

Democracy Concepts of the Fundamentalist Parties of Algeria and Tunisia – Claim and Reality

Khadija Katja Wöhler-Khalfallah, University of Trier, Germany

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Democracy Concepts of the Fundamentalist Parties of Algeria and Tunisia – Claim and Reality

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This article discusses democratic elements in early Islamic sources and in the programs of the Algerian FIS (Front Islamique du Salut) and ANNAHDA in Tunisia. According to historic writings, Islam includes the principles of democratic consensus, consultation, and freedom of opinion, and an understanding that the sources of Islamic jurisdiction are subject to interpretation, that the sharia can be changed, and that religious authorities' power to issue instructions on worldly matters is limited. These are the type of expectations that fundamentalist parties arouse when they speak of an Islamic caliphate as a state system. Against this background, an examination of the political system proposed until 1992 by the Algerian FIS shows that this system would have resulted in a very restrictive form of Islam. An investigation of the political system of the Tunisian fundamentalist leader Rached al-Ghannouchi reveals that the system he proposes may be designated as an Islamic democracy, since it takes into account separation of powers and pluralism of political parties. The head of state would be subject to the law in the same manner as the people. However, it is no liberal democracy, as he categorically rejects secularism, intends to punish apostates, and is only willing to allow political parties that are based on the religion of Islam. His state would only be a state of those citizens who follow Islam, completely neglecting secularist groups. Social conflicts and unrest are thus predetermined.

1. Introduction

Book titles such as “The massive offensive to wipe out the religion of democracy” (Ben Hadj 1990) or “Warning to the inattentive and notification to the undecided that reintroduction of the Caliphate is one of the main duties of this religion”¹ (Ben Hadj n. d.), contrasting with statements such as “Islam is the true democracy” (El-Difraoui 1994, 121), “Islam stands for a just order of society” (cf. inter alia Qutb 1993 and Carré and Michaud 1983, 105) and “Islam stands for a democracy that not only pays heed to the human dignity of its own population but concedes this right to all people, including across borders” (Ghannouchi 1993, 87) testify on the one hand to a religious system as one point of reference and on the other to an ambivalent link with democracy.

Yet the fundamentalists juxtapose concepts that ought not really to be comparable. Islam is without doubt a religion, while democracy is not. Though the latter in its liberal form is able to assign religions to private life, it is first and foremost a construct designed to stop despotism and abuse of power. Thus fundamentalists use concepts that, while they may suggest a great deal and arouse expectations, are anything but unambiguous and therefore require definition.

This article will show that when fundamentalists talk about “democracy” they mean at best a limited democracy that only serves the purpose of establishing opinions within a group that subscribes to the same basic idea while denying other groups the right to exist. As a rule it

¹ In a Caliphate the Caliph, the head of the Muslim community, sees himself as the Prophet's successor, yet he is only entitled to wield secular power over his subjects. He must ensure that the community lives

in compliance with the religion, but his religious role cannot be compared with that of the Pope in Christianity. Theoretically, the Caliph is just as much subject to Islamic law as the community he leads.

is reduced to a mere election mechanism stripped of its actual purpose, which is to limit abuse of power. Moreover, it may not be apparent either to other, nonreligious parties or to potential voters that when fundamentalists talk about democracy in general they do not necessarily mean liberal democracy in the sense of freedom of religion, political pluralism, equal rights, legal certainty, and division of powers. It is important to ascertain what kind of democracy is at stake because, contrary to what is often assumed in the West, societies in countries with a majority Muslim population are very heterogeneous, be it in their political alignments or in their religious affiliations. Consequently, social peace in those countries would only be ensured if all were really to be assured of equal fundamental rights and of equal entitlement to participate in politics. When a fundamentalist leader such as Rached al-Ghannouchi, a Tunisian celebrated in the West as a liberal, makes media attention-grabbing statements that suggest he supports laicism, that feeds expectations and generates trust among political opponents. For instance, he once said: “We entered the political arena in Tunisia to fight for freedoms and not to establish an Islamic state. ... We must respect the will of the masses if they decide to choose a different path from ours. We are not people’s guardians. Consequently, if our society were to opt one day to become atheist or even communist, what could we do?” (el-Affendy 1987). He thus lays down liberal democracy as the yardstick for the political system he proposes, and must be measured by that yardstick.

Likewise, talk of “Islam” is not unambiguous. A look at the history of the Islamic world shows that it has gone through various epochs of religious interpretation, ranging from decidedly liberal, tolerant, and secular (e.g. during the Abbasid dynasty in the East or under the Moors in Andalusia) to puritanical, backward-looking, anti-development, and intolerant (e.g. in Saudi Arabian Wahhabism). Present-day fundamentalists’ claim to be acting in accordance with “Islamic teaching” howsoever they interpret it is often accepted at face value without any critical analysis. To examine the political goals of fundamentalist parties it is not enough to consult the source texts of Islamic religion. One must also refer to the published political program or the publications of the groups in question. Max Weber concluded that the special interpretations applied by some

particularly ascetic forms of Protestantism such as Calvinism, Pietism, and Methodism were conducive to the emergence of a special form of capitalism (Weber 1993, 53) only after he had studied the interpretations of the respective groups with a view to identifying in them the values that led to a particular behavior, rather than basing his views only on the Bible as the foundation of Protestant, Catholic, and Orthodox Christian interpretations.

This article will examine the political system proposed by the Front Islamique du Salut (FIS, Islamic Salvation Front) in Algeria and ANNA HDA (Renaissance) in Tunisia in the light of their own claims to be committed to a democratic system. This analysis is being undertaken because many of their followers and many traditional Muslims assume that Islam stands for the realization of true democracy and one must therefore assume that those claims will have aroused corresponding expectations among the fundamentalists’ supporters. In addition, it is important to ascertain the fundamentalists’ willingness to be measured in fair competition with the other political and intellectual movements in their respective societies, since that is the fundamental prerequisite for ensuring social peace.

2. Democratic Elements in Islam and in its Early History

Confusion among western academics, especially as regards the FIS, can be explained by contradictory propaganda. On the one hand Ali Ben Hadj, the more populist of the FIS’s two leaders, has written books and newspaper articles with titles such as “The massive offensive to wipe out the religion of democracy” and “Warning to the inattentive and notification to the undecided that reintroduction of the Caliphate is one of the main duties of this religion.” On the other, the FIS called for a democratic contest in order to come to power, even promising to allow Muslims to elect its leaders in future.

Interviews conducted by Abdelassem El-Difraoui (1994) for his report on the FIS and its critical stance toward democracy show that the FIS deliberately relies on the ignorance of its followers and their hazy ideas. He questioned around thirty FIS supporters and found among them almost without exception great confusion concerning the political conceptualities and a widespread inability

ity to distinguish between an Islamic and a democratic order. The majority even equated the two systems. Thus an unemployed nineteen-year-old from the Algiers casbah (old city) said, “I’m opposed to democracy because it’s a western invention. It isn’t Islamic. I support the FIS, so I support the *shura*.”² Asked what the *shura* was, the same respondent said, “The *shura* is Islamic. It means that the people can decide their own destiny” (El-Difraoui 1994, 121). Ali Ben Hadj, the second leader of the FIS, holds a completely different view from that young man, at least on that particular point. He believes the people are too ignorant to identify suitable representatives who have their eye on quality and the long-term good (El-Difraoui 1994, 114). Another sympathizer interviewed even said, “Only a FIS government will establish true democracy, because Islam is true democracy.” (El-Difraoui 1994, 121) The statement given by a twenty-five-year-old bookkeeper in this connection is revealing. He voted FIS less out of conviction than as an act of protest, in order to get rid of the FLN (*Front de Libération National*), Algeria’s dictatorial post-colonial unity party, which was heavily influenced by the military. He said, “I’m pro-FIS because I’ve had it up to here after thirty years of the FLN and I can’t earn a living. So I’m 100 percent behind the FIS. But all that will come of it is the *sharia*.”³ That’s bound to be a bit too severe for us young people” (El-Difraoui 1994, 121).

Many Muslims fail to identify the invocation of a Caliphate as a call for a theocratic dictatorship because some of the conceptualities used do have democratic features. It should be noted that the fundamentalists invoke especially the idealized Caliphate of the Prophet Mohammed’s first four successors. Most politically and historically uneducated Muslims regard that as the period when true democracy was born. All four *Caliphs* were chosen to lead the Muslims by the unanimous consent of tribal chieftains. The great Sunni theologian al-Imam Abu Hamid al-Ghazali, 1058 – 1111, noted back in the eleventh century that only election by the *umma* conferred legitimacy on the person who held supreme state power (Meier 1994, 507). Omar, the Muslims’ second *Caliph*, had this to say

on the subject: “He who renders obeisance (*bai’a*) to a man without consultation (*maswara*) with Muslims has rendered no obeisance, nor has he to whom it was rendered received any obeisance” (Meier 1994, 507). One can also cite the following rhetorical question posed by Imam Ahmad ibn Hanbal, founder of the Hanbalite school of law: “Do you know who the *imam* is? The *imam* is the man all Muslims have agreed on. He is the *imam*” (Meier 1994, 507).

The principle of *shura* (consultation) also has democratic features. According to Hamid Sulaiman, it is that the circle of those involved in drafting an order or a law of public interest should be drawn as widely as possible (Meier 1994, 511).

One can find arguments in Islamic religious sources (the Koran and the sayings and deeds of the Prophet) in support of freedom to form and develop attitudes and opinions on questions of pure dogma, too. Thus it is said that the founder of the Malikite school of law refused to have the *Caliph* promote his school of law to the only valid legal standard, arguing that the existence of different opinions was a blessing for Muslim people (Ramadan 1980, 81).

Likewise, contrary to the view widely held in Europe, the *sharia* is not a rigid legal canon that must remain unchanged through the centuries. The sources of Islamic jurisdiction should be seen rather as moral and ethical guidelines to be adapted to circumstances as they evolve. Islamic philosophy itself shows that some earlier interpretations were wrong because, while God has foresight, human beings are still too backward in their development. In his “Reconstruction of Religious Thought in Islam,” Iqbal observes that the principles of the Koran by no means prohibit human thought and legislative activity. Instead, he says, in spirit they in fact prompt people to think. Early Islamic scholars mainly used this foundation as a starting point for developing a series of legal systems. Although these legal systems are very comprehensive they are nothing but individual interpretations and can therefore lay no claim to conclusiveness. This follows from the

² Consultation by the head of the Muslim community. Traditionally, this was never a binding requirement.

³ Islamic law

Koran teaching that life is an ongoing process of creation (Ramadan 1980, 57).

Ali Abdarraziq, 1888–1966, who worked at a *sharia* court in Egypt, several decades ago reached the conclusion that no-one has the right to curtail people's freedom of choice. He argued that the Caliphate is not only unnecessary but even contrary to the essence of the Islamic message. He was able to prove that even the Prophet was not granted political power over Muslims and did not lay claim to such power. Abdarraziq cites five verses from the Koran, commenting that it states clearly that Mohammed had no rights over his community beyond his religious revelations (Meier 1994, 112). The sole authority the Prophet had over his people was a spiritual authority, the origin of which is heartfelt belief. Consequently, obedience to him is based on a purely spiritual origin from which physical obedience follows. In contrast, the secular ruler's authority is a material authority. "The former belongs to religion, the latter to the world. The former is God's business, the latter the business of human beings. The former is based on the religious principle of guidance, the latter on political leadership" (Meier 1994, 109).

If Ali Abdarraziq denies even the Prophet political power over people, then all the more so the *Caliph*. In his view, religion did not envisage a Caliphate, jurisdiction, or any other state or government departments. These are subject only to the judgment of reason and experience. Accordingly, nothing prevents an Islamic society from constructing its polity on the basis of new forms of state (Meier 1994, 114). This proposition can certainly be taken to mean that in the final analysis a human being is obligated only to God and that no-one may claim the right to denounce his decision or to impose worldly punishment for it. In other words, it can be taken to mean that human beings alone are responsible for deciding for or against God without having to fear worldly persecution. One might also deduce from this proposition that Islam as a religion would even be capable of tolerating liberal democracy.

The above examples are intended to give an indication of the expectations awakened in supporters of fundamentalist parties when people talk about an Islamic Caliphate as a system of state. In addition, the Islamic religion is agreed

to incorporate a high degree of social justice. For instance, it bans corruption, usury, enrichment of the few at the cost of others, and the exploitation of labor, from all of which people in most Muslim countries have to suffer on account of those countries' dictatorships.

Before we move on to the extent to which the FIS and ANNAHDA are capable of democracy or are utilizing the most liberal interpretation possible of Islam, it should be pointed out that a distinction should be drawn between democracy and liberal democracy. The former meets the standard of introducing a fair decision-making process in a group that aspires to one and the same goal by different means. The latter permits all life concepts in a society a role in shaping politics, provided that there is none among them with the goal of swapping the free, democratic constitutional basis agreed by the majority for a dictatorship. In this context, liberal democracy is an entirely relevant standard for comparison against the ideas of state of fundamentalist parties, because the heterogeneous nature of society in many countries with majority Islamic populations makes state-guaranteed equality of different life concepts an essential prerequisite for social peace. Alongside religious Muslims, other large groups such as Christians, Jews, laicists, socialists and atheists exist even in these societies.

3. The FIS's Ideas on the State

Far from having a clear line, the FIS is an umbrella organization in which different currents have come together, all of which claim a connection in some form with Islam. Nonetheless, one can identify and highlight three basic orientations, the Algerianists, the moderate Salafis and the radical Salafis. This alone is a highly explosive combination, given that Algerianists and Salafis practice diametrically opposed interpretations of religion.

The Algerianist leadership consists almost exclusively of academics with a science or engineering background who took their diplomas at Francophile universities (Tawil 1998, 14). A key leader was Malek Bennabi, who was in favor of a democracy that took account of Islamic values. His first principle was that God does not change the situation of a people until that people is prepared to do something about the situation itself. He was also known

for seeking to hold his own society responsible for the sorry state of affairs. His criticism was aimed especially at the Algerian elite, which he accused of failing to look after ordinary Algerians. He also criticized fundamentalists in the Middle East, who he said should not ascribe evil only to the materialistic, colonizing West but also to the East, which had meekly allowed itself to be colonized without putting up much resistance. In 1945, he followed his words with deeds and parted company with the Muslim Brotherhood, accusing them of misusing religion to pursue directly political aims. This, he said, had caused them to degenerate into a political instrument devoid of any civilizing character (Labat 1995, 76 ff.).

Nearly all the moderate Salafi leaders graduated from the Ben Badis Institute and most were born in the 1940s. Almost all had a religious education and they categorically refuse to speak French, which is seen as the language of the former colonists. Although their name suggests otherwise, their teachings no longer have anything to do with those of the founders of the Salafiyya, who endeavored to adapt their interpretation of Islam to the modern age. This new ideological mixture combines elements of the writings of Ibn Taimiyya⁴, Hanbalism⁵, Wahhabism⁶, and Sayyid Qutb (Labat 1994, 44). Sayyid Qutb held the view that a human being may serve God alone and that people must not accept each other as masters in the place of God (Qutb 1994, 199). This Muslim Brother was also responsible for the terrorizing interpretation of Islam that excludes from the faith any Muslim society that does not live under a Caliphate (Qutb 1995), which would make it easy for militant forces to deliver it up to the terror of fanaticism. The new Salafis believe the West is to be seen solely as a threat to be repulsed. Their ideal is no longer the heyday of Islamic civilization in the High Middle Ages, but the original Muslim community of Mohammed and the four Rightly-Guided *Caliphs*. Philosophical and scientific

tradition in Islam is rejected as heathen. Their Islam is an Islam that is simply bereft of the component of civilization. Their efforts are directed solely at establishing an ideology of struggle. Both moderate and extremist Salafis reject democracy because they believe that God alone can hold power, not the people (Tawil 1998, 15).

This conveys how explosive a construct the FIS was, given that the groups that joined it have very great problems even to accept each other. Many would have preferred to overthrow the state by force, but hoped that the FIS's success would give them an easy road to power.

3.1 Election process purely a choice of candidates

On closer scrutiny the apparent confusion that the FIS sows even in its program as regards its attitude to democracy can be interpreted without ambiguity (cf. *al-Munqid*⁷, October 19, 1989).

What the FIS is willing to give Algerians is a one-time election to choose between a theocracy and a secular state. If they were to choose a theocracy, there would be no legal way back. Certainly, this theocracy would permit elections with a choice of candidates. At best, the Algerians could choose between different parties with a connection to Islam, but a socialist and laicist or liberal party, for instance, would no longer be permissible. Arguments generally put forward against a multi-party system include the fear that political parties will fracture the unity of the umma. In this context it should be noted that Islam emerged in a region inhabited by tribes that were often involved in centuries-old feuds. For a time, at least, Mohammed succeeded – in the name of unity of the *umma* – in overcoming the never-ending wars that had often rent entire families apart (Faath and Mattes 1992, 19). By using the fear of splits, dissension, and fratricidal war the fundamentalists succeed in portraying the party system as divisive rather

⁴ Under the influence of the Christian crusades and the Mongol invasion, Ibn Taimiyya developed a theological line ascribing a special significance to *jihad* (holy war).

⁵ The most recent and the smallest of the four officially recognized schools of law within Islam. Its founder leaned toward the Abbasids and the

conservatives among them. Regarded as the strictest school, it placed severe restrictions on the use of rational methods to find justice and tried to align itself as closely as possible to the source texts. Wahhabism is based on this doctrine.

⁶ A sect that originated in the eighteenth century, which takes Islam back to an idealized, primitive

“original” form, declares all post-Mohammedan interpretations of the source texts as null and void, proscribes any form of drug or intoxicant, and insists on archaic Arab methods of punishment such as the stoning of adulterers and chopping off the hands of thieves.

⁷ FIS party publication

than conducive to peace, as a system in which personal vanities are nurtured while sight of higher national goals is lost (*al-Munquid*, February 22, 11–12).

Ali Ben Hadj, the second in the FIS's two-man leadership, even said that democracy is based on the view of the majority without taking account of the quality of that majority. He leveled the criticism that, because truth is established by the majority view, the leaders of democratic parties are only concerned with developing a program to satisfy the largest possible number of voters and that faith, honor, religion, etc. fall by the wayside in the process. In contrast, for supporters of the *Sunna* and the community, truth is established solely by way of legitimate reasoning and argumentation and not by the total influence exerted or the total votes cast (*al-Munquid*, August 9, 1990).

3.2 Who will interpret Islam?

FIS statements do not clarify whose job it is to interpret Islam or which body will be given the power to specify what conforms to Islam, nor whether or not this body would be subject to scrutiny by the people. The FIS political program says nothing about this. However, suspicion is aroused by Ali Ben Hadj's comments that the people lack the political maturity, the wisdom, and the far-sightedness to be allowed to decide this, so he could imagine a council of theologians with the job of settling these matters. However, he fails to mention who would be allowed to elect this council and whether it would be subject to any form of popular scrutiny (Ben Hadj, alias Abu Abd al-Fattah, *al-Munquid*, August 9, 1990, 3–4).

3.3 Who will oversee the overseers?

The only surveillance mechanism mentioned in the FIS program is the so-called *hisba* market police, which is to be upgraded to a force that polices morals. As well as checking civil servants' integrity, it would examine the morality of the lifestyle of single mothers whose husbands have died or left them before they receive any entitlement to welfare benefits. Bassam Tibi places the meaning of *hisba* in its proper context. He writes: "In classical Islam, *hisba* means that the *Caliph* can watch to make sure his *ra'iyya* (subjects) follow the rules of Islam, primarily that they do not deceive or defraud, and can call them to account. In present-day Egypt, however, *hisbah* means that

every Muslim can "snoop around" in the life of another Muslim and accuse him of breaking the *shari'a*." Tibi says this amounts to encouraging people to inform, which is a punishable offense in Islamic law (Tibi 2000, 103 and 106).

The problem with this kind of surveillance is that anyone who does not concur with the state doctrine can be swept aside as having deserted the faith, however good a Muslim he may be. With the exception of one single article, no issue of *al-Munquid* contains any differentiated discussion of the advantages of division of powers, the rule of law, equal rights, and political equality, nor does the FIS party program. Yet not even from the viewpoint of Islam can there be any objection to these control mechanisms, given that they support just treatment of individual members of society and ensure that arbitrary use of power is averted (discussed in detail in Wöhler-Khalfallah 2004).

3.4 The *sharia* as a constitution

As long as the issue of genuine control mechanisms is ignored the best legislation is of no avail unless it is guaranteed to apply to all and to be implemented in an equal manner.

This insight alone enables one to imagine the flaw in the thinking of many fundamentalists when they insist that only a higher, divine law that is above human weaknesses (such as corruptibility, arbitrary use of power, etc.) will be able to bring justice to Muslims. Whether deliberately or not, they overlook the fact that this law, too, will have to be interpreted by humans and can fall victim to abuse in the process, and that people can force their own opinion on others in the name of a higher being. It might be almost impossible to stop that type of abuse in the absence of entirely earthly control mechanisms.

The example of Sudan shows the ease with which the *sharia* can be abused. Traditionally, prior to contact with European influences, the principle of repentance always played a role in the application of the *sharia*. Even in cases of adultery there was seldom recourse to stoning because the culprit was given the opportunity to repent. In Numeiry's interpretation of the *sharia*, which Hassan al-Turabi, who is often seen in the West as modern and liberal, also approved – despite initial reservations – after

being brought into government, even small-time thieves have their limbs chopped off for petty theft (one more limb for each offense). Meanwhile, new legislation has benefited the Muslim Brotherhood, with new banking regulations giving it economic power that it has channeled into targeted loans to members of the Brotherhood and speculation on the grain market (Köndgen 1992, 46).

In Iran the Islamic regime's potential for abuse lies primarily in the circumstance that the heart of the Iranian constitution, the *wilayat faqih*, or guardianship of the jurists, gives absolute authority to a single theologian. Although the state founder Ayatollah Ruhollah Khomeini accepted the formal institutions of a parliamentary democracy, he created for himself an office that stands above all elected bodies, thereby neutralizing the constitution's republican element (Kermani 2001, 46). That has given rise to the unusual situation where "followers of the party of God" (Ansar-e Hezbollah) the radicals among Islamist groups in Iran, now violently storm theological institutions because these institutions are calling ever more audibly for a separation between religion and state (Kermani 2001, 32). Kermani suggests that the arguments put forward by these new theologians mark the decline in religiousness that has been noticeable since the Islamic Revolution. If Islam is identified with the state, he says, "it is held responsible for every injustice for which the state is responsible. This results in the spread of atheism, society loses its moral values and religious hypocrisy and open bigotry are omnipresent. They analyze the ideologization of Islam, in which they themselves were involved, as a misunderstanding that arose during the course of forced, superficial modernization under the Pahlavi dynasty. This smacks of the march through Hell that is necessary in order to return to Paradise by the back door. By turning away from the Islamism of their own intellectual fathers the self-styled religious enlighteners are returning under completely changed auspices to the apolitical religiousness of their grandparents" (Kermani 2001, 51).

At this point it should be noted that even with the best of wills the "democracy" the FIS talked about until 1992 cannot be described as such. It renounces any form of counterchecks, and that would open the door wide to arbitrary use of power and ideological despotism. In any case, in Algeria after three years of civil war, the remains of the FIS that had refused to condemn GIA terrorism came to the conclusion that only a liberal democracy with all its control mechanisms could bring peace to the country. Even the bitter opponent of democracy Ali Ben Hadj conceded at negotiations in Rome that the Koran and the Sunna could not serve as a constitution and should only to be referred to for inspiration in drafting a constitution with which all Algerian groups could agree. The FIS also recognized the Universal Declaration of Human Rights (Impigliazio and Giro 1998, 121 and 136).

We are unable to clarify here whether these concessions were made out of realization and conviction rather than merely for reasons of political pragmatism, because the FIS has been banned since 1992 and forbidden to participate in politics. Its two leaders Abassi Madani and Ali Ben Hadj were released from a twelve-year jail sentence only on July 2, 2003, on condition that they refrain from future political activity.

4. Rached Ghannouchi's and ANNAHDA's Ideas on the State

Unlike the FIS, which was an umbrella organization bringing together very different orientations, Tunisia's MTI (Mouvement de la tendance islamique), now known as the ANNAHDA party, was consistent within itself. The MTI was not founded directly. It came into being when three sympathizers with Pakistan's Tabligh Group⁸, which began missionizing in Tunisia in around 1966–67, joined forces. They were Sheikh bin Milad, Rached Ghannouchi, subsequently their president and their most important thinker, and Ahmida Enneifar.

Interest in Ghannouchi was aroused especially by the fact that, unlike other fundamentalist movements' leaders, he

⁸ These itinerant preachers who went out into the world in the 1960s to spread their interpretation of Islam were for a long time looked on benevolently as "Jehovah's Witnesses of Islam" (Der Spiegel, January 10, 2005). However, the history of how

they originated and the careers of their spiritual leadership show a striking link with the Deoband schools, where the Taliban among others were educated (cf. <http://islamonline.net/fatwa/arabic/FatwaDisplay.asp?hFatwaID=11300>).

declared himself to be in favor of liberal democracy in a spectacular way that grabbed the media's attention. He comes across generally as very pragmatic and life-affirming. He insists that the arts must not be neglected and criticizes people who pursue religious studies in an outmoded way so that young people fail to see the sense of religion. His insistence on social justice made the movement attractive to young people and earned him a reputation as a closet Marxist among his critics. He likes to make play of this accusation in order to underscore that his politics are relevant to the present day.

He warns against the oft-repeated assertion that the West is in decline. This charge, he says, only serves as a sedative for Muslims. Although he, too, believes that West is in a process of breakdown, at least on the moral plane, he sees little comfort in that for those whose decline is even further advanced. Unlike his colleagues, he warns against rejecting outright all ideas that come from the West, especially democracy. At the very least, he says, they must be given proper scrutiny. He starts by explaining the guiding thought that drives the West. The central idea in the West, he says, is belief in human beings, belief that human beings exist in themselves and for themselves and are the measure of all things, that humans can control their world and their destiny, understand their world and master it completely.

The positive fruits of that kind of belief, he says, are that it liberates human beings from the feeling of powerlessness and steers their thoughts into practical, functional paths. It gives them belief in progress, tenacity in mastering the unknown, and a sense of the values of the day and the importance of human dignity and freedom that is reflected at the political level in the form of democracy and respect for human rights. Ghannouchi qualifies this by saying that this belief also has negative aspects such as the lack of interest in anything beyond the material. The consequence, he says, is that the intellectual and spiritual life of the West lags remarkably behind its material progress, which is why life takes its course amid a decadent hedonism devoid of any convincing vision of the true meaning of life. This indicates that Ghannouchi is discovering democratic mechanisms for his concept of a state based on Islamic values, while rejecting democracy's secular side because it

allows a permissiveness that he sees as jeopardizing, if not destroying, civilization.

However, Ghannouchi levels the criticism that liberal democracy is only applied within national boundaries, whereas internationally the laws of nature apply (Ghannouchi 1993, 85 f.). He is alluding to globalization mechanisms and Western interventionism. As he sees it, the problem lies not in the ideals or mechanisms of democracy but in some aspects of the philosophy in which these ideals originated. His view is that liberal democracy is influenced by western philosophies such as those of Darwin, Hegel, and Nietzsche that justify and legitimize this kind of conduct by the stronger toward the weaker. He says that democratic governments all over the world are involved in oppression and even genocide, showing the inhuman side of western democracies (Tamimi 2001, 87). Ghannouchi complains that democracy has not yet succeeded in preventing peoples from attacking each other or deception and economically motivated encroachments and predation. Ghannouchi believes it is essential for nations to overcome their egoisms and to strive for a single humanity, in other words that all people all over the world, regardless of nationality, are entitled to the same rights, in practice as well as in theory. In his view, materialist philosophy is seen as the only basis for the values of the liberal democratic system and is thus responsible for the West's oppressive behavior outside its own borders. As an Islamic alternative, he supports a democracy built on ethical, that is religious, values.

He calls for an attack on one person to be considered as an attack on the whole of humanity. For Ghannouchi it is clear that democracy can contribute toward, indeed is fundamental to, developing one of the best political systems, as long as it is accompanied by a universal philosophy that respects human life. According to him it is still the best political system that the human mind ever created, even without having been realized in an Islamic democracy. He says it was unforgivable of fundamentalists to reject it wholesale on the grounds that it originated in Western minds. On the contrary, he says, consideration should be given as to how it could be put to the use of the Islamic mind so as to put its values to best advantage (Ghannouchi 1993, 87).

4.1 Discrepancy between Ghannouchi's public statements and his writings

When Ghannouchi was once asked at a reading whether he would allow a communist party to remain politically active if he came to power, he castigated the questioner, saying that his question could only have come from a paternalistic way of thinking. He said he had no intention of imposing a guardianship on the people and it was time for fundamentalists to break away from this paternalistic attitude and to start crediting people with the ability to make the right choice (el-Affendy 1987). In an interview with a Kuwaiti magazine he said: "We entered the political arena in Tunisia to fight for freedoms and not to establish an Islamic state." To the horror of his interviewer, a traditionalist fundamentalist, he added: "We must respect the will of the masses if they decide to choose a different path from ours. We are not people's guards. So if our society decides one day to become atheist or even communist, what could we do?" (el-Affendy 1987).

All these comments certainly helped to reinforce his reputation as a champion of liberal values. However, a somewhat critical look at his well-known book "Al-Hurriyat al-'amma fi d-daula al-islamiya" (General freedoms in the Islamic state) leads one to envisage something rather more restrictive.

Ghannouchi's explicit attitude toward the apostate is revealing. He regards voluntary, deliberate turning away from Islam to unbelief, on the basis of which fundamental guidelines of Islam as regards faith, law, or rite are rejected, as a political offense. The Islamic right to freedom and security does not include the freedom to turn away from the faith. The offense lies in the splitting away, an act of "mutiny" and "treason" that must be punished within the context of the state's responsibility to maintain the community and law and order (Tamimi 2001, 78). This opinion shows that he is not really at all willing to accept the consequences of giving society the freedom to choose between opposing social concepts.

4.2 Islamic democracy within the limits of what is permissible under the *sharia*

Ghannouchi's statement on the role in his "Islamic democracy" of the limits set by the *sharia* is unmistakable, because in his view no political concept that moves

outside the *sharia* can be regarded as Islamic. From an Islamic view, such a concept would be plainly illegitimate (Tamimi 2001, 90). According to Ghannouchi the authority of the *sharia* is higher than any other authority in Muslim society. That statement is unequivocal.

4.3 A multi-party system that permits only parties that accept the Islamic order and act according to it

Ghannouchi is very cautious in his utterances about the multi-party system. Like many other fundamentalists, he expresses concerns that the plethora of movements could split the *umma*. However, he sees in it a positive aspect of competition, albeit one that must follow the basic rules of constructive cooperation. Yet unmistakably audible is the caveat that he has no intention of allowing parties that reject the religious order of Islam as the highest regulatory element of a society to participate in any way in shaping political life. In his view, the only option for anyone who wants to be involved in political events is to convert to Islam. On the other hand, he will allow non-Muslims to be involved in Muslim parties provided that they respect the value concepts of Islamic society. However, they are not to be given access to leading posts in government (Ghannouchi 1993, 292ff.).

4.4 Ghannouchi's design for an Islamic division of powers

The above remarks should have demonstrated that Ghannouchi does not intend to establish a liberal democracy in the western sense. Nonetheless, he has certainly given very considerable thought to how the rule of law can be ensured, at least theoretically, in a religious system that has been shown in this study to be particularly susceptible to abuse of power. Ghannouchi recognizes the danger arising from the circumstance that the *sharia* has to be interpreted and that there is therefore a risk of abuse of power through interest-led interpretation. His proposed solution for stopping this monopolization is for parties with different kinds of *ijtihad* (judgment) to compete with each other and to leave it to the people choose the version that suits them (Tamimi 2001, 83 and 99ff.). In the event that only interpretations are proposed that the people refuse to accept at any price, they are to be provided with a means to reject the proposals.

Thus, on critical reflection, what Ghannouchi intends is a state regulatory element with power-limiting mechanisms

to ensure legal certainty within the framework of religious laws. The only logical explanation for his statements concerning his willingness always to give Tunisians the full right to opt, if need be, for atheism or communism is that this decision-making freedom is to be granted only for the first election that Tunisians face, that is the election for or against a religiously motivated state system. If in this election they were to opt for a secular model, he would respect their choice. However, if they chose an Islamic model, its laws would come into force irrevocably. In principle, given his religiously oriented starting point he cannot be reproached for holding this opinion. He can only be accused of keeping his followers in the dark and of leading them astray with spectacular, media attention-grabbing statements that convey the impression that he is a liberal thinker. Above all, a state that defined itself by way of a certain religion would only be the state of those citizens who professed their faith in the state religion. This would give rise to a permanent potential for arbitrary use of power against minorities. That state's democracy would be an Islamic democracy, but it would certainly not be a liberal democracy.

Ghannouchi's less well-publicized activities show that, as regards his attitude toward democracy and his call for a universal humanity, caution is called for. He has lived in exile in London since the early 1990s and is now a member of the European Council for Fatwa and Research, which is headed by Yussuf al-Qaradawi and is close to the Muslim Brotherhood. The council's main aim is to regulate the life of Muslims in Europe according to the stipulations of the *sharia* (European Council for Fatwa and Research 2006). The Middle East Media Research Institute (MEMRI 2004) reports that as recently as 2004 Qaradawi himself issued a fatwa that allows the killing of Muslim intellectuals as apostates, published in *Al-Ahram Al-Arabi* on July 3 that year. Some self-styled liberal Arab thinkers report that Ghannouchi himself recently issued a fatwa permitting the killing of all Israeli civilians. The justification given was that there are no civilians in Israel because the population – men, women and children – are reserve soldiers of the army and therefore to be killed (MEMRI 2004).

It can be assumed that approaching 30 percent of Tunisians now sympathize with Ghannouchi's ANNAHDA

movement. Torture is the order of the day in Tunisia's prisons and is aimed at all forms of opposition, both liberal and religious. Students and the middle class especially follow the Palestinian-Israeli conflict with keen interest, which makes these groups susceptible to radical ideas (Schirra 2002). Added to this is the desolate economic situation. A mere glance at the ANNAHDA website gives a sense of the strong radicalization. It reproduces a tract by Hassan al-Banna (1906–1948), the founder of Egypt's Muslim Brotherhood, entitled "Are we a people capable of action?" This not only legitimizes *jihād* as a defensive war, but also makes campaigns of conquest socially acceptable again (Al-Banna 2006). The French investigating judge Jean-Francois Ricard foresaw back in 2002 that Tunisian terrorists would before long provide the coming generation of al-Qaida (Schirra 2002).

5. Summary and Outlook

This article has discussed democratic elements in early Islamic sources and in the programs of the FIS and ANNAHDA. According to historic writings, Islam includes the principle of democratic consensus, the principle of consultation, freedom of opinion, and an understanding that the sources of Islamic jurisdiction are subject to interpretation, that the *sharia* can be changed, and that religious authorities' power to issue instructions on worldly matters is limited. These are the type of expectations that fundamentalist parties arouse when they speak of an Islamic Caliphate as a state system. However, in practice democracy as it features in the ideas of the FIS provides for only a one-time choice between a theocracy and a secular state. There is no way back from a theocracy, and in a theocracy it is only possible to elect different individuals and parties from an Islamic spectrum. The interpretation of Islam is to be left to a clergy in power. There is no provision for mechanisms to control the organs of state or to prevent arbitrary use of power. Ghannouchi, the spiritual leader of ANNAHDA, recognized long ago the importance of democratic institutions and, especially, the need for a division of powers as the only effective means of preventing despotism. Yet he vehemently rejects a separation of religion and state even though he often presents himself in a media attention-grabbing way as a supporter of liberal characteristics of democracy. In fact, he regards apostasy as an offense that he would like to see punished. He sees

democratic scope, including competition between parties, as permissible only within the framework of the *sharia*. A noticeable tendency toward a hardening of positions gives cause for thought. It finds expression especially in identification with the Palestine conflict and leads Ghannouchi to take an irreconcilable stance in this regard.

The above examination of the fundamentalist parties of Algeria and Tunisia conveys an idea of the process of self-discovery that the Islamic world is currently engaged in. It should not be forgotten, however that groups relating to political Islam only constitute one part of the population of the Muslim world, even though it currently seems to be becoming more and more significant.

If they are to achieve social peace in the long term, they will not be able to avoid coming to terms with other political groupings. Likewise, in the long term the path to liberal democracy will be unavoidable. Yet this does not mean that the values by which different Eastern societies are guided will have to correspond to Western approaches in every respect. Not all democracies are identical, even in the West. Each country has agreed standards that best suit its nature, its culture, its history, its national character, and its ethnic make-up. In the same way, Muslim societies too will find their own way and may have to fight to secure it. However, rather than assist this process, self-serving Western intervention can only reverse fragile advances and hand the arguments to the fanatics.

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