372.897	3.289.967	39	2	4,7
Tenth National Parliamentary Election 6	5 January 2014	BJI Boycotted the Elections				
Eleventh National Parliamentary Election 7	30 December 2018	BJI Boycotted the Elections though they participated in the elections at the first stage				

Recent Controversies in the Political Culture and Policy Challenges of BJI in Bangladesh

BJI's politics in Bangladesh has been surrounded by increasing controversy in recent years. Allegations have been made against some of its leaders relating to their association with and participation in the war crimes primarily performed by the Pakistan army during the 1971's Liberation War. A 'War Crimes Tribunal' was established in 2011 after four decades of independence. Throughout this period, the Jamaat had joined in every national and local government elections had participated in all national and local government elections. Though the election results

represent a debatable scale by which to measure public acceptance, where a myriad of variables such as democratic conditions, local agendas and interests, and the law-and-order situation has impacted on them, they generally provide an acceptable appraisal of the status of the political groups involved. This is also important when the Jama'at, whose ideology and objectives are religious, has adapted to the electoral democracy in order to establish its ideology (Amin, 2016:81).

It is mentioned that BJI traditionally disagreed with the cessation of Pakistan in a company with five political parties on religious grounds. Though they have disagreed with the Independence struggle of Bangladesh in a peaceful manner, they did not participate in the killing mission, rape, and systematic torture against freedom fighters or supporters of the Independence movement of Bangladesh. The Awami League (AL) government structured the government based on the 1970's Pakistan regional and general election after obtaining victory against Pakistan in 1971. Later, the AL government generated an International War Crimes Tribunal Act 1973 under the leadership of Sheikh Mujibur Rahman in order to find out war criminals from the Pakistani Armies. Although the tribunal found some war criminals from the Pakistani soldiers, it did not get any Jamaat leaders/supporters in this regard (Rawsab, February 13, 2010). The AL government detained more than 100,000 people for the allegation of helping Pakistani armies as they commit war crimes. The litigation was followed by the Bangladesh Collaborators Act (Special Tribunal Act 1972). The charge sheets were presented to the court only against 2,848 people after completing the investigation. After accomplishing court's procedures, the prosecutor teams were proved before the court only against 752 accused as a criminal offence, and they were penalized for different terms of imprisonment. There were no name lists of Jamaat leaders or its supporters as convicted people in that trial (Abu Rawsab, February 13, 2010; RTNN, March 23,

2010⁸; Daily Sangram, April 1, 2010⁹) which was verified from the investigation and trial procedures in 1973. However, it was also well established that the governments led by AL consecutively in 1972-1975 and 1996-2001; they did not take any legal process against Jamaat leader and its supporters during the 1971's role in the Liberation War even in those times. Moreover, AL and its allied political parties maintained their good relationship with Jamaat and its leaders. Moreover, both AL and Jamaat worked together and arranged joint meetings and press conferences in restoring democratic principles in Bangladesh. The evidence and photographs are still available for both parties, meetings and conferences in the press and media in Bangladesh. Nevertheless, it is estimated that the members of BJI had been arrested in custody under false and politically motivated cases, where more than 4,000 Jamaat and Shibir¹⁰ leaders, supporters and well-wishers since 2009. They were systematically killed, forced disappearance, and deprived of political and civil rights. AL affiliated student's wings and some other organization typically handed over to the administration to out forward litigation against Jamaat and Shibir. The police department and law enforcement agencies oppressed severely in custody in different incidents since the last week of February 2010 (Abu Rawsab, February 13, 2010; Daily Sangram, April 11, 2010)¹¹. Additionally, before the resignation, the Assistant Secretary of BJI explains the current situation to Aljazeera (2019) accordingly- "Jamaat is a legal political party, since 2011 the government has not given it any space. The government has closed down all its 65 district offices and 4,000 other offices around the country. It cannot organize any public or indoor meetings and it is not allowed to hold press

⁸ This news online's archived has been shut down by the govt.

⁹ This newspaper's archived has been shut down by the govt.

¹⁰ Bangladesh Islami Chattrā Shibir (BICS) is affiliated student wing of Bangladesh Jamat-e Islami which has been working with its integrated manpower all over the schools, colleges and universities of Bangladesh

¹¹ Newspaper's archived has been shut down by the govt.

conferences and it cannot take part in elections” (Bergman, 2019). Principally, Jamaat was recognized as a democratic political party in the eyes of ordinary people for its pro-people agenda and uncorrupted leadership in the country since its inception in Bangladesh. As it mentioned that BJI did not discourage its political leaders in local and parliamentary elections. Even they did not encourage any contentious politics in practicing democratic principles. As a result, supporters and members of Jamaat are increasing day by day for their pro-people agendas such as social welfare activities of BJI, including building hospitals, schools, zakat distribution for poor people, aid for physically disabled people especially children, education scholarship for underprivileged students, legal assistance for politically affected persons, and youth employment through their own capacity. Through this way, as it had only 100,000 (one million) supporters in 1971, and now it has 10,000,000 (ten million) supporters in Bangladesh. Some critics argued that the politically motivated trial and procedures against BJI violated their democratic and fundamental rights in Bangladesh. The government parties, including AL led allied political parties through Shahbag protest in 2013¹² to ok the initiative against opposition parties with bad intentions and wanted to jeopardize the opposition in the political arena (Abdul Kader, Daily Sangram 25 March 2010)¹³. The AL government employed three War Criminal Tribunal Judges, investigators, and prosecutors who were former benevolent and trustworthy supporters of AL political parties. Subsequently, there is a little hope to get the proper justice in the trial procedures of Jamaat-e Islam (Islam and Islam; Abu Rawsab, 29 May 2010). The main motion of AL government on starting trial procedures to discourage people about getting membership in Jamaat-e Islam and

¹² “On 5 February 2013, protests began in Shahbag Square, Dhaka, Bangladesh following demands for capital punishment for Abdul Quader Mollah by the International Crimes Tribunal of Bangladesh”

¹³ This newspaper’s archived has been shut down by the govt.

undermine the popularity of the parties to the ordinary people as the membership of Jamaat-e Islam was increasing speedily. AL was concerned about the BJI's future political popularity in Bangladesh. Thousands of people are the members of these political parties compared to AL and other political parties in Bangladesh. But the hidden blueprint of AL did not to currency to ordinary people, the international community and especially, Muslim worlds where BJI's popularity and acceptability are increasing through these three arenas especially the world community and ordinary people stood against AL's bad motivation for their inhuman and cruel stands (Jalil & Rahman, 2011:3) that makes BJI in its general appeal to the common of Bangladesh. Scholars argued that the present war crime trial happened only for the interests of India; for example, recently, the current government of Bangladesh has intoned and ratified many international agreements regarding security, border, trade, and defense against national interests of Bangladesh. It is a well-established argument that the AL government's stand served for the interest of India. For example, recently, the current government of Bangladesh has signed to borrow one billion US\$ with irrational high interest to build up development projects, including roads with India in order to upgrade Chittagong and Mongla seaports. Bangladesh's government was consented to use these seaports without any payment by India. Bangladesh has to invest this money according to the Indian government's suggestions which creates a complex environment for the future of Bangladesh's national interest, security, and sovereignty (Jalil & Rahman, 2011: 3). Additionally, on the name war crime tribunal, the current AL led government controlled most of the institutions, organizations, banks, and hospitals of BJI such as the Islami Bank of Bangladesh Limited (IBBL) and Ibni Sina Trust. Recently, Bangladesh Bank systematically overthrown the top decision-makers of Islami Bank and employed a new chairman and reshuffled the whole administrative structure of Islami Bank. Now, this Bank is controlled indirectly by the government. Some critics evaluated that it takes a long time for Awami

League (AL) government to raise the issue of war crimes trials to cover up their failures in many sectors of Bangladesh, such as failing to ensure the democratic and inclusive Bangladesh. Scholars argue that the process of war crime trials is politically motivated, and their master plan is to destroy the opposition parties, including Bangladesh Nationalist Party (BNP) and its allied political parties and also other most of the Islamic political party in Bangladesh (New York Times, April 13, 2010).

Political Challenges of BJI

Currently, in Bangladesh, BJI is facing some sort of critical political challenges. The registration of Bangladesh Jamaat-e-Islami (BJI)'s was banned by the High Court Division (Petition No. 630/2009) of the Supreme Court in August 2013 (Bangladesh Election Commission, 2018). Subsequently, BJI did not appeal to the Supreme Court's Appellate division for the present political and societal circumstances. Considering its rise in the 1980s and 1990s, it was generally expected that the party would continue gaining acceptance in a society where most of the members are Muslim and well aware of their religious identity. Some political observers, intellectuals and party activists argue that compromising certain religious principles for the sake of political gain has created a 'power-hungry' image of the Jama'at in people's minds and resulted in 'a narrow support base' for this movement (Hossain & Siddiquee, 2006). Examples of the success of several Islamic political revivalist movements in various Muslim countries have also been introduced into this discourse. Most importantly, Barrister Abdur Razzak, a former central executive committee member of the Jama'at wrote an article, "Islamic Movements in Different Countries and the Arab Spring", where he described the modern strategies adopted by Islamic movements in several countries and especially in Tunisia, Egypt, Turkey, and India. Justifying those strategies with different verses from the holy Quran and message of Muhammad (PBU), Abdur Razzak called on the Jama'at's leaders and followers to abandon rigidity in policy making and to be more pragmatic when dealing with public issues. After describing the recent

progress of various Islamic movements, he has rationalized the victory of the Muslim Brotherhood in Egypt's national election after Arab spring as the result of "their being very close to the general people through their social welfare activities" (Razzak, 2012). However, last year, Abdur Razzak resigned from the BJI by showing the cause that "the party's failure to apologize for its role in supporting Pakistani military 50 years ago" even he said that the resignation was also due to the BJI's failure to rethink its view of the Islamic state and restructure itself to become "a democratic principled party adhering to Islamic values operating within the secular constitution of Bangladesh" (Bergman, 2019).

Conclusion

It is well established that "the contemporary salience of political-religious movements across the world seems to represent a challenge, in some places even to constitute a threat, to the project" (Asad, 1992: 3) while Nasr (1994) asserts that "the rise of Islamic revivalism has presented a serious challenge to conventional wisdom in the social sciences and as a result has been the object of considerable debate and inquiry." Bangladesh Jama'at-e-Islami, an Islamic revivalist political movement that embraces modern socio-religious strategies in order to attain its primary objectives of establishing an Islamic governance structure at a state level, focuses significantly on providing social welfare assistance (Amin, 2016). Jama'at involvement in politics is to sustain the Islamic values at the state level, as reflected in its calls for stronger adherence to the prescribed principles and rules placed in the constitution. The Bangladesh Jamaate Islami (BJI) strongly follows the constitutional and democratic process in the light of the guidelines enacted by its founders. It is true that the oppression and repression on Bangladesh Jama'at-e-Islami (BJI) are vast; however, they try to work according to the democratic political culture to establish social justice and social welfare for the development of Bangladesh based on Islamic values. There are so many political analysts who think that the current government of Bangladesh has no good intention to enrich the country to

resolute the internal and international problems and its only duty is to finalize policies to attack, oppress and kill opposition political party members mainly Islamists and Jama'at members, and to set up a one-party autocratic rule (Jalil & Rahman, 2011). However, it could be argued that the total development and socio-political maturity process of Jama'at is not enough and successful in leading the political arena of Bangladesh, but their consistency for legal rights, positive activities and democratic attitudes make them one of the most popular party in the near future of Bangladesh. While the study has given a general analysis, it provides a basis for future research on BJI, and how BJI played a political impression on the political culture and "political strategy" (Islam, 2019) of Bangladesh, why Islamist might be the best option and central point to resolve the current political vacuum in Bangladesh and how Islam, as a "complete code of life", may help the current political parties of Bangladesh to develop its unique model that can "ensure the people's rights, freedom, sovereignty, participation, equality, and social justice" (Islam, Bingöl, & Nyadera, 2020). As it can be said that "in every context, to find out cooperation is the best way to arrive at an unparalleled solution" (Islam, 2020). Additionally, one can argue that the current position of Jamaat-e-Islami in Bangladesh may decrease their political performance in the electoral field, but it has huge impacts in the socio-economic environment of Bangladesh. As BJI is an ideology based organization, they may have so many controversies and critics in its political activities, however, the socio-economic influences, by its members are vast, which may exist in the long run on Bangladesh. Since the last five years, the political agenda and activities of BJI are very confined to social, organizational, economic and international base. The political influence and the agenda related to election is partially secondary. After one decade of political instability and chaos in Bangladesh, it remains to be seen how long the Jamaat-e-Islami can hold their strength in the socio-cultural, economic and political sphere in Bangladesh.

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Footnotes

1. Data of the third and fifth elections are gathered from Bangladesh Election Commissions, Available at <http://ecs.gov.bd> [26.11.2015]

2. The fifth general election, in 1991, was the first of its kind to take place under a non-political 'caretaker government' after the public revolution against the military dictatorship. It is considered by many as the first fair national election in the country's history.

3. Data from the Statistical Report of the Bangladesh Election Commission on the seventh general election (Commission, 1996: 9)

4. Data from the Statistical Report of the Bangladesh Election Commission on the eighth parliamentary election (Commission, 2002: 6-8)

5. Due to the unavailability of a digital statistical report of the Bangladesh Election Commission on the ninth parliamentary election, data have been collected from a UNDP report (Eicher, Alam, & Eckstein, 2010:80- 81)

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15. Governance Reforms in Turkey

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Introduction

With the 21st century, there is a rapid and interactive process of change in technological, economic, political, social, and cultural fields. However, it is clear that the requirements of this process of change cannot be met with a management approach of the late 19th and early 20th century. For this reason, one of the concepts and institutions on which change movements are concentrated has been the concept of “management.” Flexibility, differentiation, democratization, localization, participation, pluralism, and equality come to the fore with the transition from the industrial society to the information society. The inability of the traditional public administration approach to solve new problems arising from the inability of information technologies to keep the pace with the change and transformation created in social, economic, and political life has created a necessary dynamic of change. The perception of the public sector as inefficient, ineffective, too bureaucratic, insensitive, and cumbersome in the provision of public services forced the traditional public administration to restructure in line with new management approaches. The concept of governance, which is accepted as the management paradigm of the 21st century, has undergone a comprehensive change in the management approach of the 20th century.

The concept of governance has become a discourse that constitutes one of the key agenda items in the international arena and academia since the 1990s. Governance discourse and its modeling is a political/managerial theory that is supported by different disciplines, trends, and theories beyond the new public management approach that left its mark in the 1980s. Unlike the concept of bureaucratic management in the traditional sense, governance offers a model based on synergy,

participation, and cooperation between various actors in government with historical and cultural integrity, that is, in determining public policies. In particular, developments in information and communication technologies and new economic conditions that emerged based on this direct countries and states to a certain transformation. Now, there is a need for a multi-stakeholder management model in which the state is insufficient as a single actor and, therefore, involves private and civil actors. The governance perspective presents a multi-stakeholder structure that focuses on localism instead of centralism, federalism instead of unitary structure, participation instead of rigid bureaucracy, openness instead of closeness, accountability instead of hierarchy (Yıldırım & Önder, 2019).

Turkish public administration reforms that started in the 1980s have been supported by multilateral governance reforms in the 2000s. In this paper, Turkey's understanding that governance reforms have done in the framework of action will be addressed by a variety of reforms perception.

1) Governance Approach

Globalization and technological development in the world have also affected the management approach. Despite the market-centered perspective of the NPM approach, governance has emerged as a co-management and civil society-centered approach. Since the early 1990s, the NPM approach, which aims to manage the state as a business, sees citizens as customers and ignores the public interest, has also been criticized and new approaches have emerged (Ayhan & Önder, 2017). Governance discourse or model is a political/managerial theory that is supported by different disciplines, trends, and theories beyond the NPM approach that left its mark in the 1980s. Unlike the traditional concept of bureaucratic management, governance offers a model based on “synergy,” “participation,” and “cooperation” between various actors in determining public policies by having a cultural integrity with postmodernism. On the other hand, governance emerged as a democratic

extension of neo-liberal discourses in the 1990s of the market-oriented principles and policies of the NPM based on organizational efficiency and performance in the field of public administration. In this framework, the governance model is different from the NPM, whose mentality is based on “democratization and participation” in public administration.

There are various definitions in the literature on governance. For Kettl, (2002): “Governance is a way of describing the links between government and its broader environment political, social, and administrative. It is also a way of capturing the initiatives that governments around the world have deployed to shrink their size while struggling to meet their citizens’ demands.” Similarly, Weiss (2016) argued the concept of governance is the collection of the many aspects in which individuals and organizations, public and private, administer their common dealings. The restructuring in management approach has evolved into a multi-stakeholder structure consisting of private sector, civil society, international actors, and public institutions. The concept of governance, which refers to the network of relationships (Osborne, 2006) in mutual interactions between stakeholders or actors, brings to the agenda the inclusion of non-governmental organizations, non-profit organizations, private entrepreneurs, pressure groups, media and citizens in management processes, together with central and local government structures. Another aspect, the United Nations Development Program (UNDP) emphasizes that “governance is a system of values, policies and institutions that a society uses to carry out its political, economic, and social affairs in the context of relations with the public, private, and voluntary sector.” In this respect, governance represents the whole of rules, practices and institutions that limit or encourage the behavior of individuals, institutions, and companies. Based on UNDP's governance approach, (Graham et al., 2003) summarized the basic principles for good governance.

Table 1: Five Principle of Good Governance

The Five Good Governance Principles	Concepts
Legitimacy and Voice	<input type="checkbox"/> Participation
	<input type="checkbox"/> Consensus orientation
Direction	<input type="checkbox"/> Strategic vision
Performance	<input type="checkbox"/> Responsiveness
	<input type="checkbox"/> Effectiveness and efficiency
Accountability	<input type="checkbox"/> Accountability
	<input type="checkbox"/> Transparency
Fairness	<input type="checkbox"/> Equity
	<input type="checkbox"/> Rule of Law

Source: (Graham et al., 2003)

Governance has features such as enabling the management of actors and adopting sociocultural differences, ensuring transparency in management and answering accountability, decentralization and enhancing the capacity of civil society in every sense. Based on all these features, “participation, transparency, accountability, efficiency and productivity, rule of law and strategic planning” are considered as the basic principles of governance. The implementation of governance principles in public administration is possible with comprehensive reform movements. Government reforms are carried out to find solutions to problems and adapt to dynamic changes to problems in the public sector (Önder & Aydın, 2016). Multifaced principles of governance models will be examined in the framework of Turkey’s Governance Reforms movements. In Turkey, the governance reform is an important instrument for integration with the world. Moreover, the improvement of Turkey’s public administration and budget reforms aimed at increasing efficiency, good governance is considered as steps taken towards that. Especially in public administration, practices such as strategic management ensuring

financial discipline in the budget, strategic priorities, efficiency, and downsizing the central government and delegating authority to local governments are essential in terms of ensuring and increasing transparency, accountability, and efficiency in the public bureaucracy. On the other hand, the greatest motivation of governance reforms has been directed to against “military and administrative tutelage.” Thus, the following section looks at the legal regulations and strategic plans regarding governance reforms in Turkey’s analysis of the governance principle axis.

2) Participation

One of the managerial principles taken as the basis in reform studies in Turkish public administration is participation in administration. Participation, which has gained an important position in the context of the concept of governance, enables the local people to express their wishes and needs with various organizations in local democracy perception. Moreover, participation is a multi-faceted governance principle that underpins democratization (Fung, 2006). There is a parallel relationship between the increase in participation mechanisms and direct democracy and localization. In this context, reforms related to participation in Turkey will be discussed with various aspects.

a) Strategic Plans

One of the management practices to participate in Turkey are “strategic planning” applications (Aydın et al., 2020; Çetinkaya & Korlu, 2012). A mechanism has been introduced for citizens to take an active role in the preparation and implementation and supervision stages of the strategic plans that all central or local public institutions with legal entities are obliged to prepare and implement. According to the Law No. 5018 on Public Financial Control and Management, it is envisaged that public institutions and organizations will be managed with a strategic management approach, while the contribution of all stakeholders affected

by the relevant public services is requested during the preparation of strategic plans.

b) City Council

“City council” or “city assembly” is an important participation mechanism for the development of city vision, adoption of multi-partner and multi-actor governance understanding, and citizenship awareness. In the Turkish governance reform perspective, city councils are mentioned as a local participation mechanism with the Municipality Law No. 5393. According to Article No. 74 of Law, “In the day-to-day life of the town or city, the citizens’ assembly shall endeavor to implement the following principles:

- Development of a vision of the town or city’s future and of an awareness of citizenship of the town or city;
- Protection of the town’s or city’s rights, laws and regulations; sustainable development; environmental awareness;
- Social solidarity and mutual assistance; transparency; accountability; participation and local self-government.”

The regulation 26313 on city councils of 2006 emphasizes the concepts of 'volunteering' 'citizenry' and 'consensus' in parallel with Local Agenda 21. According to Regulation, city councils contribute to the creation of a common mind in determining the strategies and action plans regarding the city. In addition, the city council’s mechanism support is not only participation but also civil society and sustainable development.

c) E-government

E-government can be defined as the use of information and communication technologies in the business and business processes of the governments/public administration. With e-government reforms, the government’s relations with other stakeholders, such as citizens, private sector and non-governmental organizations are shaped by the facilities and benefits provided by information and communication technologies

(ICT). The aim of e-government is to have a citizen-oriented, transparent, accountable, low-cost, and effective public administration (Fang, 2002).

E-government applications constitute a very important basis for both the “mobile government” and “open government.” Hence, e-government mechanisms are used as a participatory tool in providing service flow from government to citizen (G2C), from administration to civil society and private sector (Chun et al., 2010). Thanks to the ICT oriented e-government reform, public services can be offered to citizens quickly, efficiently, and effectively. Table 1 highlights the differences between traditional government and e-government.

Table 2: Compare Traditional Government vs E-Government

Traditional Government	E-government
Passive Citizen	Active Customer Citizen
Paper-Based Communication	Electronic Communication
Vertical/Hierarchical Configuration	Horizontal/Coordinated Network Configuration
One-Way Communication	Interaction
Bureaucratic-based State	Open State

E-government or “e-devlet” is one of the hot topics of the 2000s-reform process for Turkey. Firstly, in 1998, “Kamu-Net,” the Public-Net Supreme Council, and the Public-Net Technical Board were established under the chairmanship of the Prime Ministry Undersecretary with the participation of public institutions and organizations in order to overcome the bottlenecks encountered in the evaluation, coordination, monitoring, and financing of public computer networks. In the beginning of the 2000s, the e-government, which was also included in the action plan of the AK Party government, was coordinated under the State Planning Organization (DPT). Also, with the Prime Ministry Circular No. 2003/12 published on February 27, 2003 “e-Transformation” Turkey Project's objectives, organizational structure, and implementation principles have

been identified. With the Electronic Signature Law in 2004, it is aimed to reduce the bureaucratic paperwork in the public. With the signature law, the first steps have been taken regarding electronic certificate providers and data privacy and similar issues.

The management of the e-government, where the outputs of digital transformation are gathered at one point, has been drawn within the framework of the Council of Ministers Decree No. 2006/10316; the decision of the task and responsibility for the establishment and management of the e-government given to the Ministry of Transport and Infrastructure on behalf of the Presidency, and e-government technical infrastructure would be carried out by Türksat. Since 2006, all public institutions with the e-government portal www.turkiye.gov.tr, internet access under the name address was moved to the electronic environment. The services provided here enable the personal data exchange of all public institutions and organizations with a common network. With the circular about “Regulation on The Procedures and Principles for The Execution Of E-Government Services” in 2016, it emphasized that the activities regarding the realization of e-government projects and the provision of e-government services are carried out within the following principles;

- a) Being user-oriented and accessible,
- b) Saving time and money,
- c) Ensuring cyber security,
- ç) Providing uninterrupted and quality service,
- d) Extending the use of information and communication technologies,
- e) Observing fundamental rights and freedoms, taking into account the protection of personal data and the principle of privacy,
- f) Complying with national and international standards for the security of information systems.

There are applications of many public institutions and organizations under e-government. The Central Population Administration (MERNIS) Project is at the top of the electronic

government projects. The MERNIS Project aims to collect the identity information of citizens in a common database and access this information by authorized institutions with an identification number. In addition, social security organizations carry out some of their services online, the Tax Offices Automation Project (VEDOP) carried out by the Ministry of Finance, MOTOP (Transport Vehicles Tax Offices Automation Project), TAKBİS (Land Registry and Cadastre Information System) Project, Modernization Project of Customs Administration (GIMOP) (Çetin, 2010).

The number of users of e-government in Turkey has exceeded 45 million (Ünal, 2020). For this reason, some of the public services have become digitally available. For example, pandemic period mask distribution and social aid were coordinated with the e-government system.

3) Openness, Transparency, and Responsiveness

The change in public administration approach after the 2000s brings the concepts of accountability, openness, and responsiveness to the public agenda. Vigoda (2002) argued that “modern public administration involves an inherent tension between better responsiveness to citizens as clients and effective collaboration with them as partners. This tension stems from tangible differences between the nature of responsiveness and the essence of collaboration.” Similarly, the United Nations regarded responsiveness as one of the important parts of democratic governance. In this context, according to United Nation Department of Economic and Social Affairs (UNDESA, 2015), responsive democratic government involves responding to the actual needs of citizens efficiently and effectively. This includes a decision to coordinate strategies, policies, services, programs, and resources, considering the preferences of residents, paying particular attention to local differences, and goals. There have been several reforms related to the movement for responsiveness in Turkey.

The reform process has advanced at the level of legal regulations and legislation. Turkish national legislation has enough necessary legal instruments for preventing any kind of corruption. Various instruments took place in different codes of conduct for public servants developed by the regional or international organizations, which are also prescribed in the legislation. On the other hand, new institutional structures have been produced:

- The Law for Financial Disclosure and Combating Bribery and Corruption (*Mal Bildiriminde Bulunulması, Rüşvet ve Yolsuzluklarla Mücadele Kanunu*) dated 1990 and numbered 3628
- The Law concerning Prohibited Activities of Former Public Servants (*Kamu Görevlerinden Ayrılanların Yapamayacakları İşler Hakkında Kanun*) dated 1981 and numbered 2531
- The Law concerning the Trials of Civil Servants and Other Public Servants (*Memurlar ve Diğer Kamu Görevlilerinin Yargılanması Hakkında Kanun*) dated 1999 and numbered 4483
- The Law about the Right of Access to Information (*Bilgi Edinme Hakkı Kanunu*) dated 2003 and numbered 4982
- The Law concerning the Foundation of the Council of Ethics for the Public Service (*Kamu Görevlileri Etik Kurulu Kurulması Hakkında Kanun*) dated 2004 and numbered 5176
- Bylaw concerning the Principles of Ethical Behavior of the Public Servants (*Kamu Görevlileri Etik Davranış İlkeleri Yönetmeliği*) dated 2005
- The Law about the Prevention of Money Laundering (*Karaparanın Önlenmesine Dair Kanun*) dated 1996 and numbered 4208
- The Public Procurement Law (*Kamu İhale Kanunu*) dated 2002 and numbered 4734 and the Public Procurement Contracts Law (*Kamu İhale Sözleşmeleri Kanunu*) dated 2002 and numbered 4735

- The Law about Public Financial Management and Control (*Kamu Mali Yönetimi ve Kontrol Kanunu*) dated 2003 and numbered 5018

a) Laws on Right of Information Acquirement

One of the most important concepts of responsive and democratic governance is the “right to information.” The right to information is an extremely important tool in building a more democratic and open society, and in the fight against corruption. Moreover, it is a fundamental right that supports citizen participation and consequently citizen accountability.

Law No. 4982 on the Right to Information (BEHK), which was adopted in 2003, was enacted in 2004. It constitutes the legal basis of an important opening towards the “transparency” of Turkish public administration. The purpose of this law is to regulate the principles and procedures regarding the exercise of the right of individuals to information in accordance with the principles of equality, impartiality, and openness, which are the requirements of democratic and transparent management. On the other hand, the law is based on the principle that “everyone has the right to information.”

Citizens can apply to public officials or organizations they want to get information from and feedback about their activities, either in written form or electronically, by petition. The “Information Assessment Board” has been established as the authority that citizens can apply to in the event that their applications for obtaining information are not met by the relevant public institution regarding the Law on Information Acquisition.

Şengül (2004) argued that The Law on the Right to Information represents an innovation and a gain in the direction of transparency for the Turkish public administration system, which has made confidentiality a tradition of administration, despite restrictions.

b) Ombudsman Law

It is important to establish an independent and effective governance mechanism in the functioning of public services. All kinds of actions and operations of the administration are possible with the Ombudsman Institution to examine, investigate, and make suggestions in terms of compliance with law and fairness within the understanding of justice based on human rights.

The first initiative for the enactment of the ombudsman institution in Turkey was at a time when the development of the EU accession process took place in 2006. The draft law was accepted in the Parliament but was canceled upon the lawsuit filed by the President in the Constitutional Court. The law that establishes an ombudsman institution has been enacted in 2012 with the “Ombudsman Institution Law” numbered 6328 (Doğan, 2017). According to the Law No. 6328 on the Ombudsman Institution, the institution, upon the complaint about the “functioning of the administration” does the following:

- Monitors all kinds of actions and operations, attitudes, and behavior of the administration;
- Responsible for examining, investigating, and making suggestions to the administration;
- Compliance with the law and fairness within the understanding of rule of law and human rights.

In this way, the ombudsman institution in Turkey coincides with the historical and cultural concept of governance. The Ombudsman Institution conveys the demands of the citizens to the administrations in the most appropriate way in terms of good governance. Ombudsmans can be associated with governance within the framework of accountability, transparency, and fairness. In this perspective, the Ombudsman Institution:

- Increases the service quality of the administration,
- Ensures good management principles are settled,
- Works on the development of human rights,

- Ensures the rule of law,
- Spreads the culture of claiming rights,
- Tries to contribute to the formation of a transparent, accountable, people-oriented administration.

c) Definition of Ethical Rules in Public Administration

The Law on the Establishment of the Public Servants Ethics Board Law No:5176, dated 2004, was enacted as a legal regulation regarding the determination of the professional rules and ethical rules that public officials should comply with in order to ensure transparency in the public and to reduce corruption. The purpose of the law is to “determine the establishment, duties, and working procedures and principles of the Ethics Board for Public Servants, in order to determine and observe the implementation of ethical behavior principles such as transparency, impartiality, honesty, accountability, and observance of the public interest.” In this law, the ethical rules to be followed by public officials while performing their duties are determined. Therefore, “the Public Servants Ethics Board” has been established in order to carry out the necessary investigation and research upon the applications made with the claim that these rules have been violated and to ensure the establishment of the ethical culture in public.

4) Effectiveness: Efficiency and Performance Management

Effectiveness is a concept that measures the degree to which the public administration achieves its objectives, specified in its strategic plans. Effectiveness; the relationship between the planned and actual impact of an activity; expresses the degree of goal achievement and appropriateness. On the other hand, efficiency and effectiveness shows the overall performance of the administration. In this perception, total performance is formed as a result of the relationships of various factors, such as the knowledge and skills of managers and employees, technology, capacity, methods used, and even environmental relations. In public

administration, effectiveness, considered as the degree to which public services achieve goals, and efficiency concepts that show the relationship between input supposed sources and outputs, is among the indispensable conditions for the success of public administration reforms within the framework of the new public management and governance perception.

a) Public Financial Management and Control Law No. 5018 (2003)

The Public Financial Management and Control Law No. 5018, adopted in 2003, is a “versatile governance law.” 5018 regulates the basic principles of the system by considering the structure and functioning of Turkish financial management and control system with governance understanding (Kesik, 2005). Moreover, this law mentions a “participatory” and citizen-oriented management. The Public Financial Management and Control Law No. 5018 is also defined as a “fiscal constitution” (Önder & Meydanlı, 2019). “The purpose of this Law is to regulate the structure and functioning of the public financial management, the preparation and implementation of the public budgets, the accounting and reporting of all financial transactions, and financial control in line with the politics and objectives covered in the development plans and programs, in order to ensure accountability, transparency, and the effective, economic, and efficient collection and utilization of public resources.” Public Financial Management and Control Law No. 5018 focuses on;

- Improving administrative capacity,
- Fiscal transparency and financial control,
- Gaining the habit of strategic planning (Medium Term Plans),
- Development of cooperation mechanisms between Public-Private Sector and NGO’s,
- Regulatory and supervisory agencies,
- Efficient allocation of public resources.

The Public Finance and Control Law of 2003 was primarily structured to introduce efforts to enhance public authorities' efficiency. Performance-based budgeting, which provides the execution mechanism, is one of the core concepts of performance management. For this purpose, agencies are required to prepare strategic plans and performance plans for medium- and long-term periods to allow performance measurement to meet specific objectives and annual reporting of activities—to compare performance with strategic plans. The Municipality Law of 2005 (Law no: 5393), as a complement to the 2003 Public Finance and Control Law, required municipalities to determine performance criteria and monitor their administrative performance. The Finance Ministry was authorized to ensure that the performance criteria set out in the public agency's strategic plans comply with their budgets. In addition to strategic planning and budgeting based on results, Public Finance and Control Law 2003 also sought to enhance public agencies' efficiency by creating public internal audit units and improving external auditing. This was also an action implemented to meet international standards and practices within the EU.

5) Local Governance Reforms

Local administrations are one of the main administrative structures in which governance understanding has been institutionalized. Because local governments are the center of transparent and open management understanding in the participation process, especially “subsidiarity” principal axis. Thus, local governments are essential for the effective implementation of the governance phenomenon.

Turkish Public Administration, which adopts the Weberian style, is organized according to the principles of central administration and decentralization. The balance between central government and local governments is ensured by the ‘tutelage control’ of the center over the local. In this context, Turkey has experienced a number of reform processes in the local government's approach after 2000. Characteristic

local government reform in Turkey was created by laws and regulations. This situation is a result of the unitary state perception.

Forming the legal basis of local administrations, when Village Law No. 442, Metropolitan Municipality Law No. 5216 and 6360, Municipality Law No. 5393, and Special Provincial Administration Law No. 5302 are examined, it is seen that the phenomenon of governance is frequently referred to. It requires an effective public inspection, a transparent accountable management approach, along with the provisions of the relevant legislation, especially based on participation, from the organizational structures and bodies of local administrations. A management approach based on participation has been adopted in the decisions and processes of local bodies, especially local administrators. Within this framework, new duties and responsibilities have been assigned to local governments. Turkey has a unitary state, it was not easy to make local government reforms. As a result of many reform movements, local government reform has been deemed inevitable.

The first step on the new public management of local governments in Turkey was laid by Management Law No. 3030 of the Metropolitan Municipality in 1984. With this law, metropolitan municipalities were established, and their duties, powers, and responsibilities were expressed. It also covered the principles and procedures regarding the central administration and its relations with other local administrations. One of the local government reforms is the Special Provincial Administration Law dated February 22, 2005 and numbered 5302. The purpose of the law is to regulate the establishment, organs, management, duties, powers and responsibilities, and working procedures and principles of the special provincial administration. In the general justification of the law, the increase in the demands for identity and participation in the administration, which caused the erosion of central state structures all over the world and the strengthening of decentralized structures, was emphasized. The law also resolved the

dispute between the special provincial administrations and municipalities in terms of duty and authority.

With Municipal Law No. 5393, the subsidiarity principle was adopted, and the areas of duty of the municipalities were generalized and expanded. As a result, administrative and financial autonomy of municipalities came to the agenda by limiting administrative tutelage. Moreover, some steps have been taken to strengthen participation and local democracy with Municipality Law No. 5393. Changing the definition of “citizenship to townsman,” establishing and functionalizing “city councils,” ensuring voluntary “participation” in municipal services, abolishing the “administrative tutelage” on the municipality and establishing “audit commissions and strategic planning” can be listed among these steps.

As Article 13 of Law No. 5393 points out, “Everyone is a townsman of the town in which he lives. Townsman shall be entitled to take part in municipal decision making and services, receive information on municipal activities and benefit from the aids distributed by the municipal administration.” The municipality carries out the necessary work on the development of social and cultural relations among citizens and the protection of cultural values.

5393 aims to increase the “efficiency and productivity” of municipalities with “five-year strategic plans, performance programs and activity reports” to be prepared. The most comprehensive latest regulation regarding local governments is Law No. 6360, adopted on December 11, 2012. The justification of the law is similar to the previous metropolitan municipality laws. In order to have a transparent, effective, efficient, citizen-oriented management approach, empowerment of the local is advocated. In accordance with the new public administration approach, municipalities will be authorized to use the methods of making or operating many businesses and services in addition to granting concessions or having some work and service done with the **build-operate-transfer** (BOT) model.

With Law No. 6360, important changes were made in the Metropolitan Municipality system in terms of scale, authority, and distribution of resources. At the end of the law, the number of metropolitan cities increased to 30. 6360 speaks to the principles of “efficiency, citizen-oriented, accountability, participation and transparency.” While the authority and responsibility of metropolitan municipalities are increased with the law, the efficiency of the central government is increased through the “Investment Monitoring and Coordination Directorates” of the board. Also, with the law, villages were determined as ‘mahalle’ of the district municipality.

Turkey also established on February 8, 2006, the Organization of Development Agencies, Coordination, and Duties, which was harmonized with the Law on these changes. In the general justification of the Law, the starting point of the regional development plans in the world is not only aimed at eliminating the development differences between the regions, it is sustainable, balanced, people-oriented, flexible, competitive, participatory, and the efforts of local actors, local potentials and dynamics, strategic approach, learning-based practices. Among the duties assigned to agencies are monitoring other projects carried out by the public sector, private sector and non-governmental organizations in the region deemed important, and developing multi-sectoral and stakeholder cooperation. In addition, the organizational structure of the agencies is designed to operate as an effective private sector organization with wide participation, high technical capacity, in accordance with the understanding of public-private partnership.

The principles of effectiveness, efficiency, and transparency are included in almost all of the general justifications of the laws examined. On the other hand, principles related to accountability, transparency, balance of authority and responsibility, performance management, strategic planning, and financial audit came to the fore in the legal regulations.

6) Civil Society Reforms

In the last quarter century, especially with the implementation of the governance perception, there have been important changes in the perspective of governmental and societal relations. These changes are also reflected in the policies produced for society. Unlike the traditional state administration, it is envisaged to include civil societies in the process for an “action-oriented” and “participatory” management. Although these organizations differ technically and qualitatively, civil societies are effective in forming an aspect of participatory management.

The most important motivation of governance reforms is the existence of multi-stakeholder decision-making mechanisms. There is a direct relationship between strengthening civil society in realizing governance reform (Önder et al., 2019). “Strong governance can be possible with strong civil society.”

Turkish society traditionally has a civil society culture. Civil society has maintained its existence as an important “domain” since the Ottoman period. However, the participation of civil society mechanisms in the “decision-making process is weak.” Moreover, civil society organizations have been weakened especially with military coups. After two big earthquakes in Izmit and Düzce (1999), the image of civil society and state-civil society relations was radically changed. The rapid and effective action of non-governmental organizations in aid activities after the earthquake made a very positive contribution to the image of civil society. The state's inability to provide a quick solution in a crisis situation caused the widespread understanding that non-governmental organizations and a participatory political culture are necessary for effective solutions to the problems faced by Turkish society (Akçeşme, 2013). After the 2000s, Turkey experienced significant transformations related to civil society organizations (CSO). While one of the reforms related to demilitarization was shaped on reducing society and “administrative tutelage and military tutelage,” the other focused on strengthening civil areas. CSOs, which have an important role in the

development of an effective citizen type, especially in terms of participatory democracy, can influence public policies by transferring many different opinions, thoughts, and activities to the political arena. After the 2000s, civil society stakeholders took a decision to form and support the strategic planning mechanism. It is seen that CSOs, which have seen a high increase in their qualifications and effectiveness in recent years, play the role of mediators between the state and society on the one hand, and mediate changes in public policies and society on the other. In the 11th Development Plan published in 2018, the role of non-governmental organizations in the development process is emphasized. According to the program, in order to improve the institutional structure of CSOs, it is necessary to provide the necessary trainings to increase both their institutional capacities and professional qualifications, and to meet NGOs with new opportunities and technologies in education. Additionally, bridges were built between civil society dialogues and the public and civil society. According to Ayhan (2020): “In Turkish legislation, there is no single legal definition of CSOs. Instead, there are different legal definitions for each type of CSOs. These CSOs are subject to supervision by different public institutions, but they have similar features in practice, despite the fact that they are different in size, number and activity areas.”

Changes made to the Law on Associations in Turkey have been an important development in terms of participation in civil society. These changes have been one of the main factors in the development of relations between CSOs and the state by facilitating the work of associations. Democratic organization has developed positively. As a result, it has become easier to establish and operate associations, ask the opinion of civil society in terms of democratic participation, ask for representatives, start connections between Public Institutions and CSOs, take the concept of the associations desk from the police. Therefore, Association Law changes have provided a “civil” structure with the Directorate of Associations.

Governance Principle	Reforms
Participation	• City Council Enactment
	• Municipality Law No. 5393
	• E- Government Reforms
	• Establishment of the Presidential Communication Center (CİMER)
Responsiveness	• Law on Right to Information No. 4982
	• Public Financial Management and Control Law No. 5018
	• Establishment of the Ombudsman Institution
Openness & Transparency	• Law on Declaration of Property and Fight with Bribe and Corruption No.3 628
	• Public Financial Management and Control Law No. 5018
	• Law Related to The Establishment Council of Ethics for Public Service and Making Modifications on Corruption No. 5176
	• Action Plan for the Development of Effective Management and Increasing Transparency in the Public Sector in Turkey
Efficiency and Effectiveness	• Public Financial Management and Control Law No. 5018
	• Draft Law No. 5227 on Fundamental Principles and Restructuring of Public Administration
	• Regulatory Impact Analysis (DEA) legislation
Strategic Vision & Planning	• Five-Year Development Plan
	• Creating performance programmer
	• Internal Control Program me
	• Performance Information System
	• Vision Documents

	<ul style="list-style-type: none"> • Establishment of Strategy Development Boards in Ministries
Decentralization	<ul style="list-style-type: none"> • Municipality Law No. 5393
	<ul style="list-style-type: none"> • Law on Special Provincial Administration No.5302
	<ul style="list-style-type: none"> • Metropolitan Municipality Law No. 6360
	<ul style="list-style-type: none"> • Local Agenda 21
Civil Society	<ul style="list-style-type: none"> • Law on Associations No. 5253
	<ul style="list-style-type: none"> • Regulation to reduce military and administrative tutelage
	<ul style="list-style-type: none"> • Stakeholder Analysis Reports

Source: (Önder and Uzun, 2020)

Conclusion

The paradigm of governance has transformed public administration. Governments have gained a more comprehensive outlook, become more democratic, respectful of human rights, and had multi-participant management mechanisms with governance reforms. However, there is a multi-layered and linked movement for reforms. The philosophy is also reflected in e-government reforms, covering all governance principles from participation to financial transparency. Likewise, reforms against “military or administrative tutelage” open the doors to democratization and multi-stakeholder participation.

In this context, Turkey has shaped several reform efforts since the 1980s. The efforts of integration with the global world and technological developments were positive effects of the reform process in Turkey. Hence, the 2000s-reform process included more ICT-based, participatory mechanisms, and principles of openness. Turkey has made significant legal regulations, such as the Public Financial Management and Control Law No. 5018 or Municipality Law No. 5393 or Law on Right to Information No. 4982 or Law on Declaration of Property and Fight with Bribe and Corruption No. 3628 for governance reform. In light of these legal regulations, new reform area/movements and legal arrangements

have emerged. On the other hand, strategic plans and long-term plans are essential parts of Turkey's governance reform.

All in all, the reforming process is like climbing a mountain with a beautiful view. The beauty of the scenery is fascinating, but getting out takes a lot of effort. Therefore, it should not be forgotten that reform processes require great patience and effort. Turkey's reforms still have shortcomings in many areas. However, there are valuable lessons in Turkey's reform adventure. Ummah countries can perform their proper governance reforms by analyzing the strengths and weaknesses of Turkey's reform process. Thus, governance reforms in the Ummah countries will increase the dialogue between the Muslims and the teachings of Islam.

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16. Populist Leaders and Authoritarianism in Pakistan

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Introduction

While there is no shortage of literature separately on Bhutto and Khan's populism, there is no comparative analysis available of the two leaders, especially with reference to their populist narrative. Studies that share the focus of the proposed research have revolved around challenges to democratization in Pakistan. Imran Khan's government in Pakistan has been criticized for being too close to the military (Afzal, 2019a; A. Shah, 2019). The military has sustained its influence in Pakistani politics with long periods of military rule that have contributed to the deterioration of political institutions, undermining democracy (Ganguly, 2008). A comprehensive study reports that Pakistani "political leaders continue to reveal [a] lack of commitment to the principles of democracy" (Shafiqat, 1998, p. 295). Many scholars note that Islam has been integral to the political development of Pakistan, a factor that impacts Imran Khan's political imagination (Fatima, 2013). It has been noted that Imran Khan "rose to power on a classic populist platform" by presenting his party as the non-corrupt alternative to Pakistan's two biggest political parties of that time, namely the Pakistan Muslim League-Nawaz (PML-N) and the Pakistan People's Party (PPP) (Afzal, 2019a, p. 1). With anti-Western and pro-Taliban rhetoric, Khan's populism has been labelled as both left wing and right. For example, his pro-poor social welfare policies draw from the left, so too does his foreign policy, aiming to reduce dependence on the West through a "leftist brand of nationalism" (Afzal, 2019a, p. 1). Based on an assessment of the 2018 elections that brought Khan into power in Pakistan, Shah describes Pakistan as having a "pseudo democratic façade covering the reality of continued military tutelage" (2019, p. 128).

After Pakistan's disintegration in 1971, Bhutto began promoting Islamic socialism through anti-Western rhetoric. Jafferlot rightly describes Bhutto "as less a democrat than a populist, more an authoritarian than a parliamentarian, more centralizer than a federalist, and as much a socialist as a product of his social background" (2015, 10). After placing restrictions on the media, Bhutto denied Pakistan free and fair elections in 1977—preparing the ground unwittingly for another military coup d'état in July 1977. Similarly, Khan has used anti-Western rhetoric to promote his party and the idea of a corruption-free Pakistan, based on an idealised model of the first Islamic State of Madinah under Prophet Muhammad. Yet, Khan has been criticised for making U-turns on his promises and attacking opposition parties, as well as the media and human rights activists, under the guise of accountability (Siddiqui, 2019).

Besides similarities between their populist discourse that will be analysed in this paper with a focus on anti-Western and anti-India discourse, it is important to highlight how similar Imran Khan is in terms of his personality and political background to Zulfikar Ali Bhutto. While Bhutto belonged to a feudal family, Khan like Bhutto also studied at the University of Oxford. In their earlier political careers, both collaborated with military dictators. Bhutto was Pakistan's Minister of Foreign Affairs under the military regimes of Ayub Khan during 1963-66 and Yahya Khan until 1977. Similarly, Khan supported Pervez Musharraf's coup and supported him during the 2002 referendum. Such similarities demand a proper investigation to compare their populist narrative.

Anti-Westernism rhetoric

One key aspect of Imran Khan's populism was antagonism towards the global powers and the West, especially the US. Bhutto's displeasure of the West/America was linked to the developments leading up to the disintegration of Pakistan in 1971. Then Pakistan faced an embarrassing defeat at the hands of India, but what was more shocking for Bhutto was the fact that Pakistan's security alliances with the West,

such as the Southeast Asian Treaty Organization (SEATO), proved useless in terms of Pakistan's security. He withdrew Pakistan's membership of SEATO in 1973.¹ Faced with anti-government protests at home, Bhutto upscaled his anti-American rhetoric by delivering an anti-US speech to Pakistan's parliament in 1977. In the speech, he blamed the United States for conspiring against his government through demonstrations (Kugelman, 2013).²

After parting ways with the West, Bhutto looked towards the ummah for achieving Pakistan's national interests, i.e., economic development and security. This naturally revived Pakistan's interest in pan-Islamism. Bhutto's vision was to double down on pan-Islamism through close relations with Muslim countries. In pursuit of that agenda, he visited Afghanistan, Algeria, Egypt, Iran, Libya, Morocco, Syria, Tunisia, and Turkey in January 1972 (Rizvi, 1993, p. 74). Bhutto's pan-Islamic foreign policy aimed to reduce economic dependence on the US by gaining financial support from rich Muslim countries (Delvoie, 1995). He was successful, strengthening relations with key Muslim states by also organizing the second OIC summit in 1974 in Lahore at which Colonel Gadhafi called Pakistan "the citadel of Islam in Asia" (Bhutto, 2010, p. 111). This event helped Pakistan achieve a moral valence among Muslim majority countries.

Like Bhutto's populism that took an anti-imperialist guise, Imran Khan consistently emphasized an anti-imperialist discourse in his speeches and statements. Pakistan, according to Khan, has always been subservient to foreigners: first the British and then the Americans. At the heart of Khan's rhetoric is an emphasis on Pakistan's sovereignty—the idea that Pakistan should be an independent nation unaffected by foreign influence (Aslam, 2015, p. 79). It is within this context that his anti-U.S.

¹ The Central Treaty Organization was disbanded following the Islamic Revolution of Iran in 1979.

² The Bhutto government faced demonstrations from a coalition of nine political parties who accused Bhutto of fraud in the March 7 elections.

discourse emerged. Khan referred to the U.S. War on Terror as “the most insane and immoral war of all time” (Jeffries, 2011). He likened the “War on Terror” to American involvement in Vietnam, both of which led to the failure of the U.S. army in two parts of the world (Jeffries, 2011). This brings Khan closer to Bhutto, who regarded the Vietnamese resistance against the US army as a heroic victory. United States foreign policy in the contemporary era, according to Khan, represents an “era of neo-colonialism”—an era “in which Pakistan’s people seem destined to suffer as much as, if not more than, they did during British colonial rule” (Jeffries, 2011). He has called for “the end of American hegemony” (Judah, 2018). Khan’s anti-US rhetoric reached its climax when he stated, “We will not allow the United States to conduct its drone attacks in Pakistan. If the United States continues its attacks, then we will shoot down their drones and we will protest in the United Nations” (Aslam, 2015, p. 87). Khan used his anti-American discourse to gain legitimacy in the eyes of Pakistanis since “anti-American rhetoric has long been a populist vote winner” in Pakistan, as a journalist noted (Campbell, 2018).

As a populist leader, Khan often linked his anti-American discourse to his criticisms of former Pakistani political leaders. Khan indeed used his anti-American discourse to increase his legitimacy through delegitimizing former political leaders of Pakistan. His discourse coheres well with the general discourse of populism that is centred on “enmity and distrust towards political elites.” He referred to former presidents of Pakistan, especially Pervez Musharraf and Asif Zardari as “American stooges” (Aslam, 2015, p. 79). As noted by Aslam, “A consistent theme in Khan’s political rhetoric is that current Pakistani leaders have brought shame to the country’s name by not taking a stance against the use of drones by the United States” (Aslam, 2015, p. 79). For Imran Khan, a “puppet government” in Pakistan received US aid which, in turn, destroyed the country. In Pakistan, according to Khan, the army killed “our own people with American money. We have to separate from the US” (Jeffries, 2011). Therefore, Khan’s populist discourse was not

only directed at US foreign policy with regards to the Middle East, but also at successive Pakistani governments for entrapping their country in a “dismal cycle” of mass death by supporting the War on Terror in return for US financial aid (Jeffries, 2011). Khan has benefited from the anger of Pakistan’s population at such grandstanding against an unpopular United States’ policy of the War on Terror. To enjoy broader public support, Khan promised to pull Pakistan out of the War on Terror:

“According to the government economic survey in Pakistan, \$70bn has been lost to the economy because of this war. Total aid has been barely \$20bn. Aid has gone to the ruling elite, while the people have lost \$70bn. We have lost 35,000 lives and as many maimed— and then to be said to be complicit. The shame of it!” (Jeffries, 2011)

Within Khan’s anti-Western rhetoric has been a focus on Islamophobia and how the West, for example, does not understand Islam and how that leads to Islamophobia in the West. As the prime minister of Pakistan, Khan used the stage of the United Nations General Assembly in 2019 to talk about these issues: “Millions of Muslims are living in the US and European countries as minorities. Islamophobia, since 9/11, has grown at an alarming pace. Human communities are supposed to live together with understanding among each other. But Islamophobia is creating a division” (Gulf News, 2019). He has repeatedly spoken about oppressed Muslims of Jammu and Kashmir and Palestine. The Khan government has compared the Modi government’s measures in Jammu and Kashmir to the Israeli brutalities against the Palestinians (TRT World, 2019). While Khan has spoken for the ummah, including Muslims in majority-Muslim and other states, it has come as a surprise that he has completely avoided the issue of Uighur Muslims of Xinjiang, China. In a TV interview, Khan was caught off guard on the issue of Uighur Muslims in China. In response to a question on the detention of two million Muslims in Xinjiang, Khan replied by saying, “Frankly, I don’t know

much about that” (Westcott, 2019). This reaction from Pakistan is not surprising, considering China has promised to invest \$62 billion in Pakistan under the China-Pakistan Economic Corridor. It is, however, another compromise that Khan has made for his survival, by going to another extreme of applauding China’s poverty alleviation program to draw lessons for Pakistan (Xinhua News, 2019). Such a compromise has made him a clear target of criticism in the West. In a Wall Street Journal article, Dhume argued:

Imran Khan’s foreign-policy agenda carries a contradiction at its heart. Mr. Khan seeks to project himself as a global defender of Islam, but he wouldn’t utter a word about one of the most egregious persecutions of Muslims: China’s repression of Xinjiang’s Uighur and its project to Sinicize Islam (Dhume, 2019).

Aligned to the party’s anti-Western/American agenda was the promise to the masses that it would not beg the IMF for loans. The realities of running the government, however, were tougher than expected, especially the financial situation of Pakistan. This forced the Khan government to return to the IMF for more loans to address the emergent challenge of a balance of payments. As it was reported in Telegraph, “Mr. Khan appeared to have bowed to IMF demands for sweeping reforms to the economy, despite only months ago saying he refused to bend to the lender” (Farmer, 2019a). This has been a serious blow to his populism that had clear anti-Western/American rhetoric. The country’s poor economy pushed him towards a compromise in the shape of a bailout package worth \$6 billion from the IMF, which is dominated by the US (Landler, 2009).

Another key ingredient of Khan’s populist rhetoric was to tax the rich to give concessions to the lower classes, and the IMF deal has basically meant more taxes for whomever pays tax. A South Asia expert, Michael Kugelman argued, “The IMF package will make it quite tough

for Khan to achieve his economic promises and therefore undercut the populist image that he has sought to showcase to the electorate” (Janjua, 2019). The government is under pressure from the IMF to achieve a new target PKR 5,100 tax revenue for the fiscal year 2020-21. Also, the IMF deal has been blamed for a sudden hike in the interest rate to 12.5 percent (Bokhari, 2019). The IMF-led economic reforms have already led to the masses’ discontentment with the government that continues to increase taxes. What these tax reforms have shown again is that the rich get away with it by finding ways to get tax exemptions. This has traditionally widened the rich-poor gap in Pakistan (Tavernise, 2010). The situation under Imran Khan, following the IMF loan, is not any different from before, as the middle-class is mainly paying the price of taxation reforms (S. Shah, 2019). Also, local businesses have demonstrated against increased sales taxes as part of the IMF deal (Shams, 2019).

Authoritarianism

Bhutto emerged as Pakistan’s first populist leader after two long military dictatorships. He has been described by many words—brilliant, arrogant, autocratic, opportunist and authoritarian (S. Zafar, 2014). By the end of his political career, Bhutto had shown clear signs of becoming an authoritarian ruler. Jafferlot has described him as “more an authoritarian than a parliamentarian” (2015, 10). Bhutto had gradually changed during his term as the prime minister of Pakistan because his initial efforts were focused on negotiating the Simla Agreement of 1972 with India. After this initial phase, as Zaidi (2017) argues, in 1974 Bhutto emerged as a different leader, “one who discards his radical allies and moves towards his landed and feudal base, making him authoritarian and dictatorial, abandoning the social group that had been responsible for his phenomenal rise.”

Often, examples are cited of Bhutto’s growing authoritarianism in the way his government had hardly dealt with editors and publishers of newspapers critical of his policies, for example the editors of *Dawn* and

Jasarat were arrested. His government also had Khan Abdul Wali Khan, of the National Awami Party, (Bhutto's main contender in Peshawar) banned. Zaidi (2017) further argues that "Bhutto's authoritarianism was central both to his achievements as well as to his downfall." His authoritarianism played a role in his survival but also his demise as he was hanged by the General Zia-ul-Haq regime on murder charges.

A recent case is of the Imran Khan government confronting the judiciary on behalf of the military—seen to be behind Khan's success in the last election. A federal minister criticized the judiciary over the death sentence awarded to former Army chief and president General Pervez Musharraf in a treason case (Afzal, 2019b). Fawad Chaudhry, a federal minister, said, "You pushed the institution [army] against the wall. It is an honor-based institution. If you keep doing this, won't they react?" (Qayum & Haider, 2019). Clearly, it was a direct threat to the judiciary. In another case, the Supreme Court of Pakistan blocked the extension of the current army chief for which the approval was granted by the government/Imran Khan (Farmer, 2019b). Imran Khan has directly been making comments in public about not trusting the judiciary. The chief justice of Pakistan replied, "I do not want to comment on the particular case [of Nawaz Sharif], which the prime minister had referred to, but he [PM] will be aware that he himself gave [Nawaz] permission to go abroad. That's why he should refrain from making such statements. No one is perfect. We are changing. Don't compare us with the judiciary which had existed before 2009" (Mali, 2019).

Seeking more authority, Khan has been frustrated by the 18th constitutional amendment that has given more autonomy to the provinces. As his government does not have a majority in Sindh and Balochistan, it cannot do much at the federal level. He expressed his frustration by saying that the 18th Constitutional Amendment has turned chief ministers into "dictators" because they have not transferred powers to the local government levels (Ayub, 2020). While the Khan

government has shown an interest in reviewing/revising the amendment, it is unclear how it will achieve this goal.

Khan's rise to power as a populist was attributed to the media's coverage of his sit-in. Many private TV channels provided live coverage to PTI *dharna* in 2014. It has therefore been shocking for many to see how his government has been curtailing media freedom. Through various restrictions, such as censorship, the government has shown that it is against any criticism of its policies and actions. Some have blamed the government's alliance with the military for strict actions against some prominent journalists, such as Syed Talat Hussain, and TV channels like Geo News for a total blackout of any news that criticizes the military or the government. The PTI government, through the Pakistan Electronic Media Regulatory Authority (PEMRA), had also issued a directive for TV news to stop them from sharing their personal views, which was declared a punishable offence with a possible fine of PKR10 million (Ellis-Petersen & Baloch, 2019). The government, however, could not implement it because of the pressure from the local journalists. PEMRA and NAB are also blamed for following the government's agenda in targeting certain media houses—for example, the head of Jang Group is in a NAB prison on corruption charges. Still, the government claims that it believes in free media and Imran Khan also said in Washington, "The Pakistan media, in my opinion, is even freer than the British media. It is not just free but sometimes out of control" (Outlook India, 2019).

So, what his government is trying to do is control the media. The government aims to control all forms of the media, including print, electronic, and social, through the newly formed Pakistan Media Regulatory Authority. The prominent journalist associations have also criticized the establishment of a new body which they believe would be like the Press and Publications Ordinance under the military rule of Ayub Khan (I. Zafar, 2019). As the Khan government has also been criticized on the social media, it approved a bill in February 2020, 'the

Citizens Protection (Against Online Harm) Rules 2020,' to control social media, which many believe can be used to “stifle dissent and free speech.” The language is ambiguous, as the new social media restrictions aim to also prevent live streaming of content on “terrorism, extremism, hate speech, defamation, fake news, incitement to violence and national security” (Al Jazeera, 2020). Local journalists and human rights groups are criticizing such reforms. A journalist based in Islamabad argued that the international community needs to “force Pakistan’s hybrid civil-military regime to stop this continued crushing of normal free speech in the country” (Rehman, 2020).

Like the case of the restrictions of the media under the Imran Khan government, the restrictions on civil society, e.g., NGOs, are blamed on the military’s influence. Many such curbs on civil society, including both local and international NGOs, were implemented following the Osama bin Laden operation in Pakistan, in which the local intelligence believes the Save the Children had provided intelligence to the US. In 2015, Pakistan had shut down the Save the Children office and then expanded its restrictions on civil society organizations (Boone, 2015). Since then, there are new regulations and security checks which have already forced several international organizations to shut down their operations in Pakistan. Under the Khan government, such measures have just expanded, as a notice was issued to 18 international organizations, including ActionAid in October 2018 to leave Pakistan. The Ministry of Interior of Pakistan has given one reason for its actions against prominent international NGOs that they posed a threat to national security and were “anti-state agents” (Asad & Khattak, 2018). Another case is that of the government expanding such restrictions to target members of the Pashtun Tahafuz Movement (PTM)—a civil society movement critical of the army’s role in the ‘War on Terror.’ A case was lodged by the Federal Investigation Authority against a prominent member from a local NGO ‘Aware Girls,’ Gulalai Ismail, for

allegedly receiving millions from India and that her organization was involved in suspicious activities (The News, 2019).

Conclusion

This study aimed to compare the two populist leaders by examining their populist narratives. The contexts were very similar under which the two leaders emerged, as there was a heightened anti-Westernism in Pakistan. While Bhutto used anti-Americanism to also counter domestic opposition to his government's alleged fraud in the 1977 elections, Khan has accused the erstwhile governments of embarrassing Pakistan by partnering with the US 'War on Terror.' Khan has also been against the US drone strikes in the country. As depicted in this paper, this anti-Americanism of Bhutto and Khan was similar and linked to the masses' grievances against the US. Another element is how the two leaders used anti-India sentiments in their favour. Bhutto did not attack the opposition parties/leaders as the friends of India. A key similarity was seen in terms of Bhutto's authoritarianism, through which his government had targeted the media and opposition parties. Similarly, Khan's government has introduced new media laws and increased media censorship and targeted other institutions, especially civil society.

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VII. Examining Case Studies in Political Concepts: Social Solidarity, Civil Society, Revolution, and Democratic Transition

17. The Impact of Arab Spring on the Development of Civil Society in Morocco

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Introduction

The Arab Spring started with mass demonstrations in 2011 within the MENA region. As a result of these events, many radical changes happened in countries with repressive regimes in the region. For instance, the ruling regimes were overthrown in Tunisia, Egypt, and Libya, while constitutional reform became inevitable in Jordan and Morocco. On the other hand, civil wars have started in Syria and Yemen. Proponents of the Arab Spring considered these mass demonstrations as an opportunity to reconstruct Arab societies on the basis of democracy. For instance, Joffe (2011) called these demonstrations a “fourth wave of democratization” building on Samuel Huntington’s explanations of democratic waves. Similarly, Engin (2011) called it a “fifth wave of democratization” happening particularly in the Middle East Region. After Ben Ali’s and Hosni Mubarak’s regimes collapsed, Hounshell (2011) questioned the future of other authoritarian regimes by asking “Who is next?” On the contrary, skeptics argued that these demonstrations did not contribute to democratization in the region, they rather caused political destabilization and chaos. Rosiny and Richter (2016) argued that calling the Arab Spring a “wave of democratization” was exogenous wishful, because demonstrations produced only very few demonstrators who demanded a transition to democracy. Likewise, Jones (2012) stressed on the necessity to take a cautious approach about the results of the Arab Spring, because previous uprisings in the regions, namely Lebanon in 2005 and Tehran in 2009, resulted in little or short-lived systematic change in the governing

regimes. However, he claimed that “in both Egypt and Tunisia, we have seen changes of the top echelons of the governing regimes, but we have not yet seen fundamental regime change...we must recognize that no one really know where it is [the Arab Spring] going” (Jones, 2012: 448-449).

This paper evaluates the outcomes of the Arab Spring in terms of the development of civil society in Morocco. This emphasis provides evidence as to whether the Arab Spring resulted in positive or negative changes in the country. In general, there have been impactful reforms in Morocco during the Arab Spring. Although, demonstrations were ‘less intense’ in Morocco in comparison to other countries where regime change or civil wars prevailed (Salih, 2013). During the Arab Spring, one of the civil society movements, namely the ‘February 20 Movement,’ played a very significant role by gathering Moroccans together and demanding radical changes in terms of political, constitutional, and judicial reforms. After these events, King Mohamed VI announced constitutional reforms, consequently, transforming the political regime into a Constitutional Monarchy by a new constitution on June 17, 2011. This was a significant reform that created a new base for democratic transition. In addition, this reform has resulted in other positive developments such as the officialization of the Amazigh language, defining the prime minister as the head of government and the council of government, with power to dissolve the parliament, and promoting gender equality institutionally. These reforms have also contributed to the development of governance approach in Morocco, because CSOs were described as an actor with dynamic(s) of change by Article 12 of the new Constitution. These constitutional reforms enlarged the social space for CSOs’ participation. Especially, CSOs like human rights associations, women’s rights groups, Amazigh movements, and labor unions increased their activities in terms of supporting people’s demands in terms of decision-making.

Based on the positive developments for civil society with constitutional reforms during the Arab Spring, this study seeks

xplanations for the question: “What is the impact of the Arab Spring on the development of CSOs in Morocco?”. To answer this question, this paper is divided into three main themes: We firstly look into the situation of the MENA region in the wake of the Arab uprisings. Secondly, we provide a recent discussion on the possibility of civil society in the Muslim world. Thirdly, we scrutinize the impact of the Arab Spring on the development of civil society in Morocco, and for this purpose, we discuss the political culture and historical evidence of civil society, and the recent legislation and reforms related to civil society, taking note of Moroccan citizens’ perceptions about CSOs building on a European Union funded project on Democracy Building. Lastly, we provide a summary, findings, discussion, and recommendations for decision-makers and future researchers in the area of civil society.

1. The Arab Spring in the MENA Region

The Arab Spring refers to a series of mass protests taking place in the MENA starting from 2010 (Mushtaq and Afzal, 2017; Salih, 2013). This event was described as the “biggest transformation of the Middle East since decolonization” (Agdemir, 2016: 223), and a “wave that has shaken the Arab world” (Farazmand, 2011: 10). The first prominent attempt leading to the uprisings occurred on December 17, 2010, when Mohamed Bouazizi, a Tunisian street vendor, set himself on fire— as an act of protest against public authority (Salih, 2013; Farazmand, 2011). Subsequently, Tunisians have responded by collective protests known as the “Jasmine Revolution,” and within a month, the regime of Ben Ali collapsed (Idris, 2016). In fact, the main slogan of these protests was to bring down the regimes (Mushtaq and Afzal, 2017; Salih, 2013). It is argued that these protests engendered a ‘domino effect’ considering their geopolitical implications on the Arab region. As far as these protests were concerned, the public demands called for regime change, democratic reforms, social justice, freedoms, and participation in the political

process. The protests spread to other countries in the region with uneven impact on political regimes and trajectory.

Hess (2013: 254-255) stated that the protests in Tunisia were very intense, and this resulted in regime destabilization, dismissal of the long-standing autocrat Ben Ali from power, who was sent into exile. Later on, the protests in Tunisia spread to countries in the MENA region, namely, Egypt, Libya, Syria, Yemen, and Bahrain. For instance, Hosni Mubarak's regime collapsed within months after protests. Recently, the protests in Syria generated a civil war, remaining unstable to this date. The factors leading to the uprisings can be summarized as the following:

A. Socio-economic Factors: Many scholars claim that i) economic performance, ii) educated, angry, and unemployed young people, iii) socio-economic inequalities, iv) corruption, v) information and communication technologies (ICT) access fueled demands for change. Firstly, Huntington (1991) argued that maintaining political power depends on economic performance in authoritarian countries where they lack democratic process. Similarly, in their empirical analysis, Przeworski and Limongi (1997: 159-160) found that authoritarian countries with high per capita income are more likely to sustain ruling regimes. In other words, authoritarian countries with low economic performance are more likely to collapse. Secondly, in the MENA region, there is a high percentage of educated people under the age of 30, and a high percentage of youth unemployment due to lack of job opportunities (Knickmeyer, 2011). Thirdly, as Hess (2013: 258) contended, socio-economic inequalities in Tunisia and Egypt caused poverty of many people, mainly unemployed youth and working class, who demonstrated in mass protests, not only during the Arab Spring but prior to this event—like the protests in Egypt due to the cut of social services in 2004. Fourthly, corruption remains a main factor behind demonstrations in the MENA region. Levey (2011) stated that official corruption ranging from money laundering to drug trafficking resulted in the collapse of the Ben

Ali and Mubarak regimes in Tunisia and Egypt. Finally, large-scale protests and collective action was possible by social media, cell phones, and satellites (e.g., Al Jazeera) which were not previously accessible (Ardıç, 2012: 19).

B. Political Factors: These factors were a driving force during the Arab Spring demonstrations: i) domestic security forces, ii) regime's control over the economy, iii) single party state, iv) influence of Western powers. Firstly, Levitsky and Way (2010: 57) argued that domestic security forces are essential for "coercive capacity" at regimes' hands to "prevent or crack down on opposition protests." Although Arab countries have strong domestic internal security forces, young people were able to overcome coercion through social media tools such as Facebook and Twitter to express anti-regime opinions and organize demonstrations. Secondly, due to the regime's control over the economy and inequality in the distribution of economic resources, supporters of the regime are mostly rewarded while opponents are left to starvation in authoritarian countries (Way, 2008: 64-65). As Fukuyama (2011) and Goldstone (2011) stressed, single party regimes in authoritarian states like Egypt and Tunisia made these regimes vulnerable, and resulted in the regime's collapse eventually. Especially, nepotism and oppression have been systematically used to instill division and the authority of political elites. Additionally, most Arab states were led by a one-party system as the ruling party in the post-independence period, leaving no space for free and fair elections based on people's choice, and ruling people with an iron fist (Ardıç, 2012: 16); while opposition parties—including religious movements—were marginalized from the political scene, arguing that they constitute a 'threat to domestic stability.' Therefore, the 'bargain' between political elites and the people failed as a consequence of rising inequalities, and regimes' legitimacy and consolidation of power jeopardized. Finally, although most Arab countries were formed as a result of wars of independence, the political leaders depended on Western

countries for support. The austerity measures of the structural adjustment programs demonstrated that these regimes failed to carry out people's demands on democratization and reforms.

As the discussions go, both the nature and scale of the popular mobilization challenged the regimes' effective response to cease the protests (Idris, 2016). These events demonstrated that people have become vocal about their demands by means of demonstrations (Farazmand, 2011), and their proactive comeback to the political scene (Salih, 2013).

2. Recent Debates on The Possibility of Civil Society in the Muslim World

In the Western world, civil society is mainly considered an independent social space where individuals enjoy their rights and liberties without state intervention, because the role of the state is limited by constitutions under the rule of law. Mardin (1995: 279) stated that civil society became a structural dimension in Western countries after "legally legitimated protection," "city governments," "concept of law," "limitation of the power of rulers," and "rule of law" was accepted during the development of medieval towns. On the other hand, these concepts cannot be a dream or historical aspiration in the Muslim world due to political obligations described in the Qur'an, Qur'anic verisimilitude of the Qur'an's commentators, and the aegis of a Prince (Mardin, 1995: 285). For instance, the charismatic authority of the Prince (the leader) is significant in Muslim societies and cannot be questioned by the people, but the authority of the rulers in Western societies is limited to protect individual rights and liberties. In addition, Mardin (1995: 286) contended that "...compassion, respect for the individual as an emanation from one of the divine attributes, and respect for justice seen as the harmonizing of rival claims were elements of Islam... 'freedom' was not." Saribay (2001: 198-199) also argued that state limitation and interference to the society is important for the emergence of civil society in Western societies, nonetheless ethical unification and oneness (*tawhid*) of the state and

society cannot be questioned or limited in Muslim countries, because separation of society into different groups is considered almost sinful or evil against the unity of the “*ummah*”.

There are two camps on the rise of civil society in the Muslim world. Opponents argue that civil society has not been embedded in Muslim societies, while proponents support the idea that civil society is necessary for the ideal society in Islamic thought (Duman and Barut, 2015: 875; Önder, 2011; Sarıbay, 2001: 197). Gellner (1994), for instance, stated that a lack of secularism and dominance of religious and tribal groups hindered the emergence of civil society in Muslim world. Similarly, Sariolghalam (1998: 79-81) argued that one-dimensional religious doctrine based on ethereal teaching and culture, conformist attitude of people among the state, and negative stance against cooperation and teamwork between free individuals who form autonomous organizations are significant constraints against the emergence of civil society in Muslim world. Based on these analyses, these thinkers have argued that civil society is mainly based on limitation of state power, and protection of individuals’ rights by constitutions. However, society comes first in Muslim societies because of the idea of organic society, while individuals have priority in Western societies. In addition, individuals, belonging to a tribe and religious group, or loyal to the state due to its traditional legacy and one-dimensional doctrine, cannot create an opposition to either their tribe, religious group, or to the state in Muslim societies. Therefore, there has always been an issue of strong state and weak civil society in these societies.

In contrast, Çaha (2004: 247) argued that Muslims can find the true path to heaven by their own will because Islam is a civilian religion of social differentiation, diversity, and social participation. Furthermore, he adds that the concepts of “human being,” “free commercial environment,” “justice,” and “equality” in Islam are similar to the concept of “individual,” “free enterprise,” “rule of law,” “equal citizens” in Western societies (Çaha, 2004: 248-251). Similarly, Kukathas (1999: 39-

41) stated that tolerance, peace, opposition, conflict, consensus, negotiation, freedom of thought, and freedom of expression exist in Islamic theory. Esposito (2011: 130) demonstrated that there exists a positive relationship between Islam and civil society, because the democratic concepts such as *shura* (counseling), *ijmaa* (consensus, social negotiation), and judicial opinion (independent interpretative judgement) are present in Islam. In addition to these concepts, Parray (2012: 67) claimed that *ijtihad*, *maslahat* (public domain, benefit), *bay'ah* (loyalty and oath) and the Medina Document (as a constitution) constitute further concepts of pluralism in Islam.

2.1. Islamic Concepts Related to Civil Society

There are some concepts that are essential for civil society to emerge. In this part, evidence of these concepts are given.

Freedom of religion: There is no oppression on non-Muslim people to choose Islam in Muslim societies, as it is stated by Allah in the following Qur'anic verses: "There is no compulsion in religion" (2:256) and "For you is your religion, and for me is my religion" (106:6). Therefore, people are free to express their religious practices in Muslim societies.

Pluralism: The significance of pluralism is stated both in religious and political documents in Muslim societies. For instance, it is stated in the Qur'an: "And of His signs is the creation of the heavens and the earth and the diversity of your languages and your colors. Indeed, in that are signs for those of knowledge" (30:22). Similarly, some articles of the Medina Document also stress freedom of religion and plurality of the society (Ermemiş, 2009: 252-258):

Article 1: "This constitution was prepared by Messenger Mohammad for Quraysh Muslims to be able to live together peacefully with the citizens of Yathrib that believe and accept the practices of Medina City State."

Article 16: “Jews who follow us will be helped and treated well. They will not suffer any injustice, nor will their enemies be helped.”

Article 25: “Jewish tribe of Banu Awf is one ummah with the Muslim believers. They will live according to their religion like Muslim societies.”

Article 37: “Neither party can commit a crime against the other. In addition, those who have been wronged will be helped.”

Consultation and Public Consent: The concept of *shura* in Islam is equal to the “negotiation” concept in democracy, so civil society is possible in Muslim societies (Esposito and Voll, 1998: 45). For instance, *shura* refers to a kind of parliament in which opinions of people on issues related to ruling and administration are expressed equally for common action (Toplayıcı, 2010: 27; Türcan, 2010: 230). This concept was mentioned in the following verses: “So pardon them, ask Allah’s forgiveness for them, and consult with them in conducting matters” (3:159); and “...Who obey their Lord and establish Prayer; who conduct their affairs by consultation” (42:38). Therefore, *shura* was an essential process which provided political legitimacy by ensuring public consent in Muslim societies.

Volunteering and Philanthropy: Islam ensures that the behavior and actions of Muslim people should be based on “good will” by helping the weak, poor, and powerless individuals, while they should prevent evil by asserting a resistance against injustice. This rule is also known as “encouraging the good and preventing the evil,” and it regulates the relationship between individuals as a moral attitude in society (Şaşa, 2018: 89). This rule is also clearly stated in these verses:

“For each (religious direction) towards which it faces. So, race to (all that is) good. Wherever you may be, Allah will bring you forth all together...” (2:148).

“They help each other when they are persecuted and attacked” (36:39).

“And let there be (arising) from you a nation inviting to (all that is) good, enjoining what is right and forbidding what is wrong, and those will be the successful” (3:104).

2.2. Evidence of CSOs during Early Islamic Period

It is hard to determine a certain time for the emergence of CSOs in history. However, we can say that the modern types of CSOs have increased their importance and role since the 1980s. Especially with the spread of liberal and democratic values, new theories like governance have contributed to the development of CSOs in the world. For instance, CSOs are considered a new strategic partner, and the third sector in addition to public and private sectors (Ayhan and Önder, 2017), and they play an important role in a three-dimensional partnership based on governance approach (Özer, 2006: 67). Therefore, it is hard to compare and contrast traditional CSOs with modern-type CSOs. However, it is still possible to observe some similarities between traditional and modern types of CSOs. Salamon and Anheier (1998: 216) state some common features of CSOs to distinguish them from public institutions and private sector organizations:

- CSOs are organizations that are institutionalized to some meaningful extent;
- CSOs are private, so they are institutionally separate from the government;
- There is no distribution of the profits to the owners or directors of CSOs;
- CSOs have a self-governing structure which is equipped to control their own activities;

- CSOs are based on volunteering.

Depending on these common features, we can find some evidence of traditional CSOs in Muslim societies during the early Islamic period. There are some organizations that carried out core features of CSOs such as: *Hilfu'l-Fudul* Organization, *Dar'ul- Arqam* (Erkam's House), and School of *Suffa*.

Hilfu'l-Fudul Organization: It is a contract, which was created during the pre-Islamic *Jahiliyyah* period, between Arab tribes to prevent injustice and persecutions in Mecca (Sönmez, 2014: 400). This contract was essential to protect rights and laws of people such as the Arabs belonging to weaker tribes, foreigners coming to Mecca for commercial or religious purposes, and poor people against injustice, torture, and oppression. This organization provided solidarity, protection of rights, and cooperation among people.

Dar'ul-Arqam (Erkam's House): This house belonged to Abu Arkam in the region West of the Kaaba. The Prophet used this house as a center of religious teaching, so it can be considered as an institutionalized form of education, religious teaching for not only free people but also slaves, including women, from different social statuses and families. Also, *Dar'ul-Arqam* provided shelter and assistance for the believers who suffered and were oppressed by Meccan notables (Demir, 2015). This early form of organization also contributed to spread moral and ethical opinions, equality of people, solidarity, freedom, and justice.

School of Suffa: This school was built in close proximity to the entrance of Masjid al-Nabawi to provide shelter and educate people such as the poor, unmarried, and migrated companions who did not have homes or relatives in Medina (Hamidullah, 1994). Hence, this school was a civil organization, which provided religious teaching, a home, solidarity/support, and philanthropy for people in need.

Based on the discussion and evidence of CSOs during the early Islamic period, Islam as a religion and way of life, did not hinder the emergence of civil society. After presenting some examples of CSOs in the early Islamic period, the next part covers the political culture and historical evidence of civil society, and the recent legislation and new reforms related to the development of civil society in Morocco.

3. The Impact of the Arab Spring on Civil Society in Morocco

On March 9, 2011, King Mohammed VI announced the establishment of a Consultative Commission for the Revision of the Constitution. On July 1, 2011, 98.49% of voters approved the constitutional amendments announced by the King on June 17, 2011 (OECD, 2015: 120). The main constitutional reforms aimed at transforming the political regime into a Constitutional Monarchy to limit monarchical powers (Tauber et al., 2019: 3; Mouna, 2018: 6), and this was considered as a ‘proactive approach’ to restructure the political atmosphere of the country (Mushtaq and Afzal, 2017: 8).

As far as the constitution is concerned, Morocco is “a participatory and representative democracy” where citizens are given “the right to propose legislation and launch petitions” (OECD 2015: 102). Within the framework of open governance and based on transparent and integrative administration (Article 136 of the Constitution), the reform triggered a dynamic dialogue between the state and civil society, in an environment empowering the latter (Berrada, 2019). In this context, CSOs played a constructive role in the appointed commission in charge of a constitutional amendment; they submitted petitions, and made legislative proposals (Touhtou, 2014: 10). In 2012, the Open Government Steering Committee engaged ministries, independent institutions, and civil society actors to prepare a national plan for implementing reforms (OECD, 2015). In Morocco, the ‘request for proposal’ is a competitive mechanism that contributes to the development of partnerships.

The repercussions of the Arab uprisings were ‘less intense’ in Morocco in comparison to other countries where regime change or civil wars prevailed (Salih, 2013). One of the civil society movements that played a supportive role in people’s demands during this period was the “February 20 Movement.” Salman Bounaman described the Movement as “a protest movement that takes multiple forms of expression and protest according to the context, circumstances, and setbacks, and it transcends parties and organizations” (Bendriss, 2019). The Movement, hoping for ‘radical/revolutionary’ change (Badran, 2019), gathered Moroccans from diverse organizations and independents¹ on social media platforms, demanding political, constitutional, and judicial reforms, in the context of the uprisings. Major demands of the Movement included setting a new constitution, dissolving the government and parliament, independence and impartiality of the judiciary, prosecuting those involved in corruption, officialization of Amazigh language, providing employment and decent living (Mejdoub, 2020; Mouna, 2018; Mitiche, 2017; Sakhivel, 2015; OECD, 2015).

What was particular about the February 20 Movement was its ability to gather different groups with similar calls. For instance, Leftists and the Justice and Charity Party acted under the Movement at the beginning, but Justice and Charity withdrew from it on December 18, 2011 due to ideological differences (Badran, 2019). Undeniably, the Movement contributed to forming the psychological (societal) conscience of the people (Mejdoub, 2020). Besides, the Movement provided a ‘wake-up call’ to the regime on the pressing necessity to tackle the institutional deficiencies of the country. This event demonstrates that civil society in

¹ Based on interviews conducted by Badran (2019) with the movement’s organizations, he identified: Independent activists, Islamists represented by Justice and Charity, Party of the Nation, Justice and Development Party, Leftists represented by United Socialist Party, Democratic Way, Moroccan Association for Human Rights, Democratic Confederation of Labor, Socialist Democratic Vanguard Party, Radical Communist, Moroccan Workers’ Union, and cultural secular movements such as Amazigh Democracy Movement, and the Alternative Movement for Individual Freedoms.

the country has the ability to “bring important issues to the government’s attention” (Sakthivel, 2015: 4).

3.1. Political Culture and Historical Evidence of CSOs

According to Article 1 of the Constitution, Morocco is “a constitutional, democratic, parliamentary and social Monarchy” (Constitute Project, 2020). The political system of Morocco is characterized by a hybrid regime, synthesizing both civil law inherited from the former colonial power, i.e., France, and the traditional powers of the king (Mouna, 2018). Based on decision-making powers and civil liberties, the country can be described as ‘liberalized autocracy’ (Cavatorta, 2006). Although the decisions are taken by the monarch, citizens enjoy political pluralism to a certain extent. Furthermore, unlike some other Arab countries, Morocco has not experienced a single party ruling; rather, its political fabric was shaped by political pluralism since independence.

On the historical development of civil society in the country, the pre-colonial forms of CSOs were exclusive to voluntary groups manifested in endowment (*waqf*), based on individual contributions, to provide social, religious, or cultural services. On the other side, groups defending the country’s independence emerged in an organized manner. The first and prominent attempt towards the formalization of civil society work came with the creation of the Moroccan League in 1926. The headquarter was located in Rabat, with two branches in Tetouan and Tangier (under the Spanish protectorate at that time). The League operated as a “liberation movement aimed at raising awareness among the people on the struggle against colonialism through socio-cultural mobilization” (Ghellab, 1987: 38). During this period, nationalists/patriots expressed their demands from the Spanish protectorate authorities to issue a decree (*dahir*) related to freedom of assembly and association. The decree was issued on September 23, 1931. Shortly after, a number of organizations such as the Islamic Charitable

Association (1931), the Moroccan Student Association (1932), and the League for Human Rights (1933) were established (Ghellab, 1987).

The post-independence CSOs were structured under the 1958 decree on the Right to Create Associations (1-58-376), issued on November 15, 1958 (Cairo Institute for Human Rights Studies, 2018). Following independence in 1956, civil engagement was exclusive to members engaged in political parties (Sater, 2007). Besides, the instrumentalization of civil society was hindered by restrictive and authoritarian policies until the 1990s when new laws were established on freedom of association (Berrada, 2019). Therefore, the confiscation of public freedoms, and the dominance of the regime as an aspect of absolute rule, reduced the influence of CSOs in the public sphere until the 1990s.

During the 1990s, the concept of civil society started expanding in the MENA region, including Morocco (Tauber et al., 2019). In Morocco, this period coincided with the third wave of democratization. In addition, the country entered the liberalization phase (Sater, 2007). For instance, under the reign of King Hassan II (1961-1999), CSOs entered the political life, and the role and influence of CSOs increased vis-à-vis human rights and gender equality (OECD 2015: 117). Dimitrovova (2009: 3) argued that this political openness contributed to the “internationalization, diversification, and professionalism of CSOs.” In addition, the law on Associations of 2002 has contributed to dialogue between the government and civil society. On the other hand, the number of CSOs increased noticeably under the reign of King Mohammed VI (since 1999). Within this realm, the Equity and Reconciliation Commission² was established, and the Consultative Commission for the Revision of the Constitution contributed to draft a new text in the constitutional reforms’ process of 2011.

² Giving the context of its foundation, the commission is considered as the state’s attempt to open an investigation into violations committed during the reign of Hassan II during years of lead ‘*années de plomb*,’ and to compensate the families of the victims (Mouna, 2018: 5).

Table 1: Major CSOs Formed during Pre-Colonial and Post-Colonial Morocco

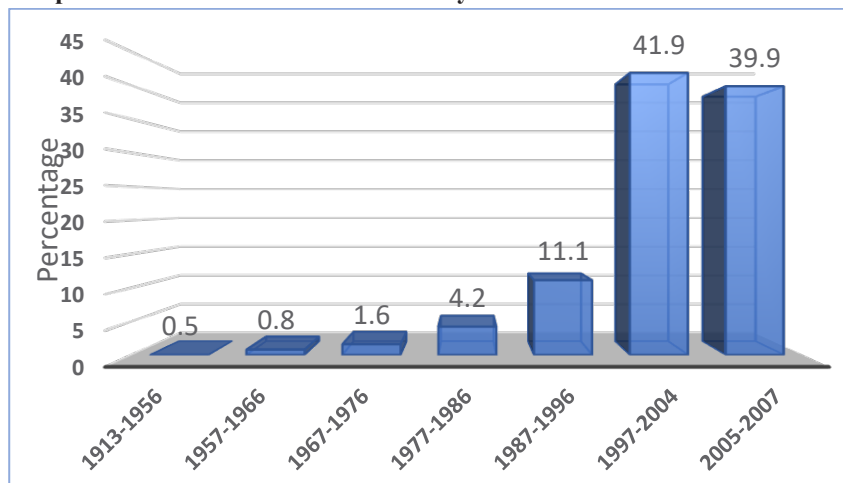
CIVIL SOCIETY ORGANIZATIONS	DATE	WORKING SCOPE
The Moroccan League (LM)	1926	National independence
The Islamic Charitable Association	1931	Patriotism, and often formed an arm of the national movement in its struggle against colonialism
The League for Human Rights	1933	Human rights
The General Confederation of Moroccan Enterprises (CGEM)	1947	Enterprises' development
The Moroccan Workers' Union (UMT)	1955	Employment and labor issues
The General Union of Moroccan Workers (UGTM)	1960	Trade and labor
The Moroccan Association for Research and Cultural Exchange (AMREC)	1967	Amazigh folklore and culture
The National Union of Moroccan Women (UNFM)	1969	Women's rights and socio-economic empowerment
The Defense of Human Rights (LMDDH)	1972	Human and civil rights
Democratic Confederation of Labor (CDT)	1978	Trade and labor
The Moroccan Association for Human Rights (AMDH)	1979	Democratic deficits of the political system
Democratic Association of Moroccan Women (ADFM)	1985	Women's rights and gender equality
Association Fes-Saiss	1986	Socio-economic and cultural development, scientific research, and human heritage

Moroccan Organization for Human Rights (OMDH)	1989 (gained formal recognition in 1990)	Human rights (particularly of political prisoners)
The National Council of Human Rights (CNDH)	1990	Human rights
Moroccan Association of Support for the Promotion of Small Business (AMAPPE)	1991	Socio-economic development and capacity building
Democratic League for Women's Rights (LDDF)	1993	Women's rights, empowerment, and outreach
Solidarity and Development Association (AMSED)	1993	Job insecurity and microfinancing
Espace Associatif	1996	Civic development, human rights, workers' rights, legal affairs, capacity building, and societal awareness
Transparency Maroc (TM)	1996 (gained formal recognition in 2009)	Transparency and fight against corruption
Democracy and Modernity Collective (CDM)	2003	Democratic culture
Equity and Reconciliation Commission (IER)	2004	Human rights
Adala Association (Justice)	2005	Human rights and judiciary-focus
Rifi Association for Human Rights (ARDH)	2005	Rif-Amazigh rights
The Central Authority for Corruption Prevention	2007	Transparency and fight against corruption
The Consultative Commission for the Revision of the Constitution	2011	Constitutional reforms
The National Committee on the Dialogue with Civil Society	2013	Consultation and participation

Source: Authors' compilations.

Table 1 shows CSOs that were created in pre-colonial and post-colonial Morocco from a historical perspective from the 1920s until 2013. Most of these CSOs were trade unions and human rights associations. Later, the working scope targeted women’s rights and development in pursuing the state’s project on national development and gender equality.

Graph 1: Distribution of Associations by Establishment Date



Source: (The High Commission for Planning, 2011: 25)

Graph 1 shows the distribution of association from 1913 to 2007 in Morocco. CSOs that were formed between 1913 and 1996 represented only 18.2% of the associative fabric. However, the pace of growth has increased noticeably after 1996, and associations created between 2005 and 2007 represented 40% of the associative fabric—this period corresponds with the launch of the National Human Development Initiative (INDH) (The High Commission for Planning, 2011: 24-25). According to Islamic values and culture, volunteering is a form of solidarity. In Morocco, volunteering is important in the development of CSOs. The High Commission for Planning (2011: 41) reported that CSOs engaged 68.6% of active voluntary workers, and 31.4% salaried

employees. Overall, 7.6% are involved in sport and recreational organizations, 6.2% in educational and cultural organizations, 3.9% in development, 2.2% in humanitarian organizations, 1.9% in religious organizations, 1.2% in human rights organizations and professional associations, 1.1% in labor unions, 1% in environmental organizations, and 0.8% in political parties (Akesbi, 2011: 27-28).

3.2. Perception of Moroccan Citizens about CSOs

In a European Union funded project on Democracy Building conducted between 2013 and 2014, 1000 respondents were asked questions related to the role of civil society in Morocco (Holland, 2014: 63-73). Their answers came as the following:

Question 1: “Have you ever heard the term civil society?”³

55% of respondents had not heard the term; 20% had heard the term but don’t know exactly what it means; 16% had heard the term and know what it means; and 9% don’t know the term. These results demonstrate that the majority of people in Morocco lack literacy in civil society regardless of its presence and influence in the public sphere. Nonetheless, these results are unexpected if we take into account the political culture and historical evidence of civil society in Morocco.

Question 2: “Would you say the following organizations/institutions are active in Morocco?”

The results show that the majority of respondents have positive opinions about the activities of CSOs, mainly professional organizations, chamber of commerce/industry/agriculture, and charitable organizations, with

³ In this project, civil society was defined as the aggregate of Non-governmental Organizations (NGOs) and institutions representing the interests and will of citizens, and independent from the state.

these CSOs being more active in the country. This could be explained by the contribution(s) of these types of organizations on grassroots projects.

Table 2: Respondents’ Opinions on the Activity of Different Types of CSOs in Morocco

Activity	Charitable organizations	Chamber of commerce/ industry/ agriculture	Professional associations	Trade unions	Employers’ organizations	Organizations with specific interests— other CSOs
Yes	43%	46%	49%	42%	36%	44%
No	35%	36%	30%	35%	37%	32%
Don’t know	22%	18%	21%	23%	27%	24%
TOTAL	100%	100%	100%	100%	100%	100%

Source: (Holland, 2014: 64)

Question 3: “In which areas are CSOs active in?”

CSO activity areas, according to respondents’ perceptions, were: i. fight against corruption (32%); ii. human rights (28%); iii. freedom of speech (25%); iv. unemployment (21%); v. social services, such as health, education, and training (18%); vi. rule of law and transparency (15%); vii. good governance (15%); viii. consumer rights (12%); and ix. fight against poverty (12%). On the other hand, half of respondents admitted that CSOs should be more active in the fight against corruption. As we can see, the areas identified correspond to the same demands raised during the uprisings (fight against corruption, human rights, freedom of speech, and employment), and this shows that the expected role of civil society is to engage actively in society, and correlate between what people demand, and what CSOs can deliver.

Question 4: “Do you think the following CSOs have an impact on society?”

According to respondents, all types of CSOs have an impact in shaping Moroccan society, with charitable organizations being the most impactful, and this could be explained by the contribution(s) and work on grassroots projects especially in development and housing.

Table 3: Respondents’ Opinions on the Impact of CSOs in Shaping Society in Morocco

Impact	Charitable organizations	Chamber of commerce/ industry/ agriculture	Professional associations	Trade unions	Employers’ organizations	Organizations with specific interests— other CSOs
Positive impact	86%	83%	80%	79%	81%	76%
Negative impact	11%	15%	16%	19%	16%	19%
No impact	1%	0%	1%	1%	1%	2%
Don’t know	2%	2%	3%	1%	2%	3%
TOTAL	100%	100%	100%	100%	100%	100%

Source: (Holland, 2014: 68).

Question 5: “To what extent do you think CSOs have influence on decision-making?”

On the level of CSO influence, 87% of respondents stated that these organizations can influence decision-making at the local/regional level, and 83% of respondents stated that these organizations can influence decision-making at the national level. Based on the actual involvement of civil society in the country, the large majority of CSOs are involved at the

local level. On the other hand, the political culture of Morocco, along with the constitutional reforms, have shaped citizens' perception about the extent of influence CSOs can have on decision-making, both nationally and locally. Also, the king stressed on the valuable inclusion of civil society in decision-making and national development.

3.3. Recent Legislation and New Reforms Related to Civil Society

According to the OECD (2015: 23), the 2011 Constitution “enforces principles such as the protection of human rights, democratic participation, access to information, freedom of the press and association, good public governance, transparency and integrity.” In addition, the constitution is considered as the “most open and progressive of the MENA countries” (OECD 2015: 26). On this note, Touhtou (2014: 15) argued: “The constitution seeks to be a response to the pressures of the base as it tries to rebuild the foundations of a new balance of power based on the current social realities. The current constitution is the translation of a new form of political contract demanded by the protest movements, namely the February 20 movement.” Similarly, **Table 4** shows how the new constitution empowers civil society with legislative drafting process.

Table 4: Civil Society-Related Legislation in the New Constitution in 2011

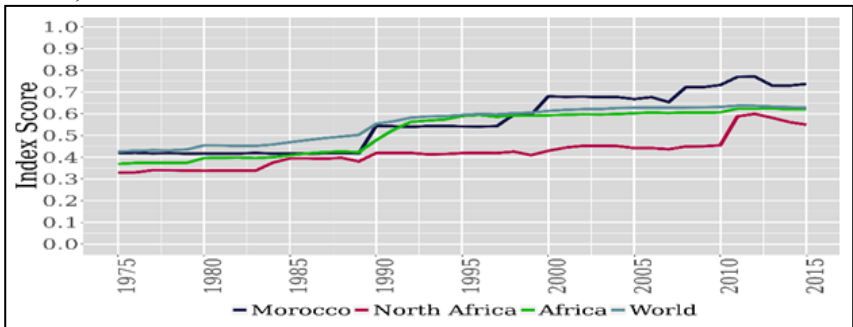
ARTICLE	SCOPE
Article 12	Associations of civil society and NGOs
Article 13	Public dialogue with social actors in enacting, implementing, and evaluating public policies
Articles 14&15	Right to present motions in legislative matters
Article 19	Equality between women and men
Article 25	Freedom of thought, opinion, and expression
Article 27	Access to information
Article 28	Freedom of the press
Article 29	Freedom of assembly, demonstration, and association

Source: (Constitute Project, 2020: 7-10)

According to International IDEA’s Global State of Democracy Indices, the Civil Society Participation index in Morocco was 0.56 in 2019, and this ranks the country in the mid-range performance category (International IDEA, 2019).

With the new constitution, civil society was constitutionally recognized as ‘a strategic partner.’ Touhtou (2014: 15) stated that CSOs have acquired a direct and effective participative role “in the legislation and monitoring processes without transiting through parliament,” a role that was previously monopolized by this legislative institution. The role of this shift can be analyzed from the Arab uprisings’ lens, from which the state understood the role of non-state actors (CSOs in this case) in civic engagement and participatory democracy. These constitutional reforms were also considered as an attempt to build a transparent state-citizens relationship by providing them conducive channels to express their demands and influence public policies. Tauber et al. (2019: 3) argued that the contemporary state of civil society in the MENA region has “tangibly expanded since 2011...more voices are making their way into the public and political space, becoming more determined and assertive,” and that “more people have been mobilized and are contributing to the conversation on change.”

Graph 2: Civil Society Participation Index Scores - Morocco, North Africa, Africa, and the World



Source: (Kemp, 2018)

Undeniably, civil society helps in implementing development projects and mobilizing people to manage their affairs (Khrouz, 2008). More extensively, the associative movement is a step towards democratization (Mernissi, 1998). Khrouz (2008: 45) writes that CSOs have helped “raise literacy, earn income, and address pressing human development and welfare needs.” Accordingly, CSOs in Morocco have contributed 1% to the country’s GDP in 2019 (USAID, 2020: 2).

The typology of CSOs in Morocco includes organizations that are mobilizing society around human rights, women’s rights, minority rights, and environmental protection (see **Table 1**). In 2016, there were around 130,000 CSOs in Morocco (Tauber et al., 2019: 3). The government reports that the number of registered CSOs reached 209,000 in the current year (USAID, 2020), and most of these CSOs are active in local issues such as development and housing (35.2%), sports and culture (27.1%), health and social services (18%), and education and research (8.5%) (OECD, 2015: 115; High Commission for Planning, 2011: 23). Also, it was reported that 73.6% of these associations are involved at the local level, 12.8% at the provincial level, 5% work at the regional level, 8% at the national level, and 0.6% at the international level (The High Commission for Planning, 2011: 23-24).

The institutional framework of civil society in the country was pursued with the National Committee on the Dialogue with Civil Society by the Ministry for Relations with the Parliament and Civil Society. The Committee consisted of 64 stakeholders (including 36 members from civil society and academic institutions), 7000 associations participated (OECD, 2015: 123-124), and was in charge of: a) giving concrete execution to the constitutional provisions on civil society participation; b) promoting the role of CSOs by guaranteeing their rights and responsibilities; and c) elaborating a National Charter of Participative Democracy (OECD, 2015: 28, 124).

The engagement of associations generated about 140 policy recommendations on “the role of CSOs in promoting democracy and

protecting human rights” (Tauber et al., 2019: 3-4). Consequently, this engagement contributed to the legal framework and capacity building of this sector. Having said this, the dialogue identified two kinds of challenges: a) external challenges that relate to the legal environment where CSOs operates, and this was measured by the lack of freedom, independence, and bureaucratic red tapes⁴; and b) internal challenges related to weak institutional capacities and bad governance (Berrada, 2019). Mouna (2018: 8) reported that 40% of CSOs state that the legal structure is “unfavorable and too restrictive.”

Notwithstanding the impact of civil society in Morocco, CSOs have been working in a restricted environment especially when this jeopardizes state authority. This goes hand in hand with the idea that civil society is not fully autonomous, dominated by state power, depends on the state “to allow political space” for development, “reactively participating in the decision-making process,” and having a “minor political visibility” (Berrada, 2019; Tauber et al., 2019: 2-4; Sater, 2002: 112-113). Based on this, Sater (2007: 160) concluded that: “CSOs were structured by dominant modes of power...struggled to resist power relations...Nevertheless, in recent development, they started shaping public discourses in the public sphere.” Likewise, Sika (2018: 256) noted: “The regime leaves a high degree of legislative freedoms for the establishment of CSOs...ensuring that the administrative procedures keep associational life under state control.” This environment was justified on the basis of Law 00/75 on associations which prohibits CSOs that operate against the country’s religion, national unity, and the king, or whose activities are illegal, promote discrimination, or contrary to good morals (Cairo Institute for Human Rights Studies, 2018; Dimitrovova, 2009).

In the context of state-civil society relationship, political pluralism does not limit state power in Morocco (Sater, 2007). One recent case to elaborate on this debate was the dissolution of Racines (meaning

⁴ Some forms of red tapes include delay in providing legal recognition, or approval of public authorities to host public events.

“roots” in English), a Moroccan NGO defining itself as “advocating for the integration of culture into public human, social, and economic policies” and its projects are “articulated around cultural policies (research, advocacy, mapping), arts and culture for social change, entrepreneurship, training and capacity building, freedom of artistic expression, artists’ rights and status” (Racines, 2020). On December 26, 2018, the civil court of Casablanca ordered the dissolution of this organization, due to expressed political opinions on the country’s situation, arguing that this activity derived ‘outside of its objectives’ (Berrada, 2019; USAID, 2020: 3). This case was particular for two reasons: It was the first case of ‘formally’ dissolving an established organization; and second, this occurred in times where the new constitution promoted freedom of expression and association (Articles 25 and 29). This demonstrates that the space provided for CSOs is still dominated by state power.

Conclusion

In a larger perspective, this paper evaluated the radical changes in repressive regimes in the MENA region after the mass demonstrations in 2011, known as the Arab Spring. After drawing a picture of this event, recent debates on the possibility of civil society in the Muslim world were discussed under the proposed thematic: Islamic concepts related to civil society (e.g., freedom of religion, pluralism, and volunteering), and evidence of CSOs during the Early Islamic Period. In these parts, it is concluded that there are common concepts, values, and features of CSOs between Muslim and Western countries, considering the fact that the modern type of CSOs that appeared during the 1980s are different from the traditional CSOs.

As a case study, this paper evaluated the impact of the Arab Spring on civil society in Morocco in order to make a deeper analysis in understanding the radical changes since mass demonstrations started in 2011. It was stated that the regime has positively responded to people’s

demands raised during demonstrations. To understand the extent of the new reforms concerning civil society, we firstly evaluated the political culture and historical evidence of CSOs by focusing on major CSOs that were formed during pre-colonial and post-colonial Morocco; then, we reviewed recent legislation and new reforms related to civil society.

Although some people were skeptical about the positive results about the early period of the Arab Spring concerning democratic demands of the people, this paper concludes that recent reforms in Morocco after the Arab Spring have positively influenced the development of civil society. As in other MENA countries, the ruling regime in Morocco could no longer resist meeting the demands of people during mass demonstrations. However, this can be considered as a softer transition in Morocco compared to Tunisia, Egypt, Libya, and Syria.

Undeniably, CSOs have been playing an active role in mobilizing people and policy advocacy throughout their evolution in Morocco. Building on previous discussions, this role was obviously present during the Arab Spring, which contributed to positioning CSOs more dynamically, without neglecting the country's attempts towards political openness and economic liberalization. This also takes into consideration the aspects of globalization and global trends of international institutions and donors who prefer to deal with CSOs instead of state institutions for a number of reasons, such as transparency, advocacy, participation, and mobilization.

Since 2011, Morocco has pragmatically approached societal demands by adopting a progressive approach and enabling civil society to become an influential actor/partner towards participatory democracy. Nevertheless, the presence of CSOs post-Arab Spring revealed that the development of CSOs was geared towards a quantitative rather than a qualitative evolution. This is to say that civil society is not fully autonomous and still dominated by state power.

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18. Towards a Post-Arab Spring Islamic Political Theology: Al-Oudeh's *Questions of Revolution*

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Introduction

As one is still living through a historical event, it is difficult, if not impossible, to realize its true significance. It is only with the falling of dusk that Minerva's owl takes flight. This is perhaps no truer than in the case of the Arab Spring revolts, a process which we are not only still living through, but one whose significance we have not yet grasped. The Arab Spring was not just a revolt against the tyrannical regimes of the Arab World, but a revolution in and against the political discourse and particular fiqh interpretations that had partially upheld those regimes. The revolts, therefore, naturally set off a fierce battle of fatwas between those *ulama* who declared revolting *haram* and those who justified the revolts on Islamic grounds. One of the most prominent scholarly voices in support of the revolts was the Saudi Sheikh Salman Al-Oudeh, especially in his book, *Questions of Revolution*. The threat this book held to the status quo in Saudi Arabia meant that it was quickly banned, with the author then circulating it on the internet for free in response.¹ Sheikh Al-Oudeh is currently imprisoned, with public prosecutors having called for the death penalty in his case. Though the immediate motivation seems to be a tweet in which he quoted a verse of Quran in support of reconciliation with Qatar, we should not underestimate the impact this book could have had in that decision, given that one of the charges brought against him

¹ Madawi Al-Rasheed, *Muted Modernists: The Struggle over Divine Politics in Saudi Arabia* (New York, NY: Oxford University Press, 2016), 79-80.

was “Calling for and inciting revolution within the Kingdom and supporting revolutions in other Arab countries.”²

Though he, in fact, mentions the term once throughout the book, al-Oudeh’s *Questions of Revolution* can best be categorized as falling under the growing genre of “Fiqh of Revolution.” What is meant by “fiqh of revolution” is not concrete questions of positive law related to protests (can genders freely mix in protests, can protestors curse, etc.), such as those dealt with in the book “The Revolution of Egypt and her Sisters...” by the Syrian scholar Dr. Muhammad al-Sabi. Rather, “fiqh of revolution” can be thought of as a growing body of literature in fiqh that engages with the question of the legitimacy of revolution and civil disobedience in light of the Arab Spring revolts. Jurists, in general, argue for the Sharia’s support of revolutions through two main strategies: “expanding the category of what constitutes legal obligation and broadening the objectives of the law to include the revolution’s values.”³ Many ulama, for example, point to the protests as a form of the value of “commanding the right and forbidding the wrong.”⁴

Sheikh al-Oudeh, however, does not simply see protests as a form of giving advice to the ruler or commanding the right and forbidding the wrong, but as an inevitable outcome in continued conditions of oppression and marginalization. As he says, “there are none who call for revolutions, but oppression, repression, corruption, backwardness, and poverty themselves call for revolution” (p.11). In fact, the vast majority of the book covers not theological or legal discourse, but rather the concepts of revolution, and various socio-historical considerations of both historical and the contemporary Arab Spring revolutions. For example,

² “Public Prosecution Calls for Further Beheadings, Including Execution of Sheikh Salman Al-Ouda, in Unjust Trial,” European-Saudi Organisation for Human Rights, September 4, 2018, <https://www.esohr.org/en/?p=1900>.

³ Adnan Zulfikar, “Revolutionary Islamic Jurisprudence: A Restatement of the Arab Spring,” *New York University Journal of International Law and Politics* 49 (June 7, 2017), 467.

⁴ Ibid, 477; For more on this principle and this development throughout Islamic thought, see Michael Cook’s “Commanding Right and Forbidding Wrong in Islamic Thought.”

throughout the book he discusses such topics as how crowd theory and statistics can objectively explain why revolutions happen (as a counterpoint to conspiracy theories about the Arab Spring revolts), or how Israel reacted to the revolts—topics not directly related to our subject here. However, the fact that the sheikh speaks as much as an intellectual as he does a jurist tells us the sheikh’s political theology, as we will see.

An Awakening in Saudi Arabia

While Sunni Islamic discourse on politics has generally tended to emphasize the value of stability to the political order and, therefore, view revolutions suspiciously, it is worth noting that Sheikh Al-Oudeh, as a central figure of the Sahwa movement in Saudi Arabia, was part of one of the few movements that developed an Islamic vocabulary of peaceful dissent against governments even before the Arab Spring. This is crucial, as the ideas espoused in *Questions of Revolution* are not only further developments of his earlier thought but are crucially touched by his earlier experience of dissent against the Saudi state.

The Saudi Sahwa is used to refer to a movement of activists and sheikhs who combined the political vision and organization of the Muslim Brotherhood with Saudi Arabia’s dominant Wahhabi theology.⁵ While the Sahwa movement can ultimately be traced back to the 1950s with the importation of a large amount of Muslim Brotherhood-aligned educators, the movement did not begin to manifest social discontent until the mid-1980s. At that time, the Sahwa movement challenged the established system, whereby the Saudi state and its allies in the Wahhabi establishment held the exclusive claim of legitimacy over the religious sphere and to “command the right and forbid the wrong.”⁶ They were not only more innovative in the means they used to reach their audiences, for

⁵ Lacroix Stéphane and George Holoch, *Awakening Islam: The Politics of Religious Dissent in Contemporary Saudi Arabia* (Cambridge, MA: Harvard University Press, 2011), 52.

⁶ *Ibid.*, 176.

example in their use of cassette tapes, but discussed modern topics the establishment ulama were neither trained to, nor eager to discuss. Intellectually, these scholars were concerned to link their Islamic studies with contemporary reality, the process of which they referred to as “fiqh al-waqi’,” literally, the jurisprudence of reality.⁷ Nasir al-Umar, one of the central figures in the Saudi Sahwa, for example, wrote a book entitled *Fiqh Al-Waqi’: Its Status, Effects and Sources* two years before the collective imprisonment of the Sahwa scholars.⁸ It is largely within this approach to fiqh that “Questions of Revolution” should be understood. Hassan notes in his *Civil Disobedience in Islam*, which categorizes the arguments given for and against civil disobedience in Islamic law, that the only similarity between both proponents and opponents of civil disobedience is that they view the matter primarily through the lens of theology/fiqh. That is to say, they do not incorporate the contemporary social sciences into their analysis, for example data from previous revolutions and the current socio-political conditions to determine if a revolution is likely to succeed or fail (and, therefore, lead to either greater corruption or benefit).⁹ This is striking, however, as this is precisely what Sheikh Salman Al-Oudeh does in *Questions of Revolution* through using the “fiqh of reality.”

In the 1990s, the Sahwa movement moved from social opposition to outright opposition to the regime due to its welcoming of American forces on Saudi soil during the First Gulf War in response to Saddam Hussein’s invasion of Kuwait. The years of 1993 and 1994 were the height of the Sahwa movement, which united under its banners all the various currents of Saudi Islamism, which had previously been in rivalry with one another.¹⁰ In response, Al-Oudeh was dismissed from his

⁷ Mansoor Jassem Alshamsi, *Islam and Political Reform in Saudi Arabia: The Quest for Political Change and Reform* (London: Routledge, 2014), 66.

⁸ Lacroix, *Awakening*, 145.

⁹ Muhammad Haniff Hassan, *Civil Disobedience in Islam: A Contemporary Debate* (Puchong, Selangor D.E.: Springer Singapore, 2018), 162-163.

¹⁰ Lacroix, *Awakening*, 199.

position as a lecturer at the Imam Muhammad ibn Saud University in 1993,¹¹ and a year later, along with many Sahwa figures, was jailed from 1994 to 1999. Their release from prison marked a return to social critique, away from direct political activism and a change in the relationship of the Sahwa with the state and religious establishment, as the Sahwa figures were no longer on the margins. Particularly, following the death of Bin Baz and Al-Uthaymin, the two most authoritative establishment figures, the appointment of Abdulaziz Al-Shaykh was not sufficient to procure the necessary legitimacy for the regime, causing them to turn to the Sahwa intellectuals.¹² By 2003, in the post-9/11 environment, the Saudi state found it useful for the one-time adherents of “civil jihad” to denounce the adherents of violent jihad among young Saudis.¹³

Perhaps more importantly, Al-Oudeh’s release from prison in 1999 represented not just a transition in his relationship with the Saudi state but was also an important intellectual transition. The primary influence for the New Sahwis, as the opponents of this transition termed them, was the *wasatiyya* of moderate Egyptian Islamists, which they defined as a principle of “golden mean” or “moderation.”¹⁴ Wasatiyya comes from the Arabic *wasat*, meaning the middle or median of something, and derives its inspiration from numerous text sources, such as Baqarah:143, which uses it as a description of the Prophet’s community. The prominent scholar Yusuf Al-Qaradawi is considered by many to be the founder of the idea of wasatiyya.¹⁵ In one of his books, he defines wasatiyya as “the balance between mind and the Revelation, matter and spirit, rights and duties, individualism and collectivism, inspiration and obligation, the text [i.e., the Qur’an and the Sunnah] and

¹¹ Rasheed, *Muted Modernists*, 77.

¹² Lacroix, *Awakening*, 239.

¹³ Rasheed, *Muted Modernists*, 78

¹⁴ Lacroix, *Awakening*, 243.

¹⁵ Bettina Gräf. “The Concept of Wasatiyya in the Work of Yusuf al-Qaradawi.” In *Global Mufti: The Phenomenon of Yusuf al-Qardawi*, ed. By Bettina Gräf & Petersen Skovgaard. (London: Hurst & Company, 2008).

personal interpretation [ijtihād], the ideal and reality, the permanent and the transient, relying on the past and looking forward to the future.”¹⁶ It can usefully be thought of as a movement that seeks “moderation” between the necessities of texts and contemporary needs. This turn towards wasatiyya did in fact represent a moderation in the Sahwis’ thought, as they no longer relied on a conspiratorial mindset or stoked sectarian tensions. Perhaps, even more importantly for our reasons, it is then within this general framework of wasatiyya and the move towards maqasid that Qaradawi first proposed a “fiqh of revolution,” though most of the work has been done by others.¹⁷ To conceptualize these new branches of fiqh, Nakissa introduces the term as “secondary segmentation,” whereby “new legal subfields are created for the purpose of justifying and regimenting the use of utilitarian modes of juristic reasoning.” While I agree that the Fiqh of Revolution should be understood within a wider modern current of “wasatiyya,” and its other projects such as “Fiqh of Minorities,” the degree to which it is purely utilitarian is questionable, as we will see.

Except what the Shari‘ah has Expressed...

It is important to note at this point exactly what I mean by political theology. By political theology, I do not mean that body of literature that has taken that name from Carl Schmitt’s assertion that “all significant concepts of the modern theory of the state are secularized theological concepts,”¹⁸ and therefore explores the relationship between secularism, the modern state, and government and theological concepts,

¹⁶ Yusuf Al-Qardawi. *Thaqafatuna Bayna Al-Infatih Wal-Inghilaq* [Our Culture between Openness and Closeness]. (Cairo: Dar al-Shuruq, 2000), 30.

¹⁷ It is important to note that this is not the only possible argument for revolution from within Islamic law. Some who categorized as more traditionalist/neo-traditionalist such as Muhammad al-Yaqubi also supported the Arab Spring revolutions. However, they tended to be more cautious in doing so. For more, see Jawad Qureshi’s “The Discourses of the Damascene Sunni Ulama during the 2011 Revolution.”

¹⁸ Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, trans. George Schwab (Chicago: Univ. of Chicago Press, 2008), 36.

though engaging Islamic political theology with this literature is a fascinating and important task. Rather, I suggest that the closest equivalent in the Islamic tradition to what I mean here by “political theology” is *mutatis mutandis*, *siyasa shar‘iya*, that field within Islamic studies that dealt with how to ensure that the “secular” field of *siyasa*¹⁹ was in accordance with the Shari‘ah.²⁰ We can usefully define *siyasa shar‘iya* by looking at Al-Oudeh’s discussion of the topic in one of the first chapters to directly deal with political theology. He conveys the concept through a conversation between the Hanbali Ibn Aqil and an unnamed Shafi‘i jurist. The jurist asks Ibn Aqil’s opinion on *siyasa shar‘iya*, stating that for him *siyasa shar‘iya* means “no *siyasa* except what agrees with the Shari‘ah.” Ibn Aqil responds by saying, “If what you meant by ‘No *siyasa* except what agrees with the Shari‘ah’ is that it does not contradict what the Shari‘ah has expressed, then correct. But if what you meant was ‘no *siyasa* except what the Shari‘ah has expressed,’ then you are wrong and have wronged the companions” (p.54). Therefore, Al-Oudeh concludes that *siyasa shar‘iya* is based on two things: clear, unambiguous text and striving to find what is the most beneficial in those affairs not determined by a text. This shows the importance of *fiqh al-waqi‘* as what is considered beneficial is dependent on the conditions of the era you live in. Therefore, the Quranic discourse on politics is not a detailed one as in the acts of worship, but rather a discourse of *maqasid* (higher aims of law) (p.56). This point of *maqasid* or the spirit of the law

¹⁹ I have opted here to leave *siyasa* untranslated, as even the word is used in Modern Arabic as the equivalent of “politics,” before the modern separation of ethics and politics, the “*siyasa*” or administration of states was understood to be only the highest level in a hierarchy that also included the administration of one’s own self, and then one’s household.

²⁰ Andrew F. March, *The Caliphate of Man: Popular Sovereignty in Modern Islamic Thought* (Cambridge, MA: Harvard University Press, 2019), 21; For more on the difficulty of translating political theology into Arabic/the Islamic tradition, see Joshua Ralston’s “Political Theology in Arabic.” For political theology after the Arab Spring, see Ebrahim Moosa’s article “Political Theology After the Arab Spring.”

with regards to politics is one the Sheikh returns to repeatedly throughout the book.

The Weight of History

One of the first chapters of *Questions of Revolution* that directly discusses political theology does so through the prism of the early political events of Islam. This is important as political theology in Islam is heavily dependent on rival interpretations of the early events of Islamic history. The Rightly-Guided caliphs, the first four caliphs after the Prophet, is a not only a point of creed for Sunni Muslims (perhaps the defining point of creed), but itself an implicit admission that many of the rulers who followed were not as righteous. Particularly important is the First *Fitna* (tribulation, social discord), the events in which the Prophet's companions fought against one another following the series of events after the third Caliph Uthman (RA)'s assassination. This is crucial not only for its theological implications, but also because detractors of revolutions often view them precisely as a form of "fitna," and the Arabic word for revolution carries this negative association (p.87). Al-Oudeh not only reclaims the Arabic word for revolution, "thawra," from its historical association with fitna by pointing to the many historical examples of revolutions that did not end in civil discord. Al-Oudeh notes that while the First Fitna was indeed a traumatic event, the Caliphs did not use religion to service their conflict, but rather spoke of rights and political interpretations (p.59).

Al-Oudeh notes that the reign of Muawiya, the fifth caliph, should be understood as starting in the background of trauma of the fitna (p.69). In a subsection titled the "fiqh of necessities," Al-Oudeh posits that in light of the many failed revolts, in which some of the companions and their students, the *tabi'een*, partook, and for the sake of unity and avoiding civil war, the ulama increasingly decided to pay the price of legitimizing usurpers of power (p.76). Based on this reading, this ruling is not definite, but rather one based on their reality connected to the

conditions of their time. He further points that this did not prevent the Abbasids from launching their successful revolt, as they knew the ulama would support them if they were victorious and abandon them if they lost (p.73). He notes that there were still *fuqaha* who continued to oppose the rulers, but these remained individual positions, as they basically had two choices: submit to power or revolt. However, the third option of large-scale organized resistance, implying peaceful revolution, an option open to us today was not available then due to historical conditions (p.77).

In addition to clearing the negative implications the term revolution in Arabic contains, there are a number of popular hadiths and sayings attributed to the imams of fiqh that must similarly be dealt with and which have, at times, led to a near-divinization of the ruler. For example, Al-Oudeh notes that the infamous “The sultan is the shadow of God” is considered fabricated (p.149), and that many hadith scholars considered “As you are, so will you be ruled” to be weak (p.153). One of the (admittedly many) hadiths that calls for obedience to the ruler ends with “Even if he beats you [r back] and takes your wealth, listen and obey.” He notes that most hadith scholars consider this last sentence to be an addition to the text, though they consider the rest of the hadith, which comes down in other chains, to be *saheeh*. Furthermore, this hadith conflicts with other hadiths, such as the one which declares anyone who dies defending his wealth as a martyr (p.146). This was, furthermore, the practice of the Companions, such as the story of Abdullah bin Amr who directly quoted this hadith, before arming himself and all his servants as Anbasa came to take his property at the orders of the Caliph Muawiya (p.147).

Al-Oudeh notes that, despite the order in Al-Imran:159 to “...consult with them in matters” being a clear command, (p.79) despite the many verses demanding justice and fairness, and despite this being the practice of the four caliphs, this political practice was soon abandoned (p.62). He attributes this partially to the fact that, whereas other general Islamic principles found specific institutional homes, such as charity in

awqaf, education in *madrasas*, honesty in business through the *hisba*, etc., the principle of shura did not find an institutional home (p.78). In general, throughout the chapter, we can notice that he walks a delicate line between criticizing the transition away from the justice and shura of the early Islamic political system to one legitimizing power and the priority of stability, to reading this transition in its historical context and reasons.

Towards a Contractual Political Theology

Sheikh Al-Oudeh then moves on to a discussion of “*ahl al-hal wa al-aqd*,” literally the people who loosen and bind, a term which refers to those qualified to appoint or depose a ruler, such as the group of Companions who elected the first caliph, Abu Bakr. It is therefore usually understood to refer to the political elite of any society. The Sheikh notes that, though the term is used in the books of *siyasa shar‘iya*, it does not appear in any Quranic or hadith texts, and therefore is a term entirely dependent on historical circumstances. Indeed, though the historical circumstances for much of Islamic history was one dominated by elites, as he notes quite bluntly that, “Islamic history is most likely an elite history.” This is a crucial point, as central not only to “Fiqh of Revolution,” but indeed much of the “*wasatiyya*” and modern fiqh, is the idea of an increased role for the public as an actor in Islamic law, in contrast to pre-modern political fiqh in which the public played no such active role. March, playing on the image of the “sleeping sovereign” from Richard Tuck’s eponymous book, refers to this process by which the Ummah supposedly appoints someone to represent them (caliph, sultan) and then retires to sleep as its representative rules in its stead as the “Sleeping Ummah.”²¹ If so, the Fiqh of Revolution points out the Ummah has indeed awoken. For example, Raysuni, the author of the other major

²¹ Andrew F. March, *The Caliphate of Man: Popular Sovereignty in Modern Islamic Thought* (Cambridge, MA: Harvard University Press, 2019), 57.

book in the fiqh of revolution genre, goes so far as to state that “the will of the people is an extension of the will of God.”²²

One of the most common themes in modern Islamic Political Thought that offers a role for the public as a political actor is to focus on what we could call a contractual political theology. That is, they focus on how the *bay‘a*, the oath of loyalty that is given to the caliph, is an actual contract, with the implication that it must be based on mutual contentment like any other contract in Islamic law. (p.84) Furthermore, as a contract, conditions can be agreed upon beforehand, such as term limits for leaders. He gives the example of some companions who gave their oath of loyalty to Ali only after obtaining his promise to pursue Uthman’s assassins as a historical example of this (p.85). This focus on the bay‘a as an actual contract is similar to Ghannushi’s vision of an Islamic state in his “Public Freedoms in the Islamic State,” who discusses this in further detail and theorizes what this Islamic “social contract” could look like.²³ With regards to the state, Al-Oudeh mentions that while many understand “Islamic state” to mean theocracy, which Islam has never recognized, rather many Islamists theorize the Islamic state to be a civil state of sorts (p.127). While this is a fairly commonplace point among Islamist thinkers, on the discussion of the necessity of separation of powers in this civil Islamic state, the sheikh brings a truly insightful point that the separation of powers necessary in this civil Islamic state is not only enshrined in the political practice of the early generations, but in the Quranic language of *Kitab* (book or law, i.e., the legislative), *Mizan* (the balance, i.e., the Judiciary) and *Hadeed* (Iron, i.e., the executive) (p.129).

²² While there are hadith stating that “what pleases Muslims, pleases Allah” the emphasis there is on the Ummah or community of Muslims, rather than the “people.” (Momken, *Risalat al-‘Alama Ahmad al-Rays . un-‘i li-l-shabab* [Statement of the Scholar Ahmad al-Raysuni to the Youth], YOUTUBE (May 19, 2011), <https://www.youtube.com/watch?v=li4bTO32I2M>. reference owed to Zulfiqar)

²³ For one argument as to how an Islamic social contract would differ from the liberal understanding of “social contract,” see Chapter 3 of Kaminski’s *The Contemporary Islamic Governed State*.

After the Revolution

Al-Oudeh ends the book by asking a number of questions with regards to what happens after the revolution. Perhaps none of these is more important than the application of Shari‘ah. He begins the discussion by arguing that there is always a necessary distance between the text and the text’s application. The laws of the Shari‘ah are not something that can be directly copied from the books of fiqh and applied to reality, but rather there is a necessary process of translating them to one’s current situation (pg.109-110). He points out that not only was the Shari‘ah itself only in complete form for eighty days before the Prophet’s death, but that the Companions themselves made slight changes in the prophetic practice based on new conditions (p.110). He gives two examples of Umar, who stopped giving zakat to *mualafat qulobuhum* (those whose hearts incline towards Islam) and issued a moratorium on the criminal punishment of cutting hands during a famine. To demonstrate what he sees as the necessary spirit towards applying the Shari‘ah, the sheikh gives the famous example of the Bedouin who urinated in the mosque. As the man began to relieve himself, the Prophet’s Companions rushed to physically prevent him. The Prophet, however, not only stopped them from doing so but prevented them from even speaking to the man. When he finished, the Prophet calmly explained to the man why what he had done was wrong and ordered for water to be thrown over the spot. But were the companions not right in trying to protect the cleanliness of the mosque, especially given the hadith “If one of you sees a wrong, let him change it with his hand?” He concludes that the Prophet’s response here demonstrates a type of wisdom in human efforts to apply the Shari‘ah that only those ulama who truly understand the social, political, and cultural reality can possess (p.116). The main point of this chapter is that “the Shari‘ah is one thing and its application another,” a point we can understand as meaning that the holiness of the Shari‘ah should not be extended to the application of the Shari‘ah, which will always remain a human attempt (p.118). This is critical so that the holiness of the

Shari‘ah’s name does not become reduced to a mere political slogan (p.125).

Another central question for what happens after the revolution is the role of Islamists. While he affirms a role for Islamists in the Ummah’s future, he notes that they should not see themselves as the sole actor in the field, nor as the sole legitimate voice of Islam (p.162). Here, he makes a differentiation, similar to his previous one between the Shari‘ah and any application of Shari‘ah, between Islam and Islamists’ project that seeks to apply Islam (p.159). While he notes that the existence of a “Turkish project” towards revival, he questions “Where is the Arab project?” This is an essential question, as a project is necessary to link the people to their state, perhaps one reason among others that the Madina state too had a project (p.184-185).

Conclusion

True to its title, *Questions of Revolution* is a series of questions in the format of vignettes rather than an extended reflection on one subject. While this does weaken its overall ability to theorize and deal with these topics at length, it also makes the book more accessible for a wider audience. That the book is largely a collection of ideas and questions present in many other works is a point the author himself readily admits (p.19). Nonetheless, given his stature and the popularity of the book, Al-Oudeh’s *Questions of Revolution* may be of the most significant in building towards what I have called here a revised Islamic Political Theology.

This “theology” would be based on understanding *siyasa shar‘iyya* as sourced from two elements: clear, unambiguous text and striving to find what is the most beneficial in those affairs not determined by a text. It is the latter element that motivated Al-Oudeh to turn time and time again to the “fiqh of reality” and a reading of the current reality in light of the Shari‘ah’s higher aims. His readings in history and social sciences cause him to believe that where tyranny exists and no other option exists,

people will turn to revolution (p.40). The hope, as of yet unanswered, is that these revolutions will lead to a project of revival that aims to build a political system based on a “social contract” between the rulers and the ruled, where both aim towards justice and mutual contentment. While some of his questions, such as if the same adherents of “listen and obey” the rulers would take the same position if Islamists themselves became the rulers (p.143), have now been answered, most of the questions remain open. Furthermore, almost ten years later, many of the conditions that he points as making revolutions inevitable are still as applicable today as they were then.

Questions of Revolutions further evokes deeper questions about the status of fiqh with the rapid pace of change today. Al-Oudeh himself points to this in somewhat of an understatement that it can be difficult to fathom the degree that has taken place since the classical books of fiqh and siyasa shar‘iya were first written, but even the degree of change today (p.59). A useful concept to understand this degree of change is that of “epochal change” introduced by Ovamir Anjum that encapsulates how change today is no longer organic or based on natural human action, but rather are now the products of large-scale, organized human effort (xiii).²⁴ Therefore, rather than seeing the “fiqh of revolution” as “secondary segmentation,” or a purely utilitarian mode of juristic reasoning, I prefer to see it as just one tool that jurists use to grapple with an ever-changing world. Al-Oudeh does not deny that change can sometimes exact a heavy price, only that “whoever does not pay the price of change, will pay the price of not changing” (p.27). Ultimately, perhaps *Questions of Revolutions*’ true importance lies in pushing us to even further consider fiqh al-waqi‘ and the social sciences when formulating legal opinions on topics that directly impact society, as we ask ourselves: “In our rapidly changing world, what is the closest approximation to the true spirit of the Shari‘ah?”

²⁴ Ovamir Anjum, “Editorial,” *American Journal of Islam and Society* 37, no. 1-2 (2020): p. xviii, <https://doi.org/10.35632/ajiss.v37i1-2>.

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19. The Role of Political Parties in Democratic Transformation: Examining the Tunisian Model

[in Arabic]

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Abstract

Tunisia is considered one of the most stable countries in the Arab Spring after the January 2011 revolution. This relative stability has allowed it to enter into a new dynamic and helped it in the transition process. As much as the multi-party system in the country was suffering from severe suffocation before the revolution, this situation has changed radically and the political arena has evolved as restrictions on party pluralism were lifted, new parties were allowed to emerge, and even the development of militant organizations was allowed. This paper analyzes the general role of the party process in stabilizing the features of democracy and provides a brief definition of the partisanship in Tunisia by monitoring most of the existing party currents. It also provides a forward-looking attempt to analyze the future of the partisan process and democratization in Tunisia, and the most important future challenges facing the political process.

العملية الحزبية ودورها في التحول الديمقراطي: تونس أنموذجاً

علي جبلي

مركز الفكر الاستراتيجي للدراسات، إسطنبول، تركيا

مقدمة

تعتمد الديمقراطية الناجحة على وجود مؤسسات قوية، والأحزاب السياسيّة تعد من أهم هذه المؤسسات ومن أكثرها تأثيراً، وهي الوسيلة والآلية المثلى للتحول الديمقراطي، فمن دونها يصعب إنجاز أيّ تقدم ديمقراطيّ، كما أنّها المؤشر الأبرز على الحالة السياسيّة القائمة؛ قوة وضعفًا.

تعد تونس من أكثر بلدان الربيع العربيّ استقراراً، وهذا الاستقرار النسبيّ سمح لها بالدخول في ديناميكيّة جديدة، وبقدر ما كانت التعددية الحزبيّة في البلد تعاني اختناقاً كبيراً قبل الثورة، فقد تبدلت المعطيات جذرياً، ومعها تغيرت الساحة السياسيّة، قادت إلى إصلاحات دستوريّة، وقد أسهمت هذه الإصلاحات في بناء النظام السياسي الجديد، وترسيخ حرية الرأي والتعبير، وانتظام العمليات الانتخابيّة.

ذلك كلّه سمح للمكونات السياسيّة المنفية خارج البلاد، من مختلف المشارب الفكريّة، أو تلك المحاصرة داخلها، بالظهور والتعبير عن نفسها، انطلاقاً من مظاهراتها السياسيّة المتعددة، وقد حرصت هذه التيارات على التشكل السياسيّ والظهور العلنيّ، والتعبير عن خلفياتها الفكريّة وبرامجها السياسيّة، إلا أنّ كل تيار من هذه التيارات ليس ممثلاً بوجه سياسي واحد، وقد تتغير المعادلة الحزبية عند بعضهم بين حين وآخر، فضلاً عن النزوح السياسي الذي تلجأ إليه بعض الرموز بسبب الخلافات المتكررة، وحالة الانشقاقات الحزبية المتعددة.

وقد أسهمت الإصلاحات السياسيّة في تونس نوعاً ما في ترسيخ مبدأ التداول السلميّ للسلطة، وهذه التجربة جديرة بإعادة القراءة والاستفادة منها سلباً وإيجاباً، ولهذا جاءت هذه الورقة لتتناول ثلاثة محاور رئيسيّة:

المحور الأول: التعريف بالمشهد السياسيّ والانتقال الديمقراطيّ التونسيّ.

المحور الثاني: التعريف بأهم التيارات الفكرية وتمثلاتها الحزبيّة.

المحور الثالث: مستقبل العملية الحزبيّة والتحول الديمقراطيّ في تونس.

المحور الأول: التعريف بالمشهد السياسيّ والانتقال الديمقراطيّ التونسيّ

يختلف المشهد السياسيّ في تونس قبل عام 2011 عما بعده، فكثير من التيارات لم تتمكن من التشكل سياسياً قبل الثورة إلا في الحدود الضيقة أو خارج البلاد، وبشكل عام كان النظام السياسيّ التونسيّ في عهد بورقيبة نظاماً رئاسياً شمولياً، قائماً على نظام الحزب الواحد أغلب سنوات حكمه، باستثناء السنوات الأخيرة التي اضطر فيها إلى فتح الباب أمام المعارضة، فاعترف ببعضها وعض الطرف عن بعضها الآخر، وقيل بحرية التعبير نوعاً ما، ثم تحول إلى نظام تعدديّ شكليّ في عهد بن علي، مسموح فيه لتلك الأحزاب القريبة من النظام والمالية له بالظهور في المساحات المحددة لها.

وقد جاءت الثورة لتعيد ترتيب المشهد السياسيّ من جديد، ومن خلال ذلك تغيرت خارطة السياسيّة لتونس، وبرزت تلك المكونات المغيبة عن المشهد، واستُحدثت أخرى بصورة واضحة ورسمية؛ ولكن هذا المشهد لم يستقر على صورة واحدة، ولكل دورة انتخابية إفرانها المختلفة، التي تعيد رسم مشهد التحالفات السياسيّة من جديد.

أولاً: الإصلاحات الدستوريّة بعد الثورة وأثرها في الانتقال الديمقراطيّ

شهدت هذه المرحلة الاعتراف بعدد من الأحزاب المحظورة، والترخيص لأحزاب جديدة، وحلّ الحزب الدستوريّ الحاكم، وغابت عن المشهد أغلب الأحزاب المالية للنظام الأسبق، وكان من أولويات هذه المرحلة:

(أ) صياغة دستور جديد لتونس

دار النقاش الدستوريّ في بداياته الأولى حول قضايا مركزية، وخاصة قضية المرجعيّة وموقع الدين في الشأن العام، وشكل النظام السياسيّ الجديد، وحول النقطة الأخيرة تباينت الآراء؛ بين من يرى خطورة النظام الرئاسي، بناء على أن نظام بن علي كان نظاماً رئاسياً حول مصالح الدولة كلّها لخدمة الحزب الحاكم، وبما يضمن بقاء رئيسه في السلطة، ومن ثم فإنّ هذا الرأي طرح بقوة خيار النظام البرلمانيّ بصفته حلاً أمثل يودي إلى الخروج من الحالة التي ضربت تونس في حقبة ما قبل الثورة، ويضمن عدم هيمنة رئيس الجمهورية مرة أخرى. وفي المقابل هناك من رأى أهمية النظام الرئاسي، مع تحويل جزء من صلاحياته للبرلمان، وبين هذا وذاك اعتمد نظام يوازن بين صلاحيات رئيس الجمهورية وصلاحيات البرلمان؛ وذلك بالتوصل إلى حلّ توافقي يشبه الوصفة البرتغالية في نظام أقرب إلى البرلماني، يكون فيه البرلمان هو السلطة الأصلية، أما رئيس الجمهورية فله صلاحيات مهمة في الدفاع والخارجية وتمثيل الدولة والقدرة على التحكيم، خاصة أن انتخابه مباشرة من الشعب¹.

ب) العدالة الانتقالية

في هذا الإطار قامت هيئة الحقيقة والكرامة بجهد كبير في إطار تحقيق العدالة الانتقالية والمصالحة الوطنية، لكن ثمة ثغرات تحتاج إلى مزيد من الإصلاحات، ومن ذلك الموقف من الأخطاء الوطنيّة الكبرى، التي يفترض حفظها حتى لا يُسمح بتكرارها من جديد، فالمرحلة السابقة ليست كلها خيراً محضاً، كما أنّها ليست شراً محضاً، وعليه فإنّ إعادة تقييمها على ضوء الثوابت الوطنيّة من الأهميّة بمكان حتى لا يعاد إنتاج الماضي من جديد، مع الأخذ بالحسبان أهمية أن تكون تلك القراءات موضوعية إن لم تكن مستقلة، حتى يبقى لهذه الدراسات أثرها في المستقبل، ورغم الجهود التي بذلت في هذا المجال فإنّ الواقع يدعو إلى مزيد من الدراسة والاستفادة.

¹ أحمد كرعود، الربيع العربي ثورات الخلاص من الاستبداد -فصل: تونس ثورة الحرية والكرامة، الشبكة العربية لدراسة الديمقراطية، بيروت، الطبعة الأولى، 2013، ص47.

وهكذا جاءت ثورة 14 يناير 2011 لتعيد رسم المشهد السياسي والخرطة السياسية من جديد، سواء أمن خلال الإصلاحات الدستورية التي تمت، أم من خلال طبيعة العملية الحزبية والتحالفات السياسية التي تعيد نتائج الانتخابات تشكيلها في كلّ مرحلة، أو عن طريق الحكومات المتتابعة التي أفرزتها الاستحقاقات الانتخابية بعد الثورة، وهي ما يزيد على عشر حكومات؛ لكن ثمة خلافاً دستورية لها أثرها المباشر في أداء الرئاسات الثلاث، تعود ربما إلى:

1. طبيعة نظام الحكم

تظهر بين حين وآخر قضايا خلافية متعلقة بالدستور الحالي، وطبيعة المتنافسين السياسيين، وما يتعلق بالمخارج والحلول التي تنظم العلاقة بين رئيس الجمهورية ورئيس البرلمان ورئيس الوزراء، وقد برزت هذه الخلافات خلال حكم الرئيس الأسبق السبسي ورئيس الحكومة يوسف الشاهد، وبقي البرلمان وقتها بعيداً عن حلبة الصراع، ثم عادت للظهور من جديد بين رئيس الجمهورية قيس سعيد ورئيس البرلمان راشد الغنوشي، وهذه الخلافات مرشحة للانفجار في أيّ وقت، لأسباب تتعلق بطبيعة الدستور وطبيعة الشخصيتين نفسيهما، فرئيس الجمهورية لا يخفي امتعاضه من الدستور الحالي، بل جعل على رأس أولوياته في برنامجه الانتخابي إعادة النظر في الدستور، مبدياً عدم رضاه عن الممارسة السياسية التي أنتجها هذا الدستور، ويرى في التعديل ضرورة ملحة لتحقيق التنمية والحكم المحليين، وترى قوى سياسية أخرى أن الوقت غير مناسب لهذا التعديل؛ لاعتبارات تتعلق بطبيعة المرحلة التي تعيشها تونس وتحاول الخروج منها.

2. تأخر تشكيل المحكمة الدستورية

تُعد المحكمة الدستورية ركناً حقيقياً من أركان الانتقال الديمقراطي، وهي الحارس لهذا التحول، وقد عرفت تونس تجاذبات سياسية متعددة، ما كان لها أن تحدث بتلك الطريقة لو وجدت المحكمة، وبالرغم من أنّ الدستور التونسي أسهب في بيان كلّ ما يتعلق بها

في فصوله (118-124)، فإنّ ذلك لم يتم لأسباب ربما تعود إلى التخوف من قراراتها، وضعف الإرادة، وتغليب المصالح الضيقة.

ثانياً: العلاقة بين العملية الحزبية والانتقال الديمقراطيّ

يخضع التطور الحزبيّ بشكل عام لعوامل عديدة، وبحسب الدارسين لنشأة العملية الحزبية وتطورها فإنّ هناك عدداً من المقاربات المهمة التي تفسر هذه الظاهرة، على رأسها مقارنة التطور السياسيّ، وهي التي تنشأ في سياق الانتقال الديمقراطي عقب الثورات، كما حدث إبان الربيع العربيّ الذي أفسح المجال لتشكيل أحزاب سياسية جديدة.

وقد أحدثت الحالة السياسيّة في تونس عدداً من التحولات السياسيّة التي لم تستقر بعد، وهذا ما يجعل الخارطة السياسيّة أمام عملية تطور مستمر، إضافة إلى أنّ هذا التحول قد يكون في شكل تحالفات جديدة في إطار الأحزاب الموجودة، أو عملية إعادة تموضع في إطار التحالفات القائمة، أو تشكيل تحالفات أخرى عابرة للأيديولوجيا، ولهذا كلّه أثر في تحقيق الانتقال الديمقراطيّ.

العملية السياسيّة عموماً، والحزبيّة على وجه التحديد، تفرض إعادة الانتشار السياسيّ والتموضع حسب أولويات كلّ مرحلة، ومن لم يستجب لمعطيات اللحظة قد يتجاوز التاريخ، ولهذا فإنّ الأحزاب عموماً أمام اختبار حقيقيّ بين خلافات الماضي ومتطلبات الحاضر، فالماضي مرحلة يستفاد منها للبناء، والوقوف عندها مُثَقِّلٌ لكاهل العملية السياسيّة.

العملية الحزبية آلية لترسيخ الديمقراطيّة، والانتقال الديمقراطيّ الذي يحدث في تونس لا يُعد الديمقراطيّة كلّها، وإنما يُعدّ عاملاً من عوامل البناء المؤسسيّ لها، ومرحلة من مراحل التحول الديمقراطيّ، المتمثلة في:

المرحلة الأولى: إزالة النظام التسلطيّ: وهذا ما حدث، وإن بقيت خيوطه وجذوره ربما؛ لكن عامل الثورة أقوى على الساحة، ولا تزال المدافعة مستمرة.

المرحلة الثانية: إقامة النظام الديمقراطيّ: والأنظمة التالية للثورة في مجملها ديمقراطيّة.

المرحلة الثالثة: التماسك الديمقراطي: وهي مرحلة الرسوخ، وعندها يُتخلص من المؤسسات القديمة ويحلّ محلّها مؤسسات جديدة تعزز النهج الديمقراطي، وهذه المرحلة قد تكون هي المرحلة التي تعيشها تونس حالياً وتسعى إلى تجاوزها نحو المرحلة الرابعة.

المرحلة الرابعة: مرحلة النضج الديمقراطي: وهذه المرحلة تؤدي إلى دمج المشروع الديمقراطي ضمن المنظومة المجتمعية الثقافية والاجتماعية والسياسية والاقتصادية، وتحول الديمقراطية إلى ثقافة مجتمعية ولبنة من لبنات النسيج الداخلي، وتتعكس على السلوك الفردي والجماعي، وتهتم بتوفير الحقوق الاجتماعية والاقتصادية للشعب.

هناك مؤشرات عدة على النجاح الجزئي لعملية التحول الديمقراطي في تونس، يأتي على رأسها:

1. النجاح الدستوري وتعديل النظام السياسي للدولة، فقد قطعت تونس شوطاً كبيراً في ذلك من عام 2011 إلى 2014.
2. التعددية الحزبية، بالرغم من سيولتها وعدم استقرارها، وهشاشة بعض الأحزاب ومحدودية أعضائها، وفوضى الحالة الحزبية، إذا جاز التعبير، فإنّ هذه الإشكالات قد يسهم عامل الزمن في حلّتها وترشيدها.
3. انتظام العملية الانتخابية خلال المرحلة الماضية، حيث مرت البلاد بست تجارب انتخابية.
4. حرية الرأي والتعبير التي كفلها الدستور.

هذا التقدم رغم محدوديته يعد شيئاً إيجابياً مقارنة بما كان عليه الوضع سابقاً، وقد تكون الأيام القادمة كفيلة بالتعافي أكثر، ومن هنا يجب أن يؤخذ بالحسبان موضوعان مهمان: الأول: أهمية الائتلافات الحزبية العابرة للأيديولوجيا، وهناك تجارب تونسية نوعية يمكن التأسيس عليها في أي ائتلافات قادمة، وخاصة تجربة ائتلاف "18 أكتوبر" للحقوق والحرريات، التي جمعت أصنافاً عدة؛ ليبرالية ويسارية وإسلامية، انطلاقاً من سنة 2005

على أرضية نضال سياسيّ موحد، وبلورت مشتركات فكرية بخصوص الهوية وموقع الدين ومنزلة المرأة، وهذه التجربة تؤكد إمكانية الالتقاء العابر للأيديولوجيا، الذي تطمح إليه تونس الثورة، ويمكن التأسيس على التوافقات الحزبية القائمة وكذلك على التي قامت من قبل.

الثاني: دور القانون الانتخابي في تشكيل المشهد الحزبي ونتائجه التي لا تخفى على المتابعين، فطبيعة صياغة القانون والظروف السياسية حينها ربما كانت تحتم على المشاركين في صياغته عدم السماح لأي حزب بالحصول على الأغلبية، بحيث لا يعود الشعب إلى الوراء، مستحضرين تجربة خمسين سنة ماضية من النقر، وتحوطاً من حصول بعض القوى المنظمة والمستعدة لهذا التحول على الأغلبية، وبقدر ما كان هذا القانون ربما مناسباً في وقته وسياقاته فإنه أفضى فيما بعد إلى ضعف المؤسسات وتشردم الأحزاب بحثاً عن مواقعها في الدولة، وفتح المجال لإمكانية حصول المكونات الحزبية الصغيرة على مواقع في الدولة، كما أنه أنتج برلمانات وحكومات مشتتة.

المحور الثاني: التعريف بأهم التيارات الفكرية وتمثلاتها الحزبية

تتجاذب الساحة الفكرية والسياسية التونسية تيارات عدة؛ يسارية وليبرالية وقومية وإسلامية، تتداخل أحياناً فيما بينها، وتتقارب في بعض الأحيان على شكل تحالفات سياسية استجابة لنتائج الانتخابات المفاجئة، ويفصل بعضها عن بعض أحياناً كثيرة.

وقد وُزعت الأحزاب على التيارات القريبة منها، مع الأخذ في الحسبان أنّ بعض هذه الأحزاب قد لا تكون متمسكة بالأيديولوجيا بشكل كبير، وقد لا يحمل منتسبوها ذلك القدر الذي يحمله مؤسسوها من الولاء للفكرة الأم، وقد تغيب الأيديولوجيا وتحضر بحسب المعطيات السياسية المتقلبة، وقد تحضر بالقدر الذي تميز به نفسها عن التيارات الأخرى. إلى جانب هذه التيارات المختلفة هناك فاعلون سياسيون محليون خارج بيئة العمل الحزبي، من النقابات والاتحادات، وقد كان من خصائص الحركة النقابية التونسية في مراحل التشكل الأولى الربط بين العمل النقابي والوطني في آن واحد، ولهذا برزت مؤسسات

نقابية مهتمة بالشأن العام كالاتحاد العام التونسي للشغل، الذي اضطلع بأدوار سياسية مختلفة قبل الثورة وبعدها، تتمثل في توجيه الأحداث، وجمع الفرقاء، والمشاركة المباشرة في بعض الملفات السياسية، مستفيداً من خبراته الطويلة، وشبكة علاقاته الواسعة داخلياً وخارجياً، ووجوده في القطاعات المختلفة المدنية والإعلامية، ويرى الاتحاد نفسه أكبر ربما من الأحزاب القائمة، بل إن كثيراً من القيادات السياسية خرجت من رحم الاتحاد. ولما لم يكن الاتحاد حزباً سياسياً بالمعنى القانوني فإنه يخرج عن نطاق الدراسة، وكذلك بقية المكونات النقابية ومجموعات المصالح ورجال الأعمال، الذين يمارسون أدواراً سياسية مختلفة، قد تفوق في بعض الأحيان أدوار كثير من الأحزاب؛ لكنها لن تكون محوراً في الدراسة للسبب ذاته.

أولاً: اليسار التونسي وأزمة الانشقاقات المتكررة

بين النشأة التاريخية لتيار اليسار إبان الاستقلال التونسي، وما تلا ذلك من تشكيلات متعددة أخذت في مجملها الجمع بين الأفكار الليبرالية والاشتراكية والشيوعية، حصل اللبس في تصنيف بعض الأحزاب التونسية، ولعل فكرة اليسار تتسع أكثر لتشمل التنظيمات والأفكار الممتدة من تيار الوسط المعتدل الديمقراطي الاجتماعي، واليسار الراديكالي الثوري، بالإضافة إلى أنّ الحالة اليسارية التونسية والعربية عموماً، قد تجمع بين التوجهات اليسارية من جهة، والقومية العربية والذات القطرية، من جهة أخرى، وهذا ربما أقرب محدد لتيار اليسار التونسي المتشعب.

ج) التشكل السياسي لليسار التونسي بعد الثورة

كشفت قائمة الأحزاب المعترف بها بعد ثورة تونس عن قائمة مهمة من الأحزاب السياسيّة اليسارية الناشئة. فبالإضافة إلى الأحزاب القديمة ذات التوجه اليساري، برزت إلى الواجهة السياسية أحزاب جديدة، منها ما هو فاعل على المستوى العام، وله حضور برلماني في الاستحقاقات الانتخابية التي جرت، ومنها ما هو أقل من ذلك. ومن أهم هذه الأحزاب:

ا. الجبهة الشعبية

وهي المكون الأبرز للييسار التونسي بعد الثورة، ينضوي تحت إطارها عدد من الأحزاب والشخصيات اليسارية التونسية، وقد مرت بمراحل عدة، خرجت منها بعض الأحزاب لأسباب مختلفة، وبقيت أخرى، واستطاعت الحصول على 14 مقعداً نيابياً في انتخابات 2014، وفي الانتخابات البرلمانية في 2019 لم تحصل إلا على مقعد برلماني واحد، ومن ثم فإن اليسار التونسي ربما عجز عن بناء جبهة متماسكة خلال مدة طويلة رغم المحاولات، ولعل أبرز ثلاثة أسباب لذلك تتمثل في: الإرث الأيديولوجي الثقيل، وغياب النقد الداخلي، وصراع الزعامات.

ب. حزب التيار الديمقراطي

ينتمي حزب التيار الديمقراطي إلى يسار الوسط كما يُوصف. ويُعرف الحزب نفسه بأنه حزب اجتماعي ديمقراطي، يدعو إلى نظام يقوم على العدالة الاجتماعية والتوزيع العادل للثروة، ويكفل المبادرة الخاصة، والملكية الفردية، والمنافسة الحرة، مع اضطلاع الدولة بدور تعديلي، وبالاستثمار العمومي، والمحافظة على الملكية العمومية للقطاعات الحيوية، وتأهيل القطاع العام. وقد أثبتت نتائج الاستحقاقات الانتخابية السابقة أن التيار الديمقراطي في تقدم، في ظل غياب للجبهة الشعبية، وهذا ما مكنه من تصدر المشهد، وحصل على 22 مقعداً، ولعل ذلك يعود إلى:

1. استثماره لأخطاء الحكومات السابقة.

2. تخفف الحزب من ثقل الأيديولوجيا اليسارية بعض الشيء، وقد مكنه ذلك

من استثمار الحاضنة المحافظة.

3. تبنيه خطاباً شعبياً قريباً إلى أذهان المواطنين وهمومهم.

ج. المؤتمر من أجل الجمهورية

د. التكتل من أجل العمل والحريات

هـ. حزب المؤتمر من أجل الجمهورية وهو حزب قريب من وسط اليسار، والتكتل محسوب على اليسار الاجتماعي، وقد كان للحزبين حضور لافت بعد الثورة، وغابا عن المشهد من بعد انتخابات 2014، وذلك ربما يعود إلى:

- ضريبة تحالفهما مع حركة النهضة، خاصة أنّ جزءاً من أعضائهما كان معارضاً لذلك.

- الانسحابات المتكررة لقيادات بارزة نتيجة لتحفظاتهم على طريقة التسيير.

(د) نقاط القوة والضعف في تيار اليسار

يعد اليسار بأغلب مكوناته الأيديولوجية والاجتماعية من التيارات التونسية المناضلة قبل الثورة وبعدها، وهو مكون سياسي واجتماعي رافق التحولات السياسية في تونس، ولهذا فمن نقاط قوته:

أ- الخبرة السياسية السابقة التي أفرزتها المراحل التاريخية، إضافة إلى أن اليسار الإيديولوجي شديد التنوع.

ب- انتشاره في دوائر النفوذ كلها، فقوته الأساسية ليست فقط في تنظيماته الحزبية الموجودة، بل في انتشاره، حيث التحق بعضه بالتجمع الدستوري الديمقراطي وبمحيط الرئيس المخلوع فكان شريكاً في السلطة، وبعضه الآخر انخرط في النقابات والمنظمات الحقوقية والإعلام والوسط الأكاديمي والإدارة والقضاء والأمن وغيرها، فقوة اليسار ليست حزبية أو انتخابية فحسب، بل تكمن في المزوجة بين التأثير الانتخابي المؤسساتي والتأثير بالمواقع المختلفة التي يشغلها، وبعض منها خارج تكويناته الحزبية.

هذا الوجود والحضور لتيار اليسار، سواء أضمن لافتاته الحزبية الخاصة أم خارجها، بقدر ما هو نقطة قوة للتيار بقدر ما فتح المجال لتعدد الأهداف وغياب البوصلة، وتيار اليسار بحاجة أكثر من غيره من التيارات إلى مراجعات جادة للاستفادة من هذا الحضور،

بحيث يمثل ذلك نقطة قوة حقيقية، يفترض به استثمارها والبناء عليها احتراماً للجهود الأسبق، ومحافظة على الديمقراطية الناشئة، والرضى بنتائج الانتخابات أياً كانت. وإضافة إلى ذلك يعاني تيار اليسار من:

أ. ضعف البنية المؤسسية

يعاني اليسار التونسي بشكل عام ضعفاً كبيراً في بنيته المؤسسية، سواء أمن خلال الجبهة الشعبية أم الأحزاب الأخرى، وتعد الخلافات الداخليّة والانشقاقات المتكررة أكبر نقطة ضعف تعانيتها الجبهة اليسارية عموماً، ويعد حزب العمال الأقرب إلى النقاوة الثورية، والوطنيون الديمقراطيون من أبرز مكونات اليسار تنظيمياً، والخلاف بين المكونين خلاف تاريخي حول الزعامة منذ السبعينيات والثمانينيات في الجامعة، ويعد "الوطد" توليفة ماركسية وحدوية عربية، ولكنها كذلك كانت تؤمن بالاختراق وتعتمدها استراتيجية في العمل والانتشار والتأثير بديلاً من التنظيم الكلاسيكي، وهكذا كانت حاضرة في كل المواقع.

بعد الثورة حصلت محاولات توحيدية بين مكونات هذا التيار، لكنها ظلت في وضع الموات والشلل، والخلاف داخل الجبهة الشعبية اليوم هو نتيجة الصراع بين هذين المكونين.

ب. الثقل الأيديولوجيّ والعداء الحاد للإسلاميين

الثقل الأيديولوجيّ الحاد، الذي يتحول إلى استقزاز لعاطفة الشعب الدينية، له أثره المباشر في سمعة التيار، فشعب تونس عربيّ ومسلم، والخطاب المعادي للإسلام يستفز العاطفة الدينية لكثير من المسلمين، حتى أولئك البعيدين عن التيار السياسيّ الإسلاميّ، وما تقعله بعض النخب اليساريّة من تبني بعض الأطروحات الماركسيّة، والمناداة بالعلمانيّة الشاملة إلى حد إقصاء الدين عن الحياة عموماً، وولاء البعض للفرنكوفونية، أو تبنيهم

لخيار التطبيع مع الكيان الإسرائيلي، ربما تؤثر هي الأخرى في سمعة اليسار، فضلاً عن مواقف بعضهم السابقة حد التماهي مع نظام بن علي. إن تدني نسبة اليسار الأيديولوجي في الاستحقاقات الانتخابية تحتم عليه تقويم الهزيمة، بدل إلقاء اللوم على التيارات المنافسة، وخاصة ذات التوجه الإسلامي، وتغيير نظرتهم إليهم من أعداء إلى منافسين، وعدم التشكيك في النتائج الانتخابية التي أفرزتهم.

ج. النخبوية المفرطة

التحليق بعيداً من هموم المواطنين، واستدعاء الشعارات والخطابات القديمة، من العوامل المضعفة لتيار اليسار خارجياً، والعقلية المنتمية للماضي، وغياب المراجعات الحقيقية والاستفادة من تجارب التاريخ، من مضعفات اليسار داخلياً، ولها انعكاسها المباشر على التيار في حضوره في الساحة.

ثانياً: التيار القومي بين التعريب والتونسية

ظل التيار القومي حاضراً في تونس، محتمياً بالأنشطة النقابية والطلابية، وشارك في كثير من المحطات النضالية، وتعرض للقمع مثل غيره من المكونات المناهضة للنظام، لكن هذا التيار لم يستطع تشكيل نفسه وترتيب أوراقه بعد الثورة، فقد تأسس عدد من الأحزاب السياسيّة التي تدعي تمثيلها للتيار، وانضم بعضها سابقاً للجبهة الشعبية كحليف للييسار؛ كالتيار الشعبويّ وحركة البعث وحزب الطليعة، وتتهم هذه المكونات بالتخلي عن قوميتها وتسليم قرارها للييسار، في حين أن هناك فصائل أخرى ظلت مستقلة، وبعضها خرج عن الجبهة الشعبويّة، كحركة الشعب وحزب الغد والجبهة الشعبويّة الوجوديّة، وتعد حركة الشعب ربما أقوى هذه الحركات تنظيمياً وتمثيلاً في البرلمان.

1. حركة الشعب

هي حركة قومية يغلب عليها التوجه الناصريّ، وتعد امتداداً للحركة العربيّة التقدمية الناصريّة، ومجموعة "الوحدويون الناصريون بتونس" المعارضة لبن علي، كما تمثل حالياً

الواجهة الأولى للأحزاب القومية في تونس، ولها حضورها الفعلي في المدن التونسية، وقد انتمت الحركة إلى الجبهة الشعبية وانسحبت منها. تأسست في 8 مارس/آذار 2011، وشاركت في انتخابات المجلس الوطني التأسيسي، وفازت بمقعدين، وفي انتخابات 2014 فازت بثلاثة مقاعد، وفاجأت الجميع بفوزها بـ 15 مقعداً في انتخابات 2019.

تعرضت الحركة لعدد من الانشقاقات، لكنها ربما استطاعت التماسك مؤخراً، ولعل من الأسباب التي ساعدتها في هذا الفوز توازن خطابها الداخلي، والاستقرار الذي شهدته الحركة قبل الانتخابات، إضافة إلى رفعها شعار محاربة منظومة الفساد، ووجود قادتها في نقابات عدة، هذه العوامل كلّها وغيرها ساعدت الحركة وأتاحت لها ترتيب أوراقها والدخول للانتخابات.

2. نقاط القوة والضعف عند التيار القومي

للقوميين في تونس تاريخ نضالي، وإرث سياسي عريق، حيث ترى الحركة نفسها أنها ولدت من رحم الحركة التونسية المطالبة بالاستقلال، وهي امتداد لنضالات عبد العزيز الثعالبي، وصالح بن يوسف، وغيرهم من القيادات المناضلة، ويحرص التيار القومي على نسبة الحركة اليوسفية إليه، وعدّها بداية محطات نضاله التاريخي، إضافة إلى ذلك من نقاط قوته:

أ- مشاركته في الانتفاضات التونسية الداخلية، سواء أ تلك المنددة بالسلوك الحكومي، عن طريق المنظمات والنقابات والحركات الطلابية، أم الرافضة لمشاريع التطبيع والتقارب الإسرائيلي العربي والتدخلات الخارجية في المنطقة العربية، وأياً ما تكن هذه المواقف ودوافعها، والخلاف الدائر بين خلقها للنضال وتبنيها له، وبين القول والفعل، فإنّ هذا لا ينفي أن للتيار القومي حضوراً تاريخياً لافتاً في الفترات جميعها في تونس؛ من بعد الاستقلال إلى ما بعد الثورة.

ب- حضوره النقابي: لا ينحصر حضور التيار العروبي السياسي والاجتماعي في العمل الحزبي فقط، بل له نفوذ مباشر في عدد من النقابات المهنية والعمالية التونسية، وخاصة قطاع التعليم، ولهذا يحاول القوميون في تونس الظهور كتيار وسطي، في ظلّ التجاذبات التونسية الداخلية بين اليمين واليسار.

من نقاط ضعف هذا التيار:

أ. ضعف الروافد الفكرية التونسية، والروافد الأساسية لفكره هي روافد بعثية سورية وعراقية وناصرية وقذافية، ولم يستطع إلى الآن تحقيق مصالحة واضحة بين الرافد العروبي والرافد التونسي.

ب. يعاني التيار العروبي كذلك غياب الأدوات العلمية في الممارسة السياسية، حيث يعتمد كثير من التيارات القومية على الماركسيّة اللينينية أداة لتفسير التاريخ وتحليل الواقع، ويعود ذلك إلى احتكاكهم بالتيارات الماركسيّة في أوروبا، وتأثرهم ببعثيي المشرق وخاصة فرع العراق، هذه القاعدة النظرية الماركسيّة انضافت إلى القاعدة البعثية لتجعلهم يعدون العلاقة بين القومي والديني علاقة صدامية، وعلى هذا الأساس هناك من يرفض التعامل مع أي حزب إسلامي²، إضافة إلى التجاذبات الأيديولوجية الداخلية، المتقاربة تارة مع اليسار حد التحالف والذوبان، وتارة مع اليمين حد التنبني.

ج. حالة التشتت في الموقف من القضايا العربية على حساب القضية الوطنية، وتأييد بعض الأنظمة العربية المعادية للديمقراطية خوفاً من بدائل مختلفين، ولو أتوا عن طريق الانتخابات، كالموقف من سوريا، والاصطفاف السياسي مع أطراف عربية في بعض القضايا مع وضوحها، وكالموقف من الأزمة

² محمد الرحموني، العلمانيون في تونس، مركز نماء للبحوث والدراسات، بيروت، الطبعة الأولى، 2013،

الليبية، وما لم يُعدّ النظر في الموقف من الديمقراطية واحترام نضالات الشعوب فإن ذلك سيؤثر سلباً في سمعة التيار شعبياً في النضال والمقاومة، وذلك حتى ينسجم التيار مع أهدافه الستة المتعلقة بالتححرر والاستقلال، والوحدة العربية، والديمقراطية، والتنمية المستدامة، والعدالة الاجتماعية، والتجدد الحضاريّ.

د. غياب المظلة الواحدة، وتعدد المجموعات السياسيّة المدعية تمثيل القومية، بين حركة الشعب، وحركة الشعب الوحدويّة، ورابطة القوميين التقدميين، وغيرها، فهناك أحزاب عدة تدعي تمثيلها للتيار، ومع هذا تظل حركة الشعب ربما أقوى هذه المكونات تنظيمياً.

هـ. التباهي بنضالات تاريخية وشعارات قديمة، هي أحوج ما تكون إلى ترجمة واقعية، تتعكس على واقع الناس المعيشي، ووضعهم الاقتصاديّ المتردي، وحضور فكرة الزعيم الفرد في مرحلة أكثر ما تحتاج فيه تونس إلى الديمقراطية، سواء أعلى مستوى الأحزاب أم الدولة.

ثالثاً: القوى المنحدرة من منظومة الحكم قبل الثورة

وهي تلك الأحزاب التي تأسست بعد الثورة، وكان لأعضائها انتماء سابق للحزب الحاكم قبل الثورة، وقد لا يصدق توصيف الليبرالية على أغلب هذه الأحزاب أو المنتمين إليها وإن كانت تدعيها.

هـ) المشهد الحزبي لهذه القوى

لبعض هذه الأحزاب حضور في الساحة السياسيّة حالياً، وبعضها كان له حضور في انتخابات 2014 النيابية وغاب بعدها من جراء الانشقاقات الداخلية، كحزب نداء تونس الذي تعرض لانشقاقات متكررة، من ضمنها خروج نبيل القروي ويوسف الشاهد وتأسيسهما لأحزاب جديدة، إضافة للحزب الدستوريّ الحر، الذي يعد امتداداً للحزب الحاكم في عهد بن علي وأكثر استتصالية ربما عن سلفه.

1) نداء تونس

يعد حزب النداء من الأحزاب السياسيّة الجديدة التي تأسست في تونس بعد الثورة، ولهذا يصنّفه بعضهم على أنه واجهة سياسية لرموز نظام بن علي، لوجود بعض القيادات من التجمع الدستوريّ الديمقراطيّ المنحل بين صفوفه، وينتمي حزب نداء تونس للبيرالية الوسط، وقد فاز في انتخابات 2014، لكن انتخابات 2019 أثرت فيه بشكل كبير، لعدد من الأسباب لعل منها:

- لم يكن الهدف الأساسي الذي تأسس من أجله الحزب قابلاً للتماسك، فمواجهة نفوذ حزب حركة النهضة، إذا صح التعبير، ليس مبرراً لتأسيس حزب فضلاً عن استمراره.
- الانشقاقات داخل الحزب، مثل مشروع تونس، وتحيا تونس.
- انتقال زعيم الحزب الباجي قايد السبسيّ للرئاسة، وهذا ما أدى إلى صراع الزعامات، وعجز الأطراف المتصارعة عن الامتثال لشخصية واحدة داخل الحزب، ولعل وفاة الباجي السبسي قضت على ما تبقى من حضور حزبي للنداء، لكونه حزب الرئيس كما يسميه بعضهم.
- مبالغة الحزب في الوعود وإخفاقه في تحقيقها.

2) قلب تونس

يعد قلب تونس من الأحزاب الجديدة على الساحة السياسية التونسية، وكثير من أعضائه من المحسوبين على نداء تونس سابقاً، ورغم أنه حديث النشأة فإنه قويّ الحضور. الحزب صنع على عجل قبيل انتخابات 2019 البرلمانية لخوضها، وبهذا فإنه لم يتأسس على أرضية راسخة، ولا تتوفر لديه مقومات الاستمرار، فهو أقرب ما يكون إلى فعل اجتماعيّ وظف لمصلحة سياسيّة. وقد استقطب جزءاً من القاعدة الانتخابية من النداء إليه، لكونه جديداً على الساحة السياسية التونسية التي أصبحت فيها الأحزاب التي سبقته

تعيش صراعات داخلية جعلتها تظهر مشوهة لدى الشعب، إضافة إلى شخصية المؤسس الذي يتمتع بحضور إعلامي من خلال قناة نسمة التي يديرها، واجتماعي من خلال المساعدات الخيرية التي يقدمها كرجل أعمال تونسي.

(3) تحيا تونس

حزب تحيا تونس هو الآخر من الأحزاب التي خرجت عن نداء تونس، وتصنفه قيادته ضمن الفكر البورقيبي، نسبة إلى الرئيس التونسي الأسبق الحبيب بورقيبة، وهو حزب رئيس الوزراء التونسي الأسبق يوسف الشاهد، وقد حصل على 14 مقعداً برلمانياً في انتخابات 2019.

وقد حصلت انشقاقات في الحزب الجديد على إثر إعلان رئيسه الترشح للرئاسة، حيث دعم عدد من قيادات الحزب ترشيح عبد الكريم الزبيدي، وزير الدفاع المستقيل.

(4) الحزب الدستوري الحر

الحزب الدستوري من الأحزاب التي تأسست بعد الثورة، وقد حمل بدايةً اسم الحركة الدستورية ثم غيرته فيما بعد، ويسعى إلى جمع مؤيدي التجمع الدستوري الديمقراطي؛ حزب بن علي قبل الثورة. وقد شارك الحزب في الانتخابات البرلمانية 2019، وحصل على 17 مقعداً في البرلمان.

تعرض الحزب لانشقاقات متكررة؛ منها انشقاق المحامية سامية العوني، مبررة ذلك بسياسة الإقصاء الممنهجة، والاستبداد بالرأي، والتهميش المتعمد للمناضلين والكفاءات الوطنية من طرف رئاسة الحزب عبير موسى، حسب قولها³.

(و) نقاط القوة والضعف لدى القوى المنحدرة من منظومة الحكم قبل الثورة
هذه الأحزاب بمجملها تعد امتداداً للتجمع الدستوري الحاكم قبل الثورة التونسية 2011، وهي تتميز بعدد من نقاط القوة، منها:

3 أبناء تونس، الحزب الدستوري الحر، (2019/7/20)، تاريخ الاطلاع: 2020/2/19. <https://cutt.us/brTPU>

أ. التجربة السياسيّة الماضية، بما لها وعليها، ومن المفترض أن تستفيد منها فهناك تاريخ سياسيّ طويل لكثير من القيادات والرموز في هذه الأحزاب، وقد مر بعضهم بحقب سياسية متعددة، من بورقيبة إلى ما بعد الثورة، وهذه المرحلة تعد نقطة قوة لهذه الأحزاب إذا أحسنت تقييمها والاستفادة منها.

ب. الإمكانيات العالية؛ فهناك إمكانيات عالية متوفرة لهذه الأحزاب مقارنة بغيرها، والتمويلات التي تتمتع بها ربما غير متوفرة لدى كثير من الأحزاب التونسية الأخرى.

ج. حضورها السياسيّ الداخليّ والخارجيّ، فهناك نخب سياسية كثيرة محسوبة على هذه الأحزاب، وقاعدة شعبية لا بأس بها بإمكانها المنافسة في حال تكاملت جهودها المبعثرة.

هذه المقومات كفيلة بتشكيل معارضة بنّاءة ومنهجية، ومقاربة الوصول إلى الحكم، لكن ما يحصل ربما هو أقرب إلى مربع المعارضة من أجل المعارضة، ولعل ما يفسر هذا الضعف في الأداء السياسيّ المعارض، أن جل هذه النخب كانت حاكمة حتى وقت قريب، ولم تنتقل إلى المعارضة إلا مؤخراً، وهذا امتحان لسلك قياداتها التي ألفت السلطة. ومن نقاط ضعف هذه الأحزاب كذلك:

أ- الاضطراب التنظيميّ، فهذه الأحزاب تعاني اضطراباً تنظيمياً، وغلبة المؤسس أو الرئيس على الجميع، وهذا ما فوت عليها فرصاً عدة، في ظلّ غياب شبه كامل لمعنى الديمقراطية الداخليّة وتداول قيادة الحزب، ما يجعل الشعب في حالة خوف من هذه النماذج غير القادرة على الاتساق داخلياً مع مبادئ الديمقراطية والحكم الرشيد، والأداء السياسيّ في الفترات الماضية، والممارسة السياسيّة المعاصرة التي لا تلامس التطلعات الداخليّة للشعب.

ب- تشوه صورتها لارتباطها بالنظام الأسبق.

رابعاً: التيار السياسي الإسلامي وإعادة التوضع

تتعدد اللافتات الإسلامية في تونس؛ ما بين أحزاب سياسية ذات مرجعية إسلامية تسعى للوصول إلى الحكم بطرق ديمقراطية، وأخرى لا تؤمن بالديمقراطية. ويعد حزب حركة النهضة من أقوى هذه المكونات حضوراً على المستوى السياسي.

1. حزب حركة النهضة

مرت حركة النهضة بعدة أطوار حتى وصلت إلى الشكل الذي هي عليه الآن، وقد تحصلت على الترخيص القانوني في 1 مارس/آذار 2011، وبهذا دخلت الحركة إلى المعترك السياسي من البوابة الرسمية التي منعت منها سابقاً، وشاركت في أول انتخابات بعد الثورة، وفازت بأكثر المقاعد، حيث حصلت على 89 مقعداً من 217. في هذه المرحلة اهتمت النهضة في خطابها بالحرية والعدالة، وتحديث الدولة التونسية، ولم تتطرق لخطاب تقليدي يتحدث عن تطبيق الشريعة أو الدولة الإسلامية، وركزت على قضايا المعيشة، المرتبطة بالحقوق الاقتصادية والاجتماعية، واحترام استقلالية المجتمع المدني، والعملية الحزبية، والتداول السلمي للسلطة، ومدنية الدولة، ولم تنجر للصراع الديني العلماني رغم الاستفزازات المتكررة. وبين رؤيتها المغلبة للنظام البرلماني ورؤية بعض المكونات المطالبة بنظام رئاسي، كان التوافق على نظام متوازن يوزع الصلاحيات بين الحكومة والرئاسة⁴.

ومع هذا النجاح الجزئي في الشق السياسي فإن النهضة لم تستطع تحويله إلى نجاح تنموي، ولعل قلة الخبرة بالحكم، واختلاف الأرضيات الأيديولوجية والمحاصصة السياسية لها علاقة بذلك، إضافة إلى أن الثقل الذي خلفه بن علي، والاحتجاجات الفوضوية،

4 أحمد الصباغ، حركة النهضة إشكاليات السلطة والحكم بعد الثورة التونسية، مركز الفكر الاستراتيجي للدراسات، إسطنبول، الطبعة الأولى، 2019، ص50.

والإدارة البيروقراطية التقليدية، هي الأخرى كان لها دور فيما يتعلق بالإخفاق في الجانب التتموي⁵.

2. الأحزاب السياسية القريبة من التيار السياسي الإسلامي

تتعدد الأحزاب السياسية الإسلامية في تونس وتختلف برامجها وأهدافها، ما بين أحزاب ذات أهداف ديمقراطية كحزب حركة النهضة، الذي سبق الحديث عنه، وأحزاب أخرى لها أهداف أخرى، ومن هذه الأحزاب:

أ. حزب التحرير، الذي حصل على تأشيرة العمل السياسي في 2012، ورغم التشجيع القانوني الذي حظي به للانخراط في العملية الديمقراطية والحزبية بقواعدها المعاصرة، فإنّ الحزب لا يزال بأدوات التأسيس ذاتها، ولهذا السبب هناك ملاحظات قانونية تثار حوله بين حين وآخر، تؤدي في بعض الأحيان إلى توقيف نشاطه، منها المطالبة بعودة الخلافة، ورفضه للعملية الديمقراطية والدستور.

ب. الأحزاب الإسلامية الأخرى ذات الميول السلفية، مثل أحزاب العمل وجبهة الإصلاح والرحمة والأصالة وحزب الزيتونة، ليس لها حضور عام، ولم تحصل على مقاعد برلمانية، باستثناء حزب الرحمة الذي تأسس عام 2012 ويرأسه سعيد الجزيري، الشخصية السلفية الذي يدير أعمالاً دينية متعددة. وقد ولج الحزب إلى قبة البرلمان بعد الانتخابات البرلمانية 2019، وحصل على أربعة مقاعد برلمانية، لكن الأعضاء البرلمانيين من هذا الحزب لم يصمدوا في حزبهم كثيراً، وقد أعلن بعضهم استقالته من الحزب.

5 أنور الجمعاوي، الإسلاميون ونظام الحكم اتجاهات وتجارب، فصل: الإسلاميون في تونس وتحديات البناء السياسي والاقتصادي للدولة الجديدة قراءة في تجربة النهضة،

المركز العربي للأبحاث ودراسة السياسات، قطر، الطبعة الأولى، 2013، ص518.

ج. تيار المحبة، الذي تأسس في 22 مايو/أيار 2013 برئاسة السياسي التونسي محمد الهاشمي الحامدي مدير قناة المستقلة، ويعد حزب تيار المحبة امتداداً لتيار العريضة الشعبية للحرية والعدالة والتنمية الذي تأسس في 3 مارس/آذار 2011، والحاصل على 26 مقعداً في انتخابات المجلس التأسيسي في العام نفسه.

خاض تيار المحبة الانتخابات البرلمانية عام 2014 وحصل على مقعدين، ثم على مقعد واحد في انتخابات 2019، وحصل مرشحه الرئاسي في انتخابات 2019 على 0.4%، ولم يعد للحزب ذلك الحضور الذي كان عليه سابقاً، بسبب استقالة كثير من أعضائه وتوجههم إلى أحزاب أخرى.

د. ائتلاف الكرامة، الذي تأسس في 2019 كتحالف لعدد من الشخصيات السياسية، ثم تحول إلى حزب سياسي في 2020، بقيادة المحامي التونسي سيف الدين مخلوف، ويهدف الحزب - بحسب أدبياته - إلى جمع القوى الثورية في تحالف واحد. وللائتلاف ثلاثة أهداف، هي: الإيمان بالثورة، والإيمان بالهوية العربية الإسلامية، والإيمان بسيادة تونس على قراراتها وثرواتها، وهناك من يراه أقرب المكونات السياسية لحركة النهضة، وقد شارك الائتلاف في الانتخابات البرلمانية 2019 وحصل على 21 مقعداً، وهي نتيجة متقدمة شارك فيها الجمهور الثوري الساخط من الأداء السابق، وبعض المنتسبين سابقاً للنهضة نتيجة خلافهم معها، ولكون الائتلاف أقرب المكونات إلى الجو الإسلامي بحسب نظرهم.

هذه الأحزاب بشكل عام لا تزال:

- حديثة الخبرة.
- ضعيفة البنية المؤسسية.

- متباينة الرؤى.

وهذا ما يفسر الانشقاقات المتكررة التي تعترض هذه التجارب، وهي أمور طبيعية تحدث لجل الأحزاب الوليدة، ويمكن لهذه الأحزاب أن تشق طريقها من حيث انتهى الآخرون، وتستفيد من التجارب السياسيّة الأسبق، وتؤمن بقواعد العمل السياسي، بوصفها أمراً مبدئياً لا خضوعاً لإكراهات المرحلة.

(ز) نقاط القوة والضعف عند التيار السياسي الإسلامي

ربما لم تتضح بعد أو لم تكتمل المشاريع السياسية لأي من هذه المكونات الإسلامية، باستثناء حركة النهضة، التي تتمتع بعدد من نقاط القوة، أهمها:

أ. المكون الحزبيّ الأقوى تنظيمياً وشعبياً إلى الآن، لا على مستوى المكونات الإسلامية فحسب، بل أثبتت الجولات الانتخابية أن حركة النهضة هي الأقدُر على الثبوت من بقية الأحزاب الأخرى، في ساحة سياسية غير مستقرة، وتجربة ديمقراطيّة جديدة، فقد تلاشت أحزاب ما قبل الثورة ولم يتبق منها سوى حركة النهضة.

ب. يحسب لحركة النهضة رضاها بالعملية الديمقراطيّة والتزامها بنتائجها، وتنازلاتها المتكررة عن حقوقها السياسيّة لحسابات وطنية كبرى، فقد تخلت الحركة عن الحكومة بعد مصادقة المجلس الوطنيّ التأسيسيّ على الدستور الجديد والانتخابات البرلمانيّة في 2014، تغليباً لمصلحة تونس وإرضاء لبقية القوى السياسيّة، وهذا الأمر كان له أثره الإيجابيّ في سمعتها، كما أنه دليل على تطور الحركة ديمقراطياً.

ج. تأقلمها مع التوليفات الحكومية المتعددة الوجهات والخلفيات، واستيعابها للواقع، والتعاطي بمرونة عالية مع المكونات الأخرى، يسارية أو قوميّة، وحتى

تلك المحسوبة على نظام بن علي، تعاملأ يراه الآخرون تماهياً أوقع النهضة في حرج مع جمهورها وأصدقائها.

د. استطاعتها حسم ما يتعلق بإشكالية الدعوي والسياسي، وإن كانت المسألة لم توطر بعد بشكل تفصيلي، إلا أنها قد قطعت شوطاً كبيراً في هذا المجال، رغم أن ذلك يلقي ربما معارضة من بعض المنتسبين إليها، إلا أن خطاب النهضة المتميز بعدم احتكارها للدين، واعتباره حقاً للجميع لا مسؤولية النهضة وحدها، جنبها معارك سياسية متعددة كان من المرجح أن تظل عالقة عندها لولا هذه الخطوة الجريئة.

هـ. خطابها المتقدم المتعلق بالحقوق والحريات، وإسهاماتها الفكرية في هذا الجانب، ودورها في ترسيخ ذلك في فترات حكمها المختلفة، ومساهمتها في تقديم مقاربات مختلفة لحلحلة إشكاليات متعددة تتعلق بالدستور والشريعة والحقوق والحريات والدين والدولة والسياسي والاجتماعي، ومرونتها الزائدة أحياناً في التنازل عن بعض حقوقها تغليباً للاستقرار.

لكن في المقابل ثمة نقاط ضعف لا تزال تعانيتها النهضة، ويمكن أن تكون من أهمها:
أ. محدودية التجربة السياسيّة في الحكم، وخاصة في مرحلة ما بعد الثورة.

ب. الأخطاء المشتركة التي وقعت فيها مع غيرها من الأحزاب الحاكمة عقب الثورة المتعلقة بالعدالة الانتقاليّة، وغياب المشروعات الاقتصاديّة الناجحة، وغض النظر عن ممارسات الفاسدين.

ج. أداء الحركة السياسي لا يزال يدور حول القيادة التأسيسيّة، وخاصة فيما يتعلق بزعامة الحركة التي يتولاها الشيخ راشد الغنوشي منذ خمسين عاماً، وهو ما أثر في أدائها كحزب سياسي، وانعكس على حاضنتها الشعبية، وبلغ التأثير

إلى الصفوف الأولى في قيادة الحزب من خلال إعلان استقالة عدد من قياداتها، كزياد العذاري وعبد الحميد الجلاصي، وإعلان عبد الفتاح مورو اعتزاله للعمل السياسي وهو الرجل الثاني في الحركة، بما يعني أن هناك خلافات شديدة تعصف بالحركة، وخصوصاً تداعيات تأجيل المؤتمر العام الحادي عشر.

د. ضعف الخطاب الإعلامي لحركة النهضة، وعدم امتلاكها وسائل إعلامية قادرة على مخاطبة الجمهور والتعبير عن نفسها بنفسها، وتسويق برامجها وآرائها من خلالها، في ظل امتلاك قوى أخرى لوسائل إعلامية متطورة.

المحور الثالث: مستقبل العملية الحزبية والتحول الديمقراطي في تونس مقارنة بما كانت عليه تونس وما أصبحت فيه، فإنّ الإنجاز الأهم هو المساحة التي تحققت في جانب الحريات العامة والنجاحات الانتخابية، ولم يكن هناك تقدم تنموي بالمستوى الذي ينتظره الشعب، لاعتبارات كثيرة لعل بعضها وجيه، لكن الطموح العالي الذي يرحوه المجتمع من الحكومات المتعاقبة، ووعود المرشحين من الكتل الأخرى، يجعل المواطن العادي أمام تحد كبير، في حين يعزف البعض عن المشاركة الانتخابية مدركين أنّ الفائزين فيها لن يستطيعوا أن يحققوا ما يرحوه الشعب منها، وهذا ما يجعل العملية الحزبية والتحول الديمقراطي أمام تحديات مختلفة.

أولاً: مستقبل العملية الحزبية في تونس

الديمقراطية الناجحة تعتمد على وجود مؤسسات قوية، والأحزاب السياسية تعد من أهم هذه المؤسسات ومن أكثرها تأثيراً، ودور الأحزاب في دعم العملية الديمقراطية يحكمه عدد من المعطيات أهمها: بنية الحزب المؤسسية، وحالة النظام القائم، ونجاح العملية الانتخابية وسلامتها، وقد سبق الحديث عن المعطيات المتعلقة بحالة النظام ونجاح العمليات الانتخابية:

ح) مستقبل اليسار التونسي

أضاع اليسار فرصاً ثمينة في تونس، وانشغل بأهداف أخرى على حساب نفسه، وعلى حساب ما تحتاج إليه الساحة العامة والواقع الداخلي التونسي، واستنزف قدراته في مواجهة الأحزاب الفائزة بدل تقديم البدائل المجدية، وإقناع الناخب التونسي ببرامجه وتطلعاته، في طريقة أشبه ما تكون بإضاعة البوصلة، في حين كان هو الكتلة التي من المفترض أن تقود المعارضة، وترفض الاصطفاف مع أحزاب توصف أنها ضد الثورة.

لعل اليسار الأيديولوجي لم يعد بمقدوره التعافي بما يؤهله للحكم أو المشاركة فيه، أو حتى المعارضة البناءة؛ ولكن بمقدور وسط اليسار أن يعيد تعريف ذاته وترتيب أوراقه، وتنظيم نفسه في الخارطة الحزبية الجديدة، وباستطاعة التيار الديمقراطي أن يلتقط زمام المبادرة ويقود تحالفاً من هذا النوع، شريطة المراجعة الحقيقية لنقاط ضعفه.

التيار الديمقراطي بحاجة إلى أن يكون واضح الرؤية ومحدد الأهداف وقادراً على الاستفادة من أخطاء الماضي، والتخفف من النفس الأيديولوجي الذي أرقق اليسار، وأن يسهم بواقعية عالية ويقدم البرامج القادرة على الوصول إلى الشعب، ولعل النجاح الذي حققه التيار من خلال نتائج انتخابات 2019 عائد إلى رمزية مؤسسه محمد عبو، ورغم حالات التخبط أحياناً، والهالة الثورية غير المدركة للواقع، التي قد تؤثر في مستقبل الحزب، مثل ما يتعلق بالموقف من الميراث وغيره من القضايا ذات الحساسية الدينية، فإن الحزب لديه من الإمكانيات ما تجعله بديلاً يسارياً، وهذا ربما يحتاج إلى وقت ووعي كافيين.

(ط) مستقبل التيار القومي

يعد حصاد 2019 بالنسبة إلى القوميين في تونس من أفضل التجارب التي استطاع التيار أن يحرز فيها موقِعاً أفضل، وهذه النتيجة ربما توصلوا إليها من جراء تخففهم من حدة الخطاب الثوري، وتبني خطاب قريب من الشعب، ورغم أنّ التيار القومي التونسي متعدد الوجهات والأفكار بين البعث بقسميه العراقي والسوري، والتيار الناصري، فإن حركة الشعب تعد من أقوى هذه الحركات مقارنة بمثيلاتها، حسب نتائج انتخابات 2019 البرلمانية.

الضامن الأول لاستمرار تقدم حركة الشعب هو المحافظة على تماسكها الداخلي، وتعزيز البدائل الديمقراطية لحل خلافاتها البنينة، والاستفادة من تراكمات الأخطاء الماضية، والتركيز على مصلحة تونس أرضاً وإنساناً، واتخاذ موقف مبدئي من الديمقراطية غير خاضع لموازنات القوى القريبة والبعيدة خارج تونس.

بإمكان حركة الشعب أن توسع من دائرة تصالحها مع الأحزاب القريبة منها، وتوسع كذلك دائرة التحالفات مع القوى التي تجمعها بها مشتركات كبرى، والتغلب على الانقسامات والخلافات التي تعرضت لها طيلة تاريخها، كما أنها بحاجة إلى مراجعات أعمق لتجربتها السابقة ومنطلقاتها الفكرية، حتى تكون مهياًة للأيام القادمة، وما لم تتخفف من ثقل الماضي وتضع حلاً للمسألة الديمقراطية داخل الحزب وخارجه، وتهتم بالقضايا التونسية أكثر، فإن الحركة لن تستطيع الصمود ومواكبة التطور الديمقراطي في تونس، وقد تجد نفسها في المستقبل جزءاً من مشاريع أخرى.

ي) مستقبل القوى المنحدرة من منظومة الحكم قبل الثورة

الأزمة الداخلية التي تعانيتها هذه المكونات تجعلها غير قادرة على الاستمرار بهذا الشكل، بل تجعلها معرضة لأكثر من انقسام، وإذ كان الباجي قايد السبسي، بما يحمله من كاريزما سياسية، لم يستطع المحافظة على وحدة هذه المكونات، فإنها لا تزال مرشحة للانقسامات أكثر.

بإمكان هذه القوى أن تكتفي من نقدها الذاتي، وأن تراجع إرثها السابق، فتستفيد من إيجابياته وتراجع سلبياته، وتترك أنّ أدوات ما قبل الثورة تختلف عما بعدها، فالماضي يتحول إلى عامل نجاح عند البناء عليه، كما أنه مرهق ومكلف في الوقت نفسه عند التوقف عنده، والوضع السياسي الحالي عامل إنقاذ لهذه المكونات لا العكس، ويبقى التحدي الأبرز أمامها كيف تستفيد من المعطيات الحالية بعيداً عن الحنين إلى الماضي بما له وما عليه.

غياب البرنامج الواضح للحزب الدستوريّ الحر، وانشغاله بأهداف أخرى متعلقة بالاعتراف بالماضي، ورفض أدوات ما بعد الثورة، قد لا يجعله قادراً على الثبوت في استحقاقات ديمقراطية قادمة، خصوصاً أنّ الحزب يقدم نفسه على أنه معارض لحركة النهضة، التي يفترض أن تبقى ضمن أهدافه في إطار التنافس السياسيّ، وليس كل أهدافه، والأصل أن تبقى ردة الفعل حول الثورة في إطار الصراع الحزبيّ مع الثائرين على أكثر تقدير، لا صراعاً مع مؤسسات الدولة، ودستورها ونظامها السياسيّ الجديد.

يعد قلب تونس من أقوى هذه الأحزاب من ناحية الإمكانيات والدعم، وقد يكون أولها في هذه المرحلة، خاصة أن الحزب بشخصية مؤسسه استغل كثيراً تلك المساحات الاجتماعية التي أهملتها الحكومة؛ لكنّ الانقسامات الداخلية أثرت فيه، خصوصاً أنه لا يحمل فكرة جامعة سوى شخصية مؤسسه، إضافة إلى أن التراجع الكبير في الجولة الثانية من الانتخابات الرئاسية كان له أثره السلبيّ في معنويات الحزب وأنصاره.

ربما لا تكون هذه الأحزاب قادرة على تأسيس كيان واحد جامع، تنتظم في إطاره الشخصيات والأحزاب المنحدرة من منظومة الحكم قبل الثورة، نظراً لتباعد الرؤى وتباين الأهداف؛ لكن باستطاعة البعض، كـ "تحيا تونس" مثلاً، إعادة ترتيب أوراقه بوصفه قادراً على لملمة نفسه من جديد، وبالذات إذا سعى إلى التخلص من الشخصيات المتورطة في تهم الفساد، وحينها سيكون ملاذاً للقيادات المهاجرة من قلب تونس ومن الوسط الليبراليّ واليسار الاجتماعيّ.

ك) مستقبل حركة النهضة

لا تزال حركة النهضة تقارب مواقعها المعتادة فيما يتعلق بالدورات الانتخابية، وبالرغم تدني نسب النهضة فإنّها بعيدة عن المقارنة بنسب بقية المكونات، وهذا يعود ربما لطبيعة الحركة نفسها، وقدراتها التنظيمية وإرثها النضاليّ؛ لكن هذه القاعدة العريضة تشهد تقلصاً واضحاً بين حين وآخر، تظهر آثار ذلك في نتائج الانتخابات المختلفة، ولعل أقرب سبب هو فقدان الأمل لدى كثير من الناخبين في حزب رفع سقف أتباعه في الحرية والتغيير

والنهضة، ولم يستطع تحقيق ذلك من خلال مواقعه المختلفة في المعارضة أو الحكم، حيث ينتظر المواطن منه التغيير من خلال موقعه في السلطة، ويفكر هو في المحافظة على ما يمكن المحافظة عليه من خلال موقعه في الدولة، وإذا جاز التعبير فإن التباين بين أهداف النهضة الاستراتيجية المتعلقة بترسيخ الديمقراطية والعبور بهذه التجربة في وسط مليء بالألغام، وأهداف جمهور النهضة المتعلقة بالجانب الاجتماعي والتموي، قد يولد فجوة بين القيادة والقاعدة، وبعد أن كان الجميع متحداً في مربع النضال، حدث ما يشبه الفصام بين برامجتي القيادة ومعيارية الأعضاء، وربما لن تستطيع النهضة ردم هذه الفجوة في حال استتحالها، وأمام ضعف البديل قد يتمسك البعض بأفضل الموجود، وفي نفس الوقت قد يكون التمسك نوعاً من إعادة اختبار ومساءلة، وربما إعطاء الفرصة الأخيرة.

مفارقة حركة النهضة هي أنها كانت الحزب المناضل الأكبر الذي تقدم بعد الثورة لملء فراغ القيادة، ليتحول إلى حزب حكم بعد أن كان حركة معارضة، وفي رحلتها من مواجهة الحكم إلى المساهمة في قيادة البلاد من مواقع مختلفة كان عليها أن تجري مجموعة مراجعات عميقة في الثقافة الحركية، والمضامين، ونوعية العلاقة مع الدولة والمجتمع، من دون أن تخسر صورتها النضالية، وكان عليها أن تجري موجة تطبيع من دون أن تخسر ميزتها التغييرية التي تقتضيها رسالتها التاريخية وطبيعة مرحلة ما بعد الثورة، خشية أن يتكون في مخيال الناخبين أنّ النهضة لم تعد حركة تغيير، وأنّ مؤسسات الدولة قد احتوتها وكيفتها، وأنها غلّبت عند الممارسة دواعي الاندراج على واجب التغيير⁶.

وهناك تحدٍ آخر مرتبط بالبيئة الدولية والإقليمية الراضة لصعود التيارات الإسلامية بعد الربيع العربي، وتسعى إلى إفشال هذه التجربة بالطرق كلّها، وحركة النهضة من القوى الإسلامية المستهدفة، وهذا ما يظهر في كثير من المحطات، لعل آخرها ما حدث مع

⁶ عبد الحميد الجلاصي، بعد موسم انتخابي طويل تونس بين دفعة جديدة للثورة أو الدخول في مرحلة اللاتين، منتدى الشرق، أكتوبر 2019، ص7.

زعيمها راشد الغنوشي بصفته رئيساً للبرلمان على خلفية ما اصطلح عليه بـ "الاتصالات الخارجية"، وهي معركة لها خلفيات تتعلق بطبيعة صلاحيات رئيس البرلمان ورئيس الجمهورية، ووجدت استثماراً داخلياً وخارجياً كبيراً.

الإصلاحات التنظيمية الداخلية، والانفتاح على الخارج، ومحاولة تشكيل ائتلافات عابرة للعائلات الفكرية، يجب أن تمثل أولوية بالنسبة للنهضة، وهناك تجارب مشجعة في هذا المجال، فقد كانت جزءاً من ائتلاف 18 أكتوبر قبل الثورة، ثم الترويكا وتحالفها مع النداء بعد الثورة، وكلها تجارب متقدمة رغم ما فيها، ويمكن الاستفادة منها والتأسيس عليها والنسج على منوالها وتقادي تعثراتها.

ثانياً: تحديات التحول الديمقراطي في تونس ومستقبله

بمقارنة التجربة التونسية بنظيراتها من تجارب ما بعد الربيع العربي يتبين أنها من أحسن تلك التجارب، فقد شهدت تونس ست جولات انتخابية، وبالرغم من اختلاف نتائج هذه الانتخابات، وعزوف بعض الشرائح عن المشاركة فيها، فإنّ انتظامها وشفافيتها ونزاهتها، بحسب التقارير الدولية، واستقلالية اللجنة العليا التي تديرها، تؤكد أنّ التحول الديمقراطي في تونس في طريقه إلى التماسك في حال تجاوز التحديات المختلفة في طريقه، التي منها:

1. التحديات السياسية والقانونية

وهي تلك التحديات المتعلقة بتسوية ملف القضاء، والمحكمة الدستورية، وإعادة النظر في قانون الانتخابات، وسلطة الأقاليم والحكم المحلي، وإعادة النظر في طبيعة النظام السياسي.

2. التحديات الأمنية

الملف الأمني وملف الإرهاب يرد لتونس أن تغرق فيه، وهو يثار بين حين وآخر، وبالرغم من قلة أتباعه فإنه عامل مهم وسلاح فتاك في وأد الثورات، ولهذا فإنّ الاستثمار من خلال ورقة الإرهاب وارد وبقوة، ومن المهم قطع الطرق المؤدية إلى ذلك، والترحيل

المتكرر لهذه الملفات؛ حفاظاً على استقرار التجربة وأملاً في توفر الأجواء، يُخشى معه تراكم هذه القضايا؛ لأنَّ غايةَ المرَّحل ما لم يُتدارَك أن ينفجر مجتمعياً، وعندها ستتضاعف التبعات والآثار.

3.التحديات الاقتصادية

هناك قضايا اقتصادية كبرى تحتاج إلى حلول مثل: التهريب، والاحتكار، والفساد، وحجم التضخم، في ظل ارتفاع حجم المديونية، وتراجع معدلات النمو، مع الضغوط الكبيرة التي يمارسها صندوق النقد الدوليّ المتعلق بعضها بتخفيض الأجور وتخفيض دعم الوقود، إضافة إلى الشعور بالتهميش الجهوي، وهذه القضايا يمكن أن توظف لإثارة الغضب الشعبي وإتاحة المجال للاستثمار فيها.

4.العامل الخارجي

لفهم هذا العامل لا بد من إدراك طبيعة الدول العربية، وأنها مقسمة حسب النفوذ الخارجي، وبما يضمن بقاء الكيان الإسرائيلي، واستمرارية الولاء للخارج، ويتضح ذلك من خلال استخدام خطاب الحرب على الإرهاب من أجل ترسيخ الحكم المطلق، وتبرير قمع الحريات من طرف النخب الحاكمة، وقد تحول هذا الخطاب في الواقع إلى استراتيجية مهمة للفاعلين الداخليين والخارجيين من أجل إجهاض مسارات الانتقال السلمي إلى الديمقراطية المعادية لمصالحهم بحسب نظرهم⁷.

لا تزال فرنسا ترى نفسها الأحق بالهيمنة على الفضاء الاستعماري القديم، وقيادته وفق مصالحها على حساب الشعوب الأخرى، ولهذا عملت منذ عقود على تغذية الحروب الأهلية الموجودة من جراء السياسات الاستعمارية، وهو ما أدى إلى إضعاف التنمية والأمن في هذه البلدان، وهذا ما ساعدها على التوسع أكثر في دول المنطقة المغاربية خاصة، ونهب الثروات النفطية والمعدنية.

⁷ عبد الفتاح ماضي، العوامل الخارجية والثورات العربية أربع إشكاليات للبحث، مجلة سياسات عربية، المركز العربي للدراسات، العدد (36)، يناير/كانون الثاني 2019، ص12-17.

تأسيساً على ذلك؛ يعد العامل الخارجي من أقوى العوامل في مواجهة تطلعات الشعوب، لكن ثمة تجارب كثيرة استطاعت تجاوز العامل الخارجي، وصُنِعَ بديل ديمقراطيّ، كأمرिका الجنوبية والفلبين وكوريا الجنوبية، وهذا يتطلب شيئاً من التوازن في التعاملات الخارجية، لأنّ تونس تعيش حالة من اضطراب الولاءات الخارجيّة، وهذا بدوره له انعكاس مباشر على الوضع السياسي والاقتصاديّ في البلد، وإلى جانب هذا التحول المتصاعد يحتاج الأمر إلى فعل سياسيّ مرن وأكثر اتزاناً في التعاطي مع العامل الخارجيّ.

5. العامل الإقليميّ

هذه التحديات تتعلق بطبيعة تونس بصفقتها دولة من دول الربيع العربيّ، في وقت استهدفت فيه هذه الثورات كلّها، ولا تزال قوى كثيرة تسعى لإفشال هذه التجربة، إضافة إلى اشتعال المحيط الليبي الذي سيؤثر بطريقة ما في المشهد التونسي، نتيجة العامل الجغرافيّ أولاً، ثم التدخلات الخارجية التي تتسابق في كسب دول الجوار الليبي. هذه الإشكالات تتطلب حكومة مستقرة ومتناغمة، وهذا ما يدعو إلى إعادة النظر في قانون الانتخابات، وطول المدة يقتضي أن تنتقل تونس من مرحلة التوافقات التي تحكم الفترات الانتقالية إلى مرحلة التنافس الحزبيّ أو الائتلافات العابرة.

الرافعة الحقيقيّة لأيّ انتقال سياسيّ هي الشعب، وبالأخص فئة الشباب التي تمثل أغلبية الناخبين، وهذه الفئة تعيش نسبةً كبيرة منها حالة عزوف سياسي، سواء على مستوى المشاركة في العملية الحزبية والدورات الانتخابية أو في المناشط السياسية العامة، ولأن الأحزاب السياسيّة لم تستطع استيعاب هذه الشريحة بالقدر الكافي فإن عملية الانتقال الديمقراطي ستظل تسير بخطوات مترنحة تخشى من السقوط، بناء على أنّ الشباب فاعل مهم يساهم استقطابهم في المحافظة على الحالة الديمقراطيّة، والحيلولة دون اختراقها أو حرف مسارها من قبل العديد من دوائر التأثير الداخليّة والخارجيّة، سواء بالمال أم بالإعلام أو حتى بالوسائل الخشنة، وهذا الأمر يدعو الأحزاب كافة إلى مراجعة أدائها

والاقتراب أكثر من شريحة الشباب، وفتح المجال أمامهم لقيادة الأحزاب والمشاركة في بناء الدولة، وتقويت الفرصة على الجماعات غير القانونية. هذه التحديات كلّها ليست مبرراً لتأخر بعض أهداف الثورة، خصوصاً أنّ الكرة لا تزال في ملعب قوى الثورة، وهذا ما يدعو إلى خطوات سريعة ومتوازنة في الوقت نفسه لإحداث مراجعات وإصلاحات تعيد الأمل للمواطن التونسي الذي بدأ يفقد ثقته بالجميع، ولهذا لا يستبعد أن تكون تونس من جملة المتعثرين، لكنّ هذا التعثر قد لا يصل إلى الدرجة التي ستساهم في إفشال التجربة الديمقراطية، لأنّ الأرضية في تونس مختلفة نوعاً ما عن كثير من الدول العربية؛ لكنّ ذلك لا يستبعد عودة أجنحة نظام بن علي عن طريق الصندوق نفسه، خاصة أنه قد شهدت التجارب الانتخابية فوز كثير من الشخصيات المحسوبة على نظام بن علي، ولعل اليأس من الحالة القائمة، وضعف الإصلاحات الاقتصادية، سيساهمان في ذلك، وتجاوز هذا التحدي مرهون بتجاوز التحديات المختلفة.

خاتمة

الأحزاب السياسية عموماً تحتاج إلى مزيد من الوعي الديمقراطي، والأداء الداخلي الأكثر حرية وانسجاماً مع معايير الديمقراطية، فصرع الزعامات الذي يخيم على اليسار، وهشاشة البنية المؤسسية عند القوى المنحدرة من منظومة الحكم قبل الثورة، وهيمنة القيادات التأسيسية عند النهضة، وتخذق القوميين مع المشاريع غير الديمقراطية خارج تونس، هذه المظاهر كلّها مؤشرات على تدني منسوب الديمقراطية في الممارسة الداخلية لهذه الأحزاب بنسب متفاوتة، وما لم تتعكس المشاريع والبرامج السياسية التي تقدمها مجمل هذه الأحزاب على بنائها الداخلي، فإن عملية الانتقال الديمقراطي ستظل مهددة من الداخل لأن تحديات الدولة أعقد من تحديات الحزب.

الأحزاب السياسية تتعرض إلى مغازلة وابتزاز من دوائر المال والإعلام والرياضة بما يشوه العملية السياسية، كما تتعرض إلى أسئلة كثيرة تتعلق بالحاجيات المستعجلة للأجيال

الجديدة في العيش الكريم والحوكمة الرشيدة والمساهمة في القرار باعتماد صيغ خفيفة ومرنة ومتجددة.

العمى الأيديولوجي الذي تعانيه بعض الرموز السياسية يسهم بدرجة كبيرة في عرقلة مسيرة التغيير؛ إذ الأصل في الأيديولوجيات أن تتفتح على الواقع، وأن تكون مرنة في التعاطي مع المتغيرات السياسية، وقابلة للنقد والمراجعة، فهي ليست حقائق مطلقة، ولا تمثل حلولاً جاهزة لمشكلات الحياة كلها، بل هي مصدر إلهام لدى معتنقيها، وأطر عامة قابلة للتغيير لا مقيدة له، وقد عانت التجربة السياسية التونسية من هذه الظاهرة، ولعلها في 2019 بدت أخف مما قبلها.

هناك تعايش وتجانس شعبي كبير بين مكونات الشعب المتعددة، والتعايش الشعبي تهدده التجاذبات السياسية والأيديولوجية بين العائلات الفكرية المتعددة التي تسيطر على المشهد السياسي والإعلامي، ومن خلالها تسعى للتأثير في خصومها، واعتماد خطابات أقرب ما تكون إلى مخلفات الماضي، وتستثمر في الفجوات التي لم تستطع هيئة الحقيقة والكرامة حلها، ولأن هذه المكونات أصبحت من مقومات الثقافة الوطنية فإنها لا تزال تؤثر فيها أحداث الخارج وتستفزها صراعات الإقليم، وتستجر بعض خلافات المنطقة إلى الساحة التونسية الغنية عن كل ذلك التوظيف.

تحتاج العملية الحزبية بشكل عام إلى مراجعات جادة، وتحرر من الأفكار غير القابلة للتكيف مع ظروف المرحلة، وتقبل أكثر للأخر، وبناء ديمقراطيات حقيقية داخل بنية هذه الأحزاب، كما أنها بحاجة إلى الخروج من الحسابات الشخصية والحزبية وتغليب المصلحة الوطنية، والتنافس على خدمة الشعب، ومحاولة تحسين صورتها أمام الناخبين الذين فقدوا ثقتهم بهذه الأحزاب، وحاولوا الاستعاضة عنها بشخصيات مستقلة.

نسب مقاطعة الانتخابات المرتفعة بين كل مرحلة وأخرى، إضافة لعزوف شريحة واسعة من الشباب عن الانخراط في العملية السياسية عموماً، والحزبية والانتخابية على وجه الخصوص، من أبرز التحديات التي تتعرض لها العملية الديمقراطية، بناء على أن

الشباب هم الضامن الحقيقي للحاضر والمستقبل، وكثير من المقاطعين للسياسة يسجلون اعتراضهم على ذلك بعدم قدرة الأحزاب الفائزة على تحقيق تقدم ملموس على المستوى المعيشي للشعب، والفشل في تحقيق المطالب الاجتماعية قد يؤدي بالنجاحات السياسيّة تماماً.

20. A Missed Chance: What Went Wrong with the Muslim Brotherhood in Egypt?

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Introduction

Throughout its history, the Egyptian Muslim Brotherhood (MB) had virtually no chance to be involved in the executive power, except at the lower municipality levels. Only during the short transitional period that followed the Egyptian Uprising, from February 2011 to July 2013, was the MB and its Freedom and Justice Party able to appoint their members as ministers, governors, and top bureaucrats.

However, it will not be quite accurate to evaluate the MB's experience in power in terms of public policies given the short period of its experience and, more importantly, because it seems that the elected incumbents were, in varying degrees, facing resistance from the state institutions and lacking a *de facto* power for policymaking.

Therefore, this paper will focus on examining the overall goal of the MB during the transitional period, which was the completion and consolidation of regime change process. As part of the challenging forces, the MB strived to capitalize upon the authoritarian breakdown opportunity to get rid of the corrupted autocratic elites and to induce permanent changes in the rules of the game. However, after two and half years, the whole transitional process crumbled, and the MB was subjected to an unprecedented wave of repression and exclusion after the military coup of July 2013.

Accordingly, this paper attempts to provide an answer to the following question: What went wrong with the MB and why did it fail to achieve its objectives during the transitional period? The hypotheses proposed here primarily focus on domestic politics, without denying the

significance of other international factors, and they will draw a lot from democratization literature.

The Limitation of the Electoral Legitimacy During the Periods of Transition

One of the classical recommendations offered by the transologists after the collapse of authoritarian regimes is to hold founding elections to legitimize the “exceptional arrangements” taken during the revolutionary moment. This issue was particularly significant in the case of Egypt, where the “revolutionary camp” was rapidly divided as early as March 2011 around the appropriate transitional roadmap: Should we draft a new constitution first or elect a parliament?

After decades of political exclusion or informal containment, the MB was very much preoccupied by the issue of legitimacy. It resolutely supported the elections-first plan to guarantee the legality of the new regime, which the group expected not only to be formally included in but also to dominate, thanks to its huge organizational resources and unparalleled electoral experience.

At first glance, it seemed that the MB’s strategy worked out well. The Brothers “won every electoral consultation they contested” as shown in the following table.¹

However, in the long run, this strategy proved very subversive to the democratization process and to the MB itself. First, the elections were accompanied by heated campaigns resulting in growing polarization and a widening gap between the Islamist and secularist trends. Furthermore, with five national elections in only two years—most of them had multiple rounds—Egyptians seemed to develop “electoral fatigue” out of these convulsing and exhausting processes.

¹ Mustapha Kamel Al-Sayyid, “The Divergent Trajectories of Arab Dignity Revolts: Egypt and Tunisia” in *Re-envisaging West Asia: Looking Beyond the Arab Uprisings*, ed. Priya Singh, 199 (Delhi: Shipra Publications, 2016).

Second, the elections failed to resolve the tensions or peacefully settle the disputes between the rival political forces. Also, it failed to render the elected incumbents (i.e., the two houses of parliament and the president) a *de facto* power on policymaking.²

The third and the most important factor was that the deep state institutions (mainly the Supreme Council of Armed Forces, or SCAF, and the Supreme Constitutional Court, or SCC) went after each elected body and dissolved them all: The People's Assembly (the lower house of parliament) was dissolved only five months after its establishment by a verdict issued by the SCC in June 2012;³ the Shura Council (the upper house of parliament), which assumed legislative power after the dissolution of the People's Assembly, was declared unconstitutional and dissolved in June 2013;⁴ the first Constituent Assembly was dissolved by the Supreme Administrative Court in April 2012;⁵ the second Constituent Assembly was also ruled unconstitutional after finishing its work in June 2013;⁶ not to mention, the 2012 constitution itself was suspended and the elected president was deposed by the military coup in July 2013.

² Nathan J. Brown, "Egypt's Failed Transition", *Journal of Democracy* 23 (2013):45 - 46.

³ Gianluca P. Parolin, "Constitutions Against Revolutions: Political Participation in North Africa" in *Continuity and Change Before and After the Uprisings in Tunisia, Egypt and Morocco*, eds. Paola Rivetti and Rosita Di Peri, 38-39 (New York, Oxon: Routledge, 2016).

⁴ "ḥal majlis 'alshūrā wa ra'īs jadīd lil-mukhābrāt", *Al Jazeera Net*, 5 July 2013, <https://goo.gl/8WPHN6> (accessed 10 December 2020). "dustūr maṣr li-'ām 2012", *Dostour Masr*, <http://sharek2012.dostour.eg/2012/> (accessed 10 December 2020).

⁵ Hadīr Yūsuf, "ḥaithiyyāt ḥukm ḥal 'allajnah 'alt' sīsīyyah", *Alwafd News*, 10 April 2012 <https://bit.ly/2NWgrwY> (accessed 10 December 2020).

⁶ "almḥkamah 'aldustūriyyah fī maṣr bi-ḥal majlis 'alshūrā wa buṭlān 'allajnah 'alt' sīsīyyah wa qānūn 'altawāri'", *BBC News*, 2 June 2013 https://www.bbc.com/arabic/middleeast/2013/06/130602_egypt_constitutional_rulings (accessed 10 December 2020).

The Elections	The MB Results
Constitutional Declaration Referendum (March 2011)	77.3% voters supported the referendum ⁷
The Elections of the People Assembly (2011-2012)	The MB secured 235 out of 498 seats (47.2%) ⁸
The Elections of the Shura Council (2012)	The MB won 106 seats out of the contested 180 seats (58.8%) ^{9*}
The Presidential Elections 2012 (First Round)	The MB's candidate Muhammad Mursi came first with 24.8% of votes ¹⁰
The Presidential Elections 2012 (Second Round)	Muhammad Mursi won with 51.7% of votes ¹¹
The 2012 Constitution (December 2011)	63.8% voters supported it ¹²

⁷ The Official Website of the 2011 Referendum, <https://referendum2011.elections.eg/84-slideshow/155-result.html> (accessed 10 December 2020).

⁸ Ellen Lust and David Waldner, "Parties in Transitional Democracies: Authoritarian Legacies and Post-Authoritarian Challenges in the Middle East and North Africa" in *Parties, Movements, and Democracy in the Developing World*, eds. Nancy Bermeo and Deborah J. Yashar, 180-181 (New York: Cambridge University Press, 2016).

⁹ "fawz 'al'islāmiyyīn fī 'alshūrā 'almaṣrī", *Sky News*, 26 February 2012 <https://bit.ly/30JqZ7R> (accessed 22 January 2020).

* In addition to 90 members to be appointed by the president, which happened to be the MB candidate *Muḥammad Mursī*.

¹⁰ *Arab Center For Research & Policy Studies*, "'al'intikhābāt 'alri'āsiyyah 'almaṣriyyah 2012'", July 2012.

¹¹ *Ibid.*

¹² The Official Website of the 2012 Referendum, <https://referendum2012.elections.eg/results/referendum-results> (accessed 10 December 2020).

Electoral Results of the Muslim Brotherhood during the transitional period in Egypt

All these factors showed the limitation of the electoral legitimacy during the transitional period and proved the MB's strategy was flawed. What the MB could not seem to understand at that time was that electoral legitimacy in a political society lacking a well-established democratic culture and witnessing turbulent regime change is deadly insufficient. It had to strengthen this legitimacy with an efficient strategy to neutralize the threat of the deep state and a reliable coalition with the other political forces— the guarantees that the MB could not achieve as will be discussed in the following two sections.

Appeasing or Taming the Military: The Dilemma of Transition

The relationship between the Egyptian military and the MB is marred by conflictual historical memories, ideological disagreements, and pragmatic conflict of interest. Omar Ashour described the confrontational relationship between both institutions as a conflict between “Egypt’s most organized, armed state bureaucracy and its most organized non-state actor.”¹³ Therefore, throughout the transition, the relationship between the two entities was fluctuating between cooperation, tacit understandings, and open confrontations.

Between February and November 2011, the SCAF and the MB entered a short period of a marriage of convenience. Being conservative forces, they worked together to rapidly contain the revolutionary wave, chart it into constitutional paths, and prevent it from unfolding in an expected way.¹⁴ Also, as an ex-general boldly said, the SCAF aimed by its rapprochement with the MB at that time to control “the thugs” of

¹³ Omar Ashour, “Collusion to Crackdown: Islamist-Military Relations in Egypt”, *Brookings Doha Center Analysis Paper* 14 (2015): 1

¹⁴ Al-Sayyid, “The Divergent Trajectories of Arab Dignity Revolts” in *Re-envisaging West Asia*, 198.

revolution, given that the Brothers were the strongest “thugs” amongst them.¹⁵

Accordingly, the MB and the SCAF during this period supported the Constitutional Referendum of March 2011, and the former was the only political force that was represented in the drafting committee.¹⁶ Also, as early as May 2011, the MB started to pull out from the streets and to criticize the demonstrations against the SCAF.

This marriage of convenience, though, came to an end rapidly when the SCAF started to feel threatened by the muscle-flexing attitude of the MB after the March referendum, and later, by the sweeping victory it achieved during the parliamentary elections. Therefore, it supported the call of the Egyptian secularists to enforce a supra-constitutional document as a bid to curb the perceived Islamist majoritarianism. Then it denied the newly elected MB-dominated parliament its right to form a cabinet. Even when the MB sought to withdraw the confidence from Kamal Al-Janzury’s government in April 2012, the latter threatened the spokesman of the parliament and the MB leader Saad Al-Katatni with dissolving the parliament itself.¹⁷

To all these aggressions, the MB responded by gathering forces with the Salafists and ex-Jihadists and took to the streets many times to protest the supra-constitutional document. More significantly, when it felt that its victory in the parliamentary elections was hollowed out, the MB

¹⁵ Alison Pargeter, *Return to the Shadows: The Muslim Brotherhood and An-Nahda Since the Arab Spring* (London: Saqi Books, 2016): 25.

¹⁶ Parolin, “Constitutions Against Revolutions” in *Continuity and Change Before and After the Uprisings in Tunisia, Egypt and Morocco*, 37.

¹⁷ Muṣṭafā Bakrī, *’aljaish wa ’al’ikhwān: ’asrār khalf ’alsitār* (Cairo: Al Dar Al Masriah Al Lubnaniah, 2013), 157-159.

decided in March 2012 to put forward a candidate for presidency, breaching its promise to Egyptians not to do so.¹⁸

Between March and June 2012, the tension between the MB and the military institution reached its peak. The first Constituent Assembly and the Parliament itself were dissolved by legal verdicts; Khairat Al-Shater, the MB's Deputy-General Guide was disqualified from running for president; the SCAF openly threatened the Brothers in an official statement by encouraging them to learn the lessons of history—referring to the bloody confrontation between the MB and the Free Officers in the 1950s and the 1960s—in order not to repeat their mistakes.¹⁹

During the one-year presidency of Muhammad Mursi, the MB followed a dual strategy of pressure and appeasement with the military institution. On the one hand, President Mursi cancelled the constitutional declaration of June 17, 2012, which was drafted by the SCAF to restrain his authorities. It was replaced by another constitutional declaration on August 12, by which the President reshuffled the SCAF, hoping to have a more cooperative council, and claimed legislative powers for himself.²⁰

On the other hand, Muhammad Mursi and the MB were keen to assure the military institutions in many ways that their political and economic privileges would not be touched. In the 2012 constitution, the autonomy of the military institution was guaranteed by the establishment of the generals-dominated National Defense Council. Also, the constitution stated that the Minister of Defense would always be selected

¹⁸ Hishām 'Al-Ghunīmī, “‘amīn 'al'ikhwān: rashaḥnā 'alshāter li-tamassuk 'al'askaī bil-ḥukūmah wa talwīḥah bi-ḥal 'albarlamān”, *Al Masry Al Youm*, 31 March 2012, <https://www.almasryalyoum.com/news/details/169298> (accessed 10 December 2020).

¹⁹ “ba'd biyānain shadīdī 'allahjah min 'al'ikhwān wa ḥizb 'alḥurriyyah wa 'al'adālah ... 'al'askaī muhaddida 'iḥdā 'alqwā 'alsiāsiyyah: nuṭalib 'aljamī' 'an ya'ū durūs 'altārīkh”, *Shorouk News*, 25 March 2012, <https://bit.ly/2tOOctq> (accessed 10 December 2020).

²⁰ “naṣ 'al'i'lān 'aldusūrī 'almukammil bi-maṣr”, *Al Jazeera Net*, 13 July 2012, <https://goo.gl/zWDEmB> (accessed 10 December 2020).

'Aḥmad 'Alfīthī, “Mursī yuqarrir 'ilghā' 'al'i'lān 'aldustūrī 'almukammil, *Masrawy*, 12 August 2012, <https://bit.ly/2VQ3xoN> (accessed 10 December 2020).

from the military officers.²¹ Additionally, President Mursi kept appointing the military generals as governors, ministers, and in top bureaucratic positions, and the military enterprises expanded its economic activities and business deals with the state institutions.²² Eventually, the MB failed to find the appropriate strategy to deal with the military institution and neutralize its threat on the democratization process. Some may claim that the MB's real intention was to cut a separate deal of power-sharing with the military to establish a flawed democracy, in which the two forces are the main hegemons. Others might argue that the MB was genuinely willing, but not able, to stand against the deep state and to de-militarize the political system.

In either case, the MB had a share of the blame. In the first scenario, the MB did not get what Guillermo O'Donnell and Philippe Schmitter once stated is unlikely to have the entrenched institutions backing for regime change by assuring them about their interests;²³ while, in the second scenario, the MB's inability can largely be attributed to its failure to maintain a reliable alliance with other political forces.

Divided, They Fell

Divisions within the pro-democracy camp in the early transitional period is a common dynamic in regime change. The coalition between the opponent's political forces rapidly collapses after toppling the autocratic regime due to their disagreement on the nature of the new regime to be installed. What happened in the Egyptian case was not an exception.

²¹ “‘iṣdār dustūr jumhūriyyat maṣr ‘al‘arabiyyah li-sanat 2012”, *Legal Documents Archive*, <https://manshurat.org/node/3573>

²² Zeinab Abul-Magd, *Militarizing the Nation: The Army, Business, and Revolution in Egypt* (New York: Columbia University Press, 2017), 210-213.

²³ Guillermo O' Donnell and Philippe Schmitter, *Transitions From Authoritarian Rule: Tentative Conclusions About Uncertain Democracies* (Maryland: The Johns Hopkins University Press, 2013), 62.

Only one month after Hosni Mubarak's removal, the Islamist and the secularist forces disagreed on how they should manage the transitional period, as mentioned before. The gap between both camps widened progressively due to the lack of trust, the polarizing media campaigns that accompanied the parliamentary and presidential elections, the ideological conflicts during the constitution-drafting, and the poor performance of the MB-dominated government. This heated conflict reached its climax with the military coup of July 2013, which signified the failure of the democratic transition.

From its side, the MB was keen to build a solid coalition with different political forces, but it eventually could not succeed. The following are but a few examples:

- In May 2011, the MB withdrew from the Revolutionary Youth Coalition—the coalition that was announced in the Tahrir Square during the revolution and formed of representatives of many youth movements such as the April 6 Movement, the leftist Justice and Freedom Movement, and the youth of the Democratic Front party.²⁴
- In March 2011, the MB started a national dialogue called “Together We Start Building: A Dialogue for Egypt” with 42 political parties from the whole ideological spectrum, but by November, only 11 small parties remained in the National Democratic Alliance that emerged from this dialogue.²⁵
- During the second round of the presidential elections in June 2012, the National Front for Completing the Revolution was formed in the wake of the Fairmont Accord. However, only after

²⁴ “‘ikhwān maṣr yansaḥibūn min ‘i’tilāf ‘althawrah”, *Al Jazeera Net*, 29 May 2011, <https://bit.ly/30LiNnK> (accessed 10 December 2020).

²⁵ Quṭb ‘Al-‘Arabī, “‘alḥiwār wa ‘almuṣālahah fī maṣr: ḍarūrāt ‘aldākḥil wa tadakhulāt ‘alkhārij”, *Al Jazeera Centre for Studies*, 26 March 2014.

one month, the Front dissolved itself and accused the President of breaking his promises.²⁶

- The main secularist political forces boycotted the two Constituent Assemblies. In the first, they went to the Supreme Administrative Court to dissolve the Assembly shortly after its election; while, in the second Assembly, they initially joined its activities in June 2012, but, by November, most of the members representing the liberal and leftist trends, the representatives of the three official churches in Egypt, and eight out of the ten members of the consultative committee, decided to permanently withdraw.²⁷
- Eight members of the presidential consultancy board, which was formed of 17 members from different ideological backgrounds resigned after a few months from its foundation. Moreover, out of the remaining nine consultants, six were MB members.²⁸

Throughout the transitional period, it seemed that the MB entered a vicious cycle. Its inability to build a reliable alliance with other political forces deepened its feeling of insecurity and pushed the group to run for more offices. By seeking more power to secure its political position, the MB's ability to form alliances with other political forces progressively decreased, as the latter became more suspicious of the MB's hegemonic tendency and became more rebellious and uncooperative. This attitude let

²⁶ 'Ismā'īl 'Al-'Ashwal, "ḥamdī qandīl bi-mudhakkirātih: muḥammad mursī 'alṭaiyyb 'alladhī 'akhlaf wu'ūdah ... fariḥ bil-ri' āsah kaṭīfl ḥaṣal 'alā lu'bah (9)", *Shorouk News*, 3 February 2014, <https://www.shorouknews.com/news/view.aspx?cdate=03022014&id=f1970be7-8dff-449a-aaf8-9112320e8f8a> (accessed 10 December 2020).

²⁷ Muḥammad 'Abdullāh, "shuqūq fī jidār ta'sīsiyyat dustūr maṣr", *Anadolu Agency*, 19 November 2012, <https://bit.ly/39t3HWO> (accessed 10 December 2020).

²⁸ 'Amr Wālī, "mursī wa fariquh 'alri'āī ... 'istiḳālāt bil-jumlah wa ṣalāḥiyyāt ghāmiḍah", *Masrawy*, 23 June 2013, <https://bit.ly/2xIBDHn> (accessed 9 March 2020).

no other options for the MB except to seek more power. With this strategy, the MB ended up occupying more offices; however, as it did so, it became more vulnerable rather than more secure.

Surely, the MB is not the only responsible group for this failure. It could be argued that the Salafist call was constantly outbidding the MB's commitment to the Shari'ah and that the secularist parties were overdemanding, emboldened by the support of the deep state; however, at the end of the day, when the MB was faced with the military coup, the main Salafist party and almost all secularist parties supported its removal from the power.

Conclusion

In conclusion, it seems that the MB's failure to achieve its objective of maintaining and consolidating the new regime can be partially attributed to three major causes: it overestimated the reliability of electoral legitimacy to secure its position in the new regime; it failed to address the threat of the military institution on the democratization process; and it badly managed its relationship with other political forces, either the Salafist or the secularist.

Of course, other regional and international variables did play a major role in failing the democratic transition in Egypt, but as far as it concerns this paper, the MB's flawed strategies and its vulnerability at the domestic level facilitated the subversive intervention of foreign actors and gave the autocratic forces in Egypt the opportunity to undo the achievements of the January revolution.

**VIII. Examining Good Governance (*al-Hukm al-Rasheed*):
Principles, Requirements, and Applications**

21. Good Governance: Principles, Requirements, and Application [in Arabic]

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Abstract

Good governance is important in achieving stability, development, and decent living, and in attracting decision-makers, organizations, and cultural and media circles to practice and promote it. This paper explores the concept of good governance in terms of idea, origin, definition, and importance. It enumerates its levels, components, principles, the main requirements for its practice, and its reality in Arab countries, in light of the global governance indicators issued by the World Bank, and compares them with the reality of best international practices. The paper applies the inductive approach, the descriptive analytical approach, and the comparative approach. The paper offers results of the data analysis for several Arab countries. It also shows that there are significant statistical differences between Arab countries and countries that have good governance practices, and that the differences between oil and non-oil Arab countries are not statistically significant with regards to their political nature, but are statistically significant in indicators regarding the administrative nature as the bilateral relationship between administrative indicators is strong.

الحكم الرشيد: المبادئ والمتطلبات والتطبيق

عبد العظيم الحمدي

باحث مستقل، صنعاء، اليمن

الملخص

يُعدُّ الحكم الرشيد بوابة عبور الدول العربيّة إلى تحقيق الاستقرار والتنمية والعيش الكريم. ولمحاولة جذب صناعات القرار والمنظمات والأوساط الثقافية والإعلامية إلى ممارسته والترويج له، يسعى الباحثون إلى التعريف به وتحليله وتبسيط مفاهيمه، ووضع تصورات عملية لممارسته.

هذا البحث يوضح مفهوم الحكم الرشيد من حيث: الفكرة والنشأة والتعريف والأهمية، ويعدد مستوياته ومكوناته ومبادئه، والمتطلبات الرئسية لممارسته، وواقعه في الدول العربيّة، في ضوء المؤشرات العالميّة للحوكمة الصادرة عن البنك الدوليّ، ويقارنها بواقع أفضل الممارسات الدوليّة، وكذا واقع ممارسة مجموعات الدول العربيّة وفقاً للتقسيم الاقتصاديّ؛ للتعرف إلى دور العوامل الاقتصادية في تغيير قيم مبادئ الحكم الرشيد بهدف ترتيبها وتحديد حجم الفجوة الكامنة، والتعرف إلى المؤشرات الضعيفة والأضعف. ولتحقيق أهداف البحث اتبع الباحث المنهج الاستقرائيّ، والمنهج الوصفيّ التحليليّ والمنهج المقارن. وقد أظهرت نتائج تحليل بيانات الدول العربيّة تصدُّر تونس في مؤشر الصوت والمساءلة، وتصدُّر قطر في مؤشريّ الاستقرار السياسيّ وسيادة القانون، وتصدُّر الإمارات في مؤشرات كفاءة الحكومة وجودة التنظيم ومحاربة الفساد، كما أظهرت النتائج تدني مرتبة الدول العربيّة، لاسيما مؤشر الصوت والمساءلة، كما أظهرت النتائج وجود فروق ذات دلالة إحصائية بين الدول العربيّة والدول المتمكنة من الحكم الرشيد في ممارسته، وأنّ الفروق بين الدول العربيّة النفطية وغير النفطية غير دالة إحصائيّاً في المؤشرات

ذات الطابع السياسي ودالة إحصائيًا في المؤشرات ذات الطابع الإداري، كما أنّ العلاقة الثنائيّة بين المؤشرات الإداريّة قويّة.

المقدمة

يعود استخدام مصطلح الحكم الرشيد -فكرةً واصطلاحًا- بشكلٍ واسعٍ إلى بداية عقد التسعينيات، من قبل المنظمات الدولية، حيث عُدَّ منهجية لتحقيق التنمية المجتمعية في الدول النامية؛ وذلك لقصور الإدارات الحكومية في تحقيق التنمية بفعالية وكفاية (الكايد 2003، 3)، كما أنّ فكرة الحكم الرشيد ومنهجيته عُدَّت في العقود الأخيرة من القرن الماضي على قدرٍ كبيرٍ من الأهمية للدول، سواء تلك المتقدمة أم النامية؛ لتحقيق طموحات المواطنين فيها، بتوفير التنمية الشاملة وإدامتها، إلا أنّ الأمر أصبح أكثر إلحاحًا على الدول النامية بشكلٍ خاص؛ نتيجةً للتحديات العالمية والمحلية، مثل: العولمة، والتجارة العالمية الحرة، والأسواق التجارية المفتوحة، وسرعة انتشار المعلومات، والتهديدات الأمنية، التنافسيّة، والفقر، والبطالة.

لذا أصبح التزام الدول النامية منهجيّة الحكم الرشيد أمرًا في غاية الأهمية، لما ينطوي عليه من تكامل الأدوار بين الإدارة العامة والقطاع الخاص ومؤسسات المجتمع المدنيّ، عن طريق التشراك لإعادة رسم أدوار كلّ منها، ليتسنى تحقيق التنمية المجتمعية ذات الكفاية والفعالية والاستجابة لطموحات المواطنين وآمالهم وفقًا لما يركز عليه الحكم الرشيد من ميزات تعكس الشفافية والمساءلة والمشاركة في تحمل المسؤولية ورسم السياسات العامة، وتعزيز دولة القانون واللامركزية لتقريب صنع القرار من المواطنين، ضمن ميزات أُخر (الكايد 2003، 3).

أولاً: الإطار العام للبحث

1- مشكلة البحث:

تعاني مجمل الدول العربية من ضعف الحكم الرشيد وتدني مستواه، انعكس ذلك سلباً - على حياة المواطنين وأمنهم ومستوى معيشتهم، وما يزيد حجم المشكلة تدني مستوى المعرفة بالحكم الرشيد ومبادئه وأساليبه وواقع ممارسته، لاسيما لدى صنّاع القرار، وضعف إدراك إمكانية الممارسة الجزئية للحكم الرشيد، ومن هنا يبرز تساؤل رئيس: هو ما الحكم الرشيد؟ وما هي مبادئه؟ وما متطلباته؟ وما واقعه؟ ينشأ عنه عدة تساؤلات فرعية:

1. ما مفهوم الحكم الرشيد؟ وما هي مبادئه وموجباته ومتطلبات ممارسته؟

2. ما واقع ممارسة الحكم الرشيد في الدول العربية؟

2- أهمية البحث:

- أ. رفد المكتبة العربية ببحث علمي في مجال الإدارة العامة، يدرس الحكم الرشيد.
- ب. قلة البحوث الناقدة للحكم الرشيد، وعزوف الباحثين عنه لاسيما بعض الدول العربية التي تنسم بضعف حرية التعبير.
- ج. تسهم هذه الدراسة في بناء وعي عام بمبادئ الحكم الرشيد وواقعه في الدول العربية.
- د. يُعدُّ هذا البحث باكورة خطط استراتيجية للحكم الرشيد.
- هـ. يفتح هذا البحث آفاقاً للباحثين للخوض في تفاصيل الحكم الرشيد.
- و. يلمح الأوساط الثقافية والإعلامية لتعريف المجتمعات بالحكم الرشيد والضغط لممارسته.
- ز. يعرف صنّاع القرار والباحثين والأوساط الثقافية بواقع الدول العربية في مؤشرات الحكم الرشيد، ويوضح مكتسبات ممارسته وعواقب التهاون فيه.

3- فرضية البحث:

- أ. لا توجد فروق ذات دلالة إحصائية عند مستوى دلالة 0.05 بين متوسطات مؤشرات الحكم الرشيد في الدول العربية والدول المتمكنة منه، $H_0: \mu_1 = \mu_2$
- ب. لا توجد فروق ذات دلالة إحصائية عند مستوى دلالة 0.05 بين متوسطات مؤشرات الحكم الرشيد في الدول العربية النفطية وغير النفطية، $H_0: \mu_3 = \mu_4$
- ج. لا توجد علاقة ثنائية ذات دلالة إحصائية عند مستوى دلالة 0.05 بين كل مبدأ من مبادئ الحكم الرشيد مع المبادئ الأخرى لدى الدول العربية، H_0
- $R = 0$

1- حدود البحث:

يتناول هذا البحث مفهوم الحكم الرشيد ومبادئه ومتطلبات ممارسته، ودراسة واقعه في الدول العربية عن طريق المؤشرات العالمية للحوكمة، لمتوسطات المدة 2010 إلى 2019.

2- منهج البحث:

لتحقيق أهداف البحث اتبع الباحث المنهج الاستقرائي؛ لتوضيح مفهوم الحكم الرشيد عن طريق الدراسات المعاصرة؛ وتقديم أحدث التفسيرات له، كما استخدم الباحث المنهج الوصفي التحليلي؛ لتحليل البيانات الواردة في المؤشرات العالمية للحكم الرشيد؛ لتشخيص واقع الحكم الرشيد في الدول العربية، والمنهج المقارن لمعرفة الفروق بين الدول العربية والدول المتمكنة من الحكم الرشيد؛ لتحديد قيم مرجعية، والفروق بين الدول العربية النفطية وغير النفطية؛ للتعرف إلى دور العامل الاقتصادي في ذلك.

3- مجتمع البحث وعينته:

تكون مجتمع البحث من جميع دول العالم، أما عينة البحث فتكونت من عينة قسدية وهي جميع الدول العربية، التي شملتهما المؤشرات العالمية للحكومة للفترة 2010-2019.

4- أساليب جمع البيانات:

استمد هذا البحث معلوماته وبياناته من التقارير الدولية الصادرة عن المنظمات الدولية، والدراسات العلمية ذات الصلة، كما استخدم متوسطات البيانات المَبُوبَة في تقارير المؤشرات العالمية للحكومة (WGI). (WGI 2019-2010).

ثانياً: الإطار النظري للحكم الرشيد

1- مفهوم الحكم الرشيد:

نشأ مفهوم الحكم نتيجة للتوسع في حجم المجتمعات وتتنوع احتياجاتها، في ظل عجز الحكومات عن تلبية الاحتياجات بمفردها؛ لذا كان لابد من إشراك القطاع الخاص ومنظمات المجتمع المدني في إدارة شؤون الدولة والمجتمع، لاسيما مشاركتهم في رسم سياسات الدولة، والمشاركة في إدارة شؤونها ومراقبة أدائها.

2- تعريف الحكم الرشيد:

جرت العادة استخدام مصطلح الحكم الرشيد في المؤسسات العامة، يرادفه مصطلح الحوكمة في المؤسسات الخاصة، ومصطلح الحكم الرشيد هو تعريب للمصطلح **GOVERNANCE**، الذي عرف عددًا من الترجمات، منها: أسلوب الحكم، الحاكمية، الحكم الصالح، الحكم الرشيد، الحوكمة، إدارة شؤون الدولة والمجتمع، الحكم الموسع، أسلوب الحكم الجديد، الحكم الشامل، الحكمانية، وفي هذا البحث نستخدم مسمى الحكم الرشيد لأنه المعتمد في بلد الباحث (اليمن) والعراق وفلسطين (البرنامج الإنمائي 2014)، ويعرف الحكم الرشيد أنه: "عملية صنع القرار التي تشمل جميع اللاعبين الذين يشاركون، ولهم تأثير في تحديد القرارات والأنشطة المتعلقة بإدارة شؤون الدولة وصياغتها وتصميمها

وتنفيذها وتقييمها، ويتضمن كل المجموعات الرسمية -الشركات والمنظمات غير الهادفة للربح- وغير الرسمية -المواطنين- في هذه العملية (البسام 2014، 5)، ويعرفه البنك الدولي أنه "الحالة التي بواسطتها تكون إدارة الموارد الاقتصادية والاجتماعية للمجتمع بهدف التنمية" (The World Bank 1992)، أما البرنامج الإنمائي للأمم المتحدة فيعرفه أنه "ممارسة السلطة السياسية والاقتصادية والإدارية في تسيير شؤون المجتمع على المستويات كافة، ويشمل الحكم الآليات والعمليات والمؤسسات المركبة التي يقوم بواسطتها الأفراد والجماعات بالتعبير عن مصالحهم، ومعالجة خلافاتهم، وممارسة حقوقهم والتزاماتهم القانونية" (UNDP 1997، 3)، وهو التعريف الأكثر شيوعاً، وللحكم الرشيد عدة أبعاد منها البعد السياسي، والإنساني والاقتصادي والإداري والاجتماعي وبعد السياسات العامة.

3- أهمية الحكم الرشيد:

يُعدُّ الحكم الرشيد أهم عامل من عوامل التنمية الشاملة، وفي هذا الصدد يقول الأمين العام الأسبق للأمم المتحدة السيد كوفي عنان: "إنَّ الحكم الرشيد يعدُّ أكثر العوامل أهمية في القضاء على الفقر وتعزيز التنمية" (نوير 2006، 98)، أما الكايد فيري: "أنَّ الحكم الرشيد يسعى لتحقيق الرفاهية والعدالة والديموقراطية والمساواة وتخفيف حدة المشكلات المجتمعية والإقليمية والعالمية" (2003، 246)، كما يعزو البنك الدولي إعاقة التنمية في الشرق الأوسط وشمال أفريقيا إلى ضعف إدارة الحكم (البنك الدولي 2003، 3). يُشكِّل الحكم الرشيد منظومة شاملة قادرة على تخفيف الصراع، ويُحقِّق مزيداً من الاندماج والتفاعل بين مختلف الأطراف، وذلك بزيادة فاعلية الإفصاح والمساءلة والرقابة والمشاركة والتحفيز، كما يعظم قيمة الدولة ويدعم قدراتها التنافسية بما يساعدها في خلق فرص عمل جديدة والحصول على التمويل المطلوب، ويساعد على الاستخدام الأمثل للموارد وتعزيز المساءلة، وحسن توزيع الخدمات وإدارتها، بما يؤدي إلى خلق مناخ ملائم للأعمال

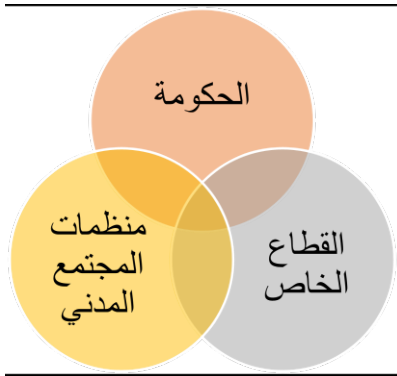
وجذب الاستثمارات، وتحسين كفاءة الشركات وتعظيم الفائدة منها (العجلوني 2013، 3).

4- مكونات الحكم الرشيد:

يقوم الحكم الرشيد على ثلاث مكونات أساسية، هي: الحكومة، ومنظمات المجتمع المدني، والقطاع الخاص،

ويؤدي كل مكون دوراً محورياً في إرساء مبادئ الحكم الرشيد. الحكومة الرشيدة: والتي تقوم بنقل كثيراً من مهامها ووظائفها وصلاحتها للقطاع الخاص ومنظمات المجتمع المدني، لاسيما الوظائف الثانوية، وتحتفظ بالمحافظة على القيم الأساسية، وحماية مواطنيها، وتوجيه القطاع الاقتصادي، والمهام ذات الأهمية الكبرى.

المجتمع المدني: يُعرف أنه "مجموع التنظيمات الطوعية الحرة التي تملأ المجال العام بين الأسرة والدولة، لتحقيق مصالح أفرادها، ملتزمة بالقيم الديمقراطية" (معميش 2012، 11-12)، وهو عمود من أعمدة الحكم الرشيد، فقد توصل الأكاديمي الأمريكي (روبرت



شكل رقم (1) مكونات الحكم الرشيد

(UN 2008, 5-6)

بوتام) Robert Putnam بواسطة أبحاثه إلى أنّ الحوكمة الجيدة تُعزى -إلى حد كبير- إلى وجود قطاع مدني صحي، كما توصل الى وجود علاقة إيجابية بين المشاركة المدنية ومستوى الثقة العالي بالحكومة، كما أن العلاقة إيجابية أيضاً بين المشاركة المدنية وارتفاع الأداء الاقتصادي (Plumptre, Graham, 1999, 19-20).

القطاع الخاص: تتجه الحكومات الرشيدة إلى الشراكة مع القطاع الخاص عن طريق

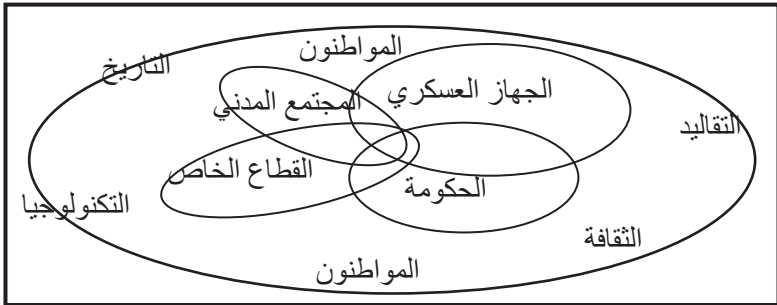
إتاحة الفرصة له؛ لتقديم الخدمات التي يقدر عليها بتنافس السوق، ما يكسبها جودة عالية وتكلفة مناسبة، كما يُعدُّ القطاع الخاص أداة مهمة لسد العجز في البنية التحتية، حيث تواجه البنية التحتية -في جميع أنحاء العالم لا سيما في الاقتصاديات النامية- عجزاً واضحاً تظهر ملامحها في ضعف مستوى الخدمات العامة بشكل عام (UN 2008, 5-6).

5- نماذج اللاعبين الرئيسيين في الحكم الرشيد:

يوجد عدد من أنماط الحكم، فقد وضع (بلبلمتر وجراهام) ثلاثة نماذج على مستوى المجتمع، ثم أضاف (بجون كارفر) الأنموذج الرابع، وتختلف النماذج باختلاف طبيعة العلاقة بين أطراف الحكم في البلد، ونكتفي بتوضيح نموذجين رئيسيين للجهات ذات العلاقة بالحكم الرشيد.

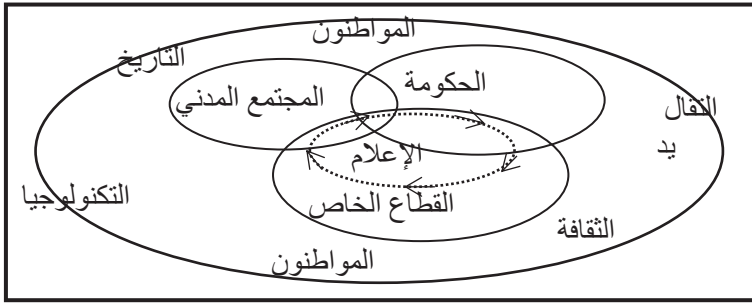
6- الأنموذج العسكري:

وفي هذا الأنموذج يكون الجهاز العسكري هو الفاعل الأساس في نظام الحكم، بل يُعدُّ في بعض الدول هو من أنشأ الحكومة أصلاً وليس العكس، كما هو الحال في بعض الدول الاشتراكية سابقاً، أو التي جاءت حكوماتها عن طريق الغلبة والقوة، أو عبر انقلابات عسكرية ولا زال نظام الحكم عسكرياً.



شكل رقم 2 مكونات الحكم الرشيد الأنموذج العسكري (Graham, Amos and Plumtre 2003, 2) others

وفي هذا الأنموذج تمتلك الدولة الأمنية سلطة غير مقيدة لمواجهة الأوضاع السياسيّة والاقتصاديّة والاجتماعيّة...، ومن ثمّ تتخذ القرارات والأوامر والتدابير اللازمة كلما اقتضت الحاجة، ما يعني أنّها تشكل تهديدًا للحقوق والحريات العامة، بوصفها غلّبت ضرورات السلطة على ضمانات الحريات والحقوق العامة.



شكل رقم 3 مكونات الحكم الرشيد، الأنموذج الافتراضي
(Graham ،Amos و Plumtre: 2003)

كما يسيطر الهاجس الأمنيّ على جميع شؤون الدولة، ويتدخل في منظمات المجتمع المدنيّ بشكل فاعل ويعيق نشاطها الحر، وله تأثير مباشر في الأعمال التجاريّة والاقتصاديّة، أما الحكومة فهي لا تُعَبَّرُ إلا عن وجهة النظر الأمنية، ويلاحظ في مثل هذه الدول ضعف شديد في منظمات المجتمع المدنيّ؛ لأنها لا تستطيع أن تمارس دورها في المساءلة والمحاسبة والمشاركة إلا بقدر ما يمنحها الجانب الأمنيّ فقط، وأحيانًا لا تعبر بالضرورة عن الأفراد المنتمين إليها.

وقريبًا من هذا النموذج أو أسوأ منه يتبدى في الأفق نموذج حديث يتمثل في الدولة الإثنية (الطائفية) متلبسة بثوب الدولة التيقراطية الكهنوتية، قد يتطلب من الباحثين دراسة هذا النموذج وتحليله.

7- الأنموذج الافتراضي (أنموذج الحكم الرشيد):

يعبر النموذج الافتراضي عن نظام حُكمٍ للدولة تتكامل فيه الأجهزة الفاعلة من الحكومة ومنظمات المجتمع المدني والقطاع الخاص، وفي هذا النموذج ينكمش دور الحكومة من خلال التقليل المدروس بوعي وإدارك لما يطلق عليه (التسريب المتنامي لسلطات الدولة) المصاحب لظاهرة العولمة وانسجامًا مع القاعدة القائلة: (إنَّ الحكومة الأفضل هي الأصغر)، وتبدو الحكومة ذات دور محدود نسبيًا مع توسع دور القطاع الخاص، ومنظمات المجتمع المدني في لعب أدوار محورية لم تكن من مهامها سابقًا، ويشارك القطاع الخاص في ذلك قطاع إعلامي فعال (الكايد 2003، 23-33).

8- مبادئ الحكم الرشيد:

تعد مبادئ للحكم الرشيد المعتمدة دوليًا مبادئ مرنة، وتأخذ في الحسبان الاختلافات الأيديولوجية والسياسية والاقتصادية لكل دولة (البسام 2014، 180)، ويعود الاختلاف في تحديد مبادئ الحكم الرشيد إلى تفاوت التصور للحكم الرشيد، حيث يُتَوَقَّع منه جبر النقص الذي تعاني منه المجتمعات، كما تؤثر البيئة الاجتماعية والسياسية والاقتصادية والبيئة الثقافية للخبراء والمراكز البحثية في تحديد تطلعات المجتمعات؛ لذا يصعب الإجماع على تسمية مبادئ الحكم الرشيد، ويمكن التوافق على مدلولاتها، ويلاحظ أن مبادئ الحكم الرشيد لدى البرنامج الإنمائي محتواه في مؤشرات الحكم الرشيد لدى البنك الدولي والمؤشرات محتواه في عناصر الحكم للبنك، وتتقارب مدلولاتها مع مبادئ معهد الحوكمة الكندي، كما في الجدول التالي:

معهد الحوكمة	عناصر الحكم البنك الدولي	مؤشرات الحوكمة البنك الدولي	مبادئ الحكم الرشيد البرنامج الإنمائي
الشرعية	العملية التي يتم بها اختيار الحكومات ومراقبتها واستبدالها	الصوت والمساءلة VA	المشاركة
		الاستقرار السياسي وغياب العنف PV	توافق الآراء
الأداء	قدرة الحكومة على صياغة سياسات سليمة وتنفيذ فعال.	فعالية الحكومة GE	سرعة الاستجابة
			التوجه
الإنصاف	احترام المواطنين والدولة للمؤسسات التي تحكم التفاعلات الاقتصادية والاجتماعية بينهم.	سيادة القانون RL	الرؤية الاستراتيجية
			المساءلة
المساءلة	مراقبة الفساد ومحاربه CC	مراقبة الفساد ومحاربه CC	سيادة القانون
			العدالة
			الشفافية
جدول رقم (1) مقارنة بمبادئ الحكم الرشيد ومؤشراته بين المنظمات الدولية			

وتناول هذا البحث مبادئ الحكم الرشيد للبرنامج الإنمائي للأمم المتحدة، لتوسعها وشمولها، والمؤشرات العالمية للحوكمة التي قدمها البنك الدولي؛ لاحتوائها على مجمل مبادئ الحكم الرشيد في أكثر المنظمات الدولية والمؤسسات البحثية، وتوفرها بصورة كمية، وهي بحسب البرنامج الإنمائي:

9- المشاركة (Participation):

ويشار إليها بالشرعية أو الصوت (إبداء الرأي) والمساءلة، وجميعها تشير إلى العمليات التي يسري بها اختيار الحكومات ومراقبتها واستبدالها، وهي ركيزة أساسية للحكم الرشيد، وتقوم المشاركة الفعالة على حرية الرأي والتعبير عن طريق قنوات مؤسسية تمكن الشعب من التعبير عن رأيه في عمليات رسم السياسات العامة وتنفيذها؛ بحيث يكون لجميع الأفراد صوت مسموع ومؤثر في اتخاذ القرار، ما يضيف الشرعية على أعمال الحكومة، ويسمح باستقرارها واستدامتها (بلخير 2009، 53)، ومن منظور آخر يعرف البنك الدولي

المشاركة أنها "عملية يقوم بها أصحاب المصالح عن طريق التأثير والاشتراك في الرقابة على مشروعات التنمية والقرارات والموارد التي تؤثر فيهم" (ستيفتائج، وآخرون 2004، 27)، كما تعرف أنها "اشتراك كل فاعل من الفاعلين في عمليات: تحديد الاحتياجات، إعداد الخطط والبرامج، إعداد الموازنات، اتخاذ قرارات التشغيل اليومية، النواحي المالية، التنفيذ".

10- التوافق (Consensus Orientation):

ويشار إليه كذلك بالاستقرار السياسي وغياب العنف، والحكم الرشيد يهدف إلى تسوية الخلافات والتوافق حول المصالح والمنافع، التي تخدم الجماعة، وتوفير الإجراءات وصياغة السياسات الممكنة لتحقيقها (موقع إسلام ويب)، ويمكن القول: إن مبادئ الحكم الرشيد مترابطة يعزز بعضها بعضاً؛ لذلك فإن أي سياسة صنعت بواسطة المشاركة، واتسمت بالشفافية والعدالة تحت ظل القانون فلا مجال فيها للاختلاف، وبذلك تخدم مساعي الاستقرار السياسي.

11- الشفافية (Transparency):

تعني التدفق الحر للمعلومات للجميع وعلى المستويات كافة، كما تضمن انفتاح المؤسسات على المجتمع من أجل معرفة نشاطاتها، ويتطلب تحقيق الشفافية توفير الوسائل كافة، التي تسهل وصول المواطنين إلى المعلومات، وفهمهم آليات صنع القرار، فالشفافية كظاهرة تشير إلى تقاسم المعلومات، والتصرف بطريقة مكشوفة، فهي تتيح لمن لهم مصلحة في شأن ما، أن يجمعوا معلومات حولها، وتمتلك الأنظمة ذات الشفافية إجراءات واضحة لكيفية صنع القرار على الصعيد العام، كما تمتلك قنوات اتصال مفتوحة بين أصحاب المصلحة والمسؤولين.

12- المساءلة (Accountability):

يقصد بها تحميل الأفراد والمؤسسات مسؤولية أدايمهم الذي يجب أن يكون قياسه بأقصى قدر ممكن من الموضوعية، وتكون المساءلة في مجالات عدة، منها: المالية والإدارية

والسياسية والاجتماعية، وبذلك تعني: إمكانية أن يتعرض صانعو القرار -سواء أفي الدولة، أم في القطاع الخاص، أو في منظمات المجتمع المدني- للمحاسبة أمام الرأي العام ومؤسساته.

13- الرؤية الاستراتيجية (Strategic Vision):

هي مجموع السياسات الاقتصادية والاجتماعية والثقافية التي يتبناها نظام سياسي ما، ولا بد أن تقوم على ثلاث دعائم هي: الحرية السياسية، العدل الاجتماعي، والانفتاح الثقافي على العالم، وهناك من يعرفها أنها (صورة ذهنية لما ينبغي أن يكون عليه عالم المستقبل) وبحسب مفهوم الحكم الرشيد فإن الرؤية الاستراتيجية تتحدد بالشراكة بين مؤسسات الدولة والقطاع الخاص بواسطة خطط بعيدة المدى؛ لتطوير العمل المجتمعي من جهة وأفراده من جهة أخرى، والعمل على تحقيق التنمية البشرية؛ لذا فعند وضع الاستراتيجيات، لا بد من مراعاة المتغيرات الداخلية والخارجية كافة، ودراسة المخاطر، ووضع الحلول لها (بلخير 2009، 53).

14- الكفاءة والفعالية (Efficiency and Effectiveness):

يركز مفهوم الكفاءة على تقديم الخدمات أو تنفيذ السياسات العامة في أقل وقت وبتكلفة مناسبة، ووفقاً لمعايير الكفاءة (الجدارة)، ويعرفها آخرون أنها: حسن استخدام الموارد بجدارة للحصول على أفضل المخرجات كما ونوعاً، وبأقل المدخلات (التكاليف)، بمعنى أن تحقق المشاريع والمنشآت النتائج التي تليها الحاجة، وذلك بالاستخدام الأمثل للموارد، أما الفاعلية فيُقصد بها جودة الخدمات والسياسات، ورضى المواطنين عنها (أسامة 2014، 28)، بمعنى آخر إنجاز الأهداف في ضوء النتائج المرجوة.

15- الاستجابة (Responsiveness):

يُقصد استجابة الحكومة والمجتمع المدني والقطاع الخاص لاحتياجات ورغبات المواطنين، وللتغيرات السياسية والاقتصادية والمؤسسية.

يجب أن تسعى المؤسسات لخدمة أصحاب المصلحة، بمعنى: ضرورة أن توفر إطارًا زمنيًا ملائمًا يتم خلاله تقديم المؤسسة خدماتها، وقيامها بعملياتها، الأمر الذي يتوجب توفر رد فعل مجتمعي تجاه القرارات والعمليات لإلزامها بتقديم الخدمات المجتمعية في وقتها المحدد (بلخير 2009، 53).

16- سيادة القانون (Rule of Law):

ينصرف مفهوم سيادة القانون إلى مدى امتثال الأطراف كافة -سواء كانوا أفرادًا، أو مؤسسات حكومية، أو مجتمع مدني- للمنظومة القانونية، وبعبارة أخرى يمكن القول: أنها درجة التطابق بين سلوكيات وسياسات الفاعلين -من حكومة، وقطاع خاص، ومجتمع مدني- والقواعد القانونية.

ترى المفوضية السامية لحقوق الإنسان أن سيادة القانون تتألف من مجموعة من المؤسسات والقوانين والممارسات التي يتم وضعها لمنع الممارسات التعسفية للسلطة (UN 2007, 45) ولتحقق سيادة القانون لابد من توفر أطر قانونية واضحة وعادلة، تضمن حماية كاملة لحقوق الانسان، وهو ما يتطلب نظامًا قضائيًا مستقلًا، وقوة تنفيذية غير فاسدة، تطبق القانون.

17- العدالة (Equity):

يُقصد بها درجة تقديم الحكومة والمجتمع المدني والقطاع الخاص، للخدمات على قدم المساواة، وطبقًا للاحتياجات ومبدأ تكافؤ الفرص، ويعني ضرورة تحقيق المساواة بين الجميع، بغض النظر عن الدين، اللغة، العرق، الجنس، في الفرص الحياتية كافة، لتحسين أوضاعهم، مع وضع سياسات تستهدف تحسين أحوال الفئات المحرومة، من أجل ضمان حاجاتهم الأساسية وأمنهم الاجتماعي (بلخير 2009، 53).

18- العوامل الموجبة للحكم الرشيد:

أصبح الحكم الرشيد مطلبًا عالميًا للمنظمات الدولية والدول الكبرى والنامية وجميع المجتمعات والأفراد على حد سواء؛ لما له من تأثير كبير في التنمية الشاملة ومردود

إيجابي على الفرد والمجتمع في العديد من النواحي الاقتصادية والسياسية والاجتماعية، وأهم العوامل الموجبة للحكم:

1. التغيير الذي طرأ على دور الحكومة، من الفاعل الوحيد للخدمات إلى الشريك الرئيس.
2. استئصال ظاهرة الفساد عالمياً، وتعيدها للحدود القطرية.
3. استمرار تراجع الأداء الاقتصادي لغالبية الدول النامية.
4. الاستبداد السياسي، وتآكل شرعية الأنظمة الحاكمة.
5. طغيان العولمة على أكثر جوانب الحياة.
6. ضغط المنظمات الدولية لضمان كفاءة برامج التنمية وفعاليتها.
7. التغيير في أنماط حاجات المواطنين وظهور رغبتهم في المشاركة بشكل فاعل.

19- متطلبات ممارسة الحكم الرشيد:

يُعدُّ الحكم الرشيد منظومة متكاملة متداخلة تمس الجانب التشريعي والتنفيذي والقضائي، وتنفذه مكوناته الرئيسية: الحكومة، والقطاع الخاص، ومنظمات المجتمع المدني، ويدعمه قطاع إعلامي حي، ومن ثمَّ فإنَّ الحكم الرشيد يبني بتكاتف الجهود الفردية والمؤسسية، وتوفير الإمكانات المادية، وإتاحة الوقت المناسب للتدرج فيه، هذا في حال توفر البيئة الرسمية والشعبية الداعمة له، أما إذا رُفضت كل أو بعض مبادئه من قبل النخب الحاكمة فإنه يتطلب جهوداً مضاعفة وأوقافاً أطول لتهيئة النخبة الحاكمة لقبوله وتبنيه، فطبيعة الحكم الرشيد تحد من التسلط، فيقلص مساحة التفرد بالحكم لصالح المشاركة السياسية، ويحد من القرارات الفردية لتنمية القرار المؤسسيّ المدروس، ويحارب الارتجال ليفسح للتخطيط والرؤى الاستراتيجية، يحارب الإثنية والعنصرية ويثبت الاستقرار السياسي من

غير إقصاء أو تهميش، يتضايق منه المتنفذون ويساوي بين أفراد الشعب في سيادة القانون عليهم، يكرهه الفاسدون لأنه يكشفهم بشفافيته ويحاربهم وفسادهم، يثير الحماسة لتحقيق مصالح الناس بكفاءة وفاعلية كافية.

وتتمثل المتطلبات الأساسية لممارسة الحكم الرشيد في: الاستثمار في رأس المال الاجتماعي والمؤسسي مع رأس المال البشري (الصحة، التعليم)، وتحديد إطار للحكم الاقتصادي الرشيد، وإعادة تحديد دور الحكومة (البابلي 2018، 11).

وتتحقق هذه المتطلبات عن طريق:

20- الإرادة السياسية:

تعد الإرادة السياسية قاعدة الحكم الرشيد ومنطلقه فهي من يفسح المجال للمجتمع المدني والقطاع الخاص في إدارة الدولة، فالنخبة الحاكمة الرشيدة تقود عملية ممارسة الحكم الرشيد وتذلل الصعوبات وتوفر الإمكانيات اللازمة لممارسته، وتعلن التعبئة العامة نحو ممارسته.

21- المعرفة الشاملة:

المعرفة أداة الإدارة وسبيلها لممارسة الحكم الرشيد، ومجال المعرفة واسع وأنواعها متعددة، والمقصود بها المعرفة اللازمة لممارسة الحكم الرشيد.

22- التخطيط الاستراتيجي:

يعد الحكم الرشيد طويل المدى، ومن جهة أخرى لا يحده سقف ويظل يتطور ويتحدث وفقاً للمعطيات، لذا يتطلب خطاً استراتيجياً لممارسة مبادئه وتطويرها.

23- التهيئة الإعلامية:

يتطلب الحكم الرشيد تكاتف جهود المؤسسات الرسمية والأهلية والأفراد لنشر ممارسته، ويحتاج إلى موارد مادية، وقد يتضرر المنتفعون بغيابه، فالتهيئة الإعلامية ضرورية لحشد الجميع نحو الممارسة الفاعلة.

24- التشبيك بين مراكز البحث العلمي والجهات التنفيذية:

تقدم المراكز البحثية رؤى علمية معاصرة لتقييم ممارسة الحكم الرشيد ومواطن الضعف والقوة، وتضع توصيات مدروسة لتحديث الخطط الاستراتيجية أو التشغيلية بما يحقق سياسات الدولة العامة.

25- الاستفادة من تجارب الدول المتمكنة من الحكم الرشيد:

الأعمال الإدارية بنائية ولا تبدأ من الصفر، وبدلاً من ضياع الأوقات والجهود والأموال في التجارب، يستفاد من التجارب الناجحة بعد تهذيبها بما يضيف عليها قيمة مضافة، ولا يفقدها قيمتها.

ثالثاً: الدراسة العملية:

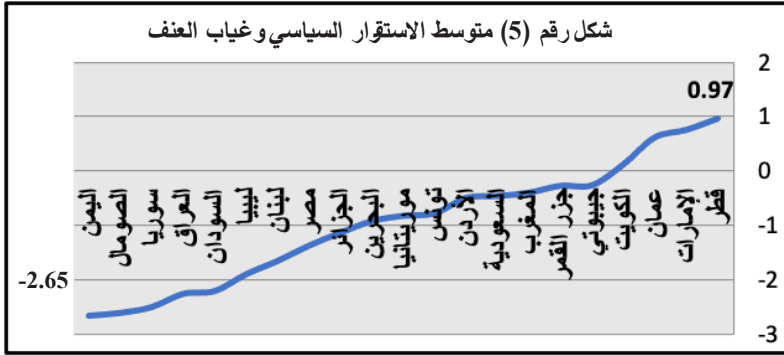
يهدف هذا الجزء إلى تحليل الحكم الرشيد في الدول العربية، عن طريق دراسة المؤشرات العالمية للحكومة باستخدام برنامج (SPSS) للتعرف إلى قيمها مقارنة بقيم مؤشرات الدول المتمكنة منه وتحديد الفروق بينها ودلالاتها¹، وكذا التعرف إلى الفروق بين مؤشرات الحكم الرشيد للدول العربية النفطية وغير النفطية².

1- التحليل الوصفي للبيانات:

استخدم البحث بيانات المؤشرات العالمية للحكومة (الصادرة بتاريخ 25 سبتمبر 2020م وهي تقدم تقديرات بين أعلى قيمة 2.5 وأدنى قيمة -2.5، واستُخرجت المتوسط لمدة

¹ هي الدول التي حازت على أكثر من 90% في الترتيب العالمي لمؤشرات الحكم الرشيد وهي: نيوزيلندا، النرويج، فنلندا، سويسرا، السويد، لوكسمبورغ، الدنمارك، هولندا، ليختنشتاين، كندا، أستراليا، النمسا، أيسلندا، أندورا، إيرلندا (WGI 2020)

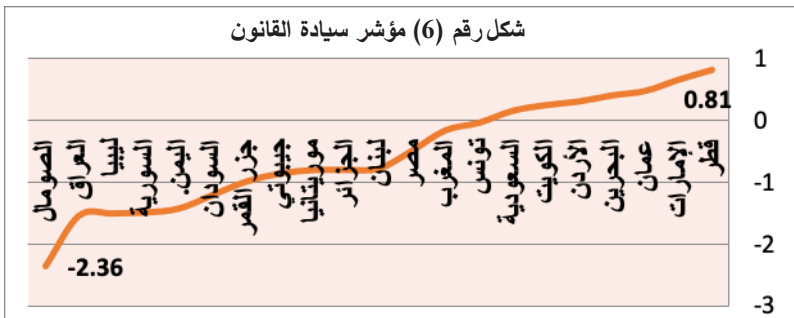
² الدول العربية النفطية هي (السعودية، العراق، البحرين، الجزائر، قطر، عمان، الإمارات، الكويت، ليبيا) بحسب (صندوق النقد العربي تقرير 2019، 193).



وما يزيد العنف ويذكيه الصراع الطائفي المقيت، الذي إذا حضر غابت الحلول، وطال أمد الصراع، كما أدى ضعف الدولة إلى ظهور بعض الجماعات الإرهابية كما حدث في أبن عام 2013 وغيرها، فضلاً عن طبيعة تكوين المجتمع اليمني القبلية، وانتشار الأسلحة في أيدي المواطنين.

4- سيادة:

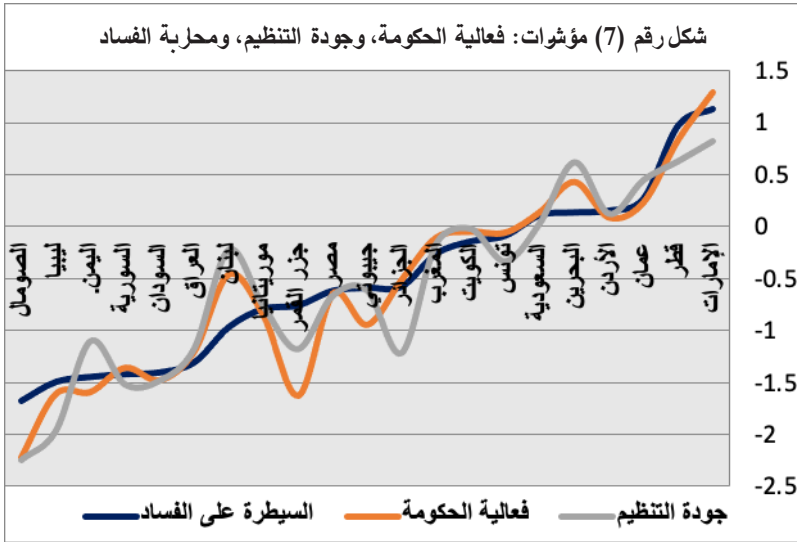
تصدر دولة قطر في مؤشر سيادة القانون بقيمة 0.81 كما يوضح ذلك ال (6) وهذا يتفق مع دراسة العجلوني التي خلصت إلى تصدر قطر عن الدول العربية في الحكم



الرشيد (2013، 15)، كما يلاحظ أن دول الخليج والأردن حققت قيماً موجبة، ويعزى ذلك إلى أن أنظمة الحكم في تلك البلدان تهدف إلى تثبيت حكمها وفرض النظام والالتزام

بالقانون نسبياً، أما البلدان العربية الأخرى فتعاني من تدني مؤشر سيادة القانون، حيث سجلت قيماً سالبة أدناها الصومال بقيمة -2.35.

حكومة، جودة التنظيم، السيطرة على الفساد:



جمعت المؤشرات (فعالية الحكومة، جودة التنظيم، السيطرة على الفساد) في الشكل رقم (7) لتقارب قيمها في الدول العربية، ويتضح تصدر الإمارات في هذه المؤشرات 1.29 و1.82 و1.12 على التوالي، ونالت الصومال أدنى المراتب بقيم -2.22 و-2.25 و-1.67، ويعزى ذلك لتلاشي دور الحكومة خلال أكثر فترة الدراسة، تسبقها في الترتيب ليبيا واليمن يعزى تدني حالتهما لحالة الصراع التي تعيشها هذه البلدان، وللتعرف أكثر على البيانات الإحصائية ندرس الجدول رقم (2).

المقاييس الإحصائية	السيطرة على الفساد	سيادة القانون	جودة التنظيم	فعالية الحكومة	الاستقرار وغياب العنف	الصوت والمساءلة
المتوسط	-5179	-5430	-5741	-5616	-9564	-11036
الانحراف المعياري	.80501	.87330	.87644	.91648	1.11330	.51563
التباين	.648	.763	.768	.840	1.239	.266
الالتواء	.395	-173	-154	.121	.013	.040
التفلطح	-548	-852	-839	-640	-966	-513
المدى	2.81	3.17	3.08	3.51	3.62	1.92
أدنى قيمة	-1.68	-2.36	-2.25	-2.22	-2.65	-1.99
أعلى قيمة	1.13	.81	.82	1.29	.97	-.06

جدول رقم (2) البيانات الإحصائية لمؤشرات الحكم الرشيد للدول العربية

يتضح من (2) أن أدنى مؤشر للدول العربية هو الصوت والمساءلة بمتوسط -1.10 و بانحراف معياري 0.515 وتتوافق الدول العربية بالنزول إلى تحت -0.6 في هذا المؤشر بمدى 1.92، ويعزى ذلك إلى تدني مستويات الحريات العامة وحقوق الإنسان في الوطن العربي، كما يوضح الجدول تدني متوسط مؤشر الاستقرار السياسي وغياب العنف بمتوسط -0.96 وانحراف معياري 1.11 ويشير إلى تفاوت الدول العربية في الاستقرار بمدى يصل إلى 3.62؛ لأن بعضها حقق استقرارًا ملموسًا مثل قطر والإمارات وعمان والكويت، وعلى النقيض تعاني بلدان أخرى من وطأة العنف والصراع المسلح لاسيما الدول التي شهدت تحولات سياسية مثل اليمن سوريا العراق ليبيا، وبصورة عامة يوجد تدنٍ كبير في المؤشرات ذات الطابع السياسي، بالمقابل ارتفاع متوسط الدول العربية بصورة طفيفة في المؤشرات ذات الطابع الإداري وهي فعالية الحكومة وجودة التنظيم وسيادة القانون والسيطرة على الفساد، وتتمحور هذه المؤشرات حول الوسط -0.55 بانحراف معياري 0.86

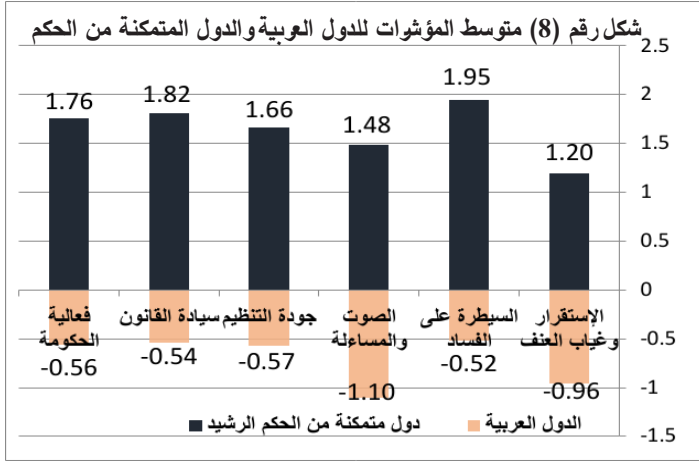
تتميز مبادئ الحكم الرشيد بقدرتها على المناورة العمل الجزئي، فإذا كانت المشاركة السياسية لا تقبلها بعض الأنظمة فإن أمامها المشاركة المحلية والاجتماعية والتنفيذية واتخاذ القرار، وغيرها من أنواع المشاركات الأخرى، وإذا كانت بعض المؤشرات لاسيما السياسية تتعارض مع بعض أنظمة الحكم فإن أمامها المؤشرات الأخرى التي تتوافق مع جميع أنظمة الحكم.

6- اختبار الفروض

أ- الفرضية الأولى:

لا توجد فروق ذات دلالة إحصائية عند مستوى دلالة 0.05 بين متوسطات مؤشرات الحكم الرشيد في الدول العربية ومثيلاتها في الدول المتمكنة منه. $H_0: \mu_1 = \mu_2$

يتضح من خلال ال (8) حجم الهوة كبير بين مؤشرات الحكم الرشيد للدول العربية والدول المتمكنة منه، ويلاحظ أن متوسط فروق المؤشرات 2.35 بانحراف معياري 0.15 وللتحقق من هذه الفرضية قمنا باختبار (ت)، وبعد التأكد من فرضيات الاختبار وشروطه كانت النتائج كالتالي:



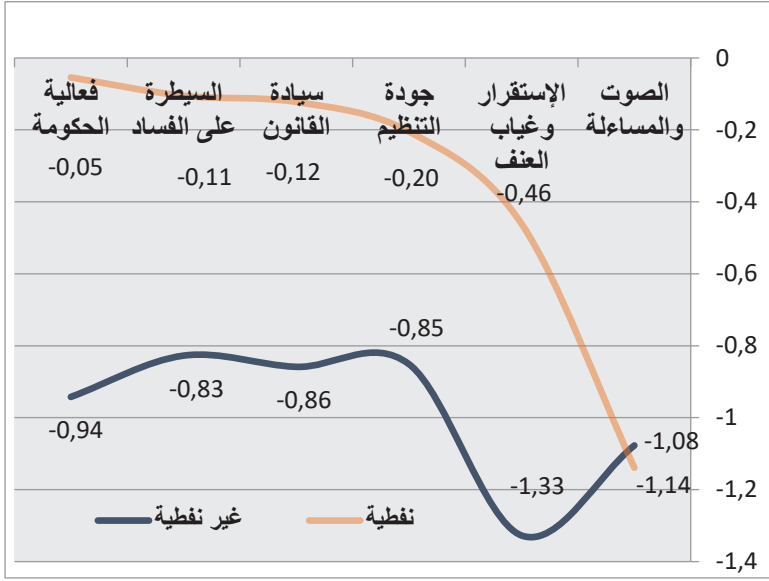
نلاحظ من ال (3) أن متوسط فروق مؤشرات الحكم الرشيد بين الدول العربية والدول المتمكنة منه 2.35 بانحراف معياري 0.15 ونلاحظ أن معنوية (ت) أقل من 0.05، وعليه نرفض الفرض الصفري، ونقبل الفرض البديل بوجود فروق ذات دلالة إحصائية عند مستوى دلالة 0.05 بين متوسطات مؤشرات الحكم الرشيد في الدول العربية والدول المتمكنة منه لصالح الدول المتمكنة، ويعد فارق الصوت والمساءلة أكبرها 2.58 ويعزى ذلك لتقدير الدول المتمكنة من الحكم الرشيد لحرية التعبير ووجود مؤسسات يمارس عبرها مؤشر الصوت والمساءلة في ظل غياب ذلك في أكثر الدول العربية، ويتفق هذا مع تقرير البنك الدولي، حيث يرى أن المساواة هي نقطة الضعف الأساسية في منطقة الشرق الأوسط وشمال أفريقيا (البنك الدولي 2003، 17).

ب- الفرضية الثانية:

لا توجد فروق ذات دلالة إحصائية عند مستوى دلالة 0.05 بين متوسطات مؤشرات الحكم الرشيد في الدول العربية النفطية وغير النفطية. $H_0: \mu_3 = \mu_4$.

من ال (9) يلاحظ أنّ الفارق الأكبر بين المتوسطات لمؤشر الفاعلية 0.88 بانحراف معياري 0.36 وبمعطيات قريبة منها في مؤشر سيادة القانون وجودة التنظيم تليها الاستقرار السياسي، أما مؤشر الصوت والمساءلة فكان الفارق لصالح الدول غير النفطية بمتوسط -0.061 وانحراف معياري 0.0213

t-test for Equality of Means							
Mean Difference	Sig. (2-tailed)	t	Std. Deviation	Mean	N	تصنيف	المؤشر
2.59	0.00	22.13	0.12	1.48	15.00	2	الصوت والمساءلة
			0.52	-1.10	21.00	1	
2.15	0.00	8.69	0.18	1.20	15.00	2	الإستقرار وغياب العنف
			1.11	-0.96	21.00	1	
2.32	0.00	11.31	0.17	1.76	15.00	2	فاعلية الحكومة
			0.92	-0.56	21.00	1	
2.24	0.00	11.23	0.22	1.66	15.00	2	جودة التنظيم
			0.88	-0.57	21.00	1	
2.36	0.00	12.14	0.14	1.82	15.00	2	سيادة القانون
			0.87	-0.54	21.00	1	
2.47	0.00	12.85	0.30	1.95	15.00	2	السيطرة على الفساد
			0.81	-0.52	21.00	1	
1 الدول العربية 2 الدول المتمكنة من الحكم الرشيد							
جدول رقم (3) اختبار (ت) الدول العربية والدول المتمكنة من الحكم الرشيد							



شكل رقم (9) متوسطات الدول العربية النفطية وغير النفطية

وهذا يدل أنّ بيانات الدول العربية بشقيها النفطي وغير النفطي متفاوتة في قيم هذا المؤشر، وبصورة عامة يتضح من ال (9) مقداراً الفرق المتواضع بين الدول العربية النفطية وغير النفطية في الحكم الرشيد؛ حيث بلغ متوسط فروق مؤشرات الحكم الرشيد بين الدول العربية النفطية وغير النفطية 0.63 بانحراف معياري 0.35 لصالح الدول النفطية، وللتحقق من هذه الفرضية قمنا باختبار (ت) وبعد التأكد من فرضيات الاختبار وشروطه كانت النتائج كما في ال (4) التالي:

t-test for Equality of Means							
Mean Difference	Sig. (2-tailed)	T	Std. Deviation	Mean	N	تصنيف	اقتصادي
-0.06	0.78	-0.29	0.32	-1.14	9	1	الصوت والمساءلة
			0.64	-1.08	12	2	
0.87	0.08	1.87	1.17	-0.46	9	1	الاستقرار السياسي وغياب العنف
			0.95	-1.33	12	2	
0.89	0.02	2.46	0.93	-0.05	9	1	فعالية الحكومة
			0.73	-0.94	12	2	
0.65	0.10	1.76	1.00	-0.20	9	1	جودة التنظيم
			0.69	-0.85	12	2	
0.74	0.05	2.06	0.92	-0.12	9	1	سيادة القانون
			0.72	-0.86	12	2	
0.72	0.04	2.23	0.90	-0.11	9	1	السيطرة على الفساد
			0.58	-0.83	12	2	
I الدول العربية النفطية 2 الدول العربية غير النفطية							
جدول رقم (4) اختبار (ت) للدول العربية النفطية وغير النفطية							

من خلال ال (4) يلاحظ أنّ معنوية (ت) في مؤشر الصوت والمساءلة، والاستقرار السياسي وجودة التنظيم أكبر من 0.05 وعليه فإنّ الفرق بين متوسطات هذه المؤشرات ليست ذات دلالة إحصائية، فنقبل الفرض الصفري القائل: لا توجد فروق ذو دلالة إحصائية عند مستوى الدلالة 0.05 بين مؤشر الصوت والمساءلة، والاستقرار السياسي وجودة التنظيم (المؤشرات ذات الطابع السياسي) للدول العربية النفطية وغير النفطية، وهذا يتفق مع دراسة صمويل هنتنتون، حيث يرى أن التطور الاقتصادي والاستقرار السياسيّ هما هدفان مستقلان والتقدم نحو أحدهما ليس له بالضرورة علاقة بالتقدم نحو الآخر (هنتنتون 1993، 13).

بعكس مؤشرات فعالية الحكومة وسيادة القانون ومحاربة الفساد فإن معنوية (ت) أصغر من أو تساوي 0.05 وعليه فإن الفرق بين متوسطات هذه المؤشرات ذو دلالة إحصائية. فنقبل الفرض البديل القائل بوجود فرقا ذات دلالة إحصائية عند مستوى دلالة 0.05 بين متوسط مؤشرات فعالية الحكومة وسيادة القانون ومحاربة الفساد (المؤشرات ذات الطابع البيروقراطي) للدول العربية النفطية وغير النفطية لصالح الدول النفطية، وهذا يتفق مع تقرير البنك الدولي، حيث يرى أن الدول ذات الدخل المتوسط الأعلى تتمتع بنوعية لإدارة الحكم توازي ضعف مثيلاتها في الدول منخفضة الدخل (البنك الدولي 2003، 3)، ومع ذلك وبحسب البنك الدولي فإن إدارة القطاع العام للدول النفطية يقل عما يفترضه دخلها، وبصورة عامة تتقارب الدول العربية النفطية وغير النفطية في المؤشرات ذات الطابع السياسي، وتفتقر في المؤشرات ذات الطابع البيروقراطي.

ج- الفرضية الثالثة:

لا توجد علاقة ثنائية ذات دلالة إحصائية عند مستوى دلالة 0.05 بين مبادئ الحكم الرشيد لدى الدول العربية.

$$H_0: R=0$$

الارتباطات					
الاستقرار السياسي وغياب العنف	فعالية الحكومة	جودة التنظيم	سيادة القانون	السيطرة على الفساد	
.450*	0.364	0.386	0.411	0.358	الصوت والمساءلة
	.797**	.802**	.863**	.905**	الاستقرار وغياب العنف
		.948**	.955**	.954**	فعالية الحكومة
			.953**	.920**	جودة التنظيم
				.956**	سيادة القانون
0.05. Correlation is significant at the 0.05 level (2-tailed). (ثنائي الطرف)					
0.01. Correlation is significant at the 0.01 level (2-tailed). (ثنائي الطرف)					
جدول رقم (5) ارتباط مؤشرات الحكم الرشيد لدى الدول العربية					

يتضح من ال (5) أن العلاقة الثنائية بين مؤشرات (السيطرة على الفساد، وفعالية الحكومة وجودة التنظيم وسيادة القانون والاستقرار السياسي وغياب العنف) علاقة طردية قوية جدا ودالة إحصائيًا تتمتع بمعنوية 0.01. ومن ثمَّ نرفض الفرض الصفري ونقبل الفرض البديل توجد علاقة ثنائية ذات دلالة إحصائية عند مستوى دلالة 0.05 بين السيطرة على الفساد، وفعالية الحكومة وجودة التنظيم وسيادة القانون والاستقرار السياسي لدى الدول العربية وهي علاقة طردية قوية، أما علاقة مؤشر الصوت والمساءلة فهي علاقة طردية متوسطة وغير دالة إحصائيًا؛ لذا نقبل الفرض الصفري لا توجد علاقة ثنائية ذات دلالة إحصائية عند مستوى دلالة 0.05 بين مؤشر الصوت والمساءلة والمؤشرات الأخرى لدى الدول العربية ويدل ذلك إلى أن المؤشرات تعزز بعضها ما عدا مؤشر الصوت والمساءلة فيغرد خارج السرب، ويعزى ذلك إلى ضعف المشاركة السياسية في الدول العربية بشكل عام وتدني مؤشرها بمتوسط -1.1 وهو أدنى مؤشر في الدول العربية وضعف الوعي السياسي وهذا يتفق مع دراسة (العجلوني 2013، 15).

رابعًا: النتائج والتوصيات

1 - النتائج:

لقد توصلت الدراسة إلى النتائج الآتية:

أ. تتمتع بعض مؤشرات الحكم الرشيد باستقلالية -نسبية- عن المؤشرات الأخرى، وفي هذه الحالة يمكن التعامل مع المؤشر باستقلالية، فإذا كان لدى نظام الحكم حساسية من بعض المؤشرات لاسيما المؤشرات ذات الطابع السياسي (الصوت والمساءلة، الاستقرار السياسي، جودة التنظيم) فيمكنه ممارسة المؤشرات ذات الطابع البيروقراطي (فعالية الحكومة، سيادة القانون، محاربة الفساد) بكفاءة وفاعلية.

ب. يُستخدم كل مؤشر من مؤشرات الحكم الرشيد في عدة مجالات، وإذا كانت طبيعة نظام الحكم لا تسمح بممارستها في بعض المجالات فإنه يمكن

ممارستها في المجالات أو المستويات الأخرى المتاحة، ويمكن تحقق تفوقاً
عاليًا في مجال ما وتتعثّر في مجال آخر، فإذا كانت الأنظمة الشمولية
لا تسمح بممارسة المشاركة السياسيّة، فإنّ أمامها المشاركة المجتمعية
والمحلية، واتخاذ القرار، والتنمية، وتقدير الاحتياجات، وغيرها من
المشاركات.

ج. تبين أنّ حجم الفجوة بين ممارسة الدول العربية للحكم الرشيد والدول
المتكئة منه كبير جدًا، في جميع المؤشرات.

د. تبتعد أكثر الدول العربية عن النموذج الافتراضي للحكم الرشيد، وتقترب
بشدة من النموذج العسكري لأن أنظمة الحكم في هذه الدول ملكية شمولية
أو عسكرية قمعية، ويتبدى مؤخرًا ملامح الحكم الإثني (الطائفي)
التيوقراطي في بعض البلدان العربية.

هـ. تشير قيم المؤشرات على تدني جميع الدول العربية في مؤشر الصوت
والمساءلة حتى الدول التي تتمتع بهامش ديموقراطي.

و. توجد فروق في ممارسة مبادئ الحكم الرشيد بين الدول النفطية وغير
النفطية في المؤشرات ذات الطابع البيروقراطي (فعالية الحكومة، سيادة
القانون، محاربة الفساد).

ز. تتمتع الدول النفطية بممارسة أفضل لمبادئ الحكم الرشيد ذات الطابع
البيروقراطي.

ح. لا توجد فروق ذات دلالة إحصائية بين الدول النفطية وغير النفطية في
ممارستها لمبادئ الحكم الرشيد ذات الطابع السياسي (الصوت والمساءلة،

الاستقرار السياسي وغياب العنف، جودة التنظيم) وكل دولة لها ممارستها الخاصة بها بغض الطرف عن كونها نفطية أو غير نفطية.

2- التوصيات

وفي الختام توصي هذه الدراسة بالآتي:

- أ. نشر مفاهيم ومبادئ الحكم الرشيد في الأوساط الإعلامية؛ لإقناع النخب الحاكمة بأهميته وتنمية الضغط الشعبي على الحكومات لممارسته.
- ب. التركيز على المؤشرات الإدارية، التي يمكن تطبيقها في أي دولة باختلاف طبيعة نظام الحكم.
- ج. الاهتمام بمجالات كل مؤشر من مؤشرات الحكم الرشيد كافة، لاسيما التي لا تتعارض مع طبيعة أنظمة الحكم.
- د. زيادة المساحة الرقابية والمحاسبية لمحاربة الفساد، باستقلالية مالية وصلاحيات قانونية كافية، والتي تُعدُّ إحدى أهم بوابات الحكم الرشيد لعلاقته الوثيقة بسائر المؤشرات.
- هـ. ضرورة تكاتف وتظافر الجهود الحكومية والقطاع الخاص ومنظمات المجتمع المدني والجهود الشعبية لممارسة الحكم الرشيد، وتوعية المواطنين بحقوقهم في المشاركة والمساءلة القانونية على وجه الخصوص.
- و. تعميق القيم الإسلامية والأخلاق النبيلة الداعمة لمبادئ الحكم الرشيد في نفوس الموظفين، وتعزيز الرقابة الذاتية للفرد والمجتمع.

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22. Good Governance in Muslim Societies: The Institutionalization of Values and Demarcation of Authority

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Background

Good governance is a newly introduced concept in the lexicon of modern politics; introduced in the 1980s in a document produced by the World Bank to deal with excessive corruption in developing countries.¹ Recognizing that misuse of public funds by emerging economies has become an impediment to servicing outstanding debts, the World Bank introduced a set of norms to guide policymakers and political actors and identified various measures to enhance political accountability. The literature on good governance was later extended to discussions on governance in industrial and democratic countries. At the heart of these discussions is the realization that public institutions can better function and fulfill their public mandate when they observe a set of norms, grounded in the moral demand for justice and accountability.

Corruption and abuse of power became widespread in Muslim societies in the 1960s and 1970s, as power was often exercised in those societies to benefit the ruling elites, while public rewards were viewed as spoils of the internal wars between rivaling political movements and parties. The ideas of public good and public interest were twisted and reduced to redistribution methods to refunnel wealth from one social group to another, completely neglecting in the process the demands of fairness and the common good. Because post-independence elites in Muslim societies adopted a Western political system, such as liberalism, socialism, and nationalism, those who rejected modern state corruptions turned to the historical political models, most notably the Guided Caliphate seeking refuge in its transcendental grounding in Islamic

¹ World Bank. 1989. Sub-Saharan Africa: From crisis to sustainable growth: A long term perspective study. Washington, DC: World Bank.

revelation. The problem was that, while the Guided Caliphate provides plenty of examples of ethical exercise of power, it does not provide a comprehensive system. More troubling is that modern understandings of traditional Islamic politics are mediated through the Sultanic model that was articulated during the Abbasid Caliphate which embraced in many of its practices the imperial model that existed in the Middle East region under the Roman and Sassanian rule.

This paper advocates a shift from focusing on structural aspects of the political system to the normative aspects of politics. We underscore the centrality of value-based political actions as demanded by both the historical Islamic and modern Western models. Values, both revealed and rational, were always at the core of evaluation of political action in the history of Islam. The same values were embraced by the post reform liberal movement in Western society. Political structure and processes reflect both social needs and limitations of the historical societies in which they were expressed. Therefore, Muslim societies must construct their political system on the foundation of the universal values that guided Muslim and Western scholars, instead of the particular models they developed to overcome the abuses and injustices of their times. The model they articulate should serve as a guide for understanding, rather than a perpetual political system to be completely and uncritically embraced, as is the case today in most Muslim societies.

The Normative Framework for Governance

Good governance is viewed here as a value-based system grounded in a set of universal principles and politically oriented standards capable of bringing about a just political order and an open society whose aim is to allow individuals to develop their lives and realize their latent capabilities. These values are, in essence, the basic goals imbedded in the monotheistic revelations, which constituted throughout history the moral and spiritual foundation necessary for the advancement of human societies. The framework of good governance gives priority to the

examination of political intentions and meanings over the mechanical and the structural elements of the political order. After all, democracy and good governance cannot be evaluated on the basis of performing the procedures and setting the governing bodies, but on the quality public policy is adding to the lives of people. The procedural elements of the democratic process add nothing to the life of people in the Arab republic but serve only as the façade that hide political and economic corruption. The emphasis is on decision-making as it relates to public life, and more specifically on political norms that guide political decisions and action. After delineating the boundaries of good governance, as it has been politically evident in the historical Islamic experience, we must consider the concept of good governance as a relationship between members of civil society and its institutions on the one hand, and those institutions the organs of the state. Consequently, we seek to consider the normative values that accompanied the shift from good governance towards political rules required in contemporary Islamic societies that fulfill engagement of civil society through the principle of democracy (shura).

Good governance is represented by a set of principles emerging from a normative system that ensures fairness and inclusivity, whether at the level of state and local governments, or at the level of civil society and governance. This norm-based approach liberates us from the limits of structure-based analysis and from temporal and geographic specificities, and hence allows us to shed light on public collaborations that make public policy effective instead of retreating into a narrow focus on political structures and procedures, which are constantly changing according to the variables of internal politics and geopolitical pressures. The interest in the political structure, at the expense of ruling values and effective social structures, has generated political systems that claim to adopt the principle of shura in its modern democratic forms. But in reality, it has reduced democracy to procedural rites devoid of the true spirit of consultation, as is the case with electoral procedures that generate through fraud and deception methods fictional results. In societies, the system is

based on employing the security and military fist to consolidate the political leadership of a military nature imposed on the people. Such is the case with the post-colonial Arab states.

Subjecting the temporal to the normative and the political to the ethical was the gift of the monotheistic tradition as manifested in Islamic to the world. Subjugating the political to ethical judgement in historical Islamic states was observed by G.F.W Hegel, one of the most influential philosophers in modern times.² The state founded by the Prophet in Medina was founded on universal normative foundation, and aimed at protecting mankind and defending public interests, without regard to their doctrinal, tribal, national, and religious commitment.³ Therefore, the first political practices and early political writings in the Islamic era were accompanied by a clear effort to search for the foundations of political rationality by defining a set of universal values that are necessary for the establishment of a political society capable of achieving protecting religious freedom and equal dignity. The distinction between ethical politics and good governance, and the emanation of one from the other, has the added value of enabling us to compare Islamic normative principles of governance with other moral and the political systems, as it allows us to evaluate political actions across political system at various levels of development, including political systems that fall short of providing full political participation for citizens. This also allows us to evaluate historical systems and helps us to compare historical Islamic politics with other historical political orders.

While the realization of the benefits of good government criteria would require full-fledged political participation, we can still identify various degrees of value-based governance by examining various political orders to decipher the level of their political maturation, and the extent to

² G.W.F. Hegel, *The Philosophy of History*, J. Sibree, M.A. (tran.), (Kitchener: Batoche Books, 2001), p. 36

³ The covenant of Medina regulated relations among the multi-tribal and multi-religious city on the basis of universal principles.

which they internalize certain important political norms. And because democratic institutions are the result of advanced education and high political awareness, this approach avoids overthrowing the projection of political structures from Western political cultures to others that do not share with them their political norms. Liberal democratic systems may not be suitable for tribal or semi-tribal societies such as Afghan society, which practiced for centuries a form of consultative rule more appropriate for tribal societies through its institution known as “loya jirga,” which in Pashto means “the great council.” Consequently, it becomes possible to adopt the concept of “good governance” to evaluate public policies adopted within this society. The concepts of “good governance” can be used to evaluate public policies in political societies that have chosen a consultative system commensurate with the needs of modern political societies.

Shari‘ah as Universal Values

Shari‘ah is central to the notion of good governance in Muslim society, and the fact that it continues to be subsided is at the heart of political corruption rampant today in Muslim states. For shari‘ah constitutes the milieu in which the ethical values that inform day-to-day activities of a Muslim is grounded, and its disappearance from public life relates to the misunderstanding of what shari‘ah is, not only among ordinary Muslims but also its custodians, contemporary Muslim scholars. The notion of shari‘ah is used broadly by both Muslims and non-Muslims and has become the rallying cry for ordinary people across the Muslim world as it is often perceived as the best solution for the rampant political corruption. It is often used without definition and clarification as all assume it has clear meaning that does not even need to be defined by those who use it. Yet, one finds significant differences in its use even among the jurists. The term “shari‘ah” carries different, and sometimes contradictory, meanings in the minds of those who use it. To many Muslims, it invokes meanings of justice, mercy, benevolence, and

prosperity, prompting them to demand its implementation, because they see its application as an end to the injustice and corruption that is rampant in their societies. For others, shari‘ah is related to coercion, tyranny, the loss of freedoms, and the absence of accountability for the behavior of those who are entrusted with the interests of the people in general, and the application of limits on the poor, not the rich, and the ruled, not the rulers, because these appearances and practices have accompanied for decades the behavior of political regimes that govern their people in the name of shari‘ah. The confusion often comes from using the term “shari‘ah” interchangeably with “fiqh.”

Shari‘ah can only be defined in universal terms and should not be associated with any partial meanings. It is important to separate the concept of shari‘ah from that of jurisprudence, relating to the ritualistic elements of religiosity. Shari‘ah involves those universal aspects of revelation, such as justice, equality, compassion, and the common good. This conceptualization includes the impact of social and historical variance on the provisions of shari‘ah, particularly incorporating the impact of the historical change on collective life, including customs and traditions. Implementing shari‘ah also requires an appreciation of the impact of technological development in transportation and communication on human relationships and social structure. Looking at the relationship between the universals of shari‘ah and its particular expressions, and understanding the dialectics of text and reality, leads to the fact that shari‘ah is defined in the overall meanings that the messages carried to people throughout the history of revelation, and that it is equivalent in its connotations to the meaning of “the book” in the Qur’anic text.⁴ Just as the book is the commonality between the messages that carry different laws, so shari‘ah is the commonality between the doctrines and jurisprudence of jurists throughout the long Islamic history. Shari‘ah is the totality that is not linked to a specific time and place, but

⁴ I elaborated this concept of shari‘ah in detail in a book published in Arabic by Dar Al-Fikr in 2018 under the title Shari‘ah and Society.

rather defines the meanings of truth, justice, and steadfast benevolence for every time and place. Shari‘ah in this sense is determined by its overall objectives, which, as we will show later, override the objectives developed by the advanced jurists and scholars.

Shari‘ah and Law

Perhaps one of the major causes of political conflicts within Muslim societies today is the confusion between the concepts of shari‘ah and law. Shari‘ah, as elaborated by the fiqh corpus, is a set of rules grounded in religious conviction, and it includes many specific rules that are particular to specific religious communities. Law, on the other hand, is a political concept related to the normative rules adopted within the political community and binding on its members. It reflects shared values among communities within the body politic. The two concepts do overlap, but there are obvious differences between the two, which relate to the scope of social responsibility, the limits of reward and punishment, and forms of choice and obligation. Shari‘ah is characterized by a religious specificity, for the Qur’an asserts that every religious group has a “law and a method.” This means that there is a significant area of shari‘ah that cannot be applied on people of different convictions and religious and sectarian affiliation that the state has no right to enforce. Again, the Qur’an makes it abundantly clear that people are free to follow their convictions in matters relating to religious choice and obligations.⁵

The difference between the moral and the legal was not always clear in historical Islamic societies due to its communal organization, and its ability to form voluntary communities of fiqh, which was represented during the Ottoman reign by the millet system. Confession groups and religious sects were differentiated geographically and administratively,

⁵ See for example: “We have ordained a law and a Way of life for each of you. If Allah wanted, He could have made all of you a single nation. But He willed otherwise in order to test you in what He has given you; therefore, try to excel one another in good deeds. Ultimately you all shall return to Allah; then He will show you the truth of those matters in which you dispute.” (Qur’an 5:48).

allowing each to adopt a set of laws of their own, without having to submit to a centralized legal system imposed on all of them. Only the general administrative law that regulated the relationship between the confessional groups or addressed issues of common good in shared security, commerce, and war came under the purview of the central authority. This system persisted for centuries under the Ottoman administration, before it was abandoned and replaced by the unitary system of the modern Turkish state.⁶

To satisfy the need to separate issues related to the religious rules specific to particular religious communities, and the organization of the modern state, there is an urgent need to develop two parallel legal systems. The first is specific to the religious group and the other is common to the components of the political community, as is the case, for example, in the jurisdiction of religious groups in Muslim countries with family laws related to religious duties. The general legal system is under the purview of state legislation and elected political authorities, to ensure that the participation of various religious communities under a unified constitutional law that recognized the equal dignity of all citizens. The boundaries of the two systems and the relationship between them is an important topic that needs discussion and scrutiny to develop a political system that meets the requirements of political rationality in modern societies.

Doctrinal Pluralism and Human Rights

The Medinan model of a pluralistic society has generated an open culture that strengthens the dignity of human beings regardless of their ethnic or national origins, or their ideological or religious affiliations. This very model allowed Muslims to achieve a global civilizational unity in which the Arab, Persian, Indian, Berber, Kurd, and Turk contributed to the wellbeing of the totality. The contributions were both inter-ethnic and

⁶ Stanford J Shaw and Ezel Kural Shaw, *History of the Ottoman Empire and Modern Turkey* (Cambridge University Press, 1977).

inter-religious, as Christians and Jews were part of the collective effort to enhance collective life. The universality of the culture that accompanied the civilizational development that reached its peak in the fifth century CE was not, of course, the result of a process of concocting the values of the peoples that formed the Islamic society; nor was it the result of any reconciliation between Islamic, Christian, and Jewish perceptions and beliefs. Rather, it was grounded in tawhid universalism. The universality of Islamic culture and civilization is not due to elements extraneous to the Islamic vision and value, but rather from them. The universality of the Islamic vision stems originally from the Qur'anic discourse, which emphasized the equality of people in dignity and differentiation by work: "O people, we created you from a male and a female and made you peoples and tribes so you may know each other" (Qur'an 49:13). Different beliefs and religious orientations were united by the common values they share, as the Qur'an stressed the notion of common ground for diverse communities: "Say, O People of the Book, come to a common word between us and you, that we do not worship but God and do not share anything with Him, and do not take some of us as lords besides God, and if they turn, then say they bear witness that we are Muslims" (Qur'an 2:64).

This open vision is the basis on which modern Arab and Islamic societies should be based, which evokes the human values enshrined in the divine messages and achieved by historical Islamic societies within their temporal political order. The principles of truth, justice, solidarity, compassion, and tolerance that the new religion brought have united the community of the city, and its founding document, represented by Medina covenant, ensured the preservation of the dignity and rights of its members regardless of their tribal, ethnic, and religious affiliations. These principles were at the heart of the new vision of humanity and are not, as some contemporary writers claim, tentative. Placing basic human rights before the particular interests of any national or religious community is central to Islamic revelation and the prophetic tradition. The principled

approach to political organization shines in the famous farewell sermon of the Prophet, which he began by affirming basic human rights: “O people! What day is this? They said a sacred day. He asked which country is this? They said a country is forbidden. He asked what month is this? They said a sacred month. Indeed, your blood, property, and honor are sacred to one another.”⁷ The Prophet was not satisfied with affirming these rights, but he asked the attendees to transmit his sermon to the one who was absent from the gathering. It is clear that the discourse that defines the three rights is a universal one, directed at all people and not just the community of believers. The sermon opens with the phrase “O people” instead of “O Muslims” or “O believers.” The Prophet reaffirmed the general nature of his speech with his explicit request at the end of the farewell sermon of those who witnessed it to transmit his speech to the absentee. And in another narration, “Let the witness reach the absent, so that the one who is informed is more aware of the one who hears.”⁸

The three values that the Prophet called to respect and preserve, the first three of the five objectives discovered by jurists around the fourth century CE, stressing that they are the overall goals that control the provisions of shari‘ah. The protection of life, property, and dignity are the among the highest objectives of shari‘ah. The concept of dignity (‘irdh) is protected when the individual’s right to decide matters relating the exercise of freedom of expression and acting out of one’s own volition. Preventing people from expressing and actualizing themselves encroaches on their dignity. The concept of dignity is related to the existential responsibilities of humans and their distinguished position in the cosmos, as they possess a free will and action, and are capable of making the necessary choices to practice their creative mission that contributes to the development of their surrounding environment, given that this task is in fact the embodiment of the meaning of human purpose.

Therefore, forcing the individual to fulfill the whims of another

⁷ Sahih al-Muslim, Book 15, No. 159

⁸ Ibid.

individual by using force or threat is a violation of that person's dignity, and it can only be considered in the circle of blatant aggression, and viewing it as a heinous crime requiring that the perpetrator be punished. Likewise, preventing a person from realizing his or her options without good reason related to causing real harm to the interests of others, or clear harm to the public interest, is also an affront to human dignity and a denial of a natural right. Therefore, dignity, in its deepest sense, is not a social license to do whatever a person desires, but rather a deep sense of moral independence that enables him or her to act according to moral obligations and emotional convictions, regardless of whether their choices coincide with those of others. It is precisely for this reason that the behavior of those who are willing to give up their moral independence and their moral obligations, in exchange for personal benefits at the expense of others, raises an extremely negative image of the concept of dignity. We, by our very nature, value people who maintain their positions stemming from moral convictions and commitments, despite the high price.

Conclusion

The paper proposes a departure from understanding Muslim governance through historical structures and procedures that were developed over the early centuries of Islam and focus on the value system and how it can best be manifested through sociopolitical ideas and institutions relevant to modern times. This requires a distinction be made between the notion of religion as ritualistic rules intended for the followers of a particular religious tradition, and the universal elements of shari'ah that affirm innate human values that are necessary to maintain just political order. This train of thought lead to contemplating the nature of the law and the need to develop public and private legal systems to cater for the political and shared needs of a multi-religious and multi-doctrinal society, and the private needs peculiar to individual religious traditions.

IX. The Way Forward: Defining the Imperatives for the Political Revival of the Ummah

23. Exploring a New Paradigm for the Revival of the Muslim Ummah

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Presentation

I am going to argue that at this point in time, what our Ummah really needs is to launch a new civilizational experience based solely and principally on an Islamic model. I will try to make four points in support of this argument.

First, I would like to define what I mean by civilizational model. This is the kind of term that can bear many interpretations. A civilizational model as I define it for the purpose of this discussion is a culmination and reflection of world views, core beliefs, basic doctrines, fundamental value systems, and shared sentiments that guide every significant aspect of life in any particular society. Civilizational models guide knowledge, culture, economic and political systems, urban life, how education, health, security, and justice are practiced and performed, the formation and functioning of families and other fundamental social units. As such, civilizational models are at the core of any significant collective human experience.

My second point, which is the key argument I am making today, is that it is time for the Ummah to revisit a key aspect of life, a reality we have lived with for the last couple of centuries, namely, that we can run our lives on the basis of coexistence between two civilizational models that are contradictory in very significant ways, the Islamic model and the secular model. The secular model came to our nation through the mega-colonial project that has taken place and is still going on all over the world. We have managed to live our lives particularly in the last century thinking that we can adapt the manifestation and outcome of these two models simultaneously.

My point is that this formula is no longer working. The revolutionary waves, the mega-changes, and the huge unrest sweeping our Ummah are manifestations of this assertion: that we as an Ummah cannot continue to embrace two contradictory models any longer. We need to make a conscious choice to deal with this contradiction.

My third point is that choices of that nature fall under the category of supremely significant religious duties. If it is an individual and collective religious duty for us to pray, to treat each other well, to follow the laws of inheritance and so on, it is an Ummatic duty to position Islamic civilizational models at the core of our lives.

This very fundamental religious obligation is something we often downplay in both our intellectual as well as activist endeavors. Perhaps we feel unable to carry such a huge mission. Yet, let us all remember that Muslims are exempt from living up to this obligation only if they are completely unable to do it. These should be exceptional times, and should be perceived as such, not as “business as usual” for our Ummah affairs. If you looked back at the history of our Ummah, and focused especially on the last two centuries, you would hardly be able to classify them as healthy, prosperous, or blessed times. Why? Because we have imported another civilizational model with very a different doctrine, worldview, and value system, and sort of married it to an Islamic civilizational model and let ourselves and our lives be shaped accordingly. This is not accepted as a preferred reality, only as a very regretful necessity.

The fourth point that I would like to make today is that, in reality, neither of the two aforementioned models has been able to assert its dominance over our lives, especially in the last few decades. It is not just that they fail to coexist, they are also at a point in their interaction where it has become very hard for one of them to dominate over the other.

This reality, this ongoing civilizational tension where between two competing models neither of them is able to dominate, has been, in my opinion, at the core of the massive unrest we are experiencing today. Let me focus on one example to make matters clearer. Why have

Egyptians not been able to agree to a developmental paradigm for the last hundred years? When you start a national development program, you need to have a dominant paradigm guiding it. Why haven't we been able to do that? The most plausible answer in my mind has to do with this civilizational tension. If a group of sincere, well-meaning Egyptians came together today and debated how to launch a national development program in Egypt right now, what would the ultimate goal of development be? Should the goal revolve around a human being so driven by progress—by making visible and significant quantitative advances in their lives and careers, in the amount of money they make, the number of degrees they acquire, or the number of years of experience they have? Should a human being be engulfed in this cycle of production, consumption, and debt? Should this be the ultimate target of development? Or should development revolve around a human being who is advancing in life by becoming more pious, by living up to values of justice, dignity, harmony, and freedom—by imprinting in the world the image of a just and dignified life not only for himself but for humanity at large?

These are two very different ideals. You simply cannot launch a national development program not knowing which ideal you embrace, and you certainly cannot embrace competing ideals.

Moreover, you cannot launch a national development program if you do not know what institutions to base this development on. In the late 1970s and early 1980s in Egypt, we started witnessing an introduction of multinational corporations. Soon after, we started observing the creation of a class of professionals in the country; the multinational professional class, with a different kind of norm. In accordance with the typical organizational culture of multinational corporations, these professionals were being expected to travel all the time, work long hours, make work in these corporations the core meaning of their lives, and so on. Sure enough, a few years later you can visibly see the transformation of these professionals into what can be called the financier parent (sometimes

dubbed the ATM Dad), financing and enabling much higher consumption levels, and generally an elaborate/material lifestyle, for their kids and their families.

The relevant question here is if you were building a developmental project for a nation inspired by an Islamic model, would these be the kinds of family dynamics you want to create? Experience shows that, with time and accumulation, a western/secular style of national development would almost inevitably challenge, and outright diminish, the institution of the family. If you're launching a national developmental program and you want to look at one model to adopt, which institutions would you rather have and put your weight behind the corporation as we know it, or the family as humanity has known it for centuries?

Going back to the key argument, I argue that there is going to be a void, a gap, a huge missing piece of the puzzle if we only tackle one aspect of this civilizational experience, in this case the political system. We can debate whether and how to build Islamically motivated political systems, and whether this is preferred to adapting to the kinds of political systems that exist now. But if this were the whole discussion, we would be missing a larger picture.

These political systems are in very dynamic dialogue and interaction with every other aspect of life. And every other aspect of life is inspired and influenced by civilizational models. So, rather than simply accepting that we have democracy and democratic institutions, and trying to solve our issues through them, I believe we should go straight to the heart of the issue and ask, first, what core value systems matter to us, and second what kind of political system is more aligned with them. This will permit us to inquire about other aspects of human life that influence and are influenced by political/economic systems as well, including knowledge, culture, education, health, security and more. In doing so, we can nest this whole discussion within the larger civilizational perspective I am here discussing.

Why hasn't the Ummah made that choice for the last couple of centuries? Why have we contended with the coexistence of two competing and contradictory models? It seems to me that three distinct factors contributed to this "choice".

Firstly, In spite of the heavy hand of the secular paradigm and the fact that it was carried to our Ummah on the wings of a vicious colonial project, many of us felt that we can still protect our religion, we can still do a lot of great things with our young people, with ourselves, with our lifestyles, with our families, and so on. In other words, the level of perceived threat to the core belief system of the Ummah or its basic institutions was not that extreme.

Secondly, many if not most of the key active contributors to the intellectual and activist forces that have been on the forefront of the Islamic reformist movements were under the distinct impression that the Ummah is largely absent from any possible serious attempt to bring back Islam to our lives in a significant, fundamental way. I would say this perception has been prevalent at least through the second half of the twentieth century. With such a perception, it is only natural for these leading intellectual and activist movements to erect self-appointed "mind guards" blocking even the inclination to address Ummah problems on any level. Without the needed energy of large sectors of the Ummah, how could these movements venture into such highly risky endeavors?

Thirdly, and closely related to the previous point, the huge and accumulating imbalance of power between Islamically inclined forces in our Ummah on the one hand, and potential internal and external adversaries to significant Islamic transformation of our lives on the other, has served as a deterrent to "aggressive" civilizational transformation thinking and action.

As for the perception that the threat to the Ummah's belief system and way of life is not extreme, you can hardly cling to such a perception anymore. Without delving into many details (as they are readily observable in almost every significant aspect of life), I will offer the

following grim proposition: If we fall short of addressing these kinds of civilizational questions at such deep levels, twenty years from now we may not be able to see the Islamic realities we are used to. We will not see families, communities, flocks of young people with prevailing Islamic sentiments towards key issues, and more.

As for the Ummah being largely absent from serious Islamic reformist efforts, one needs to go no further than this vast land swept by consecutive waves of revolutions populated by millions upon millions of people, especially young people, who not only got interested in where their countries were going, but were willing to put even their very lives on the line to practice their right for self-determination.

The Ummah is very much alive, awake, and active. What is missing is not the energy, it is the vision, determination, and spiritual/intellectual/practical leadership willing and capable of articulating and chartering a new course.

The imbalance in power is very real. But it is here for us to overcome, not to surrender to. How, then, should our Ummah overcome the power imbalance in its quest to launch a new civilizational experience inspired by an Islamic model? Perhaps it would help to answer this question by posing another: Have other nations in history risen from positions of weakness? Better yet, how did our Ummah begin its glorious civilization journey fourteen centuries ago? Have those who have risen from positions of weakness, including our Ummah when establishing its first civilizational journey, had all the ingredients of power and influence and knowledge accumulation needed to build a strong position? The answer, I hope, is obvious.

History tells us that the rise from weakness was associated with the presence of certain groups of powerful and highly connected conditions that basically served as huge propellers of change. The issue is therefore conditional, not predetermined. Thus, it is the duty and obligation of people who aspire to rise from weakness to strive to fulfill such conditions to the best of their ability. One such condition is

inspirational ideas. Inspirational ideas are very powerful. In the literature on civilizational history you find one of the most shining examples of this particular condition is the rise of Islam. The Arab peninsula didn't really have much. But within forty years the Islamic civilization was very strong and growing. So the question is, are there inspirational ideas that we can adopt now that have the capacity to stimulate this kind of drive? It takes very special individuals to see these ideas through. These special individuals are not raised in vacuums, they need to be the product of, if you will, certain incubators, certain institutions, organizations, mechanisms, societal realities, and so on that have the ability to bring about individuals capable of taking on these kinds of challenges.

Currently, active Islamic movements need to address the question of whether the incubators that the movements have put in place are in fact producing individuals of that nature. It does not take a great deal of perceptiveness to realize that, for the last few decades at least, these incubators have produced individuals with a great deal of patience and steadfastness. But that is not what is needed to take on civilizational building. We need people with a lot of imagination, with a lot of independence, and with a lot of courage. We might not be at that moment in our history when a true civilizational experience can take off. Yet, we are not in that phase we once were in during the second half of the twentieth century either. We have awakened and gone to work.

But we are in a very critical and very delicate phase of history. We could perhaps turn this moment into a regression toward the mean and take ourselves back to conditions of the previous century. I do not think this is likely, but it is not to be ignored either. We need to marry the ideals we learn from our first civilizational journey with this very complex moment we are living in now.

If we are going to launch a new civilizational experience, and we are not just dreamers without a direction, we need to examine very carefully the areas of key *tadafu'*_as we call it in Arabic (the major

conflicts and struggles) that this civilizational experience is going to have to deal with.

We need to realize that the other civilizational model is actually going through an enormous crisis, which is now at a point where the conflicts and the struggles are of a very dangerous nature. If we as an Ummah are going to come up to the world and introduce our new model and new ideal, it is not going to be an easy ride. Let us not be naive about it, but know exactly what we are dealing with and have our scholars, our think tanks, and our universities tackle the question at the appropriate level.

24. Palestine and the Revival of the Muslim Ummah

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Introduction

I have argued in a previous publication¹ that at its foundational level, the Ummah revival project faces seven major challenges. Some are considered internal, while others are external. The internal challenges include political legitimacy, cultural identity, nationalism and ethnocentrism, an authentic paradigm for social justice and development not based on the capitalist model, and the question of modernity. This presentation focuses on two interrelated external challenges, namely the challenge of independence from foreign hegemonic powers, and the challenge of Israel as a colonial project and formidable threat in the heart of the Islamic world. The Israeli state was created, and has been empowered and sustained by Western powers, to be the ultimate check on any real change and true progress that might challenge or resist their hegemony. The presentation discusses the historical and epistemic factors related to these two challenges and argues that no genuine revival project could succeed without overcoming these difficult problems. The presentation also addresses not only the ‘why’ but also the ‘how.’

Presentation

When CIGA was established a few years ago, one of my most important intellectual concerns was to examine closely the concept of the Ummah. When talking about the Ummah, what do we actually mean? There is of course a Qur’anic conception, a spiritual meaning read by millions. There is also a historical experience that extended for 1300 years

¹ The Arab Awakening Unveiled: Understanding Transformations and Revolutions in the Middle East, American Educational Trust, USA, 2013 (Pen Name: Esam Al-Amin), *Introduction*.

with significant manifestations. In the words of Sudanese intellectual Abu al-Qasim Haj Hamad this historical experience represented “the first Universality of Islam”² But some intellectuals have downplayed this historical experience and stripped it from any political aspect. Prof. Cemil Aydin, for example softened the political character of the concept of the Ummah and tried to argue in his book “The Idea of the Muslim World” that what had existed historically was basically a rivalry among empires rather than a spiritual venture towards an assertion of the collective will of the Muslim body politic. He argued that this notion of the Ummah in its political depiction was in reality an invention by colonialist powers, and ironically advanced by groups belonging to political Islam for pure political reasons. That was basically his argument.

However, my argument in this presentation is in contrast to this reading. I wrote a piece several years ago about the Arab Spring and the setbacks that had taken place in its aftermath.³ I outlined seven challenges facing the people of the region, or at least those who are politically aware or active. Five of these challenges constituted the challenges of legitimacy; identity; nationalism, ethnocentrism, and sectarianism; social justice and economic development; and modernity. However, this presentation will focus on the other two challenges, namely the challenge of independence, which is essentially tied to the question of colonialism and great power competition taking place in the region and across the Islamic world, and the geopolitical manifestation of that struggle, which is the challenge of the threat of Israel as a colonial-settler and hegemonic state in the heart of the Muslim world. I will explain in this presentation why this is an enormous challenge, and how confronting it is tied to the whole revivalist project for the Ummah. So the presentation could be titled: “The Challenge of Israel and the Revival of the Ummah Project”

² Haj Hamad, Abulqasem, “The Second Universality of Islam: The Dialectic of Man, Nature, and the Unseen (Divine Knowledge), Dar Al-Maseera, Lebanon, 1980 (in Arabic).

³ *ibid.*

or alternatively “The Geopolitical Challenge of the Ummah Revival Project.”

My starting point is to underscore the understanding of the concept of the Ummah as argued by the late Prof. Isma'il Al-Farouqi in his Ummatic vision, as he called it in his book "Al-Tawheed." In the book, Al-Farouqi tried to look at the historical experience of the Muslim Ummah in order to have a thread that ties it back to the essence and principles of the Islamic civilization rather than simply being a political project. This approach is not dissimilar to the way Dr. Al-Kazzaz was arguing in his presentation.⁴ My argument is going to be that the Muslim World or the Ummah cannot undertake a revival project without directly facing up to the challenge of the other, that is of colonialism in general, and the settler-colonialist project as its particular manifestation in Palestine. This is not advocating the clash of civilization theory, but rather the argument is that the dilemma of the Ummah's weaknesses cannot be resolved unless dealing with this enormous challenge takes center stage.

Ever since the advent of Islam in the seventh century, Islam has played a crucial role in determining the course of world history impacting the political transformation of world maps, as well as the evolution of international relations with Islamic civilization playing a major role. Within a century of the death of the prophet of Islam, the will of the community of Muslims or believers, collectively referred to as the Ummah, which manifested itself politically in the Caliphate system, had spread from the Atlantic to the Indian oceans, or from Islamic Spain in Andalusia in the West all the way to China in the Far East. It was perhaps one of the fastest political expansions in the history of mankind, particularly when one looks at the rivals or empires that existed at the time, namely the Byzantine and the Persian empires. In fact, within a century of the *Venture of Islam* as the late Prof. Marshall Hodgson called it, both of these empires were either destroyed or diminished. However, this process was not a simple conquest for economic gain or political

⁴ See chapter 23 in this volume.

domination. But from the very beginning it was the commencement of a unique and sophisticated civilization, a vibrant and rich culture that became a powerful player at the world stage. What one has to keep in mind is that what became the political embodiment of the Islamic civilization was an expression of sovereignty, independence, and the ability to express its values and vision as this civilizational process spanned over a millennium. It was a civilization that led the world in all domains.

What people in other parts of the world had called the dark ages, were in reality the golden ages for the Islamic civilization. It was spreading in all spheres of life, in philosophy and law, in political institutions and administration, in economic development and social organization, in science and technology, in trade and commerce, in arts and music, in building architectures and urban centers, in education and institutions of higher learning, of Waqfs or trusts, of taking care of the needy and the downtrodden, and in instituting ethics and constructing legal systems based on the notion of higher values. It was the golden age of human progress in all spheres and aspects of society based on Islamic principles and values. This was what many historians and intellectuals would refer to when discussing the era of *Islamic Civilization*. And this is what is meant by the notion of “the First Universality of Islam.” But this civilization wasn’t without any challenges as it had to encounter many, both internally and externally. As it faced serious external challenges in the realm of politics and geopolitics, there were also significant internal challenges. For example, there wasn’t one or unique caliphate in contrast to how many people might romantically try to portray, as if the Muslim World had one ruler or Caliph, or having a single super state. Actually, at one point the Muslim World may have had five different vibrant centers simultaneously across the vast Muslim world such as in Baghdad, Cairo, North Africa, Istanbul, Isfahan, India, and so on and so forth.

The point here is that these empires have come and gone, but the civilization itself had survived and thrived. It included peoples and

communities across many geographies and many continents. They spoke many languages, came from many tribes and nations, developed many cultures, and even included different beliefs and faiths. Yet, they still perceived themselves as constituting one community as far as they were concerned. They didn't consider their diversity as belonging to different civilizations or a dominant empire or dynasty. They felt spiritual affinity with each other. When people were expelled from Islamic Spain in the 15th century, they felt at home when they left to other parts of the Islamic World. They didn't think that they were foreigners, aliens, refugees or being away from their societies. They adjusted. It was the same civilization, which embraced the feeling that cemented the emergence of the meaning of the one Ummah or one community. This bond was very strong despite having different politics or ideological differences, and despite the existence of different political dynasties. That's why many people didn't feel disillusioned when the Ottomans conquest came about, when they became in charge of the Islamic World, because it was not really much different from what it used to be before. It was still the same civilizational outlook, purpose, and vision.

As mentioned in the Qur'an, Muslims constitute one Ummah, not in the meaning of the nation-state but rather of one community, in the same realm that Prof. Al-Farouqi referred to when he spoke of the Ummahtic vision. But this civilization had also faced external threats. The foremost historical threats came in two major assaults, one was from the Crusaders, while the other came from the Mongols. But these two attacks came at a time of weakness and fragmentation, of disunity and divisions. They came between the 11th and 13th centuries after several centuries of a flourishing Islamic civilization. Even though both invasions were successful at the beginning, they were eventually repelled. The Crusaders had strong faith in their own belief system, namely, Christianity, so they didn't accept to convert or be melted within this great civilization, where faith was central to its core beliefs. So, they were pushed back and eventually left. But the Mongols who didn't have a core system of

spiritual values and beliefs converted and melted in the Muslim body within a few years and became part of the Ummah. By the 16th century, one could see that under the Ottomans the Islamic civilization extended from North Africa, and across what's referred to today as the Middle East, to the Balkans in the heart of Europe, as well as extending east to Persia and beyond. In short, the Islamic civilization was at the center of the world and a major world player. In fact, it had been moving on the offensive for many years. However, as the balance of power was shifting, especially in military technology and power, and as political divisions deepened, Muslims suffered major setbacks such as when they were kicked out of Spain, and later suffered several defeats in the heart of Europe. But nothing could be compared with the emergence of colonialism when the balance of power had shifted significantly and as Muslims had become much weaker.

By the 18th century, the Ottoman empire, which embodied the Ummah in world politics and represented its collective political will as far as the Islamic civilization is concerned, had fallen much further behind in many spheres particularly in military technology, in contrast to the West, which had risen considerably during the age of the enlightenment, and as European powers were no longer fighting each other after the treaty of Westphalia in 1648. By the end of the 17th century, Europe had started venturing outside and launching colonizing campaigns not only in the new world in North and South America, but eventually in the heart of the Muslim world. Within a couple of centuries, much of the Muslim world, whether those who were under the Ottoman rule or under different Islamic empires or states, had become under direct colonial rule or influence. This colonization process happened gradually but culminated in the 19th and early 20th centuries. This is what is referred to as the age of colonialism. What happened here is that instead of looking at the Muslim world as being bonded in faith and culture, and across denominations, diverse ethnicities and languages, the colonialist powers were successful in imposing on this region their own political system, which is the nation-

state through fragmenting these communities, and dividing them to different states and legal structures, thus changing fundamentally the composition of the Muslim Ummah.

This state of affairs was no longer analogous to the Muslim world that had existed for 1300 years, but embodied fragments of it. Consequently, an alien system was imposed on Muslim societies without taking into account their political will, historical experiences or local traditions. As a result, many segments of peoples and societies across the Islamic world were directly occupied and divided among European nations, particularly by Britain and France. The end result was the fragmentation and dismemberment of the Ottoman empire, followed by the dissolution of the Muslim collective political will, which was represented by the Caliphate. Regardless of how people may perceive it today, it was considered at the time the political symbol of what Muslims recognize as one Ummah, or the notion of one Islamic community at the political level. In short, what the Muslim world ended up with was the fragmentation and dismemberment of “the Ummah” into European-imposed nation-states, granted certainly that the European notion of the nation-state system has since become the single most powerful political ideology around the world and the core of the current international system. This ideology is referred to as “nationalism,” which is perhaps in today’s world the single most powerful challenge to all other ideologies, identities, and systems, even to globalization.

My argument is that this transformation within the Muslim Ummah came about because of colonialism and the imposed will of colonialist powers, as well as due to great power competition and rivalry between powerful geopolitical actors. After the Muslim world had been divided and fragmented, colonial powers wanted to make sure that they could maintain their hegemony and control in this vast region. But for that to happen they needed to ensure that these different countries would remain divided, fragmented and under control. They needed to maintain the borders, which they had largely created. But to maintain these

artificial borders, they had to impose or establish regimes that would have to be under their total domination. Hence, they tried to manipulate or exploit whatever divisions existed, whether on ethnic, sectarian or linguistic grounds, in order to maintain these kinds of divisions. There is much literature on this, a large body of historical records and academic works that is full of countless plans, schemes, statements, and documents that show how colonialist powers at the time tried to exploit local leaders and circumstances, create artificial states and maintain them as necessary tools by which they could have control over the entire region. One could easily examine the British and French roles, as well as other colonialist powers, particularly in the interwar period during World Wars I and II.

This role was eventually inherited by the most significant world power that emerged after WW II, namely the United States. Colonialist powers find it in their interest to keep such divisions alive. But even before the United States became the dominant power in world affairs, the British wanted to maintain hegemony and control over the Suez Canal and beyond, because they had colonized India and obviously wanted quick access to it so they occupied Egypt. Moreover, in order for the colonization to maintain firm control, they wanted the region to remain weak and fragmented, and that's one of the primary reasons why they created the state of Israel. I'm not here talking about the history of that struggle because it's beyond the scope of this presentation. But serving Western geopolitical interests was part and parcel of the creation of the state of Israel. In short, creating a foreign and alien entity tied to colonial powers in the heart of the Arab and Muslim world was a major goal for colonialist powers in order to maintain their hegemony, and to keep that vital region fragmented and weak and under their permanent control and domination. The British occupation of Palestine, called British mandate, between the two world wars coupled with the Sykes-Pico accord, had exploited and manipulated some of the disputes that existed within the region and redrew the borders. When the US became the dominant great power in the world after WW II, it had its own grand strategy with regard

to the region, as it had undergone different grand strategies throughout its history. The US was arguably a young country that was founded in the 18th century but within a couple of centuries became one of the most powerful countries around the world. As it became the dominant power, it had an interest in maintaining the world order, which it had greatly shaped particularly after WW II. But to maintain that order, it wanted to make sure that there would be no peer competitor with it at any level. Of course, the Arab and much of the Muslim world after its fragmentation and colonizing experience, were in no way, shape or form able to challenge that hegemony.

Some international relations experts like Prof. John Mearsheimer would say that for any country or any group of countries to constitute a great power, they need at least two things, namely, economic power that over time translates into military might, and a large population. So, when one looks at different Muslim countries today, if the current demographic compositions and nation-state system are maintained, then most Muslim countries, with few exceptions, would be under 100 million people. So, there is no way this nation-state structure could turn into a great economic power in order to compete with existing great powers. In other words, for this to happen, a real unity or integration between several Muslim countries must take place. Looking for example at GDPs around the world today, the Muslim world collectively, including all fifty-seven OIC countries, produce annually about \$7.6 trillion out of an annual world GDP of about \$80 trillion. That's less than 10% of the world's output. And if one takes out the six rich Gulf states from this equation, the number would be much less. The Muslim population around the world number about 1.8 billion, and produce about \$7.6 trillion according to the statistics from the World Bank, while the six Gulf states, which collectively number less than 50 million people (even though the actual people who actually have direct access to or manage that wealth are perhaps a million (tied to royal families and upper elites), produce about \$1.6 trillion, mostly from energy products such as oil and gas. That means about 1.75

Billion Muslims produce less than \$6 trillion which is less than 8% of the world's GDP. So, from a colonialist perspective, in terms of the demography of the Muslim world, they would have to keep that fragmentation of the nation-state system that was created as a result of colonization in order to maintain greater control over it. And that's how they have leverage, and maintain influence and power. If on the surface the US main strategy that emerged after WW I was isolationism, that strategy died pretty quickly by WW II. According to Prof. Mearsheimer four possible grand strategies emerged after the second world war. They are namely, offshore balancing, which many realists advocate, but is only viable when there is bipolarity in the international system (which is what the world experienced during the cold war with the Americans and the Soviets until the collapse of the latter in 1991.) The other strategies are collective security, selective engagement, and liberal hegemony. These are the four grand strategies of the US as argued by Mearsheimer. But one must keep in mind that the overall aim and primary goal of each of the last three grand strategies is to keep US primacy and control of the world order as it had been shaped and as the rules that run the international system have been designed and put in place.

However, when you look at the Muslim world, particularly in the past few decades, you would find that after any attempt to change that fact or any effort to become united and independent, there would be a major assault or pushback by colonial powers against them. One could see this very clearly today for example in the case of Iran as it tries to produce its own nuclear energy as the whole Western structure has been mobilized to frustrate that effort. We could also see this trend in the case of Turkey as it tries to assert its power and influence throughout the region, which historically was closely connected to it. Some of the significant ways major powers frustrate these countries are by imposing crippling sanctions, penalties, or different kinds of conditions and demands in order to weaken them. In other words, it is very difficult for the Muslim World

to unite or advance in any revivalist project because of foreign dependence and interference.

Unless the Muslim Ummah collectively deals with this situation adequately, things would even become much worse. One could provide few examples, such as how the US has built alliances in order to frustrate and prevent any rising power from being too powerful or trying to become a regional power in its own neighborhood. On that matter, look no further than China. This is what's happening today in that region. The US has been working very hard for over a decade in order to prevent China from becoming a great power or regional hegemon in its own region. Why? So that it could not go outside its region and compete with it worldwide. So, the US has built alliances with South Korea, Japan, Taiwan, India, Vietnam, the Philippines, Australia, and others in order to contain China. It's doing the same against Russia as well, and against the Soviet Union before that. It builds alliances in order to contain its rivals and keep these great powers occupied in their own regions rather than going outside and potentially compete with it. We see it also today with regard to Turkey. If you examine Turkey's neighbors, you'd find that they are weak and unable to challenge Turkey's rising power. So, what does an imperialist power do? It embarks on creating a powerful Kurdish region in Northern Syria in order to get Turkey's attention in order to abandon any projection of power outside its immediate sphere. So, Turkey would look inwards rather than going outwards and assert power outside its borders. In short, for the US to maintain its hegemony worldwide it has built hundreds of military bases and established military alliances around the world as part of that grand strategy of maintaining world dominance. One could also see this in the case of Iran, where it's today perhaps surrounded by as many as forty American military bases. Economically speaking, the US wants also to control the world's economy by ensuring that the dollar is maintained as the dominant reserve currency of the world. That's of course done mainly through making sure that oil, gas, and other major commodities are sold in dollars.

What I'm trying to present here is the overall picture that is central to my argument regarding colonialist powers and the future of the Ummah's revival. Israel was created, as I said, as a beachhead for colonialist powers, or as one America military general once described it as an aircraft carrier that was put there so that we don't have to fight. So, the major aim, the main strategic goal of having Israel in the heart of the Arab and Muslim world is to keep this region divided, fragmented, disunited, always on edge while looking over its shoulder, and unable to revive itself. That's why colonialist powers have aligned themselves with the goals of the Zionist movement. The Zionist movement has become the colonialists' functional tool in order to further this strategic goal. So, when we look at the power and influence of the Israeli lobby in the US today for example, it is not just because of the existence of strong Zionist organizations and resources within the country, but also because Zionism serves the overall objective of the empire and the colonial project, which is to keep this area fragmented, disunited, weak, and suppressed. So, in that sense, we have to understand the real meaning of Israel as a western construct. Its existence and maintenance would greatly serve the main colonial designs in the heart of the Arab and Muslim region, where this area is not meant to unite or advance, particularly in the areas of science, advanced technology, or industry, and of course to become truly independent, or be able to express its free political will. We observed this vividly during the Arab Spring movement between 2011-2013. When the Arab Spring erupted, people across the region were full of hopes and aspirations, while Israel became immediately antagonistic and hostile because it understood that the expression of popular will across the Arab World would mean that its manipulation of this region would be threatened and its future in peril. Almost forty years ago a scheme was actually proposed from an Israeli strategic thinker who had also been an aide to the Israeli defense minister at the time Ariel Sharon. This plan was published in 1982 in the aftermath of the Egyptian Israeli peace treaty after the Israelis withdrew from the Sinai. The plan's author, Oded

Yinon⁵, argued that the best strategy Israel must pursue in order to maintain control and hegemony over the area is to fragment it even further. So, in one of the maps where five major Arab countries exist, the plan called for breaking them up into 14 smaller entities. The plan included countries such as Yemen, Saudi Arabia, Iraq, Syria, and Libya. We could also see that there were designs on Egypt and Sudan as well as on the whole region so that Israel would become the dominant country in the region. Actually, events that are taking place today, were actually contemplated and talked about back in 1982. This document was initially written in Hebrew but was later translated by Israeli Prof. Israel Shahak. In his 26-page translation, he outlined at the beginning of the document the real purpose of the plan, which is to have and maintain regional hegemony. But for that to happen, they would have to fragment this region along confessional, sectarian, ethnic, and lingual lines. In fact, this process started all the way back in the 1950s with regards to dividing the Sudan into North and South. It was a project that the Israeli intelligence and security establishment had been working on it since the late 1950s, when the Sudan got its independence in 1956. In addition, the drive to establish a Kurdish state in the region has also been one of the major goals of Israel, because its leaders believe that by creating these different, smaller countries based on confessional, sectarian, or ethnic differences, they would then align themselves with the Zionist state, where it could maintain its overall hegemony. Israeli leaders also believe that by aligning themselves with the small gulf countries, where wealth is concentrated and controlled by few families and monarchs, Israel could become a regional hegemon in exchange for protecting these regimes.

So basically, my argument is that for any revivalist project to succeed, it cannot ignore the geopolitical reality that Israel has a very

⁵ See "The Zionist Plan for the Middle East" by Oded Yinon and translated by Israel Shahak, Publisher: Arab American University Graduates, 1982. See also: "Greater Israel: The Zionist Plan for the Middle East," Israel Shahak, and Michael Chossudovsky: <https://www.globalresearch.ca/greater-israel-the-zionist-plan-for-the-middle-east/5324815>

dangerous and persistent plan, where colonialist and international powers have been providing it with all the resources needed in order to impose it. In fact, it has been trying to manipulate the international system for many decades, with the active assistance of the United States, in order to realize its vision on the region. Therefore, any revivalist project that does not deal with this fact because of other problems, is ignoring this enormous challenge, and will simply fail. We've seen this very vividly during the Arab Spring phenomena and observed how the counter-revolutionary forces were allied within very short time of the uprisings in order to frustrate and defeat these revolutions. Undoubtedly, Israel had played a pivotal and crucial role in organizing and leading this unholy alliance against them. Therefore, it must be noted that the only way one could confront this ominous danger is by having a strategy to confront its schemes and face its threats. And the best way to do it is to resist and adopt a strategy of resistance and defiance by confronting the Zionist project directly. This endeavor would be a major enterprise, and multifaceted project to be pursued on the path to revive the Ummah. In other words, we cannot embark on an authentic revivalist project without seeking independence, and eventually defeating and dismantling the Zionist project. This is the key for becoming independent, and getting rid of foreign control and hegemony.

Simply put, one cannot pursue an Ummah project without actually attaining real independence. And one cannot attain real independence without dealing with the problem of Israel. So as long as Israel exists, the Ummah will remain weak, fragmented, disunited, divided, dependant and under control. And if we ignore this reality, or think that somehow the Palestinian resistance groups or even all Palestinians could deal with that problem on their own then we are mistaken. This problem is beyond the ability of the Palestinian people on their own to deal with in order to dismantle the Zionist project because of the international and geopolitical dimensions. That's why when we say that Palestine is the central issue for the Umma, it's not because

Palestinians suffer more, certainly other people have suffered more. In the last decade, Afghans, Yemenis, Iraqis, and Syrians, have probably suffered much more than the Palestinians since the Nakba. But the significance and centrality of the Palestinian cause is because of what Israel represents in the international system, in the regional order, and in the different relationships taking place across the region to impede all genuine efforts towards revival and progress. Therefore, confronting this looming menace must become a priority. But as I argued before, this is beyond the ability of the Palestinians to do it alone. All efforts must then be united. An authentic revivalist Ummah project must be centered around confronting that grave threat, because when it is defeated, all foreign control and hegemony would be ultimately weakened if not totally eradicated. When the Zionist project is dismantled in Palestine, that's when the Ummah could start what Haj Hamad referred to as "The Second Universality of Islam."

However, the real question is how do we do this? This is a very important question. Israel as any other human project, has its strengths and weaknesses. I've listed in other presentations and publications twelve imperatives in which I argue that if collectively dealt with, the Zionist project would eventually collapse and its colonialist structures dismantled.⁶ But what's needed is to mobilize all efforts that deal with these imperatives, which might involve not only parties, movements and peoples, but also NGOs, civil society institutions, even governments and other powerful actors, not just in the Arab or Muslim world, but also from across the world. This global movement would eventually weaken the Zionist project, where it would eventually collapse. Simply put, this unjust, oppressive, and supremacist system must be dismantled, and when that happens then the will of the Ummah would be reasserted again.

⁶ Al-Arian, Sami, *Ending the Israeli-Palestinian Conflict: A Geopolitical Analysis*, CIGA Lecture Series, May 15, 2020, <https://www.youtube.com/watch?v=ZaNW9AH6uVo>
Summary: https://www.izu.edu.tr/docs/default-source/ciga/webinar-series-summaries/ciga-ramadan-webinar-series---lecture-22-summary.pdf?sfvrsn=52531c87_0

My final word is about Zionism, Judaism, and anti-Semitism. While many people may dismiss this argument as anti-Semitic because of the misconception of equating Zionism with anti-Semitism, I'd argue that this struggle would actually be the savior of Judaism as a religious faith. Zionism is not Judaism and the two must not be confused. Zionism is a settler colonialist project that is willing to use all means and tactics under its disposal without any limits in order to realize its hegemonical goals over the entire region. It was never the expression of upholding Judaism in its spiritual meaning or religious significance. In fact, when the Zionist project is defeated and dismantled, Judaism, one of the greatest historical religious faith in the world, would be saved from the Zionist assault. When Jews were persecuted along with Muslims in Islamic Spain in the medieval era, the main place where Jewish adherents found safe refuge was the Muslim world. It wasn't just in Palestine, but they settled in anyplace they wished across the Muslim world, from Casablanca to Indonesia. But unfortunately, persecutions and pogroms took place again against European Jews in the 19th and 20th centuries because of Europe's discrimination, racism, and anti-Semitism. If Europe and the West cannot absorb or tolerate their Jewish populations, the Muslim World could certainly take them and welcome them again, but as occupiers in Palestine or at the expense of Palestinian rights. And certainly not at the cost of having a colonialist-settler state bent on becoming the hegemon in this region. Confronting and overcoming this challenge is the prerequisite for the eventual success of any serious revivalist movement in the Muslim World.

**Center for Islam and Global Affairs (CIGA)
Fourth International Conference on The Muslim Ummah**

**Governance and Political Authority in the Muslim World:
Examining Theory and Practice**

Links to Conference Presentations

Session I - Opening Session

Opening/Welcoming Remarks

Mr. Bilal Erdoğan, Chairman of the Board of Ilam Yayımları Foundation, IZU

Prof. Dr. Mehmet Bulut, *Rector, Istanbul Sabahattin Zaim University*

Prof. Dr. Emadeldin Shahin, *Provost, Hamad Bin Khalifah University*

Prof. Dr. Sami Al-Arian, *Director, Center for Islam and Global Affairs, IZU*

Links

Opening Remarks: (Bilal Erdoğan)

<https://youtu.be/W14bOVxNt6s>

Welcoming Remarks:

https://youtu.be/CMKo_hCqXrM

Arabic: https://youtu.be/CMKo_hCqXrM

**Session II - Political Authority and Authoritarianism: Examining the
Historical Record**

Session Chair: Dr. Sami Al-Arian, CIGA, IZU

Authority, Legitimacy and Sovereignty in Islamic Thought

Dr. Humeira Iqtidar, *King's College, London, United Kingdom*

Religion and Politics: What History Reveals about Tyranny and Despotism

Dr. Khaled Abou Elfadl, *UCLA School of Law, USA*

**Dismantling Apartheid: What We Could Learn from the South African
Transition of 1994**

Dr. Mahmoud Mamdani, *Columbia University, USA*

Links

English: <https://youtu.be/B1CmOtbCUh0>

Arabic: <https://youtu.be/dsAxy6EMoM>

Session III.A - Islam and Democracy

Session Chair: Fadi Zadari, CIGA, IZU

Islam and the Metaphysics of Democracy

Mr. Ali S. Harfouch, *American University of Beirut, Lebanon*

Democracy and Its Discontents: A Study on Trajectories of Jamaat-e-Islami in India

Mr. P. Hisham Ul-Wahab, *Centre for West Asian Studies, Jawaharlal Nehru University, India*

Social and Economic Support System between Democracy and Islam

Mr. Mohammad Elhamy, *Egyptian Institute for Studies, Türkiye*

Links

English: <https://youtu.be/vzIzbhKIG4U>

Arabic: <https://youtu.be/H9wis044cfU>

Session III.B - Embracing Democracy: Requirements, Perils, Prospects

Session Chair: Dr. Abdullah Al-Arian, Georgetown University in Doha, Qatar

Islamic Law and Democratization

Dr. Deina Abdelkader, *University of Massachusetts, Lowell, USA*

The Perils of Democracy

Dr. Anne Norton, *University of Pennsylvania, USA*

After the UAE-Israel Deal: Prospects, Challenges and Obstacles to Democracy in the Arab-Islamic World

Dr. Nader Hashemi, *University of Denver, USA*

Links

English: https://youtu.be/Z1a1v_3d95A

Arabic: <https://youtu.be/4s0P-KiAz6g>

Session IV.A - Examining Sovereignty, Nation-State, and the Application of Islamic Law in Muslim Societies

Session Chair: Dr. Abdalrahman Migdad, CIGA, IZU

On Sovereignty: Towards A Future Sultanic Power

Mr. M. Üveys Han, *CIGA, IZU*

Umma and Nation-State: Nationalization of South Slavic Muslims

Through the Work of the Islamic Community of Bosnia and Herzegovina

Mr. Ivan Ejub Kostić, *University of Belgrade, Serbia*

Political Obstacles in the Application of Shari'ah (Islamic Law)

Dr. Abdul Hadi Alzaidi, *University of Baghdad, Iraq*

Links

English: https://youtu.be/RPSvk4O5_IM

Arabic: <https://youtu.be/L69Z-7Jixcc>

Session IV.B - Conceptualizing Political Models

Session Chair: Mr. M. Üveys Han, CIGA, IZU

Recalling the Caliphate: Instituting the Caliphate in Modern Times

Dr. Ovamir Anjum, *University of Toledo, USA*

The Caliphate of Man: Examining the Theory of Islamic Democracy

Dr. Andrew March, *University of Massachusetts, USA*

The Tunisian Model: Embracing a New Doctrine: Islam's Liberal Democracy

Dr. Rafik Abdessalem, *Center for Strategic and Diplomatic Studies, Tunisia*

Exploring Islamic Constitutionalism

Dr. Mohamed Almokhtar Al-Shinqiti, *University of Qatar, Qatar*

Links

English: <https://youtu.be/eplYJbfspaY>

Arabic: <https://youtu.be/-9hFkQnt9Eo>

Session V.A - Case Studies in Governance, Government Reforms, and Authoritarianism

Session Chair: Mr. Obeid Ruff, CIGA, IZU

Islamism, Politics and Bangladesh: The Democratic and Political Culture of Bangladesh Jamaate Islami

Mr. Muhammad Nazmul Islam *Yıldırım Beyazıt University, Türkiye* and Dr. Murat Önder, *Boğaziçi University, Türkiye*

Governance Reforms in Türkiye

Mr. M. Metin Uzun, *Yıldırım Beyazıt University, Türkiye* and Dr. Murat Önder, *Boğaziçi University, Türkiye*

Populist Leaders and Authoritarianism in Pakistan

Dr. Zahid Shahab Ahmed, *Deakin University, Australia*

Links

English: <https://youtu.be/4w00bT51PYU>

Arabic: <https://youtu.be/poM0hHLMaF0>

Session V.B - Analyzing Case Studies: Exercising Political Authority I

Session Chair: Dr. Hafsa Kanjwal, *Lafayette College, USA*

Iran - Assessing the Rule of the Jurist (Velayat-e Faqih) four decades later

Dr. Muhammad Ali Mirzaei, *Al Mostafa University, Iran*

Türkiye - Examining Türkiye's Domestic Accomplishments and Challenges

Dr. Mehmet Bulut, *Istanbul Sabahattin Zaim University, Istanbul, Türkiye*

Türkiye - Assessing Türkiye's Foreign Policy over the Last Decade

Dr. Hamit Ersoy, *Istanbul Sabahattin Zaim University, Istanbul, Türkiye*

Malaysia - Courts, Networks, and Public Order in a Muslim State

Dr. Iza Hussin, *University of Cambridge, United Kingdom*

Pakistan and Islam: What happened and why?

Junaid Ahmad, *GIFT, Pakistan*

Links

English: <https://youtu.be/jkxIfKdFOL8>

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Session VI.A - Examining Case Studies in Political Concepts: Social Solidarity, Civil Society, Revolution, and Democratic Transition

Session Chair: Dr. Yasemin Saib, CIGA, IZU

Postcolonial Foundations of Social Solidarity as Obstacles to Democratic Transition: A Case Study of Egypt's 2012 Constitution-Making process

Ms. Gehad Hasanin, *University of Westminster, United Kingdom*

The Impact of Arab Spring on the Development of Civil Society in Morocco

Ms. Nadia Lahdili, *Yıldırım Beyazıt University, Türkiye*, and Dr. Murat Önder, *Boğaziçi University, Türkiye* and Dr. Emrah Ayhan, *Anadolu University, Türkiye*

Towards a Post-Arab Spring Islamic Political Theology: Al-Oudeh's 'Questions on Revolution'

Mr. Thomas Parker, *Ibn Haldun University, Türkiye*

The Role of Political Parties in Democratic Transformation: Examining the Tunisian Model

Mr. Ali Al-Gabali, *Strategic Fiker Center for Studies, Türkiye*

English: <https://youtu.be/Z0e89FAWOek>

Arabic: <https://youtu.be/SkL34cJ80yk>

Session VI.B - Examining Case Studies: Exercising Political Authority II

Session Chair: Dr. Amr Darrag, *Egyptian Institute for Studies, Türkiye*

Sudan - The Rise and Fall of the Shari'ah State Project

Dr. Rabie Hasan Ahmad, *Center for Future Studies, Sudan*

Egypt - A Missed Chance: What Went Wrong with the Muslim Brotherhood?

Dr. Mohammad Affan, *Al Sharq Forum, Türkiye*

Palestine - The Politics of Resistance and the Perils of Governing

Dr. Mohsen Saleh, *Alzaitouna Center, Lebanon*

Tunisia - Islam and Democracy in Action: Is it working?

Mr. Abdelhamid Jlassy, *Author and former Politician, Tunisia*

Morocco - A Changing Political System: The Coexistence of Religion and Modernity

Dr. Salmane Bounaamane, *Sidi Muhammad Ibn Abdillah University, Morocco*

English: <https://youtu.be/ySzRJvY2HkY>

Arabic: <https://youtu.be/JFUVutPfpZl>

Session VII.A – Examining Good Governance (*al-Hukm al-Rasheed*): Principles, Requirements, and Applications

Session Chair: Dr. Walaa Quisay, Author, and Researcher (PhD, Oxford Univ.), United Kingdom

Good Governance in Islam and Democracy: Approaches and Comparisons

Dr. Sabri I. Samirah, *MENA Institute for the Development of New Societies, Türkiye*

Good Governance: Principles, Requirements, and Application

Mr. Abduladhem Alhamdi, *Independent Researcher, Yemen*

The Application of Good Governance in the System of Justice: A Case Study in Gaza

Dr. Mohammad Ibrahim Al-Madhoun and Mr. Muhammad Shehda Ibrahim, *Gaza Center for Studies and Strategies, Palestine*

Links

English: https://youtu.be/5uJl_cKeTbQ

Arabic: <https://youtu.be/2aWaf7t2Nd0>

Session VII.B - Good Governance: Defining the Paradigm, Exploring the Challenges

Session Chair: Dr. Jonathan Brown, Georgetown University, US

Good Governance (*al-Hukm al-Rasheed*): Conceptualizing a Theoretical Framework

Dr. Saifeldin Abdelfattah, *University of Cairo, Egypt*

Good Governance in Muslim Societies: The Institutionalization of Values and Demarcation of Authority

Dr. Louay Safi, *Hamad Bin Khalifah University, Qatar*

Good Governance and the Challenges of Multilateralism

Dr. Gülnur Aybet, *National Defence University, Senior Advisor to President, Türkiye*

Links

English: <https://youtu.be/S28gNI-XnUE>

Prof. Aybet's presentation: <https://youtu.be/M3MHDNWDZT4>

Arabic: <https://youtu.be/L8YGye38DGs>

Session VIII - The Way Forward: Defining the Imperatives for the Political Revival of the Ummah

Session Chair: Dr. Heba Raouf Ezzat, Ibn Haldun University, Türkiye

Exploring a New Paradigm for the Revival of the Muslim Ummah

Dr. Hussein Al-Kazzaz, *Insan Center for Civilization Studies, Türkiye*

Palestine and the Revival of the Muslim Ummah

Dr. Sami Al-Arian, *Center for Islam and Global Affairs, IZU, Türkiye*

Links

English: <https://youtu.be/YfpmicOk2QA>

Arabic: <https://youtu.be/9NFIXGBsky4>

Session IX – Closing Session

Revolutions and Counterrevolutions: Reflections on the Arab Spring Phenomena and its Future

Moderators: Dr. Sami Al-Arian, and M. Üveys Han, Istanbul Sabahattin Zaim University, Türkiye

A Conversation with Scholars on **The Future of Politics and Political Transformation in the Muslim World:** Dr. John Esposito, *Georgetown University, USA*, Dr. Heba Raouf Ezzat, *Ibn Haldun University, Turkey*, Dr. Hamed Mousavi, *University of Tehran, Iran*, Dr. Ismail Yaylacı, *Fatih Sultan Mehmet University, Türkiye*, and Dr. Abdullah Al-Arian, *Georgetown University in Doha, Qatar*.

Links

English: <https://youtu.be/nDDPMY6fnSM>

Arabic: <https://youtu.be/AmHYbVhsV6o>

Short Biographies of Contributors

Deina Abdelkader, University of Massachusetts, Lowell, USA



Deina Abdelkader is an international relations expert who focuses on Islamic activism and the politics, religion and culture of the Middle East and North Africa. Her specialization is comparative democratization in the Muslim world. As an associate professor of political science at UMass Lowell, Abdelkader teaches classes in Islam and Politics and legal thought, Middle East and North African Politics, and Women in Islam. As an Islamic legal scholar, she is one of two women on the Islamic Jurisprudential Council of North America. She is also one of the co-founders of an international research cohort (COIRIS) the Cohort for the study of Islam and International Relations in 2013, Rapallo, Italy. She is Co-Director of COIRIS. She also is Co-Editor in Chief for a journal with Brill: “International Journal of Islam in Asia”, and Co-Editor in Chief of a book series with Palgrave Publishing: “Islam and Global Studies.” Abdelkader has published: *Islamic Activists: The Anti-Enlightenment Democrats* (2011), *Modernity and the Principle of Public Welfare* (2003), and *Social Justice in Islam* (2000). She also co-edited and contributed to *Islam and International Relations* (2016), and *Islam in International Affairs: Politics and Paradigms* (2018).

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Khaled Abou El Fadl is the Omar and Azmeralda Alfi Distinguished Professor of Law at the UCLA School of Law, and founder of the Institute for Advanced Usuli Studies (The Usuli Institute). He is the author of numerous books and articles on Islam and Shari‘ah, Islamic law and Islamic jurisprudence. Among his books are: *Reasoning with God: Reclaiming Shari‘ah in the Modern Age* (Rowman and Littlefield, 2014); *The Search for Beauty in Islam: A Conference of the Books* (Rowman and Littlefield, 2006); *Speaking in God’s Name: Islamic law, Authority and Women* (Oneworld Publi-

cations, 2001); *And God Knows the Soldiers: The Authoritative and Authoritarian in Islamic Discourses* (Rowman and Littlefield/UPA, 2001); *The Great Theft: Wrestling Islam from the Extremists* (HarperOne, 2007) and *Rebellion and Violence in Islamic Law* (Cambridge University Press, 2001). Professor Abou El Fadl holds a B.A. in Political Science from Yale University, a J.D. from the University of Pennsylvania Law School, and an M.A. and Ph.D. in Islamic law from Princeton University.

Mohammad Affan, Al Sharq Forum, Türkiye



Mohammad Affan is the acting director of Al Sharq Strategic Research, the coordinator of Al Sharq Program on Political Islam, and the managing director of Al Sharq Academia. A medical doctor by training, he holds a Ph.D. from the Institute of Arab and Islamic Studies, University of Exeter. Also, he obtained his MA degree in Comparative Politics at the American University of Cairo. His thesis was published in Arabic as a book titled: *Wahhabism and the Brotherhood: The Conflict on the Concept of the State and the Legitimacy of Power*. In addition, he holds a post-graduate diploma in Civil Society and Human Rights from Cairo University, a diploma in Political Research and Studies from the Institute of Arab Research and Studies in Cairo, and a diploma in Islamic Studies from The Higher Institute for Islamic Studies, Cairo. His research interests include Islamism and democratization in MENA region.

Zahid Shahab Ahmed, Deakin University, Australia



Zahid Shahab Ahmed is a research fellow at Alfred Deakin Institute for Citizenship and Globalization, Deakin University, Australia. During 2017-19, he was a non-resident research fellow with University of Southern California's Centre on Public Diplomacy. Prior to that, he was an Assistant Professor at the Centre for International Peace and Stability, National University of Sciences and Technology in

Pakistan. His work focuses on political developments and groups (e.g. democratization, authoritarianism and political Islam), and inter-state relations in South Asia and the Middle East. He has published over 50 research papers. His recent publications have appeared in prominent journals, including *Politics and Religion*, *Australian Journal of International Affairs*, *Asian Studies Review*, and *Territory, Politics, Governance*. He is the author of *Regionalism and Regional Security in South Asia: The Role of SAARC* (Routledge, 2013.)

Sami Al-Arian, Director, Center for Islam and Global Affairs, IZU, Türkiye



Sami A. Al-Arian is the Director of the Center for Islam and Global Affairs (CIGA) and Public Affairs Professor at Istanbul Sabahattin Zaim University. He received his PhD in 1986, and was a tenured academic in the US for two decades receiving best teaching awards at the University of South Florida and several grants, as well as having over forty publications to his credit. During his four decades in the US (1975-2015), Dr. Al-Arian founded numerous institutions and publications in the fields of education, research, religion and interfaith, as well as civil and human rights. He was a prolific speaker across many US campuses, especially on Palestine, Islam and the West, and Civil Rights. In 2001, he was named by *Newsweek* the “premiere civil rights activist” in the US for his efforts to repeal the use of Secret Evidence in immigration courts. In 2012, he was profiled by historians in the *Encyclopedia of American Dissidents* as one of only three Muslims in the US out of 152 dissidents and prisoners of conscience that were included in the series in the past century (along with Malcolm X and Muhammad Ali). His US story was featured in 2007 in the award-winning documentary “US vs. Al-Arian,” and in 2016 in the book “Being Palestinian.” Dr. Al-Arian has written several studies and dozens of articles focusing on US foreign policy, Palestine, and the Arab Spring phenomena. His book on the later titled *The Arab Awakening Unveiled: Understanding Transformations and Revolutions in the Middle East* was published in 2013 under a pen name. His book of poetry on Spirituality, Palestine, and Human Rights *Conspiring Against Joseph* was published in 2004.

Abduladhem Alhamdi, Independent Researcher, Yemen



Abduladhem Alhamdi received his B.A. in Education from the University of Sanaa, Yemen in 2010 and his MA in Public Administration in 2017 from Sanaa University. He held several administrative, teaching, and research positions for over a decade at different governmental, private, and academic institutions.

Abdul Hadi AlZaidi, University of Baghdad, Iraq



Abdulhadi AlZaidi is a professor of Islamic Law and Philosophy in the College of Islamic Sciences at the University of Baghdad in Iraq. He obtained his BA, MA, and PhD degrees in Islamic Law (Shari'ah) and Politics from the College of Islamic Sciences at the University of Baghdad in 2000, 2009, and 2013 respectively. He was the editor of the "Islamic Thinker" Journal (2001-2003) as well as the "Fatwa Magazine" (2000-2003). He is also the author of many books and articles including *Psychological War in Islamic Law (Shari'ah)*, *Islamic Discourse in the Age of Information*, *Iraqi Unity According to Islamic Law*, and *Social Responsibility in Islamic Media*.

Ovimir Anjum, University of Toledo, USA



Ovimir Anjum is the Imam Khattab Endowed Chair of Islamic Studies at the Department of Philosophy and Religious Studies at the University of Toledo. He obtained his Ph.D. in Islamic Intellectual History in the Department of History at University of Wisconsin-Madison, Master's in Social Sciences from the University of Chicago, and master's in computer science from the University of Wisconsin-Madison. He is the author of *Politics, Law and Community in Islamic Thought: The Taymiyyan Moment* (Cambridge University Press, 2012). He is near-completing a decade-long project to translate a popular Islamic spiritual and theological classic, *Madarij al-Salikin* (Ranks of Divine Seekers) by Ibn al-Qayyim (d. 1351).

Emrah Ayhan, Anadolu University, Türkiye



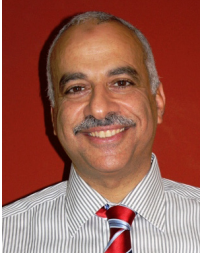
Emrah Ayhan is on the faculty of the Political Science and Public Administration Department at Anadolu University where he currently teaches several courses related to his research area. He finished his bachelor in Political Science and Public Administration at Middle East Technical University in Ankara in 2010. He also graduated from the Political Economy of the European Integration master program at Berlin School of Economics and Law in Germany in 2013. In addition, he finished his Ph.D. in Political Science and Public Administration at Ankara Yıldırım Beyazıt University in 2019. He also worked there as a research assistant between 2016 and 2019. His research interests include public administration, civil society, comparative studies, organizational and institutional theories, strategic management, methodology, organizational capacity and performance, and human resources. He has published many articles, book chapters, and presented conference papers related to his research areas.

Mohammad Elhamy, Egyptian Institute for Studies, Türkiye



Mohammad Elhamy is a researcher in the area of Islamic history and civilization. He is the Director of the Islamic Movements Unit at the Egyptian Institute for Political and Strategic Studies in Istanbul, Turkey. He has an MA degree in Islamic Economics from Istanbul Sabahattin Zaim University. Elhamy has been a scholarly reviewer for many Arab journals. He has published 13 books including *The Journey of the Abbasid Caliphate* – (3 Volumes, 2013), *In the Corridors of History* (4 Volumes, 2017- 2020), *Islam's Approach to Building Society* (2015), *Towards an Islamic Rooting of the Science of Occidentalism* (2015), Editor of *Sultan Abdul Hamid II in Arab Memory* (2 Volumes, 2019), and editor of *What We Do Not Know about the Messenger of Allah* by Hazem Abu Ismail (2018).

Hussein El-Kazzaz, Insan Center for Civilization Studies, Türkiye



Hussein ElKazzaz received his Master of Business Administration degree, MBA, as well as PhD in Business Administration and Organizational Behavior (1988) from Ohio State University. Dr. Elkazzaz was assistant professor of Management at Alexandria University, Egypt (1988-1992, 1999-2000). He was the Co-founder and former Managing Director of Skopos Consulting Group in the Middle East (2002-2012), an Organizational Development Consulting firm operating in the MENA region. In 2012-2013, he served as senior advisor to the democratically elected president of Egypt in charge of the Integrated National Development Strategic Project. Currently, he is the director of Insan Center for Civilization Studies, an Istanbul based think tank focusing on issues of Ummah revival and new paradigms of Islamic civilization. Dr. ElKazzaz is the author of two published books on management and editor of internal project reports on integrated development and Ummah revival at the Center.

Ali Gabali, Strategic Fiker Center for Studies, Türkiye



Ali Gabali is a researcher at the Strategic Fiker Center for Studies (SFCS) in Istanbul, Turkey. He was born in Yemen in 1987 and has a Master's degree in the history of intellectual doctrines. He is also a writer in many intellectual and political websites. Gabali is the author many studies published by SFCS including *Tribe and Society: A Reading in the Roles of the Contemporary Saudi Tribe and its Internal Influence*, *Arab Protests between Popular Insistence and Challenges*, *Intellectual and Political Currents in Tunisia and the Challenge of Democratic Transition*, *The Taliban of Afghanistan: The Dilemma of War and the Prospects for Peace*, *Saudi Demography Transitions and the Future* (jointly with other authors), and *The Religious Situation in Saudi Arabia: Starting Points and Transitions* (jointly with other researchers). His research interests include understanding and analyzing intellectual currents and political parties in the Arab region.

Muhammed Üveys Han, CIGA, IZU, Türkiye



Muhammed Üveys Han is a Senior Research Associate at the Center for Islam and Global Affairs at Istanbul Sabahattin Zaim University and a PhD Candidate in the Department of Religion at Syracuse University. He served as a lecturer at Fatih Sultan Mehmet University's Alliance of Civilizations Institute in Istanbul between 2010-2012, a member of its inaugural faculty, and helped found its graduate program. At Syracuse University, his dissertation explores the theological foundations of modern sovereignty, and the ways Islamic political theory and practice can help to resolve perennial problems in modern political theory.

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Ali S. Harfouch received his MA in Political Studies in 2017 from the American University of Beirut, Lebanon. He is currently on the faculty of AUB. His area of research interest is political theology and Muslim politics.

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Nader Hashemi is the Director of the Center for Middle East Studies and an Associate Professor of Middle East and Islamic Politics at the Josef Korbel School of International Studies at the University of Denver. He obtained his doctorate from the Department of Political Science at the University of Toronto and was previously an Andrew W. Mellon Postdoctoral Fellow at Northwestern University and a Visiting Assistant Professor at the UCLA Global Institute. His intellectual and research interests lie at the intersection of comparative politics and political theory, particularly in debates on religion and democracy, secularism and its discontents, Middle East and Islamic

politics, democratic and human rights struggle in non-Western societies, and Islam-West relations. He is the author of *Islam, Secularism and Liberal Democracy: Toward a Democratic Theory for Muslim Societies* (Oxford University Press, 2009), and co-editor of *The People Reloaded: The Green Movement and the Struggle for Iran's Future* (Melville House, 2011), *The Syria Dilemma* (MIT Press, 2013) and *Sectarianization: Mapping the New Politics of the Middle East* (Oxford University Press, 2017). He is frequently interviewed by PBS, NPR, CNN, Al Jazeera, Pacifica Radio and the BBC and his writings have appeared in the New York Times, Newsweek, Wall Street Journal, The Globe and Mail (Toronto), CNN.com among other media outlets.

Humeira Iqtidar, King's College, London, United Kingdom



Humeira Iqtidar joined King's College London in 2011. She has studied at the University of Cambridge, McGill University in Canada, and Quaid-e-Azam University in Pakistan. Before joining King's, Humeira was based at the University of Cambridge as a fellow of King's College and the Centre of South Asian Studies. She is a co-convenor of the London Comparative Political Theory Workshop and editor of the McGill-Queens Studies in Modern Islamic Thought. Dr. Iqtidar's research interests bring together postcolonial theory and comparative political theory with a focus on modern South Asian Islamic thought. Thematically, her research has been concerned with the place of religion in contemporary political imagination, the politics of knowledge, and the legacies of colonialism. She is currently working on two book projects. The first focuses on non-liberal conceptions of tolerance through an engagement with 20th century Islamic thought. The second, titled *Justice Beyond Rights*, builds on her research with refugees and migrants from the tribal areas of Pakistan. Humeira's research has featured in interviews and articles in The Guardian, BBC World Service, Voice of America, Der Spiegel, Social Science Research Council Online, The Dawn, Express Tribune and Open Democracy.

Muhammad Nazmul Islam, Yıldırım Beyazıt University, Türkiye



Md. Nazmul Islam is a senior researcher at the Bosphorus Center for Asian Studies/Boğaziçi Asya Araştırmalar Merkezi (BAAM) and Department of Political Science and Public Administration at Ankara Yıldırım Beyazıt University (AYBU), Ankara, Turkey. Between 2018-2019, Mr. Islam worked as ERASMUS Research Fellow at Europa Institute, Saarland University, Germany. From 2014 to 2015, he was a former Research Associate at the Joint Project between the University of Cambridge, UK and BRAC, Bangladesh. Islam's PhD dissertation focuses on the "Comparing Foreign Policy between China and India." He completed his master's and bachelor's degrees in the Department of Peace and Conflict Studies from the University of Dhaka, Bangladesh and completed his second masters from the department of European and International Law at the Faculty of Law and Economics, European Institute, Saarland University, Germany. Between 2015-2018 and 2019-2020, Islam is an author of three chapters in a book, *Global Encyclopedia of Public Administration, Public Policy, and Governance* (Switzerland: Springer), one chapter in a forthcoming book on "the Routledge Handbook of Poverty in Global South" (Routledge), his publications on various subjects have appeared in many journals. Islam has one book and more than 30 conference proceedings including in *University of Toronto*, Canada, *Oxford University*, UK, *Virginia University*, USA and *King College London*, UK etc. Islam's major areas of interest includes politics, foreign policy and administration of the South and West Asia especially the policy of China and India towards South and West Asia.

Nadia Lahdili, Ankara Yıldırım Beyazıt University, Türkiye



Nadia Lahdili is pursuing her Ph.D. in Political Science and Public Administration at Ankara Yıldırım Beyazıt University. She finished her Bachelor and master's degrees in Human Sciences majoring in Political Science and minoring in Economics from the International Islamic University Malaysia (IIUM). She served as a Research Assistant to the

Head of Political Science Department (IIUM). She received a second Master's degree in Middle East Studies from Sakarya University. Her research interests include identity politics, governance, NGOs, and migration studies.

Mahmoud Mamdani, Columbia University, USA



Mahmood Mamdani is the Herbert Lehman Professor of Government. He received his PhD from Harvard University in 1974 and specializes in the study of African history and politics. His works explore the intersection between politics and culture, a comparative study of colonialism since 1452, the history of civil war and genocide in Africa, the Cold War and the War on Terror, and the history and theory of human rights. Prior to joining the Columbia faculty, Mamdani was a professor at the University of Dar-es-Salaam in Tanzania (1973–1979), Makerere University in Uganda (1980–1993), and the University of Cape Town (1996–1999). He has received numerous awards and recognitions, including being listed as one of the “Top 20 Public Intellectuals” by *Foreign Policy* (US) and *Prospect* (UK) magazine in 2008. From 1998 to 2002, he served as President of Council for the Development of Social Research in Africa. His essays have appeared in the *New Left Review* and the *London Review of books*, among other journals. Mamdani's books include *Saviors and Survivors: Darfur, Politics, and the War on Terror* (2009); *Good Muslim, Bad Muslim: America, the Cold War and the Roots of Terror* (2004); *When Victims Become Killers: Colonialism, Nativism and Genocide in Rwanda* (2001); *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (1996), which was awarded the Herskovitz Prize of the African Studies Association; *Politics and Class Formation in Uganda* (1976); *From Citizen to Refugee* (1973); and *The Myth of Population Control: Family, Class and Caste in an Indian Village* (1972).

Andrew March, University of Massachusetts, Amherst, USA



Andrew F. March is Associate Professor of Political Science at the University of Massachusetts, Amherst. He is the author of two books: *Islam and Liberal Citizenship* (Oxford University Press, 2009, which won the Award for Excellence in the Study of Religion from the American Academy of Religion) and *The Caliphate of Man: Popular Sovereignty in Modern Islamic Thought* (Belknap Press of Harvard University Press, 2019). He is presently interested in trends in Islamic political thought after the anti-democratic counter-revolutions which ended the Arab Spring and the political philosophy underpinning the ideology of “Muslim democracy.”

Anne Norton, University of Pennsylvania, USA



Anne Norton is Stacey and Henry Jackson President’s Distinguished Professor of Political Science and Comparative Literature at the University of Pennsylvania. She has also taught at the University of Chicago, the University of Notre Dame, Princeton University and the University of Texas, and has held fellowships at the Pembroke Center for Teaching and Research on Women and the University Center for Human Values at Princeton, and the Institute for Advanced Study. She is the author of *On the Muslim Question; 95 Theses on Politics, Culture and Method; Leo Strauss and the Politics of American Empire; Bloodrites of the Poststructuralists; Republic of Signs; Reflections on Political Identity; and Alternative Americas: A Reading of Antebellum Political Culture*. She is a founding co-editor of *Theory & Event*, and has served on the editorial boards of several journals including *Political Theory*. She was educated at the University of Chicago where she studied with Professor Fazlur Rahman. She is completing a book on radical democracy and is turning to the problem of property, and the remains of empire.

Murat Önder, Boğaziçi University, Türkiye



Murat Önder is a Professor with School of Political Sciences at Boğaziçi University, Türkiye. He received his Ph.D. in Public Administration and Policy from Florida State University, USA. His research interests are in the topics of comparative public administration, strategic management, performance, NGOs, policy analysis, governance, and artificial intelligence.

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Thomas Parker obtained double degrees in International and Area studies and Arabic from the University of Oklahoma, and is currently conducting his MA in Civilization Studies at Ibn Haldun University. His interests include Islamic political thought, Islamic history, with a focus on the Late Ottoman period, and the history of the ulema's relationship with politics. He also pursues traditional Islamic sciences. In addition to academic articles and book reviews, he has also published long essays and opinion pieces for forums such as Maydan and TRT World.

Louay Safi, Hamad Bin Khalifah University, Qatar



Louay Safi is professor of Political Science at Hamad Bin Khalifa University in Qatar, and senior fellow at the Institute of Social Policy and Understanding (ISPU). Dr. Safi has taught at several universities, including Wayne State University, the University of Michigan (1988-92), the International Islamic University of Malaysia (1994-99), The George Washington University (2001-2002), Indiana University and Purdue University at Indianapolis (2009-2010), and Georgetown University (2010-2011). Dr. Safi has been active in defending human rights and promoting democracy for over two decades. He is a founding member of the Syrian National Council (SNC) and the Syrian National Coalition (2011-14). He is also co-founder and first chair of the Syrian American Council

(2005-2011), and co-founder and former board member of the Center for the Study of Islam and Democracy (1999-2007). He is the author of fifteen books, including *The Qur'anic Narrative* (Praeger, 2008), *Tensions and Transitions in the Muslim World*, (University Press of America, 2003), *Peace and the Limits of War* (IIIT, 2001), and *The Challenge of Modernity* (University Press of America, 1994). Dr. Safi has served as Dean of Research and member of the University Senate at the International Islamic University of Malaysia (1997-99), Executive Director (1995-97) and Director of Research (1999-2003) of the International Institute of Islamic Thought (IIIT), Editor of the American Journal of Islamic Social Sciences (1999-2003), and President of the Association of Muslim Social Scientists in the US (1999-2003).

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Hisham Ul Wahab is a Ph.D. Research Fellow in the Centre for West Asian Studies, School of International Studies, Jawaharlal Nehru University, New Delhi, India. Currently, he is doing research on discourse of Salafism and migration by obtaining the Senior Research Fellowship of University Grants Commission, Government of India. He graduated from Jamia Millia Islamia, New Delhi with a Master's degree in Islamic Studies. He is a political analyst and a regular contributor to various print and online journals. His fields of study include Islamism, migration, reformism, extremism and Islamophobia.

M. Metin Uzun, Yıldırım Beyazıt University, Türkiye



Mehmet Metin Uzun is a research assistant at the Department of Political Science and Public Administration at Ankara Yıldırım Beyazıt University (AYBU), Turkey. Uzun received his BA degree from Hacettepe University Political Science and Public Administration (2018). He is continuing to do his MA degree in the Public Administration department of Hacettepe University. His main research interests include comparative public administration, information technology management, smart cities, and artificial intelligence.


**The Center for Islam and Global Affairs (CIGA)
Istanbul Sabahattin Zaim University**

Vision

To be a premiere research institution for ideas, analysis, and policy recommendations on global affairs impacting the Muslim World, and to foster future relations with world powers based on shared principles, common interests, and mutual respect.

Mission Statement

The Center for Islam and Global Affairs (CIGA) is an independent, nonprofit, research and public policy institution based in Istanbul, Türkiye, and affiliated with Istanbul Sabahattin Zaim University. Its mission is “To conduct high quality research and analysis, educate the public and policymakers, train experts, and propose novel ideas and policy recommendations regarding global policies and relations impacting the Islamic world, and the development and progress of Muslim societies.”



Ever since the fall of the Islamic Caliphate over a century ago, there has been a vibrant and often times fierce debate about its restoration in one form or another. After more than thirteen centuries of uninterrupted Islamic political model, even though it took different shapes and forms, there was suddenly a vacuum that faced many significant challenges on many fronts, particularly from European colonial powers. The debate involved not only the Ulama' class and the political elites, but also many popular social leaders as well as laypeople across the Muslim world. Along with the colonialist challenge, the political vacuum and chaos that followed because of the absence of a political paradigm for Muslim societies, was probably the main reason and impetus behind the launching and expansion of the vast majority of modern Islamic movements across the Islamic world.

There are twenty-four papers included in this volume. They are surely a positive contribution in the debate regarding the issue of Governance and Political Authority in the Muslim World and the future revival project of the Muslim Ummah. The depth and complexity of the issues presented in this book, the hard questions that have yet to be answered, and the difficult challenges that have not been addressed, would surely point to a thorny and long road ahead. This intellectual path calls for all sincere efforts by authentic scholars, diligent researchers, and serious students to come together in order to invigorate the debate and continue the examination of the issues that impact the future of governance and political authority in the Muslim World until all questions are resolved, challenges tackled, and mission fulfilled.

From the introduction

 **Istanbul Zaim** Sebahattin
University

 **CIGA**
CENTER FOR ISLAM
AND GLOBAL AFFAIRS

GOVERNANCE AND POLITICAL AUTHORITY IN THE MUSLIM WORLD

EXAMINING THEORY AND PRACTICE

EDITED BY
SAMI A. AL-ARIAN

