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Retreat from the Secular Path: The Democracy-Secularism Debate in the Muslim World

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In contrast to the past when modernity or becoming modern was equated solely with a Western secular paradigm, we live in a more cosmopolitan world today of “multiple modernities” that go far beyond the standard, homogenous Western secular paradigm for modernization. The conventional wisdom in the 20th century, which assumed the centrality of secularism in a modern state and viewed religion as only a private affair, has been challenged in much of the Muslim world. The resurgence of Islam in Muslim politics and society signaled a “Retreat from the Secular Path”. For more than three decades, Islam has been a major force in public life: in newly created Islamic states and republics, mainstream political and social movements and in major jihadist movements. While some seek Islamization from above through, increasingly many opt for a process of Islamization from below, though social change.

Today, social scientists, scholars, and political pundits rethink the meanings of secularism and its relationship to state and society. Many discuss and debate the relationship of religion to secularism and democracy. However, too often, these discussions are “about them”, failing to sufficiently listen to, consider or reflect diverse Muslim voices: religious leaders and intellectuals, Arabs and non-Arabs, neo-traditionalists and Islamic neo-modernists or post-modernists. This discussion will also be placed within the broader context, the realities on the ground – what majorities of Muslims, the silent and often the silenced majority, have to say in the Gallup World Poll, the largest, most comprehensive and systematic poll of Muslims from North Africa to Southeast Asia.

Islam and State Formation: The Triumph of Secularism?

In many parts of the Muslim world, from North Africa to Southeast Asia, independence movements employed Islamic symbols, slogans, parties and actors to legitimate their struggle (*jihad*) and mobilize popular support. Thus, for example, in North Africa, the Algerian *'ulama* calls for *jihad* and Islamic publications played a prominent role in denouncing French rule and reaffirming Algeria's Arab-Islamic heritage. In the Indian subcontinent, Muslim nationalism became the *raison d'être* for the creation of Pakistan with its two wings (West and

East Pakistan). By the mid-twentieth century, most of the Muslim world had achieved political independence. The post-independence period witnessed the emergence of modern Muslim states whose pattern of development was heavily influenced by and indebted to Western secular paradigms. Few questioned the accepted wisdom that modernization meant the progressive Westernization and secularization of society. Modernization was imposed from above by governments and Westernized elites. European languages remained the second, and among modern elites, often the preferred language.

Saudi Arabia and Turkey reflected two polar positions reflecting the relationship of religion and secularism to the state. Saudi Arabia was established as a self-proclaimed Islamic state based upon the Quran as its constitution. At the opposite end of the spectrum, Atatürk (Mustafa Kemal) created a secular Turkish republic. The vestiges of the Ottoman Empire – the caliph/sultan, the Sharia, Islamic institutions and schools – were replaced by European-inspired political, legal, and educational systems.

The majority of Muslim countries chose a middle ground in nation building, borrowing heavily from the West and relying on foreign advisers and Western-educated elites. They ranged from the more secular oriented Tunisia and Iran to the Islamic republic of Pakistan. Parliamentary governments, political parties, capitalist and socialist economies and modern (European and American) curricula were the norm. While the separation of religion and politics was not total (as it is not in fact in many secular countries in the West), the role of Islam in state and society as a source to legitimate rulers, states, and government institutions was greatly curtailed. Most governments retained a modest Islamic facade, incorporating some reference to Islam in their constitutions such as that the ruler must be a Muslim or that the Sharia was a source of law, even when it was not. The central government also attempted to bring Islamic institutions (mosques, religiously endowed properties or *awqaf*, religious courts, etc.) under state control. However, while most Muslim governments replaced Islamic law with legal systems inspired by Western secular codes, Muslim family law (marriage, divorce, and inheritance) remained in force. Since family law was regarded as too sacrosanct to eliminate, it was reformed but not replaced. In contrast to Islamic tradition, in which law was the province of the *'ulama* (religious scholars), modern reforms were the products of governments and parliaments. In many cases, the *'ulama* were excluded or played a marginal role. The pattern of authoritarian modernizing governments and Western-oriented elites defining the role and direction of the state and imposing Western models (ideas, values, and institutions) of development seemed an established fact of life. Many concluded that indeed much of the Muslim role would be played on an unremittingly secular stage.

Retreat from the Secular Path? The De-Secularization of Society

The global political resurgence of religions in the last decades of the twentieth century has challenged, some might say discredited, the belief, indeed dogma, of the prophets of modernity. The discrediting of secular paradigms has been particularly vivid in the Islamic world. The Iranian revolution, the emergence of new Islamic republics in Iran, Afghanistan and Sudan, and the use of Islam by Muslim governments and opposition movements, the participation and success of Islamic candidates and movements in local and national elections reaffirm the presence and power of Islamic ideology and discourse in Muslim politics and societies. Some critics talk of the collapse or bankruptcy of secularism and the need to replace it with religiously based states. Others wish to trim its sails, to modify modern secular states with an infusion of religious values.

Rethinking the Relationship of Secularism and Religion?

One of the key areas of dispute in the debate about Islam and secularism is what constitutes the secular state. While a popular definition has been that secularism is the political separation of church/religion and state, history has proven this process in the Muslim world and elsewhere to be far more complex. In modern states such as France and Turkey, for example, secularism (or *laïcisme*) has often represented a distinctly anti-religious or anti-clerical doctrine seeking to control all religious expression and symbols and abolish them from the public sphere. Under a regime of “secular fundamentalism”, «the mixing of religion and politics is regarded as necessarily abnormal (departing from the norm), irrational, dangerous and extremist»¹.

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In the Middle East, secularism, a political doctrine that grew out of Christian Europe, has been inextricably linked with a history of foreign colonial invasion and occupation. As we will see, for many Muslims

the efforts of colonial regimes to impose secular political doctrines from above was the first stage in a far more insidious trend where secularism as a compre-

ed most, and at times all of them, and has even penetrated to the farthest and deepest concerns of our private lives»².

Proponents of secularism have often seen it as the best mean to promote tolerance, pluralism and fairness in a society in which government is not dominated by any one religious ideology. However, as Talal Asad has warned, secularism in spite of its origins and history as a reaction to the religious wars that plagued medieval Europe, does not necessarily guarantee peace and tolerance: «The difficulty with secularism as a doctrine of war and peace in the world is not that it is European (and therefore alien to the non-West) but that it is closely connected with the rise of a system of capitalist nation-states – mutually suspicious and grossly unequal in power and prosperity, each possessing a collective personality that is differently mediated and therefore differently guaranteed and threatened»³. Citing India as an example of a liberal democratic state with a secular constitution that nevertheless suffers from «communal riots», Asad reminds us that: «A secular state does not guarantee toleration; it puts into play different structures of ambition and fear. The law never seeks to eliminate violence since its object is always to *regulate* violence»⁴.

Rethinking Islam and Secularism: Muslim Voices of Reform

The issue of Islam and secularism remains one of the most contested debates in contemporary scholarship and policy circles. An increasing number of Muslim scholars in recent years have utilized rigorous historical and textual analysis to reexamine the role of Islam in the secular state and related issues like Islamic conceptions of democracy, pluralism, and religious freedom. In their attempts to come to terms with the scriptural, political and legal legacy of the Islamic tradition they often use the same evidence to argue contending points of view reflecting very different insights⁵.

A critical problem that all religious reformers of whatever faith face is the relationship between their reformist thought and what for many is the authority of tradition, the need to demonstrate some kind of continuity between tradition and change. The importance of the framing narrative and its repertoire that will engage the context of its intended audience has been critical to the success and effectiveness of social movements. For the majority of Muslims, the classical tradition, legitimated by the consensus or *ijma* of the community (or, in fact, by the consensus – *ijma* – of religious scholars), has been normative. While historically the Sunna of the Prophet has controlled understanding of the Quran, religious scholars (*ijma*) have ruled over the Sunna, representing the source of religious authority. In other words, historically in Sunni Islam, the consensus (*ijma*)

² A. ELMESSIRI, *Secularism, Immanence and Deconstruction*, in A. TAMIMI - J.L. ESPOSITO (eds.), *Islam and Secularism in the Middle East*, cit., p. 52.

³ T. ASAD, *Formations of the Secular: Christianity, Islam, Modernity*, Stanford 2003, pp. 6-7.

⁴ *Ibidem.*, p. 8.

⁵ The following analysis draws on J.L. ESPOSITO, *The Future of Islam*, New York 2010.

of the past is authoritative and overrules everything. Thus, for example, even if the Quran does not advocate *hijab* or prohibit women from leading mixed gender prayer and even if some or many hadiths are false, the interpretations and practices sanctioned by the *ijma* of the past, the classical Islamic tradition, prevail. Not to follow these practices is to depart from tradition, to fail to establish a necessary link or continuity between the authoritative *ijma* of the past and modern change. This outlook is epitomized by the popular saying: «Consensus is the stable pillar on which the religion rests». The conservative or neotraditionalist bent of many religious scholars, madrasas and Muslim populations make this requirement of linking tradition to proposed changes even more necessary. The importance of the framing narrative and its repertoire that will engage the context of its intended audience is critical to the success and effectiveness of social movements.

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Many Muslims, in particular Islamists, cast secularism as a completely foreign doctrine imposed on the Islamic world by colonial powers. They hold up traditional Islamic society,

particularly during the first century or so of Islam, as an ideal model reflecting religious principles guiding the community in all areas of life, including politics. The prominent judge and Arab historian Tariq al-Bishri, for example, rejects the idea that modernization and secularization must be linked, arguing that Muhammad 'Ali's regime in Egypt was not secular; it took aspects of military science and technology from Europe to aid an essentially Islamic political entity⁶. Western ideas did not become pervasive, according to al-Bishri, until the early 20th century due to the spread of missionary schools and pro-Western secularist print media⁷. The non-sectarian Islamic movement started to grow parallel to geographically-based secular nationalist movements until it became clear that there was a split in society between an inherited and revitalized Islam and a newly-arrived secularism. This initial split, according to Al-Bishri, has amounted to a fully-entrenched "war of ideas" between the two sides that has continued up to the present⁸.

Prominent Islamic religious leaders, intellectuals and activists such as Yusuf al-Qaradawi, Tariq al-Bishri, Abdelwahab Elmessiri and Rachid al-Ghannouchi as well as more neo-modernists or post modernists voices, including Mustafa Ceric, Tariq Ramadan, Nurcholish Madjid, Abdulaziz Sachedina and Abdullahi Ahmed An-Na'im demonstrate the tensions and conflicts between theory/theology/and law and the political and historical realities in modern states. But what does the reality on the ground look like? At the same time, an appreciation of what Muslims think today goes beyond intellectual/religious thinkers and fat-

⁶ T. AL-BISHRI, *Al-Hiwar al-islami al-'ilmani*, Cairo 1996, p. 12.

⁷ *Ibidem*, p. 19.

⁸ *Ibidem*, p. 28.

was. As one scholar has observed «the debate about Islam and its alleged compatibility with democracy/non-violence/pluralism/tolerance is misstated. The real question is not what Islam is, but what do Muslims believe and want»⁹. Therefore, this study also draws on the Gallup World Poll, the most extensive and comprehensive survey of more than forty Muslim countries, reflecting the voices of Muslims from North Africa to Southeast Asia¹⁰.

Islamic Intellectual-Activists Views

As recent history has demonstrated from Iran and Turkey to Pakistan, Malaysia and Indonesia, the rise of Islamic movements and the strength of religious sentiment in the Muslim world are ignored at the peril of governments in the Muslim world and the West. A hallmark of Islamic politics has been the belief that Islamic principles and values govern all aspects of life and that *Sharia* acts as a framework for all human activity, whether in public or private realms. This belief counters the idea that a modern state's legislation should not be dependent on any religious tradition. Thus, at stake is not only how one understands secularism but how Muslims conceive of the *Sharia* and its ability to change and adapt to contemporary concerns and conditions.

For Shaykh Yusuf al-Qaradawi, among the most senior and esteemed religious authorities in the world today, the classical Islamic tradition is central and authoritative. Secularism and Islam, he believes, are incompatible in a country in which the majority of the population is Muslim. His concerns about secularism are not only religious but are also heavily political, influenced by his former membership and continued connection to the Muslim Brotherhood, an Islamist movement opposed to what they and Qaradawi see as an oppressive and despotic secular Egyptian administration.

Qaradawi also takes issue with secular Muslims who argue that modern states are not, in fact, faced with the choice between divine rule and human rule because, from the time of the Prophet, humans who have had to interpret and apply divine rulings¹¹. Qaradawi rejects the assertion that humans simply interpret the law according to changing circumstances using over-arching principles such as charity and consultation. While he agrees that there is no “divine rule” in the sense that the ruler is a human being, he sees the rulings as divine because they are based on divine sources¹². Humans, he argues, have managed to form rulings, in spite of law school (*madhhab*) differences, based on divine directives that are not as ambiguous as they may seem¹³. For example, the Quranic obligation to cut off the hand of a thief has been specified and qualified by the Sunna

⁹ N.A. HASHEMI, *Inching Towards Democracy: Religion and Politics in the Muslim World*, in «Third World Quarterly», 24, 3, 2003, p. 577.

¹⁰ J.L. ESPOSITO - D. MOGAHED, *Who Speaks for Islam? What a Billion Muslims Really Think*, New York 2007.

¹¹ Y. AL-QARADAWI, *Al-Islam wa-al-'almaniya wajhan li-wajh*, Cairo 1987, p. 126.

¹² *Ibidem*, p. 143.

¹³ *Ibidem*, p. 128.

of the Prophet, but the basic directive has stayed the same and is therefore not subject to human interpretation¹⁴.

However, in contrast to more conservative ulama, Qaradawi's fatwas on amputation and other matters are also informed by two other principles: his belief, which he says is based on the Quran and Prophetic traditions, that the purpose of Islamic jurisprudence is to make things easy for people, not difficult and that the job of Islamic legal experts is to facilitate change rather than simply cling to the past and oppose reforms. Thus, in penal law, Qaradawi maintains that the least rather than maximum punishment should be applied; repentance, for example, is sufficient to rescind the *hadd* punishment (amputation for theft, stoning for adultery ...); and the punishment for drinking wine ought to be regarded as discretionary¹⁵.

Many Islamic intellectual-activists understand and judge secularism in the context of contemporary political realities and modern dynamics of power

Qaradawi, like many Islamists and secularists, views Christianity and Islam as fundamentally different in the ability to accept the separation of religion from politics. He cites the popular argument based upon Jesus' command in the Gospels to give to Caesar what is Caesar's and to God what is God's as proof that Christianity accepts the separation of life into two parts: a part for religion and one for the state¹⁶. Islam, on the other hand, he asserts, represents an inseparable unity in a life ruled by God alone, God who is Lord over both the heavens and the earth¹⁷. Secularism, Qaradawi says, seeks to subordinate Islam and reduce its natural supremacy to one corner of life – an agenda that Islam must refuse¹⁸.

Many Islamic intellectual-activists understand and judge secularism in the context of contemporary political realities and modern dynamics of power. Invariably, this understanding forces a connection between the secularist doctrine developed in Europe and European colonial expansion in the Muslim world with its legacy of non-democratic secular regimes in much of the Middle East and North Africa. The marginalization and suppression of Islamists, often attributed to many regimes' "Western secular" orientation and allies, strengthens the claim that Islam is the solution to all failures and problems in society caused by secular regimes.

Rachid al-Ghannouchi, the Tunisian intellectual and head of the Nahda (Renaissance) Party, now living in exile in London, is a leading example of an Islamist voice in the political battle between post-colonial secular governments and their opposition. Ghannouchi has witnessed first-hand the efforts of the secular Tunisian regime, or, as he terms it, "pseudo-secular" government, to stifle any voice that offers an alternate vision of modernity. Ghannouchi argues that Turkey's Kemalist secularism is mild in comparison with the militant secu-

¹⁴ *Ibidem*, p. 139.

¹⁵ Y. AL-QARADAWI, *The Lawful and Prohibited in Islam*, Indianapolis 1980, p. 14.

¹⁶ *Ibidem*, p. 103.

¹⁷ *Ibidem*.

¹⁸ *Ibidem*, p. 104-5.

larism espoused by «ultra-secularist Arab Maghreb governments» which are no more than «pre-modern European-style regimes from the age of theocracy and absolutism»¹⁹.

Many Islamists bitterly remember how the Algerian military, supported by secular elites, intervened and cancelled popular elections in 1992 when Islamist parties were successful and they recall the military's subsequent violent crack-down. Reflecting the attitude of Muslim democrats, including many Islamists, Ghannouchi points out the irony of the Algerian experiment with democracy: «Alleging that if the Islamists were permitted to gain power through the ballot box they would put an end to democracy, the purported supporters of secularism justify for themselves the undermining of what they set forth to protect, and so justify the violation of every single human right»²⁰.

Others, including Qaradawi, have also argued that secularism, as it appears in the Muslim world, has betrayed its own principles and does not, in fact, represent the will of the people as the democratic ideal demands²¹. Furthermore, Qaradawi asserts, secularists call for democracy and free elections when the result suits them, but as soon as an Islamist group does well they reject the result on any pretext, or even without pretext. So where, he asks, is the tolerance and fairness?²² The examples of American and European government responses toward the democratically elected Hamas government in Palestine and to Hizbollah's parliamentary role in Lebanon reflect Qaradawi's concerns.

Ghannouchi emphasizes that secularism in the Muslim world and despotism almost always go hand in hand. Authoritarian governments take the worst of secularist doctrine and use it as a weapon against Islamists by equating Islam with fundamentalism and extremism and setting secularism as a prerequisite to democracy²³. The brand of secularism that the authoritarian governments of the Maghreb impose, he maintains, does not promote civil society but rather is «an impediment to the preservation and development of civil society»²⁴.

Ghannouchi contrasts an ideal, Islamic civil society with that of «pseudo-secular» and «pseudo-modern» regimes. In an Islamic civil society citizens choose to obey the law because of their faith, not in spite of it. Individuals elect people to serve the public interest rather than their own selfish desires, not out of fear of worldly punishment, but to pursue a sense of righteousness and closeness to God (*taqwa*) as well as for the promise of eternal reward in the after-life²⁵.

Ghannouchi links secularism with liberalism and sees the failings of Western secularism, i.e., violence, crime, isolation, and lack of trust and cooperation between neighbors, as undermining civil society: «Allied with liberalism, which is synonymous for selfishness, greed and individualism, secularism will eventually

¹⁹ R. AL-GHANNOUCHI, *Secularism in the Arab Maghreb*, in A. TAMIMI - J.L. ESPOSITO (eds.), *Islam and Secularism in the Middle East*, cit., p. 105.

²⁰ *Ibidem*, p. 103.

²¹ Y. AL-QARADAWI, *The Lawful and Prohibited in Islam*, cit., p. 86.

²² *Ibidem*, p. 93.

²³ R. AL-GHANNOUCHI, *Secularism in the Arab Maghreb*, cit., p. 110.

²⁴ *Ibidem*, p. 119.

²⁵ *Ibidem*.

do away not only with the notion of civil society but with society itself, turning it into terrifying isolated islets, conditions which resemble those prevailing in today's big cities of the West»²⁶.

Rejecting the secularist “assumption” that religion breeds violence and extremism and should therefore be excluded from policy decisions, Ghannouchi acknowledges that while ideally an Islamic state based on religious principles would be a peaceful one, this ideal is very difficult if not impossible to achieve under current circumstances²⁷. Therefore, he concludes that until a true Islamic state can be established based on principles of consultation (*shura*), the next best option is a «secular democratic regime which fulfils the category of the rule of reason, according to Ibn Khaldun» because such a regime is «less evil than a despotic system of government that claims to be Islamic»²⁸.

Can Muslims be loyal citizens in a secular non-Muslim state?

The fallout from 9/11, has led some in the West to question whether Muslims can be loyal citizens. On the other hand, some Muslims in the West have also questioned, for different reasons, whether they could be both good Muslims and loyal citizens. Can they live in and recognize the legitimacy of “foreign” non-Muslim states whose laws are based upon a Western secular or Judeo-Christian tradition? More isolationist and militant Muslims tend to speak of Western countries and societies as *kufr*, unbelievers to be avoided, converted or attacked. However, majorities of Muslims in America and to a lesser extent in Europe have achieved the fuller transition made by other religious and ethnic groups before them. The road to integration rather than isolation or militancy remains an ongoing process for Muslim immigrants, a transition that benefits from and greatly depends on reformist thought.

Reform in Post-Modernist Islam

A diverse group of Muslim scholars and religious leaders in Europe and America have proven effective voices in addressing questions of faith and identity, integration or assimilation, religious pluralism and tolerance. Special insights come from European Muslims like Oxford University's Tariq Ramadan, a European Muslim intellectual-activist. Mustafa Ceric, the Grand Mufti of Bosnia-Herzegovina who was educated at Al Azhar University and the University of Chicago and Nurcholish Madjid, the late prominent Indonesian scholar and public intellectual, rejecting a polarized view of the world that posits “Mus-

²⁶ *Ibidem*, p. 120.

²⁷ R. AL-GHANNOUCHI, *Secularism in the Arab Maghreb*, in A. TAMIMI - J.L. ESPOSITO (eds.), *Islam and Secularism in the Middle East*, cit., p. 121.

²⁸ *Ibidem*, p. 123.

lims” against the “West” or a clash between Islam and Western values and secularism, they advocate a synthesis, an identity based on common values as a basis for citizenship. An “ethics of citizenship” requires that decisions be made in the name of shared principles such as the rule of law, equal citizenship irrespective of religion, universal suffrage, and the accountability of leaders not solely based on religious identity²⁹.

Ceric believes that to live in a secular Europe and be a British, German or French patriot not only does not negate religiosity, but is in fact a Muslim’s religious duty: «I am proud that

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Islam defines my European patriotism»³⁰. Historically, Islam was synthesized with indigenous cultures and therefore developed its unique traditions. As with Christianity, «Just as differences can be found between Catholics in Poland, Austria or France, or between them and other Christian churches, there are different forms of Islam»³¹.

For Tariq Ramadan, Muslims in the West, like other Europeans and Americans, share an identity informed by multiple sub-cultures. Muslims are Muslim by religion and French, British, German, American by culture. Ramadan believes that embracing secularism and an open society is not a betrayal of Muslim principles for it enables all citizens to live together and the necessary condition for religious freedom – for Muslims and others. Thus, he calls upon Western Muslims to spread the message at home and abroad: «we live in democracy, we respect the state of law, we respect open political dialogue and we want this for all Muslims». In agreement, Ceric stresses «If Arabs use Islam to further their national goals, then we in Europe can do the same thing. If an Egyptian has the right to be a patriot for his country in the name of Islam, then we European Muslims can also be European patriots in the name of Islam...»³².

What then does it mean to be a European Muslim? Integration, says Ramadan, does not mean wholesale assimilation. Muslims must be allowed to develop their own European Muslim identity and culture just as with other faiths and ethnic groups have done before them³³. Integral to that culture is the acceptance of the constitution, laws and framework of any European country in which he/she lives. Thus, although Ramadan opposes the French ban on *hijab*, Muslims should still respect French law. While «no one should be able to force a woman to wear hijab or not to wear it», Ramadan suggests that girls try to wear a bandana for now, in order to respect the law: «A key goal for Muslims is to

²⁹ T. RAMADAN, *Europe's Muslims Show the Way*, in «New Perspectives Quarterly», Winter 2005, pp. 29-30.

³⁰ Interview (with) Mustafa Ceric, *The West Does Not Want to Share its Values*, in «Qantara.de Dialogue with the Islamic World», 6 May 2004, 2 November 2006, http://www.qantara.de/webcom/show_article.php/_c-478/_nr-105/i.html.

³¹ D. CASCIANI, *Islamic encounters of the third kind*, BBC News, 21 February 2005, http://news.bbc.co.uk/2/hi/uk_news/magazine/4283717.stm.

³² Interview (with) Mustafa Ceric, *The West Does Not Want to Share its Values*, cit.

³³ T. RAMADAN, *Muslim Minorities in Western Europe*, Lecture at Georgetown University via satellite, Gaston Hall, 11 April 2007.

show their fellow citizens and Muslims around the world that they respect the law, even if they disagree with it»³⁴.

Mustafa Ceric, maintains that the successful encounter of Europe and Islam has two interconnected prerequisites: Muslims must embrace their European identity and European governments must facilitate Muslims' integration by accommodating and institutionalizing their religious needs³⁵. Like Ramadan, Ceric counsels Muslims to recognize that the West does not have a monopoly over values such as democracy and the rule of law, that these are universal values, «if European-born Muslims look inside their faith for what are presented as Western notions of human rights and individual freedom, they will find them»³⁶. He believes that European Muslims, if freed from fear and poverty, will not only succeed but can also become an example to Muslims in the Middle East.

The role of secular European governments in guiding and facilitating Muslim integration through education and the training of imams is a critical and contentious issue today in Europe and America. Many warn of the intrusion of the state and a new hybrid: government-sponsored Islam – American Islam, French Islam, British Islam etc. However, taking a strong stand in favor of government support or what critics would characterize as intervention or engineering, Ceric believes. European governments will only gain the trust of the Muslim community when they institutionalize Islam through state sponsorship of Muslim schools, state councils, and mosques. He advocates a state institutionalization of Islam that acknowledges that Muslims are loyal citizens and contribute collectively to European culture and civilization³⁷.

Ceric and Nurcholish Madjid, both influenced by their multi-religious societies, advocate a secular democracy incorporating a strong policy of religious pluralism. They denounce those that oppose multi-cultural, multi-religious, and multi-national life, noting that the Quran states many times, «If God wanted, he could create you to be one nation, but he wanted you to be different nations»³⁸.

Nurcholish Madjid, who played a critical role in the transition to democracy in Indonesia, the most populous Muslim country, provides valuable insights from this vast multi-ethnic society. His experiences as an Islamic activist student leader and opponent of both the Sukarno and Suharto regimes but also of the in-fighting and inability of Islamic political parties to work together led him to conclude that the mixing of state and religion was counter-productive. As his well-known slogan says, «Islam yes, Islamic political parties no».

Insisting that no Quranic basis exists for the creation of an Islamic state, Nurcholish warned that modern constructions of an Islamic state reduced Islam to a profane ideology, easily manipulated by those who want to impose their own views in the name of religion. He equated it with the sin of polytheism (shirk)

³⁴ T. RAMADAN, *Europe's Muslims Show the Way*, cit., p. 30.

³⁵ Interview (with) Mustafa Ceric, *The West Does Not Want to Share its Values*, cit.

³⁶ *Ibidem*.

³⁷ *Ibidem*.

³⁸ *Ibidem*.

or idolatry³⁹. Thus, he also rejects modern Islamists' contention that imposing Sharia as the rule of law is necessary to make Indonesian society more Islamic, insisting instead that true spirituality and religiosity comes from an inner transformation (individual and national). Rather than imposing Islamic law, what is needed is a spiritual and cultural path that fosters ethics in society rather than an Islamic state⁴⁰. The primary means to this path are education, to transform individuals and society, and dialogue, an open exchange, to improve relations between Muslims and other religious communities as well as between the Muslim world and "the West"⁴¹.

Madjid was a prominent advocate of democratization, believing that democracy has Quranic precedents, implied in Quranic and traditional Is-

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lamic notions of deliberation and consultation (*musyawarah* and *shura*). However, he believed that no single model of government exists or is required; instead different countries need to formulate models appropriate for their environment⁴². Madjid insisted that religious pluralism and tolerance were not simply a theological issue but a divine mandate, rooted in Quranic passages (2:62; 5:69) that teach that all believers, including Jews, Christians, and Sabians, will be rewarded equally in the next life. All religions are on a par with Islam and God gives salvation to anyone regardless of his/her religion⁴³. So too, since all religions are committed to ethical values and social justice, all, not just Islam, have a role to play in the implementation of religious values such as social justice and democratic governance in politics and society⁴⁴.

Sharia, Secularism and the State

As we have already seen, how one projects the future role of Islam in the modern state depends largely on one's interpretation of the authority of the past. Not surprisingly, the question of the place of *Sharia* and its relationship to political authority has produced sharp disagreements and contentious debate between Muslim scholars of the last century. Two prominent Muslim scholars, Abdullahi Ahmed An-Na'im and Abdulaziz Sachedina, provide diverse alternative post-modernist perspectives.

An-Na'im's, a prominent Sudanese-American Muslim scholar and human rights activist, has been a major voice on issues of Islamic reform, human rights

³⁹ N. MADJID, *The True Face of Islam: Essays on Islam and Modernity in Indonesia*, Ciputat 2003 (reviewed by Y. Sikand), <http://www.renaissance.com.pk/SeptBore2y5.htm>.

⁴⁰ A. F. BAKTI, *Nurcholish Madjid and the Paramadina Foundation*, in «IIAS Newsletter», 34, July 2004.

⁴¹ G. BARTON, *Peaceful Islam and Nurcholish's lasting legacy*, in «The Jakarta Post», 6 September 2005, <http://www.thejakartapost.com/news/2005/09/06/peaceful-islam-and-nurcholish039s-lasting-legacy.html>.

⁴² N. MADJID, *The True Face of Islam*, cit.

⁴³ A. KULL, *Politics and Piety: Nurcholish Madjid and His Interpretation of Islam and Modern Indonesia*, *Lund Studies in History of Religions*, 31, 2005, p. 5.

⁴⁴ N. MADJID, *The True Face of Islam*, cit.

and the secular state. Intellectually, An-Na'im is influenced by and draws heavily on the ideas of 'Ali 'Abd al-Raziq (1888-1966)⁴⁵ as well as An-Na'im's own teacher, Mahmoud Mohamed Taha (1909-1985), both advocates of *Sharia* reform and of a secular state that does not seek to impose any one interpretation of religious law as the law of the nation. Each suffered for their ideas; al-Raziq lost his teaching position at Al Azhar and Mahmoud Taha was hanged by the Gafaar Numeiri government for apostasy. However, it is important to note that neither was advocating a secular, as in morally neutral, state.

An-Na'im in his most recent book, *Islam and the Secular State* advocates a secular state built on constitutionalism, human rights and citizenship, resources that he notes «were totally lacking in all societies everywhere until the modern era»⁴⁶.

Cognizant of the association of “secularism” with foreign colonial domination in the Islamic world, An-Na'im, like Tariq al-Bishri, looks for evidence from pre-modern and modern Islamic history to support his views. But in contrast to al-Bishri, he argues that his vision of a secular state, meaning one that is neutral regarding religious doctrine, is «more consistent with Islamic history than is the so-called Islamic state model proposed by some Muslims since the second quarter of the twentieth century»⁴⁷. He seemingly ignores the extent to which the notion that secularism is “neutral” regarding religion is itself a contested issue today.

An-Na'im asserts that religious and political authority stem from different sources and require different skills and, therefore, to conflate the two leads to dangerous confusion. This conflation was only possible, according to An-Na'im, during the time of the Prophet, «because no other human being can enjoy the Prophet's combination of religious and political authority»⁴⁸. Since such harmony is no longer possible, religious and political leaders should instead pursue their autonomy so that each side will be strengthened and not subject to subordination or coercion by the other.

An-Na'im's claim that no human institution, such as the state, can implement or enforce religious law contradicts pre-modern Islamic history in which state-appointed judges carried out a parallel system of rulings at times in agreement with, and at times in opposition to, state authority. Each side, the political and the religious, relied on the other for moral legitimacy and support.

The noted Islamic legal historian Wael Hallaq describes the delicate balance of authority: «Our sources reveal that the caliphs and their subordinates generally did comply with the law, if for no other reason than in order to maintain their political legitimacy. Yet, it appears reasonable to assume that their compliance stemmed from their acceptance of religious law as the supreme regulatory force of society and empire»⁴⁹. Or, put differently: «On balance, if there was any

⁴⁵ For a taste of 'Ali 'Abd al-Raziq's views on the authority of the Prophet, see *The Caliphate and the Bases of Power*, in J.J. DONAHUE – J.L. ESPOSITO (eds.), *Islam in Transition: Muslim Perspectives*, New York 1982, pp. 29-38.

⁴⁶ A.A. AN-NA'IM, *Islam and the Secular State: Negotiating the Future of Sharia*, Cambridge MA 2008, p. 53.

⁴⁷ *Ibidem*, p. 45.

⁴⁸ *Ibidem*, p. 53.

⁴⁹ W.B. HALLAQ, *The Origins and Evolution of Islamic Law*, Cambridge 2005, p. 191.

pre-modern legal and political culture that maintained the principle of the rule of law so well, it was the culture of Islam»⁵⁰.

Perhaps the most controversial element of An-Na'im's interpretive framework is his understanding of the nature and role of *Sharia* in Islamic history, especially in the context of his proposed secular state solution. An-Na'im suggests that the *Sharia* must be marginalized in order to save it. More precisely, he asserts that no state has the right to enforce religious law, even if it is the religion of a majority of its citizens: «By its nature and purpose, *Sharia* can only be freely observed by believers; its principles lose their religious authority and value when enforced by the state»⁵¹. Contrary to much of contemporary scholarship on the origins of Islamic law, An-Na'im denies that Islamic law included both a divine, unchanging element (*Sharia*, principles and values rooted in sacred sources) and a human interpretation and application (*fiqh*). He writes: «both *Sharia* and *fiqh* are the products of human interpretation of the Quran and Sunna of the Prophet in a particular historical context. Whether a given proposition is said to be based on *Sharia* or *fiqh*, it is subject to the same risks of human error, ideological or political bias, or influence by its proponents' economic interests and social concerns»⁵². However, while the human dimension in both cannot be denied, there are significant differences between sacred texts and human interpretation. Failure to acknowledge and to formulate his reformist agenda within the context of the significant difference between *Sharia* and *fiqh*, between revelation and reason or jurisprudence in Islam, divine law and the human construction/interpretation that produced Islamic law may prove to be a significant flaw. The acceptance of An-Na'im's "interpretative framework" for broad-based reform, which tends to bypass Islamic tradition, faces a significant obstacle to its acceptance as a basis for reform although it will be read and celebrated by a small elite Muslim and non-Muslim audience.

Abdulaziz Sachedina's *The Islamic Roots of Democratic Pluralism*, does what An-Na'im chose not to do; he examines the traditional sources (Quran, *hadith*, *tafsir*) in order to build up a case for democratic pluralism from within an Islamic framework.

«both *Sharia* and *fiqh* are the products of human interpretation of the Quran and Sunna of the Prophet in a particular historical context»

Recognizing the importance and hold of the classical tradition, Sachedina addresses those who would accuse him of imposing modern ideas on traditional sources and, essentially, interpreting them out of context. He counters that the goal of exegesis (Quranic interpretation) was always to discover the meaning of the text as a relevant and «living source of prescriptive guidance for the community»⁵³. As a result, Sachedina situates his own pursuit of Quranic and traditional guidance in the areas of democracy, pluralism and human rights within

⁵⁰ *Ibidem*, p. 193.

⁵¹ A.A. AN-NA'IM, *Islam and the Secular State*, cit. p. 4.

⁵² *Ibidem*, p. 35.

⁵³ A. SACHEDINA, *The Islamic Roots of Democratic Pluralism*, New York 2001, p. 17.

the context of broader debates amongst Muslim scholars, both modern and pre-modern. Yet his consideration of the interpretations of the traditional exegetes does not prevent him from suggesting that many of their conclusions are outdated and have done more harm than good in promoting “exclusivist” readings of scripture. He also criticizes those contemporary scholars who, rather than taking a fresh approach to the sacred text, continue to uphold dogmatically the irrelevant interpretations of their medieval predecessors.

Sachedina’s basic (underlying) argument is that the Quran provides a solid basis for the shaping of a pluralist, just, and inclusive society. He analyzes three core Quranic concepts: that humanity is one community; people of different religious backgrounds should compete among themselves to do good; and the necessity for compassion and forgiveness. Sachedina affirms that each of the three principles concerns not only personal convictions or morality, but also the need to establish an ethical public order consistent with Islam’s role as a «faith in the public realm»⁵⁴.

Sachedina takes on some of the most controversial issues in contemporary Islamic thought: the legal rights of non-Muslims (*dhimmi*) in a majority Muslim state, the rules regarding apostasy and retribution, and the practice of jihad and its relation to rebellion and martyrdom. Despite the fact that numerous examples of tolerance and legal flexibility exist in Islamic community, nevertheless, he maintains, Muslim jurists formulated legal codes relating to the status of non-Muslims that allow for discriminatory practices. These laws are not in accordance with modern conceptions of pluralism and inclusiveness and therefore must be rejected: «Most of the past juridical decisions treating non-Muslim minorities have become irrelevant in the context of contemporary religious pluralism, a cornerstone of inter-human relations»⁵⁵.

Sachedina relates apostasy and jihad to freedom of religion and forgiveness in Islam respectively. Both rest on the key concept of *fitra*, a human being’s natural predisposition towards justice and the knowledge of good and evil. This inherent morality reinforces a belief “basic to Muslim identity” that «the divinely mandated vocation to realize God’s will in history was communal as well as individual»⁵⁶. *Fitra* not only forms the basis of a «God-centered public order», it also provides the key to interreligious dialogue because it speaks to the nature of all humans regardless of creed. Sachedina envisions, therefore, an Islamic theology of religions for the twenty-first century in which law based on God’s revelation acts as an instrument of justice and peace in society⁵⁷.

Unlike An-Na‘im and others, Sachedina does not believe that, in order to be truly just, the state must implement a full separation of religious and political authority. Nor does he accept the type of religious state proposed by the “fundamentalists” in which Islam has an exclusive claim over authority in the com-

⁵⁴ *Ibidem*, p. 24.

⁵⁵ *Ibidem*, p. 68.

⁵⁶ J.J. DONAHUE - J.L. ESPOSITO (eds.), *Islam in Transition: Muslim Perspectives*, cit., p. 4.

⁵⁷ A. SACHEDINA, *The Islamic Roots of Democratic Pluralism*, cit., p. 43-44.

munity. Rather, Sachedina argues that the Prophet laid the groundwork for a “universal community” that was subsequently corrupted by the political imperative to subdue people of other faiths and by a reading of traditional sources that lost sight of their original pluralistic intent⁵⁸. By reclaiming the belief that all human beings are “equals in creation”, the Muslim community can serve as a model of a religious faith that also calls for justness in society through the creation of pluralistic, democratic institutions⁵⁹.

The Hold of Tradition: Sacralization and De-sacralization

As previously discussed the critical issue for all reformers is the hold of tradition. Those who, like An-Na‘im, bypass or ignore the classical tradition fail to come to grips with the reality on the ground and risk reducing the influence and impact of their efforts to the bookshelf rather than becoming a catalyst for change in Muslim societies. The Indonesian reformer Nurcholish Madjid has referred to this phenomenon as the “sacralization” of tradition in Islam and called for a “de-sacralization” of tradition. However, he does not reject the importance of tradition but the notion of a fixed, static tradition, arguing that tradition and consensus or *ijma* are ongoing and cumulative.

An-Na‘im is not alone in re-examining the relationship of religion to the state and arguing that a Muslim country can also be secular and rejecting the blind following of tradition. However, some like Nurcholish Madjid (as well as Mustafa Ceric, and Tariq Ramadan) recognize more clearly the need to acknowledge the force of tradition even as they proceed to engage in wide ranging reformist thinking⁶⁰. Although emphasizing the value/merit of classical Islam and its legacy, they do not regard it as an absolute reference point or religious authority but only a tool for solving modern problems⁶¹. While neo-traditionalist reformers, muftis with international followings like Ali Gomaa, the Mufti of Egypt and Qatar’s Yusuf Qaradawi, acknowledge the authority of the classical tradition but have methodologies to legitimate substantive reforms, modern reformers more freely bypass the classical tradition and go back to the Quran as the primary basis for fresh understandings and interpretations.

But What Do Muslims Really Think and Want?

In what ways are the issues and diverse views in the current debate among Muslim intellectuals and religious leaders representative of the world’s Muslims as a whole? While Muslim rulers and clergy have often cast themselves as

⁵⁸ *Ibidem*, p. 135.

⁵⁹ *Ibidem*, p. 139.

⁶⁰ G. BARTON, *Peaceful Islam and Nurcholish’s lasting legacy*, cit.

⁶¹ A. KULL, *Politics and Piety*, cit., p. 2.

spokespersons for Islam, a modern educated but Islamically oriented elite and heads of Islamic movements, both mainstream and militant, attempt to speak for Islam. What do Muslims believe, what do they want, and what do they really think?

The politicization of political leaders, scholars, experts and media commentators post 9/11 has created a minefield for policymakers, scholars and the general public, faced with contending and contradictory opinions to key questions about Muslim attitudes towards the West, democracy, Sharia, and human rights. The data from recent (2001-2007) Gallup polls, in particular the Gallup World Poll of 2007, of residents from more than thirty-five Muslim majority countries enables us to more definitively access global representative responses. Altogether, the survey sample includes «more than 90% of the world's 1.3 billion Muslims, making this the largest, most comprehensive study of contemporary Muslims ever done»⁶².

The Gallup World Poll brings to light how majorities of contemporary Muslims view religion and its relationship to secularism and democracy.

Large majorities of Muslims say religion is an important part of their daily lives and that having a rich spiritual life is essential. The usual response to what Muslims admire most about themselves is «faithfulness to their religious beliefs». The statement they most closely associate with Arab/Muslim nations is «attachment to their spiritual and moral values is critical to their progress». Holding on to their Islamic spiritual and moral values is regarded as a top priority, something that is critical to their progress.

Large majorities of Muslims say religion is an important part of their daily lives and that having a rich spiritual life is essential

Asked about their attitudes towards democracy, the response from Muslims was overwhelmingly positive. Many respondents said that

political freedoms and liberties are qualities that they admire most about the West⁶³. Similarly, democracy is among the most frequent responses given as a key to a more just society and to progress⁶⁴. Cutting across diverse Muslim countries, social classes and gender differences, overwhelming majorities in all nations surveyed (94% in Egypt, 93% in Iran, 90% in Indonesia) said that if drafting a constitution for a new country, they would guarantee freedom of speech, defined as «allowing all citizens to express their opinion on the political, social and economic issues of the day».

However, when asked whether they believe that the US will allow people in the region to fashion their own political future as they see fit without direct US influence, the majority in most Muslim countries disagreed. A majority in Jordan (65.8%), Iran (65.6%), Pakistan (54.5%), Morocco (67.7%) and Lebanon (67.7%) believes that the US will not allow people in the region to shape their

⁶² J.L. ESPOSITO - D. MOGAHED, *Who Speaks for Islam? What a Billion Muslims Really Think*, cit., p. xi.

⁶³ *Ibidem*, p. 34.

⁶⁴ *Ibidem*, p. 47.

own political future without US interference. Similarly, the vast majority of Muslims believe the US lacks credibility in its campaign to promote democracy in the Middle East. A majority in Jordan, Egypt, Iran, Pakistan, Turkey, Indonesia, Morocco, and Lebanon said they do not believe the US is serious about spreading democracy in their region of the world.

Yet, although Muslims don't believe the US is serious about self-determination and democracy in their region, many say political freedom/liberty and freedom of speech is what they admire most about the West. Large percentages also associate a «fair judicial system» and «citizens enjoying many liberties» with Western societies. At the same time, Muslims critique their own societies, indicating that lack of political freedom is what they least admire about the Islamic/Arab world.

It is interesting to note that in spite of the importance that most Muslims give to political and civil liberties and freedom of speech, those surveyed do not favor wholesale adoption of Western models of democracy and secularism⁶⁵. So what, then, is the alternative? Poll data indicate that a majority of the world's Muslims would like to see a religious form of democracy in their countries, at least in the sense that they want *Sharia* to be “a” source of legislation though not the only the source⁶⁶.

Like the majority (55%) of Americans who believe America is a Christian nation and want the Bible as a source of law, Muslims who want to see *Sharia* as a source of law in constitutions can have very different understandings. Some, a minority, expect full implementation of classical or medieval Islamic law; the majority want a more restricted approach, like requiring the head of state to be a Muslim, or creating *Sharia* courts to hear cases involving Muslim family law (marriage, divorce and inheritance), or prohibiting alcohol. Still others simply want to ensure that no law is against the principles and values of Islam, as found in the Quran.

The considerable amount of support amongst Muslims for *Sharia* does not translate into a demand for theocratic government. On the contrary, significant majorities in many countries say religious leaders should play no direct role in drafting a country's constitution, writing national legislation, drafting new laws, determining foreign policy and international relations, or deciding how women dress in public or what is televised or published in newspapers⁶⁷.

Conclusion

Both Muslim opinion globally and the rethinking of Islam among many Islamic intellectual-activists reflect the current rethinking of the relationship of Islam to secularism.

⁶⁵ *Ibidem*, pp. 47-48.

⁶⁶ *Ibidem*, p. 48.

⁶⁷ J.L. ESPOSITO - D. MOGAHED, *Who Speaks for Islam? What a Billion Muslims Really Think*, cit., p. 50.

Influential Islamic intellectual-activists and religious leaders, neo-traditionalists and post modernist, across the Muslim world engage in a process of re-thinking Islam's relationship to secularism and modern Muslim states as well as issues of Muslim citizenship in the non-Muslim secular countries of Europe and America.

Citizens in countries in which Muslims are a majority report that, if they had their way, they would opt for greater political participation, freedoms, rule of law but not for a totally secular state. Although Muslim perceptions of what the *Sharia* represents and the degree to which it is possible to implement its rulings in society varies enormously, most believers desire a system of government in which religious principles and democratic values coexist. In other words, most Muslims do not view religious authority and political authority as mutually exclusive and see a role for religious principles in the formulation of state legislation.

Muslim reformers in the 21st century, whether secular or Islamically oriented, contend with two realities or hurdles for reform: broad-based Muslim public opinion that favors both greater democratization and *Sharia* as "a" source of law and the need to address the continued centrality and authority of the classical tradition of Islamic law.

While secular reformers ignore or wish to dismiss the relationship of religion to the state in arguing that today a Muslim country can also be secular, many others while admiring and desiring many of the principles and institutions associated with Western secular democracies do not want a Western secular nor an Islamic/theocratic state. Instead they opt for a state that reflects the importance and force of Islamic principles and values as they proceed to engage in wide ranging reformist thinking⁶⁸. Successful reformers and social movements, from traditionalist to more liberal orientations, engaged in rethinking Islam and its relationship to secularism and democracy, will continue to need to give importance to their framing narrative to legitimate and mobilize popular support.