



RESEARCH ARTICLE

A READING OF THE CONCEPTS OF FREEDOM AND EQUALITY IN THE ISLAMIC APPROACH TO DEMOCRACY

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ABSTRACT

Freedom and equality are two substantial concepts that political thinkers have attempted to explore throughout history. Their responses have led to various philosophical and intellectual schools. No political system has been set up and reached stability without appropriately answering these two basic questions. As a modern lifestyle predominant in the majority of human societies, democracy addresses these two concepts not as questions but as two substantial assumptions. These two concepts, along with public sovereignty and liberalism, have become the critical points of democracy. Likewise, these concepts, particularly justice, have a long history in Islam, as long as the history of Islam itself. Thus, it is natural for Islam to have provided naturalistic responses. Now that democracy is attempting to find its way in Muslims' lives, it would be interesting to challenge Muslims' historical responses to freedom and equality or compare them with those of democracy. The main question in this paper is about the final position of democracy's most important characteristics in the different perceptions of Islam and democracy in Islamic countries, including Iran. This paper also tries to foresee the approaches of each Islamist group involving traditionalists or modernists to these characteristics. Since there are diverse intellectual denominations and views among Muslims on freedom and equality, this paper aims to concisely examine the approaches of Muslim traditionalists and modern intellectuals and discuss democracy in the Muslim world. We will hopefully examine the concept of public sovereignty as another cornerstone of democracy from the same perspective.

INTRODUCTION

Thinkers and intellectuals do not collectively agree on the relationship between Islam and democracy. Despite decades of history of this relationship, we occasionally see new interpretations and substantial criticisms based on the ideas of theoreticians. Meanwhile, it has been difficult and thus far implausible to formulate a single definition of such disagreements. Besides, understanding the relationship between Islam and democracy will largely assist in forming new ideas for various systemizations, especially with the Arab-Muslim countries, where traditionalists and new intellectuals have clearly fallen into actual altercations and seek change in their political systems. Accordingly, to give a concise plan of this study's intentions, we have provided a selection of definitions of Islam and democracy; each religion can be internally dividable into three perceptions: For instance, regarding Christianity, this paper suggests Christianity 1, 2, 3. The same classification also applies to Islam. Islam 1: The collection of sacred religious texts of Muslims: The Qur'an and the authentic hadiths (sayings) of the Masooms (Infallibles). Islam 2:

The collection of descriptions, interpretations, sayings, and explanations issued by Muslim scholars in the last 1400 years. This collection includes the works of jurists, theologians, orators, preachers, mystics, and the entire cultural heritage. Islam 2 acknowledges Islam 1 and interprets it.

Islam 3: All actions of Muslims in the last 1400 years and the associated effects and outcomes (the actual Islam put into practice in history).

To examine Islam 2 and democracy, we roughly divided all the available interpretations of Islam 1 into traditionalists, modernists, and fundamentalists, hence the four scenarios for examining the relationship between Islam and democracy:

- The relationship between Islam 3 and democracy
- The relationship between traditionalist Islam and democracy
- The relationship between modernist Islam and democracy
- The relationship between fundamentalist Islam and democracy

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Democracy is also an ambiguous concept. There is no consensus on a given definition of democracy. However, there is no doubt on that premise that liberalism has begotten democracy and is the cornerstone of democracy.

Nonetheless, the other ten foundations of democracy, including pragmatism, the rule of law, originality of contracts, originality of the public, relativism, individual authority, citizenship, human rights, public sovereignty, and originality of equality, can be categorized into three specific foundations; thus, democracy generally has four foundations: Liberalism, the sovereignty and governance of the public majority, freedom, and equality. This paper aims to determine the relationship between Islam and democracy from a different perspective by examining the two foundations of democracy – freedom and equality.

Freedom: Freedom is a widely broad concept with different definitions. It eludes a complete and sufficient definition due to its relative nature. Freedom has several levels and types: the philosophical level- concerning with theology in Muslim societies- and the sociological level. On the philosophical level, the idea of being free is manifested in words such as volition and will, while on the sociological level, the legal (jurisprudential), ethical, and political equivalent to freedom is Hurriyat. In the jurisprudential sense of the term, Hurriyat is the opposite of slavery. Using Hurriyat in the sense of political freedom is a new application for this old-fashioned term. However, political freedom never earned the position to play a unifying role in achieving elevated aspirations. Muslims sought freedom as an aspiration only in their relationship with their God. In fact, in Muslim societies, the typical Muslim was expected to align his freedom with the group's beliefs, ethical principles, traditions, and rituals. In such a society, the individual should not expect to have the freedom to choose the type of governance. Likewise, the Islamic governing systems did not tolerate any type of individual participation. Individuals were bereaved of any type of freedom in their interactions with the states. In those times, the concepts of freedom and justice were the main concepts for analyzing the state and the governance of rulers. Justice was, in fact, more stressed than freedom, especially given the notion that Shiite Islam holds that extorting governance calls into question the legitimacy of rulers. In the nineteenth century, with the expansionism of colonialism into the Middle East, peoples' lifestyles changed dramatically, influencing the sphere of politics from the very beginning. The familiarity of Muslim intellectuals with the aspirations of the Great French Revolution and other Western sociopolitical movements and their awareness of the degeneration and miseries of Muslims under the rule of imperialism altered the political concepts and the discourse of political discussions, highlighting political freedom in literature and history texts. A simple review of the texts of this era shows that freedom has been applied based on two concepts: First, in the combats against the colonials, freedom was more or less synonymous with independence. In this concept, freedom express state rights or the rights of other nations. Second, in the battle against domestic tyranny: Muslims employed freedom to limit the despotism of rulers establishing an elected constitutional government. Hurriyat was widely used in a political sense in the nineteenth century. With the publication of the first Ottoman Constitution in 1876, freedom was one step away from being legalized. Individual freedom, freedom of religion, association and press, were expressed. Meanwhile, Iranian intellectuals who recognized tyranny was as the main factor of the backwardness of the Iranian Muslim community came to focus on freedom. Familiarity with the West also contributed to such issues. The Holy Qur'an contains verses that express the concept of freedom. The modernists later attempted to present new

interpretations of these verses to determine the extent of public political participation. The verse 28 al-Kahf, 70 of al-Isra, and 2 of Yunus indicate that freedom is a gift begotten by God bestowed upon us in the light of His benevolence. Khomeini sees freedom in eluding the servitude of everyone except God (Khomeini, Velayat-e-Faqih, 2009, 18th edition, p. 59), opposing tyranny from this angle. In his interpretation of Ali ibn Abi Taleb's advice to his son¹ (found in Nahj al-Balaqeh), Motahari expands the concept of Hurriyat to extract the new concept of socio-political freedom from it (Motahari, Notes, Lectures and Interviews, 1983, pp. 35-34). Bazargan cites several pieces of evidence in the Muslim's Holy Book to posit that freedom is a divine token and that messengers have been the first envoys of freedom (Motahari, Religion, and Freedom, 1983, pp. 70-67). He holds that freedom is equal to volition. He believes that freedom contradicts being a slave and serving anyone except for God. Motaharisaid that Islam encompasses democracy and human values, such as freedom, equality, and justice. However, democracy and freedom in Islam indicate the freedom of humanity (Motahari, *ibid*, 1983, pp. 78-79). Motahariconnects political freedom to monotheism. Monotheism indicates the individual and social freedom in one's human existence. To achieve a wide perception of freedom, religious intellectuals cite several verses in the Qur'an:

"You are not over them a controller" (Surat Al-Ghashiyah 55.22), [addressing the Prophet of Islam], the verse reads, "We have not appointed you over them as a guardian" (Surat Al-An'am 6.107), "Not upon the Messenger is [responsibility] except [for] notification" (Surat Al-Ma'idah 5.99), "Indeed, we guided him to the way, be he grateful or be he ungrateful" (Surat Al-Insan 76.3), "so whoever wills - let him believe; and whoever wills - let him disbelieve" (Surat Al-Kahf 18.29), and "There shall be no compulsion in [acceptance of] the religion" (Surat Al-Baqarah 2.256). Traditionalists' argument in the criticism of this view holds that we should distinguish between creation from legitimization. Surat Al-Baqarah [2.256] indicates that God does not compel anyone to accept the religion by creation; however, if one accepts it, they must show their obligation to it (Motahari, *The Perfect Man*, *Bitā*, p. 35). Besides, some verses have been suggested as evidence of negating Man's freedom: Surat Al-Ahzab 33.36, which reads, "It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should [thereafter] have any choice about their affair," and Surat Al-Ahzab 33.6, which reads "The Prophet is more worthy of the believers than themselves." Mohammad Taghi Mesbah Yazdi argues that the first set of verses have a consoling function for the Prophet, who does not control believers but is more worthy of them than themselves. These verses are obviously not paradoxical and need to be interpreted proportional to the previous and following verses to examine their addressee and function. He continues to note that the first step to monotheism is to accept the premise that God possesses us. Servitude means being subject to and being subject to God is servitude at its perfection. Taking pride in serving God is the most elevated human trait [manifested in] "I bear witness that Muhammad is the messenger of God" (Shahada or the testimony), "Exalted is He who took His Servant [i.e., Prophet Muhammad] by night from al-Masjid al-Haram to al-Masjid al-Aqsa" (Surat Al-Isra 17.1), and "And enter among My [righteous] servants" (Surat Al-Fajr

¹Do not be a slave to others, and God has made you free

88.29). Therefore, Islam holds that freedom is worthless in its absolute sense. Rather, servitude has valuable and transcendental significance. Besides, "if one accepts the religion and is given the freedom to abide by its injunctions or not, it would be like someone who votes for taxation but does not want to pay their taxes. The freedom the Holy Qur'an talks about is concerned with [the phase] before the declaration of faith [in the religion]; once declared, they are obliged to abide by the rules. Arguing that since human beings have volition, there should be no obligatory law and no one should be forced to obey the law will lead to the rule of the law of the jungle, while the strength of the law lies in encompassing obligation" (Mesbah Yazdi, *A Series of Discussions on Islam, Politics, and State*, 1998, 1st Volume, p. 93). In his response [to the question "who defines the limits of freedom?"], Mesbah argues that, first, human beings essentially cannot recognize the goods of evils that may befall them, and that only God is aware of their goods and evils with no one fitter than Him. Second, people can never reach an agreement on the limits of freedom. Naturally, the outcomes of viewing freedom from an authoritative perspective will be constraining it to the frames of Islamic laws.

Apostasy: Some Islamic laws constrain specific types of freedom. For instance, in Islamic jurisprudence, the crime of apostasy is a type of constraint. Islamic laws do not allow Muslims (does give them the freedom) to change their religion, and the perpetrator is sentenced to death. Despite the minor disagreements about apostasy, all Islamic jurisprudential denominations condemn the perpetrator to execution along with imposing other constraints. It is forbidden to marry an apostate. An apostate is not entitled to inherit the property of a deceased Muslim. Some modernist intellectuals in the Islamic world, such as Mohammad Abdu, Rashid Reza, and Mohammad Shaltout, argue that apostates cannot be executed on the pretext of apostasy. Execution is allowed only if the apostate puts the Islamic society at risk (Abdu, *Tafsir al-Manar*, 1973, 5th Volume, p. 372). Bazargan accepts the idea that total religious freedom cannot be tolerated since it can lead to apostasy, which impairs the integrity of the Islamic Ummah (community) and is extremely difficult to confirm. Khomeini, Motahari, Shariati, and Taleqani have not opened any modernist discussion on this issue. Therefore, freedom is limited to jurisprudential laws in the sphere of religion. From this perspective, the freedom favored by Islam differs from the freedom associated with democracy and democratic systems in terms of foundations, objectives, and constraints.

Equality: Similar to freedom, equality has several connotations. These connotations are so many that it is impossible to agree on a single definition. Islam highly emphasizes the principles of equality and fraternity. Accordingly, its egalitarian spirit is recognized as the most critical factor for the quick spread of Islam. Surat al-Hujurat verse 13 is a well-known piece of evidence of egalitarianism from the Qur'an: "O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Aware." Although Islam is an egalitarian religion, it provides multiple opportunities for change and social movements, which is what happened in the Saudi Arabian Peninsula at the advent of Islam. However, in some cases, jurisprudential laws can constrain equality. For instance, the jurisprudential division of human

beings into Muslims, non-Muslims, males, females, and the free and slave leads to different governing rules. These divisions violate equality in the modern world today so dramatically that they restrict being part of the Islamic community to being a free and male Muslim, violating women's political rights, Non-Muslims, and slaves. The following lines discuss this issue in detail.

Religious minorities: The non-Muslims in an Islamic government fall into two groups: Ehli Kitap (those with a holy book), such as Christians, Jews, and other minorities with a holy book, and infidels, also as non-believers, non-Muslims who did not believe in any of the recognized holy books. The relationship between the Islamic government and non-Muslim believers is defined based on the concept of "zemme" meaning pledge, which guarantees their security, freedom to practice their faiths, and to some extent, the freedom to social presence and trade, provided that they recognize the dominance of Islam and Muslims. This concept of the pledge is founded on Verse 29 of Surat At-Tawbah. Religious minorities in an Islamic society may follow their own regulations and traditions in managing their communities' affairs upon declaring obedience to the limits and authorities set by the Muslim majority for dealing with general issues. The jurisprudential laws state that they are not qualified for executive, judicial, and political positions that require implementing authority. Under this pledge, they are not allowed to propagate their religion publicly. Infidels are even more constrained; they are even deprived of the advantages of a limited citizen. In this regard, Verse 5 of Surat Al-Tawbah has been interpreted as the criterion for dealing with them. In democratic systems, there are no theoretical discriminations, and everyone has equal rights, even if there are actual discriminations.

Slavery: Slavery lasted until the nineteenth century when many Islamic countries put an end to it. Christianity and Judaism had endorsed slavery, while Islam modified and regulated its practice. In addition to "A'bd", which is a common Arabic word, the Holy Qur'an uses "مَنَّاكِمِي مَامَلَكَتَا" (those their right hands possess) (Surat Al-Mu'minun 23.6). Verses 71 and 75 of Surat An-Nahl and 30 of Surat Ar-Rum indicate the inequality between master and slave. However, the Qur'an has recommended and praised the liberation of slaves many times, whether for atonement for sins or as a pious act (Al-Baqarah 177, Al-Balad 13, Al-Tawbah 60, An-Nisa 92, Al-Ma'idah 89, Al-Mujadila 3, and An-Nur 33). Regardless of the extent of modifications made by Islam into the condition of slavery, jurisprudential regulations many contain constraints and deprivations. For instance, slaves cannot achieve higher positions in the government (e.g., they cannot become a Friday Imam). Their testimony is not accepted at trial. With roots in Verse 178 of Surat Al-Baqarah - the free for the free, the slave for the slave - the retribution law depicts an inequality: a free individual cannot be reattributed (executed) for murdering a slave. The nineteenth-century Muslim reformists censured slavery, calling for the permanent abolition of this tradition from human law. Nonetheless, even after the abolition of slavery, it is impossible to deny the theoretical discussions in the Islamic jurisprudence prevalent at the time. Alternatively, it can be contended that with the actual abolition of slavery today, such issues do not influence the relationship between Islam and democracy.

Women: Similarly, the jurisprudential rules governing women also differ from the rules governing men dramatically.

Moreover, the straightforward Qur'anic directives and conservative readings of some verses reinforce this difference and inequality. Women's inequality sparked controversy in the nineteenth century and contributed to the rise of the theological modernity and women's liberation movements in Islamic countries. Some views hold that the inequality between men and women is natural and read equality between them as an element of chaos in society. Altogether, Islamic laws treat equality paradoxically: on the one hand, we have the ethical, egalitarian view that is part of Islam's vivid spiritual message, and verses such as "Indeed, the most noble of you in the sight of Allah is the most righteous of you"² (Surat Al-Hujurat 49.13). On the other hand, Islam has this tendency to give men superiority over women. In fact, although women, as true believers, are equal with men before God, they do not have equal rights in the Islamic community. Some verses also read, "but the men [husbands] have a degree over them [wives]" (Surat Al-Baqarah 2.228), or "Men are in charge of women by [right of] what Allah has given one over the other and what they spend [for maintenance] from their wealth" (Surat An-Nisa 4.34). Based on the interpretation of the tutelage principle on which the majority of scholars agree, women are not qualified to take those positions in the government that require women have authority over men. A woman cannot become a judge. A woman's testimony at trial over general issues is half times worth the testimony of a man. Women are allotted half the share of inheritance available to men if they inherit from the same property or wealth. A man can marry four women simultaneously (Surat An-Nisa 4.3) and can divorce them one-sidedly. However, women can get a divorce through legal proceedings and under particular circumstances. The Diya (blood-money) of a woman victim is half the Diya of a man, and if a man murders a woman, the murderer's execution is possible only if the victim's family pays the other half of the murderer's blood money to his family.

Morteza Motaharionly molds traditional views into modern views with philosophical justification, presenting no particular innovation. Bazargan believes that based on the Islamic ideology, all citizens have equal social, political, and judicial rights based on race, gender, or class (Bazargan, Be'that, and Ideology, 1966, p. 141). He cites verse 13 of Surat Al-Hujurat to posit that the hypothetical equality in Islam is superior to equality of human rights, arguing that those violent verses in the Qur'an only address those infidels who break peace treaties. Regarding women's issues, he writes, "many verses address women and men at the same time, such as Surat Al-Hujurat 49.13; thus, men and women should be treated equally regarding all issues except for the exigencies of natural roles or modesty" (Bazargan, Be'that, and Ideology, 1966, pp. 141-145). Pointing to the era of the Prophet when even women were asked to vote for allegiance, Bazargan respects women's right to vote. Bazargan, *ibid*, pp. 141-145).

Conclusion

This paper compared freedom and equality to display the disagreement on the traditional interpretations of Islam 1 with democracy. If liberalism is considered the philosophical cornerstone of democracy, it will significantly contradict

liberalism when democracy contradicts the traditional interpretations of Islam 1. What was mentioned above about authority, freedom, and equality in the view of religious modernists indicates that Islam and democracy are incompatible. Thus, religious modernists' endeavors only culminate in widening interpretations of Islamic teachings, which, due to the antiquity and the predominance of traditional interpretations, do not necessarily help the eminence of their discourse in the atmosphere governing Islamic countries. However, religious modernists' ideas do reinforce the idea and practice dialectic of Muslim scholars and interpreters and can gradually bring about limited changes; that is the case with the changing of ideas of some thinkers. For instance, Youssef Qaradhawi, an Egyptian scholar of the Arab world, once, from 1981 to 1983, believed that democracy was a Western and imported solution and negated Islamic ethics due to Islam's particular view on women and freedom. He argued that democracy would lead to infidelity and that Muslims do not need to discuss democracy as long as they have the Islamic "Shurah"(assembly) since it had the merits of democracy without its disadvantages (Qaradhawi, *Imported Solutions*, 1971, p.55). In his book *Political Criticism*, Qaradhawi later changed his mind and said that democracy has the advantage of monitoring and questioning the governor. Besides, the limited period of power can facilitate the substitution of the governors, who, in Islamic countries, do not yield the power unless they are forced by sword or death. So what is implemented in the West is the same favored concept of Shurah in Islam (Qaradhawi, *Political Jurisprudence*, 2000, pp. 162-173). Likewise, Mohammad Ghazali changed his views in the last years of his life and published them in "Islam and Political Authoritarianism."

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²The verses indicating the complete equality of men and women before God are: Al-Imran / 195, Ma'ida / 38, Al-Tawbah / 72 and 71, Al-Nur / 2, 9 and 6, Al-Ahzab / 35, Al-Ghafir / 40, Al-Fatah / 5 and Al-Jadid / 12

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