

## **Political Participation in Democratic Political Orders**

**A Comparison between the New Caliphate, Constitutional, and Religious  
Democratic System**

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### **Keywords**

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### **Abstract**

Political participation is seen as the backbone of a political state and an element ensuring the efficiency and reliability of a political system. Political participation varies according to every reading of political system, approach, contraction and expansion, as difference in the genre and scope of political participation in these systems is consistent with the principles and structure of that political order. This research investigates three genres of a democratic order used in Islamic nations' namely new caliphate, constitutional monarchy, and religious democracy. Consistent with the queries about the political participation capacities of a religious democratic system, the paper, based on a descriptive, analytical, comparative, and critical method, maintains that political participation in this political order profits from a wider scope and capacity, plus the reliance on religious principles; and it also can ensure a desirable supervision of agents as well as the efficiency of the political system, in addition to providing a pervasive political participation between the elites and the masses. It can also be introduced as a political order, which is an alternative to democracy in the modern world.

## Introduction

Contrary to the origin of theocracy, which associates the legitimacy of political systems with the divine appointment, the origin of democracy links the legitimacy of a political system to the public opinion. Accordingly, while rulers in political systems like the reign of Pharaohs, emperors, Medieval kings, as well as Umayyad and Abbasid rulers, ruled the people as God's representative and messenger, and dismissed the public position in the administration of society, preferring what they deemed appropriate to the public demand (Vincent, 1992), the state in democratic systems is conventional and contingent on the people's vote and will. Thus, rulers are elected as individuals associated with the public in an electoral process for a certain period of time. They are representatives of people, with certain powers granted to them.

A majority of political systems in the contemporary world have accepted democracy, and have denounced any evasion of it as the acceptance of tyranny and the ignorance of the public right. Despite this a variety of democracies, consistent with their indigenous and Islamic culture as well as preservation of democratic components and religious foundations in the Muslim world, have manifested themselves. Two examples of these are the "new caliphate" in the Arab world and the "Constitutional Monarchy" in some Islamic countries.

As opposed to the two instances of democracy, a religious democracy-based political order in the Islamic Republic of Iran has contributed a lot to the public acceptance of the political system and the desirable administration of society within the framework of Islamic norms as it respects the public efficiency and consent together with the divine legitimacy.

Given that the principles of state legitimacy vary in these three forms of democratic political systems in the Muslim world, as they employ a host of approaches in the realm of governorship. Thus, this research, besides putting an emphasis on the authenticity of religious democracy presented in the Islamic Republic of Iran and drawn on religious learnings (absolutist

approach), versus the approach of the other two readings which are not based on religious principles in the face of the references of some learnings to religion (minimalist approach); aims at comparing and assessing the proper capacity of the three democratic orders in the Muslim world. It also explores the domain of political participation and its political requirements, the effect of political participation on the supervision of administrators, and the efficiency of the democratic political systems drawing on religion in the Muslim world. It accentuates the score of the religious democratic system against the other two systems in terms of authenticity, the scope of political participation, and the efficiency of the political system, due to the maximum presence of religion and people in the administration of society.

Even though there are no records of the research subject concerning the assessment of the capacity of democratic political orders; we can mention two papers titled “Political orders in Shia Jurisprudence and assessment of their capacity for political participation” and “Capacities of political participation in the reading of Guardianship of the Islamic Jurist theory”, written by the author of this article. And state some other articles such as “A model of political participation in a system based on the absolute Guardianship of the Islamic Jurist”, written by Mohammad Foladi. In this article, in addition to investigating the three forms of democratic systems by a descriptive and analytical method, the paper compares and analyzes the capacities of the three systems with respect to the basis and reference to Islamic foundations as well as capacities for their political participation by using a critical method.

### **Shared aspects of political participation in democratic orders**

The democratic reading of a political order, which is today seen as a prevalent theory in all political orders and any evasion of it is interpreted as the ignorance of the public right, is held to be a common requirement (relative to political participation) in political orders. Accordingly, political orders built on religion-based democracy are within the purview of the

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common features, and we can observe political participation in the approach regarding all readings:

1. Unlike a non-democratic reading that holds the Sultan responsible and grants him all ruling powers as he delegates some of his duties to others he approves of; a democratic order views law as a benchmark for ruler's powers as he is just an executor of the laws approved by people's representatives.
2. In opposition with family, racial and party affiliations, which exerts an absolute effect on the appointment of system administrators in a non-democratic order, competency or people's choice is a benchmark for administrator to work in a democratic order.
3. Unlike a non-democratic order where people often have obligations and duties in support of the political system and have minimal rights as rulers' vassal, people have citizenship rights for the duties and obligations set by rulers in a democratic order.
4. As opposed to a non-democratic order where the criterion for the legitimacy of a political system consists in various factors such as race, heritage, power, etc., and people have no role in the ruler's legitimacy; in a democracy, the legitimacy of a political system rests on the views, votes and choices of people and an inclusive election is the criterion for choosing rulers and administrators.
5. Contrary to a non-democratic order in which state legitimacy is concerned with anything but people, and people lack a supervisory role over rulers and administrators, because they do not find themselves accountable. In a democratic order, people assume a crucial role both in the election of rulers and observation of their performance, and accountability to people is the backbone of the system.

This study conducts the review of three democratic readings of political order (new caliphate, Constitutional Monarchy, and religious democracy). Paying attention to some shared features of the readings, we study their participatory capacities, as well as stating the supremacy and efficiency of religious democracy compared to the two other readings.

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**First: Political participation in the democratic reading of caliphate (new Caliphate)**

Given the fact that the non-democratic discourse of the present age has come across widespread opposition in the political arena, as the prevailing theory of a political order underpins democracy and the centrality of the public view in the legitimacy of a political sovereignty, the Sunni people, by reviewing their own references and principles, have come up with a democratic reading of caliphate theory, as a theory whose origin represents the view of the Sunni about political sovereignty, consistent with the new order arisen in the global arena. In opposition to Shia' rationality, the Sunni hold that Prophet Mohammad did not appoint anyone as his successor, and this should be taken over by people (Shahrestani, 1990). As opposed to the theory of the old caliphate drawn up in the wake of Prophet's death based on the reality and the approach of caliphate's sovereignty, in that the public position is reduced to the domain of Bay'ah (an oath of allegiance to a leader), a reading of caliphate system has been proposed, which conforms to indigenous Islamic components like Shura (consultation) and Ijma (consensus), and takes advantage of the maximum support by creating democracy, as it dismisses any special appointment of a person by God for ruling people.

This reading of caliphate order consists of a democratic approach, as some contemporary thinkers of the Sunni believe that a legitimate political system entitles people to sovereignty rights (Feirahi, 1996).

Accordingly, some thinkers conceive of caliphate as a kind of advocacy contract, believing that caliphate is concluded by consultation, i.e. election and an allegiance oath (Group Author, 1924). The democratic viewpoint of the thinkers lead Shura to take on an elite-based approach, as the vote of the elite people is considered an allegiance oath by relying on the view of the contract pundits. In addition to rendering him as chairman of election and dismissal (Rashid Reza, 2013), they believe that the caliphate rises to power from his Ummah (community). Thus, Ummah is the source and epitome of his power (Abd al-Raziq, 2000).

According to this approach of political order, the Shura and political participation is the basis of a political system. Besides this, delegating political power and the power to appoint and dismiss a ruler is up to people's representatives in Majlis e Shura (Consultative Assembly), and the ruler should consult with the elites and Ahle Hel Va Aghd (Sharia community of Influential thinkers and scientists) regarding issues on which there is no clear consensus or legitimately clear text (Maududi, 1985).

In the approach that pursues an ideal political situation and is in conflict with the political tradition in the past and the modern society, as it was passively drawn up with respect to the Western democracy, which aims to adapt itself to the democracy, a structure of political order is proposed that taps into special and different capacities compared to other political orders, which is achieved by laying emphasis on its capacities in terms of the scope of political participation.

**1. Pervasive elite caliphate:** Contrary to the theory of the old caliphate in that a person with distinct characteristics (like being a Quraysh tribe member) should take over the caliphate of the Muslim community (Maverdi, 1986), sovereignty was taken away from the Quraysh members in the theory of new caliphate, and is entangled with people's votes and opinions. In this way, although everyone cannot be suited for this position, such qualities of Islam as justice, knowledge and trusteeship are conditions for the ruler (Maududi, 1985). Accordingly, sovereignty is taken away from the monopoly of a particular family, and all elites can share it.

**2. Establishing democratic institutions in political structure:** Given that Shura (consultation) is pivotal to the theory of new caliphate, the condensed form of a democratic position in this theory can be sought in the concept and nature of Shura. Thus, with an emphasis on this element, Sunni theorists attributes a distinct role, i.e. establishment of a particular institution, to the element in the new political order, and consider a lofty position for this institution in the structure of sovereignty (Maududi, 1985).

Apart from the fact that the ruler is required to consult with the Sharia community of Influential thinkers and scientists as the people's representatives in this political order in the process of decision making (particularly in cases of war and peace, public interest, and important national affairs), the representatives of this institution, referred to as Majlis Shura (Consultative Assembly), are involved in this process of sovereignty, and profit from a lofty position in appointment and dismissal.

On the contrary, as opposed to the theory of the old caliphate which is the only official authority of the Sharia, the law approved by representatives of Shura Council is the basis of decision making in the new theory, and the laws will be binding on everyone, even on the Caliph.

Although the identity of the Shura Council body is not agreed by Muslim thinkers, some acknowledge its position as the Sharia community of influential thinkers and scientists, recognizing it as a consultative position rather than binding proposition. Some scientists, however, do not see representatives of Shura Council as the members of the Sharia community, but as the representatives of the masses and public opinions. Hence the position of Shura is held for that matter and the laws approved by them are considered binding (Kowsarani, 1996).

**3. Reducing the power of rulers:** given that Muslim Sharia encompasses the whole human life (either private or public) and the old caliphate theory accedes to the necessity of caliph intervention in all human affairs accordingly, caliph's political sovereignty is not reduced to the public sphere, as there is a small authoritarianism for the ruler in the new theory. Hence there is no room for rulers to meddle in the private sphere of people, yet his sovereignty is reduced to the constitution and its requirements (Feirahi, 1996).

However, contrary to the old theory of caliphate that sees no time restriction for the caliphate of a caliph, and presumes it to be permanent, in that issues like the decline of justice and rationality poses no obstacle in his permanent caliphate (Maverdi, 1986), sovereignty in the new caliphate is reduced to a certain time specified in the law and without a lifelong property.

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Moreover, in this theory the institutionalized and structural supervision is more thoroughly applied to the ruler and his conduct, in the sense that the members of the Sharia community (Ahali Hel-o-Aghd) can dismiss him and assign another person to this position in the event of violation of Sharia and law or the abuse of power (Rashid Reza, 2013).

**Critical analysis:** although the theory of new caliphate has disallowed the inclusive author based on the theory of old caliphate in the political participation arena due to the democratic approach, letting the masses and political elites to participate, what the approach of political participation in this reading of democracy, advocated by Sunni community, has impaired is that in the theory of new caliphate the legitimacy of the state just like material political systems is attributed to the people and is devoid of a divine approach in spite of using the traditional components of Faqih (Islamic jurisprudence) such as Shura, Bay'ah and Ijma (consensus), yet in this theory some inter-religious components were used and justified to associate the theory with the Islam by maintaining democracy as a requirement for the current age, because this reading of a democratic order is not a genuine and indigenous reading attributed to the fundamentals of Islam, but it is an updated approach to political order that calls for its development in Muslim societies by upholding Western democracy models. Accordingly, the notion of the new caliphate should be regarded as the upshot of the problems in the Ottoman Empire until the time of its disintegration (Lamouh, 1982), which laid down the new caliphate by underpinning such ideas relative independence of religion from politics and secularism, though it remained pessimistic about the political theory of the old caliphate.

The hatred against the Ottoman's past sparked a wave of the globalization of state, modernity, and psychological and epistemological tendency of the Arabs for the theoretical foundation of the victorious civilization of the West, which were held to be the three major causes that called for a historical revision in the jurisprudential ideas of caliphs (Kawsarani, 1996).



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**Second: political participation in the order of constitutional monarchy**

Given that the political order of the monarchy, as a special individual sovereignty over the destiny of people in society with regard to law, enforcement and jurisdiction, has often ended up with despotism, scientists have reduced the scope of rulers' power to the enforcement of laws in an attempt to protect society from sultans' autocracy, apart from recognizing their sovereignty, and attempted to involve people in political processes by allowing people representatives to legislate and fair judges to arrive at a verdict.

The change of approach from monarchy to constitutional monarchy in Iran is more reliant on environmental conditions of king autocracy and requirements for dealing with kings than political theorists, which was accomplished in the beginning in response to the tyranny of Western rulers and introduced in Muslim nations after a while. Thus, many scientists strived to elaborate on this new system and in response to the despotic monarchy. In the same vein, some jurists attempted to come up with a proper understanding of the concepts geared to religious teachings and draw up treatises based on religious principles on the achievements of modern state and its participation components in reaction to the circumstances of the time, besides reconsidering the new order and its pillars and components such as constitution, separation of powers, parliament, people's position, freedom, equality, etc. (Hosseinizadeh, 2010). Instead of the despotic monarchy, they suggested constitutional monarchy (with a focus on the reduction of ruler's power domain to law and public opinion).

Allameh Naeini, one of the main theorists in Constitutional Revolution, believed that the utility of the Islamic system is contingent upon the observance of divine laws, denouncing sultan's absolute governance and non-binding attitude toward governance based on the interests of citizens and the fulfilment of their rights as unpleasant governance. In this regard, he utilized such religious concepts and teachings as "Amanat" (trusteeship) and "Wilayat" (Guardianship of the Muslim) (Hosseinizadeh, 2010). He also emphasizes the need for administration's binding to law and supervision and rulers'

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accountability for their behaviors and dismisses tyranny and autocratic governance as unpleasant (Zargarinejad, 1995).

Certain capacities of a constitutional political order associated with political participation are reviewed in a nutshell in accordance with the norms of political jurisprudence:

**1. Governance by law (constitution):** political participation based on the law in constitutional theory is in the spotlight because rulers govern a society in a despotic manner in monarchy order and in the administration of the state consider their own benefits and those of their relatives more than the interests of society. Similarly, constitutionalists uphold the centrality of law and believe that law override sultans' conduct. However, despite the advocates of constitutional order, they accentuated the limitation of power as the backbone of the new system. Many scientists like Sheikh Fazlullah Nouri believed that constitutional order makes rules conventional and detached from Islamic doctrine, and maintained, as declined the use of laws based on human mind in society by denouncing human rules as Western souvenirs and the order of modernity, that if one thinks that the requirement of the era is to change some of the provisions of the Divine Law or can serve as its supplement, such a person is outside the purview of Islamic belief (Zargarinejad, 1995).

Thus, jurisprudents who are constitutional adherents made an effort to reconsider the nature of Sharia laws, shared some part of case law in the administration of society, and declared for Islamic teachings (Naeini, 1999). Accordingly, as the parliament cannot legislate laws in cases where there is an explicit religious law in the Sharia, it is possible to legislate laws in cases Sharia has not decided on with the advice and the vote of the majority of people's representative. Therefore, these rules, which have been forged on the basis of the demands of the time, can be modified in certain circumstances and in accordance with the views of the people's representatives. Similarly, as the parliament ceases to legislate against the Sharia, there is no prohibition on the laws which are not a religious forgery and are approved

by the Majles (Naeini, 1999). In addition, as for the validity of the vote of the majority in the lawmaking, we can refer to the principle of Shura and the life story of Ahl al-Bayt (AS) and the hadith by Umribn al-Hanzaleh (Naeini, 1999).

Accordingly, the constitution, besides limiting the power of tyrant rulers and delegating state powers to the people, has paved the way for the maximum participation of the elites and elected individuals in decision-making and participation of the masses in political activities in a coherent and legal fashion.

**2. Freedom:** the diversity of the perception of freedom in the new order has led to the establishment of two basic readings of (proponents and opponents), as the source of the disagreements can be traced to the lack of a real understanding of the modern notion of freedom and political participation.

On the one hand, freedom in its traditional sense has been underscored in the personal affairs of people as well as in social affairs, and the lack of trust of constitutionalist thinkers attempting to consolidate Western values and Western rights of political order for Iranian society, on the other hand, have led some jurists to disagree with the newly emerged notion of freedom and denounced its project as a plan for abolishing Islam and downplaying it in the administration of society (Turkaman, 1983).

On the other hand, some jurists supporting constitutional system have interpreted freedom to its denotation in the context of political participation in order to eliminate tyranny and involve people in their destiny, declaring it to be a rational property and the prerequisite of Islam by attributing the legitimacy of the freedom to Islam (Zargarinejad, 1995). In the same vein, the researcher Naeini (1999) believes that freedom consists in nation protector's refusal to enslave people under his arbitrary will and his refusal to involve men of wisdom in equally sharing power with the ruler. By referring to verse 55 of Surah An-Nur and the words of Imam Hussein, liberty has been interpreted as freedom from the enslavement of tyrant rulers and attainment of liberation.

It is natural that this perception of freedom and its reference to religion in the form of a constitutional order has brought a wide range of political participation to citizens and can expand the level of public participation, involving them in their own destiny and in the process of large-scale decision-making.

**3. Equality:** Although the denial of discrimination and special privileges to specific individuals are accepted in any society, advocates of legitimate constitutional system, by disavowing the new reading of equality, failed to endure the equity intended by intellectual constitutionalists, on the one hand, and argued against it according to Islam's point of view (Turkaman, 1983), in response to the reading of equality generalized to all human beings regardless of their religion and other discrepancies (Turkaman, 1983), but, by contrast, some jurists who agree with the constitutional monarchy, by understanding the new circumstances and the necessity of overthrowing tyranny, consider the revision and reconstruction of the modern concept of freedom in accordance with religious concepts and within the framework of religious discourse and acceded to the sameness of the laws of Sharia for everyone.

In addition to acknowledging the forgery of laws in relation to different situations, Allameh Naeini (1999), declared the principle of equality for all citizens in all laws to be the requirement of disagreement with the ruling of reason, and at the same time construed the inequality of guilds and special groups as what is confirmed by all regions.

It is evident that equality suggests fairness to citizens against the law, which is valid with all its features and presumed to be the axis of state's administration. Hence this sense of equality takes on a political-legal approach, and any abuse or discrimination by those in power in society will be negated with regard to the equality of the people in society against the law, and the lack of the privilege that upholds the supremacy of certain individuals or groups over others.

In the process of argumentation about the legitimacy of the notion of

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equality, Allameh Naeini (1999) construes equality as the basis of justice and the spirit of all political laws, postulating the necessity of Islam for not allowing anyone to violate it.

It is obvious that this reading of freedom encompasses a wide range of political participation for citizens, in that not only the sultan is devoid of any special privilege and required to be accountable for his conduct, but everyone in society also has a vote and the agents of the system are elected and representatives by the people's votes.

**4. Principle of the separation of powers:** separation of powers, which implies the administration of a state in three branches - legislature, judiciary, and executive - and delegation of its administration to top three institutions versus Sultan's initiatives for administering the state, was taken off as a subject by a philosopher called Montesquieu in the aftermath of the medieval authoritarian order and the necessity of the limitation of rulers' power, and after a while became the axis of political order in modern societies and brought about a lot of capacities in the political participation arena. As a result, in the constitutional era it was heralded as one of the constituent elements of the constitution system.

The scientists' adherents of constitution, besides reconsidering the principle of separation of powers, accentuated the use of it in the structure of political system, contending that it draws on the doctrine of Sharia for the administration of society rather than the prescription of Western culture; that is to say, it aims at limiting tyrant rulers. They also believe that as the infallible Imams' holy laps is inaccessible (Naeini, 1999), and hence the lack of the legislature power of the incorruptible innocence, the least power in limitation should substitute for it. And this substitution suggests the disintegration of state power (Naeini, 1999). In light of the disintegration of state power and the reduction of incumbents' position, we can limit political power.

Consistent with the legitimacy of the principle of separation of powers, Allameh Naeini associated the principle with the history of Islam and the

teachings of the Sharia, as well as with human history (Naeini, 1999).

It is apparent that the acceptance of separation of powers and delegation of some powers to people and their representative has provided an inclusive capacity for the political participation of the masses and the elites, reducing the dominance and authority of a tyrant ruler.

**5. Parliament:** according to constitutional political power, people's representatives, on the one hand, play a part in the process of decision making and they are required, on the other hand, to take an influential role in the supervision of system agents' performance. The two influential duties of people representatives have given rise to the establishment of an institution called parliament, so that people with their representatives are able to fully carry out these two tasks.

Despite the fact that legislation has been traditionally taken over by jurists as they were accountable for the legal needs of society, and the establishment of parliament stripped them of legislation power and delegated it to the representative of people, who had no specialized understanding of the Sharia, many jurists, adherents of constitutional system, besides reconsidering legislation in a political system, took account of Shura (consultation) as a component of jurisprudence, and set a specified domain of legislation for people representatives in the parliament, as well as maintaining the monopoly of lawmaking for the Sharia (Zargarinejad, 1995). According to this, by separating conventional affairs from the Sharia, it is incumbent on the National Assembly to legislate laws in conventional and non-religious affairs, as well as recognizing the reference to jurisprudence in the Sharia laws (Naeini, 1999).

Conversely, while the acceptance of the vote of the numerical majority of Majlis representatives is set down as the most important requirement for parliamentary approval, the supremacy of a numerical majority has never been regarded as a truth condition among the Shia. However, in an attempt to illustrate the legitimacy of the reference to the opinion of the majority of Majlis representatives and bring the category of parliament, as a Western

topic, closer to the concept of Shura, as the best component of political participation in Shia Jurisprudence, Naeini reiterated the reconsidering of Shaira teachings, coming up with some points like preferring the vote of the majority, modifying some narrations and preserving the system (Naeini, 1999).

It is apparent that accepting parliament in political system and setting the vote of the majority of the people representatives as a benchmark have provided a vast range of political participation for people, ensuring a vast domain of people's rights to political participation for the political system. Nonetheless, in elaborating on the special task of parliament, in addition to its position of lawmaking, Naeini took account of its supervisory position (Naeini, 1999).

**Critical analysis:** although constitutional theory managed to abolish the theoretical foundation of tyranny and provided plenty of capacities for the elites' political participation in decision making, administration of society, and political participation of the masses in different domains of political system by limiting sultan's power, it referred many modern components of political participation such as separation of powers, election, parliament, freedom and the like to jurisprudential foundation. Thus, it is evident that in every political theory two pivotal problems are concerned; "legitimacy of state" and "its efficiency in society. Accordingly, the theory needs to be construed as plausible, essential and legitimate with respect to prior justification, in the sense that ruler should not act as the usurper of the government office. Conversely, the theory should be in such a way that it can effectively fulfil its special task in society and demonstrate a good efficiency. However, apart from its failure to prove its legitimacy inclusively in society and among thinkers, the theory of constitutional monarchy has failed to practically limit sultan's autocracy and bring about legitimate freedom for people.

Therefore, though it offers citizens a good capacity for political participation, the theory makes it difficult to use its participatory strategies with regard to its flaws and challenges, because;

First: the theory is not based on Islam according to the views of thinkers advocating constitutional system, and it is at odds with its fundamentals as Adamiyat puts it, regarding the nature of constitutional monarchy and its conflict with Islam, “the notion of freedom and the principles of constitutionalism and democracy system stem from neither Sharia nor the innovations of Mullahs, yet constitutionalism is based on the opinion of people sovereignty. Such a political philosophy was in conflict with the foundation of divine and unchangeable Sharia laws” (Adamiyat, 1976, p. 227). However, the theory is not a genuine and ideal viewpoint of the Shia but it is just a system that constitutes a relative utility for abolishing tyranny, in accordance with the view of jurists advocating constitutional system, because the design of the constitutional theory was not interpreted by its theorists as the authenticity and legitimacy of the political system, but instead it is equivalent to despotic and outrageous system due to the lack of a possibility for achieving a desirable system and relative utility (Naeini, 1999).

For this reason, the jurists against constitutional system not only expressed their disagreements with the theory, but they practically took issue with it and denounced it as an anti-Islamic category. Thus, with the lack of an inclusive confirmation and legitimacy of the theory, the foregoing components concerning political participation are virtually devoid of authenticity, and ultimately it has an effect approach to the limitation of tyrant rulers’ power, which could have been a plausible theory in order to evade the problem of autocracy in society. As it is not naturally an ideal view of the Shia, it works well under certain circumstances and requirements of the time.

Second: the version of the political participation suggested in this theory is not only consistent with the desirable mode of a political system, but also the structure of the political system is not aimed for the reinforcement and efficiency of the administration of the Islamic system in conformity with the main norms of the Shia, yet the structure is appropriate to limit sultan’s political power. Thus, as opposed to the desirable system of the Shia at the time of the Occultation in that all powers of the Islamic system are reliant on



the Guardianship of the Islamic Jurist and strive to come to the aid of it to work in political system more efficiently. In the constitutional order, the legislature and the judiciary have a religious and popular approach to the realization of affairs like administering justice, negating oppression, negating the enforcement of non-Islamic rules, and limiting or supervising tyrant sultan's power.

### **Third: political participation in religious democratic order**

Although some scientists in the political arena, while upholding the origin of democracy in the West, have set the inclusion of "religious" provision for "democracy" down as victimization of democracy and its pillars and components, and some of those who are acquainted with jurisprudence and Islamic thought believe that the failure to use democracy in Islamic history accounts for the non-authenticity of religious democratic theory, and contend that democracy comes with presuppositions in the Western culture none of which is in agreement with Islamic thought (Hashemi, 1997). However, it should be noted that the use of democracy in the religious system does not suggest an approach to instrumental and eclectic (benefitting from its advantages in the system in conformity with Islamic law) use, but instead it consists in religious resources and teachings and has its root in the life story of the Messenger, Imam Ali, and Imam Hassan (PBUH) (Khamenei, 1983).

Despite the fact that the adherents of "religious democracy" theory have come up with different ideas about its nature, we can encapsulate these ideas in two basic readings;

On the one hand, some believe that a blend of these two terms is due to the combination of two main pillars of the system. That is to say, "democracy" indicates the shape and form of a political system, and "religious" condition suggests the position of religion as the content of system and the origin of its rules. In this regard, Imam Khomeini holds that "Republicanism" is the legal form of a system and is determined by people, and is reliant on the majority of people, as "Islamism" implies the content of the state, and the laws of Islam are interpreted as comprehensive religion and

the axis of the laws of society (Khomeini, 1999). On the contrary, some scientists believe that the compound term “democracy” has a non-compound concept, as the blend of the two words is due to an attributive compound rather than a genitive compound; therefore, democracy has a religious approach and its origin is traced back to Islamic teachings rather than to the Western system (Izedehi, 2015).

According to this, the theory of religious democracy is referred to Islamic teachings, and yet it is not indebted to Western democracy. However, Islam itself has come up with a reading of democracy, which is different from its Western instances, and is immune to its flaws as it enjoys the privileges of democracy.

“One should not be mistaken; this democracy is not certainly linked to the roots of Western democracy. First, religious democracy is not two things; it is not true that we borrow democracy from the West and pin it to religion so that we can have a complete set; no, this democracy itself belongs to religion” (Khamenei, 2000). It is evident that people as the backbone of political system have a fundamental contribution to the legitimacy of the Islamic system according to the rationality of religious democracy. In the same vein, according to the theory of divine appointment, a legitimate system cannot ever be actualized unless with the presence of people, and Ayatollah Khamenei has accordingly introduced the position of public vote and opinion as the basis of legitimacy application and the survival of political sovereignty, stressing the combination of two basic elements namely religion and people in the realization of religious democracy:

“Some consider people’s vote to be the basis of legitimacy; at least it is the basis of applying legitimacy. Without the people’s vote, presence and the realization of their will, the tent of the Islamic system cannot and will not stand” (Khamenei, 1999).

According to this, consistent with the narrations that stresses the necessity of divine appointment of rulers and dismisses a ruler who is not concerned with divine appointment as Taghut, there are narrations in the Shia’s references that emphasize the necessity of gaining people’s

satisfaction and consider the governance of agents unfavorable unless in the light of citizens' satisfaction. Among these narratives, the appointment of leader is undertaken by the General Council, the muhajirun and the ansar as well as people' election, which means Allah's pleasure (Nahj al-Balagha, Letter 6). The reasons why Amir al-Mu'minin (AS) accepts caliphate are encapsulated in three factors, two of which are associated with public determination and will. And Imam Hassan (AS), in a letter to Mu'awiyah, attributed his guardianship to people's election, as well as illustrating his divine rights to be an incumbent of the state (Majlesi, 1984).

The series of narrations maintain that governance should be taken over by people, and people satisfaction with the ruling of rulers will gain Allah's pleasure as well (Izedehi, 2015). It is obvious that democracy from Islam's desirable point of view suggests delegating governance to people not in an absolute manner, but it means an indigenous order based on the fundamentals of the Islamic system, in line with people's political participation in the political structure of society; that is to say, "democracy" and "religious state" are two sides of a coin and emphasized equally.

**The capacities of political participation in the religious democratic order:** the rise of the Islamic Republic of Iran, apart from the blessings that it has had in action and the development of spirituality and Islam in the world, has brought about a new form of political order (in the form of religious democracy). According to this, in addition to searching for the origin of the legitimacy of political system certainly in religious governance and divine criteria, the reference of the divine legitimacy of political sovereignty by divine appointment is not a barrier to the reference of the system to people, and hence people in different stages of state administration (election, support, and supervision of ruler) assume a real and influential role, and the divine appointment of ruler is not a barrier to the democratization of political system as well as the need of ruler's accountability to people for their action and performance.

This reading of democracy sets the theory of Guardianship of the Islamic

Jurist down as the basis at the time of the Occultation, despite the fact that it enjoys modern components in political system just like the theory of constitutional monarchy, as well as denying the passive approach to the political orders of Western societies and compliance with them. However, it cleverly used the components in the process of their inferences and in line with their efficiencies in the democratic form of political system in the Islamic Republic of Iran. The reading of the democratic system involves certain requirements relative to the participation of political elites in decision-making and more inclusively the participation of people in electing agents, supervising their conduct, and protecting political system against the dangers and attacks of enemies. Since it has inclusive capacities for political participation, some part of them will be addressed:

1. The laws of the Sharia have been implemented and institutionalized in society, in the form of the constitution that the Mujtahids elected by people drew up and people gave their vote.
2. The law is the same for all, as people can participate equally in their fate, everyone is equal before the law, and any discrimination and injustice toward individuals are prohibited.
3. As per the 19th principle of the Constitution, “the people of Iran from any tribe or clan shall enjoy equal rights, as color, race, and language and the like mean no privilege”. Yet, according to Article 107th of the Constitution, the Supreme Leader, as the highest person in the political system, is not excluded from this principle: “The leader is equal to the laws with other people in the state”.
4. Political sovereignty is taken over by those who are competent and possess attributes such as knowing religion, dispensing justice and possessing wisdom, instead of being referred to a race or color or clan. However, the legitimacy of ruler in this system is not dependent on the above attributes but on their survival, in the sense that when ruler commits a sin or unjust action, not only he deserves to be dismissed from power, but he will also be inevitably dismissed from his position.

5. “If a jurispudent does something contrary to the standards of Islam, i.e. “may God forgive” he violates the Islamic law (Fasiq), he will be automatically discharged from the state” (Khomeini, 1998, p. 61).
6. Political sovereignty of religious democracy holds ruler and administrators accountable for their actions, and people also monitor administrators’ actions, so they need to take a decent and timely position according to “enjoying good and forbidding wrong” and fair criticism.
7. “If I have tilted my foot, you are responsible, because if you don’t tell me why you tilted your foot, you need to step forward, and do not let it happen and say why? ...The nation must forbid wrong, and enjoy good” (Khomeini, 1999, pp. 487-489).
8. As a pivotal institution in the system of religious democracy, the parliament involves people’s representatives who are responsible for legislating, budgeting and overseeing the administration of the country (Principles 62, 65 and 71 of the Constitution).
9. The Islamic system’s agents, having proved their qualification in the process of election, are assigned to governmental positions directly or indirectly by people. It is obvious that they are held accountable for their actions to the people’s representatives in the Islamic Consultative Assembly, and Majles representatives can impeach the ministers for their conduct (Article 89 of the Constitution).
10. The people’s representatives in the Islamic Consultative Assembly have the right to investigate all affairs of the country in order to oversee the country’s affairs (Article 76 of the Constitution).

**Critical analysis:** Although many of the political capacities mentioned in the constitutional political order can be seen in religious democratic order, the scope and variant of political participation in religious democracy are not only incomparable to the constitutional order, but also to other democratic orders, because:

First: given that the source of the political order comes from the religious

teachings of Islam, the democracy proposed by the political order is not derived from its Western variant as it is reliant on the fundamentals of genuine Islam, and the scope of people presence, reference to their vote and opinion, and the relation between Islamism and democracy should also be sought in the texts of religious teachings. However, the use of participatory strategies based on Western societies can be considered following a reconsideration of their reference to the Islamic fundamentals.

Second: the political participation developed in the political order is built on the ideal order of the Shia at the time of the Occultation, the participatory behaviors of the elites and the masses are in agreement not only with the supervision of power but also with the efficiency of the Shia's political system, apart from all pillars and structure of the political system that fit under the Guardianship of the Islamic Jurist Institution. Thus, referring to people in a religious democratic system is not a matter of urgency and desperation in the form of secondary rules, but it is a matter of the belief in the necessity of people's political participation, which is built on a legitimate justification and the political life story of the Ahlul-Bayt (Family of the House) (AS).

Third: the simultaneous look of Islam at religion observance and democracy have led the flaws and weaknesses of both democracy and theocracy to disappear from the religious democratic system, foregrounding the advantages and privileges of the two systems in this desirable system.

“The democracy is the most prominent type of democracy that the world have ever seen, because it is within the framework of divine laws and guidance. It is people's choice, but a choice that managed to follow a right path and direction by heavenly laws devoid of any defect” (Khamenei, 2001).

Fourth: people' political participation in political system is not only a right for them to demand their own rights whenever they deem it necessary, but it is an obligation that people have to participate in a political process and become involved in their fate and effectively enter the political space according to the Sharia (Khamenei, 2002).

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## Conclusion

There are a variety of readings of democratic order in the Muslim world, which enjoy greater capacities for political participation than a constitutional order in terms of structure, law and purpose, and can ensure the interests of society much better. However, the various readings of democracy in the Muslim world have fundamental differences regarding political participation, due to their reference to different foundation and approaches in terms of authenticity, scope and reference to religious foundation. Thus, with the principle of new caliphate theory which is much indebted to the modern requirements of the Sunni community in the wake of the fall of the Ottoman Empire and prominent presence of democracy seeking in the world, not based on the genuine teachings, the Sunni thinkers proposed a reading with reference to religion, rather than based on religion, of democracy, apart from reconsidering Islamic texts that refer some Western components of a democratic order to religious teachings.

However, the constitutional monarchy theory was built on the modern requirements of society in order to abolish rulers' tyranny, and the utility scope of the theory can be assessed at the level. Thus, although the Western components used in the theory are referred to religious fundamentals on the part of some jurists, the theory has been introduced as a strategy suitable for a specific time and in the form of a secondary law rather than an authentic view of the Shia on a desirable political system. Thus, the strategies proposed by the political theory just adhere to the restriction of tyrant sultan's power. Despite the reference of the components of the political system to religious teachings, we cannot interpret it as a system developed from religion. In other words, as we can consider it to be a system referring to religious teachings, we cannot view constitutional monarchy order as a religious system.

The theory of religious democracy, instead of being interpreted as a revised version of democratic systems and being in agreement with the Islamic requirements or as a modern requirement for the issues concerned by society, is seen as a revised and updated version of a desirable Islamic

system which, in addition to being developed from authentic religious teachings, utilized Western components as emerging problems in the process of Ijtihad. The theory, besides providing an indigenous reading of these components in the Islamic system, offered an alternative version of the readings of democracy order, which benefits from efficiency in the administration of society, as well as referring to religious fundamental and teaching. However, in addition to profiting from the advantages of similar political orders, it is not affected by their flaws. That is, the reading of democracy has the advantage that it can be rebuilt in every nation and society in accordance with their local capacities and cultures, and can offer a distinct reading and steer the structure of world order toward democracy together with prosperity and justice. Introduced as “religious democracy” in religion-oriented countries and “natural democracy” in non-religion-oriented countries, the theory, besides assigning priority to people’ prosperity and interest over their will because of the understanding of society thinkers and intellectuals, is endowed with the maximum participation of people in social-political events, and this can earn material and spiritual interests of people and ensure their prosperity and well-being, in light of leadership, guidance and supervision by elites and intellectuals.



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