Contemporary Islamic thinkers' understandings of secularism

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Abstract

The public and academic debate on the relation between Islam and secularism has been forcefully revived since 9/11 and the "Arab Spring". Especially essentialist and monolithic depictions by Western scholars have claimed the incompatibility of Islam with secularism as a prerequisite for democracy. Another strand of literature claims that evidence of *Islam's democratic essence* (Esposito and Voll 1994) offers a wide variety of indigenous Islamic concepts and institutions such as *Shura* (consultation), *ijmaʿ* (consensus) and *ijtihad* (independent reasoning) that provide a tradition with strong reasons for Muslims to adopt "modern" democratic principles and even to a secular state organization. However, these accounts of the "secular potential" in Islam often ignore the conceptual differences and contexts when Islamic thinkers talk about secularism. Moreover, secularism is often only dealt with as a universal by-product or precondition for democracy rather than a distinct multidimensional discursive element. This essay contributes to filling this gap by analysing the understandings of secularism of two eminent contemporary Muslim thinkers, Rachid Ghannouchi and Abdolkarim Soroush. Informed by Dallmayr's framework of "Comparative Political Theory", this essay demonstrates that both Ghannouchi and Soroush argue in favour of democracy in Muslim societies with a certain degree of secularism in the sense of a primacy of popular collective decisions over religious rules. Both their visions meet the criteria of Stepan's "twin tolerations" and thereby prove the possibility of an Islamic doctrinal argument in favour of secularism. However, it is only possible to apprehend their understandings of secularism by relating it to their conceptualizations of modernity and democracy in the post-colonial situation.

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Index of Arabic and Persian terms[1]

ahl-ul-hal wal-ʿaqd	traditional Islamic equivalent for the representatives of the people in a modern parliament
amir al-muʿminin	leader of the faithful
awaqf, sg. waqf	religious endowments
bayʿah	contract, oath of allegiance
dar-ul-Islam	land of Islam
dhimmis	non-Muslim citizens of the Islamic state
faqih	Islamic jurist
fatwa, pl. fatawa	legal opinion
fiqh	jurisprudence
hadith	tradition, teaching of the Prophet
haqiqa	inner dimension
ijmaʿ	consensus
ijtihad	independent reasoning (Ghannouchi) independent adjudication (Soroush)
imamate	external political leadership
kalam	theology
madahib, pl. of madhhab	Islamic schools of law
muwatanah ʿammah	qualified citizenship
muwatanah khassah	unqualified citizenship
salat	prayer
shariʿa	religious law and moral code
shariʿan	lawgivers
sharihan	exegetes
shura	consultation
tafsir	interpretation (of holy texts), exegesis
tariqa	true path
tawahush	return to savage state
ulama	class of Muslim legal scholars
umma	community
velayat-i-faqih	guardianship of the faqih, the Islamic jurist
zakat	alms
ʿaqlania	rationalization
ʿilm al-maqasid	science of purposes
(ʿilm) usul al-fiqh	legal theory (Ghannouchi) science of the fundamentals (Soroush)

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1   The transcriptions of Arabic and Persian expressions follow the spelling in the English translations of the annotated works of Rachid Ghannouchi and Abdolkarim Soroush respectively.

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1. Introduction[2]

The public and academic debate on the relation between Islam and secularism[3] has been forcefully revived by the events of the uprisings in the Middle East since 2011 (see Cesari 2014, xii-xv; Hashemi 2014, 2; Bradley 2012). The initial euphoria about the downfall of secular dictatorships has turned into violent struggles between Islamist and other political groups over the new political order. The Syrian civil war is turning more and more into a factional conflict where radical religious groups are being financed and armed by the Gulf States (Dickinson 2013). The sweeping military successes and subsequent burning of Shiʿa Mosques by the Islamic State of Iraq and Syria (ISIS) all over Iraq in June 2014 have crushed interventionist dreams about transplanting liberal democracy (Bengali 2014). Extremist Islamic groups succeed in attracting followers from all over the world to fight for the establishment of a caliphate (Tran and Waever 2014). The democratically elected president of Egypt, Muhammad Morsi, has been deposed in a military coup backed by massive popular protest against the first government empowering the Muslim Brotherhood in Egypt. In Tunisia, after a suddenly interrupted period in power following their electoral victory in the first free elections since decades, the Islamist en-Nahda party is scared by the fate of other Islamist movements throughout the region (Mandraud 2014). With the ousting of en-Nahda from power and the exceedingly violent repression of the Muslim Brotherhood in 2014, the promising democratic participation of Islamist parties received major blowbacks. Three and a half years after the fall of Tunisia's Zine El Abidine Ben Ali, Egypt's Hosni Mubarak and Libya's Muammar al-Gaddafi, a major question in all post-Arab spring situations is the relationship between Islamist movements and parties on the one hand and a democratic secular state on the other hand.

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3   How the terms secularism "secularism", "Islam" and "democracy" are being understood in this essay is explained in section 2.2.

Two different strands of literature are dominant in explaining the failure of secular democracy in Muslim majority countries in the Middle East and North Africa. The first paradigm emerged after the end of the Cold War conjuring the infamous "clash of civilizations" along civilizational fault lines proposed by Samuel Huntington (1993, 1996). The catchy metaphor, "In Islam, god is Caesar", suggests the hypothesis that where god is the sovereign there can be no government of the people, by the people and for the people, crucial elements of democracy (Huntington 1996, 70). Bernhard Lewis argues that in modern Islamic languages the absence of a word for "layman" and "laity" and the terms for "secularism" being only loan words are signs for a lack of engagement with a conceptual separation between religion and the state (Lewis 1996, 61). Moreover, Lewis claims that from the onset of Islam, Prophet Muhammad has been political and religious leader at the same time which is why there has never been a conceptual separation between the religious and the political sphere. Finally, Lewis contends that in Islam the value of "freedom" is inferior to the dominant notion of justice. While *liberté* has proven to be the central norm for constitutionalism and parliamentarism in the 20th century, Islam's focus on "justice" has not been able to unfold such a democratizing effect. (Lewis 1996, 57; cf. 1988, 1990). Hence, Huntington and Lewis advocate a reductionist, homogenising understanding of culture and religion in an arbitrary intellectual and political exclusion of the diversity and heterogeneity of the relations between Islam and politics.

According to Martin Kramer, a former student of Lewis and even more radical advocate of the "circumvention thesis" (Müller 2012), the indisputable corpus of revealed law in Islam is incompatible with legislative power exercised in the name of a people (Kramer 1993, cf. 1994, 1996). According to the "circumvention thesis" Islam circumvents the democratization of Muslim-majority countries because of the lack of secular thought or capability to accept secularism. In other words, the core claim of the circumvention thesis is that first, secularism is a necessary attribute of liberal democracy and second, Islam is not able, neither doctrinally nor institutionally, to embrace a necessary degree of secularism. Thus, Huntington, Lewis and Kramer are among the most prominent proponents of what can be called the "culturalist-essentialist paradigm" that support the circumvention thesis claiming that in Islam's essence, in its very cultural fabric, there are elements that make it hostile to secularism and democracy (see Lakoff 2004, 136). Culturalist-essentialist scholars supporting the circumvention thesis or its variant, "Arab exceptionalism", have been very successful in influencing US foreign policy

towards the Middle East and North Africa, especially through neo-conservative thinktanks forming "policy advisory systems" (Halligan 1995, Jewell 2014, Stepan and Graeme 2003).

In a second strand of literature, scholars like John Esposito and John Voll are eager to point out that Islam and democracy are compatible by analysing *Islam's democratic essence* (Esposito and Voll 1994, 1996, 2001; cf. Krämer 1993, 1999). They argue that indigenous Islamic concepts and institutions can interact with the experiences and structures of the modern era and thus create a potential for democratization. *Shura* (consultation), *ijmaʿ* (consensus) and *ijtihad* (independent reasoning) are Islamic concepts that empower individuals to interpret sacred texts and to call for popular participation in government (Wright 1996, 65). In other words, while most Muslim-majority and especially Middle Eastern countries are not democratic, in Islam as a religion and as a culture there is a capacity to be democratic (cf. Diamond 2010; Stepan and Robertson 2003). These attempts to find (proto-)democratic concepts in Islamic traditions are complemented by a wide range of analyses on the relationship between Islam, secularism and democracy that by and large avoid the blatant orientalism of the culturalist-essentialist paradigm. Relevant publications since 2000 include Abdelkader 2011; Abdelsalam 2004; Agrama 2012; Akhavi 2009; Al-Azmeh 2009; An-Na'im 2008, 2009, 2010; Ardiç 2012; Cesari 2014; Etzioni 2007, 2008; Haj 2009; Hallaq 2013; Hashemi 2009; Keskin 2011; Khundmiri 2001; Mavelli 2012; Monshipouri 1998; Rahim 2013; Roy 2007, 2012, 2013.

However, scholars discussing Islamic thinkers and their views on Islam, democracy and secularism tend to take secularism as a self-explaining concept and thus neglect to define and properly analyse it. Useful conceptualizations of secularism such as Alfred Stepan's "twin tolerations" are hardly ever employed (Stepan 2000, 2001; see 2.2.) Moreover, secularism is often only dealt with as a by-product or precondition for democracy rather than a distinct multidimensional discursive element. Notable exceptions are Nader Hashemi (2009) and Abdullahi An-Naʿim (2008, 2010), although the latter focuses on the human rights and law aspect.

This essay contributes to filling this gap by analysing and comparing the understandings of secularism of two eminent Islamic thinkers, Rachid al-Ghannouchi and Abdolkarim Soroush

employing a problem-driven interdisciplinary approach (see 2.1.). The main research question is therefore the following: How do Ghannouchi and Soroush understand secularism?

The reasons for choosing Ghannouchi and Soroush as subjects of analysis in this essay lie in the unique dynamic between their similarities and their differences. Both Ghannouchi and Soroush are advocates of democracy and propose a vision of a utopian Islamic democracy. Moreover, they are both considered to be "moderate" and "liberal" Islamic thinkers speaking out against scripturalist and fundamentalist[4] interpretations of holy texts (Wright 1996; cf. Kurzman 1998). In addition to that, they are vocal critics of a superordinate role of the clergy and reject the primacy of religious law over democratic politics (see 3.5.2. and 4.4.1.). They have both been repressed in their countries for opposition to their respective governments' doctrine and politics (see 3.2. and 4.2.). Finally, they are both leading intellectual figures in their respective countries of origin. Ghannouchi is the founder and decades-long leader of the en-Nahda movement in Tunisia and has been dubbed the leader of "modern Islamic political thought (Jawad 2013, 326; Tamimi 2000, vi, 2007; Ghannouchi 1998, 89; Byrne and Haase 2011). Soroush is arguably the most well-known intellectual criticising the Iranian regime (Sadri and Sadri 2000, ix; Jahanbakhsh 2001b, 141; Wright 1997; MacLeod 2005; Vahdat 2003, 600).[5] Soroush's fame beyond the circles of experts is indicated by his ranking as number 15 in the Top 100 Global Thinkers list created by *Foreign Policy* and *Prospect* magazine in 2005 (Infoplease 2005). Moreover, analysing Ghannouchi and Soroush is in line with the demand for more qualitative research on "most important cases" (Kratochwil and Friedrichs 2009, 718).

However, there are also major differences between the two: While Ghannouchi writes in the context of a post-colonial secularist North African state, Soroush is concerned with the post-revolutionary situation in the Islamic Republic Iran. While Ghannouchi is as much politician as he is political thinker, Soroush was a professor at Tehran University and has above all been occupied with academic and intellectual publishing and lecturing. While the main theoretical reference points for Ghannouchi are Sunni jurisprudence and Sunni thinkers, Soroush writes in

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4   Although the term fundamentalism has been coined as a self-description of Christian conservatives in the early 20th century, it is used here due to its wide recognition. However, contrary to Euben (2009), it is not used as a synonym for Islamism, but understood following Marty as describing reactive, reactionary, traditionalist, conservative, mostly exclusive and separatist movements (Marty 1988, p. 20ff.)

5   For a comparison between Soroush and other critical thinkers in Iran see Sadri 2001.

the context of Shiʿa Islam and draws also on the vast pool of Persian poetry and philosophy. Their different approaches to the role of Islam in politics has led Abdou Filali-Ansary to compare Soroush with the Reformation and Ghannouchi with the Counterreformation (Filali-Ansary 1996).

While there already exist detailed analyses of Soroush's philosophical, theological and political views (Amirpur 2003, 2011; Cooper 1998; Fletcher 2005; Ghamari-Tabrizi 2004; Hashas 2014; Shirazi 1997), his understanding of secularism has not been at the centre of any of these analyses. Many authors have analysed Ghannouchi's commitment to democracy (Elgindy 1995; Hamdi 1998; Jawad 2013; Labat 2013; Preuschaft 2011; Saeed 1999), however, these studies did not focus on his understanding of secularism.[6] While Robin Wright has written a paper briefly depicting both Ghannouchi and Soroush (Wright 1996), to the author's knowledge there doesn't exist any comparison of the two thinkers' view on secularism so far. To sum up, the originality of this essay lies in filling the gap of an in-depth analysis and comparison of the understanding of secularism of Ghannouchi and Soroush.

In order to account for the interdisciplinary and multi-dimensional nature of secularism, this essay will employ a problem-driven approach focusing on secularism as the object of scrutiny (see 2.1.). The topic of secularism is located at the intersection of many different disciplines such as political theory, political science, study of religion, theology, philosophy, sociology, Islamic studies and history, among others. Some authors have focussed only on one disciplinary perspective and thus neglected the complex interdependence of issues and the respective disciplines specialized in investigating them. However, secularism is never only a concept, like an isolated island that has certain attributes, but can rather be understood as element of the heterogeneous associations of an "assemblage", stressing relatedness, connectedness and conditions of emergence as constitutive features (cf. Deleuze and Guattari 1987, 4; Bogue 2012, 296; Scholl et al. 2014). The theoretical perspective of assemblage helps to avoid the misleading assumption that discourses in "the West" and "in Islam" can be neatly separated. In contrast, it is only possible to understand the complexities of the phenomenon of secularism once the different discursive interactions are taken into account. Thus, the critical analysis of Soroush' and Ghannouchi's understandings of secularism will be enriched by

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6   A notable exception is the chapter on secularism in Tamimi 2001.

relating them to main ideas they draw on, irrespective of their cultural or disciplinary origin.

It has to be highlighted that this essay is not oriented toward a comprehensive comparison of Ghannouchi's and Soroush's work, but toward the specific problem of secularism. Along with the main research question stated above—how do Ghannouchi and Soroush understand secularism—related issues will be scrutinized in order to better contextualize the main question: How do Ghannouchi and Soroush conceptualize secularism and what are related concepts that are crucial for its understanding? How do they frame secularism, explain its emergence and what is their attitude towards it? What role does secularism play in their thought on Islamic democracy? What are the roles of Islamic law, jurisprudence and the clergy, the *ulama* (class of Muslim legal scholars)*,* respectively, regarding secularism? What are the similarities and differences between the approaches of Ghannouchi and Soroush? Finally, do their ideas converge with the requirements of the "twin tolerations"?

To answer these questions, this essay makes three major arguments: First, arguing against the claims of the culturalist-essentialist paradigm exemplified by Huntington, Lewis and Kramer, it will be demonstrated that both Ghannouchi and Soroush argue in favour of democracy in Muslim societies with a certain degree of secularism in the sense of a primacy of popular collective decisions over religious rules. Both their visions meet the criteria of Stepan's "twin tolerations" and thereby disprove the impossibility of a doctrinal argument in favour of secularism as stated by the circumvention thesis (Stepan 2000, 2001). It is only possible to apprehend their understanding of secularism, however, by relating it to their conceptualizations of modernity and democracy.

Second, this essay will demonstrate that Ghannouchi's understanding of secularism comprises a historical, a sociological, a doctrinal and an institutional dimension. Ghannouchi claims that secularism is a concept that emerged out of the particular circumstances of Western Christianity and has been transplanted to the Muslim world by colonial and post-colonial regimes. The socio-cultural process of Westernization and the decline of the role of religion in the private and public sphere is not a universal trajectory whereas Muslim societies should fight against it. Ghannouchi views secularism as a comprehensive doctrine, an anti-religious, materialist ideology that provides the theoretical framework for the sociological decay of

religion. As for the institutional dimension, Ghannouchi's vision of an Islamic state entails the democratic prerequisite that the people are the last instance for any collectively binding decisions. Although the people are theoretically bound by *shariʿah* (religious law and moral code), they have the free choice to adopt or reject any interpretation of religious law by the *ulama* or any other political or religious authority.

Third, this essay will demonstrate that Soroush's epistemological distinction between the essential nature religion and the accidental nature of religious knowledge is bedrock to limit the role of *shariʿa*, *fiqh* (Islamic jurisprudence) and the clergy. Moreover, his notion of the preliminarity of religious and political knowledge serves to establish critical inquiry and rational debate as central norms in all religious and political matters. Finally, secularism for Soroush enables the establishment of democratic religious government that is based on pre-religious and pre-political natural rights and values such as human rights, justice and restriction of power.

The essay is structured as follows: the first chapter will outline the methodological foundations of the present research (2.) The challenge of engaging with texts from different cultural backgrounds will be addressed by choosing a problem-driven approach for this essay drawing on insights from comparative political theory, hermeneutics, the Cambridge School of political thought and post-colonial theory (2.1.). The next section will briefly outline some challenges of the conceptualization of secularism, highlighting the prevalent categorization by Charles Taylor, the criticism by Talal Asad and the minimalist institutionalist proposal of the "twin tolerations" by Alfred Stepan (2.2.). The main body of this essay is the analysis of the understandings of secularism of Ghannouchi (3.) and Soroush (4.). While some of the positions of Soroush are already contrasted with Ghannouchi in chapter four, the concluding chapter will juxtapose and compare the two thinkers regarding the different dimensions of secularism and the related concepts of democracy and modernity (5.).

2. *Reading secularism in a post-colonial situation: methodology and key concepts*

2.1. Comparative political theory

Many of the deliberate and accidental misunderstandings about the relationship between religion and politics in Islam have emerged out of the colonial impetus to gather knowledge about subject populations in order to govern them. Numerous distorted pictures of the colonized countries have emerged out of "research" that was soaked with the imperative to gain knowledge to rule and to control other cultures, especially Islam. Since the publication of Edward Said's *Orientalism* in 1978 at the latest, the discipline of post-colonial studies has been trying to disentangle research about Muslim-majority countries from the colonial and neo-colonial perspective (cf. Aksikas 2009; Ashcroft et al. 1995; Ayubi 1995, Salvatore and Amir-Moazami 2002). This applies to many disciplines, including Middle Eastern Studies, Islamic Studies, Anthropology, Critical Human Geography and Political Science, that try to describe Muslim societies and their politics and is especially relevant for the discourse on secularism in Islam. This is illustrated by Said's criticism of Bernhard Lewis and others for their purportedly neutral scholarship that in fact orientalizes Muslim societies and is close to being "propaganda against his subject material" (Said 1978, 316; for reactions to his critics see Said 1985). Raewyn Connell takes up the baton of post-colonial theory and calls for more engagement with non-Western political theory or *Southern Theory* (2007). She claims that the assumptions of universal knowledge and universal values made from a position of privilege are "likely to serve hegemony not liberation" (Connell 2007, x). Therefore, she urges for scholarly elaboration on connections and contrasts between peripheral, non-Western bodies of thought and those of the metropole. The methodology employed in her book can serve as model for the analysis in this essay: "I try to follow the threads of local arguments wherever they lead. That is to say, I take them seriously as theory—as texts to learn *from*, not just *about*" (ibid., viii).

It is a basic assumption of this essay that it is necessary to overcome the repeated performative rhetoric of "confrontation", "encounter", "gap" and "clash" between "Islam" and "the West" that is framing the debate and is manifest even in titles of books and other publications about

the topic of this essay: *Islam vs. Democracy* (Kramer 1993, 1996); *Secularism Confronts Islam* (Roy 2007); *The War for Muslim Minds. Islam and the West* (Kepel 2004); *The Clash of Civilizations* (Huntington 1993, 1996); *Muslim Countries and the Democracy Gap* (Karatnycky 2002); *An "Arab" More Than a "Muslim" Electoral Gap* (Stepan and Robertson 2003). Cross-cultural comparison is possible when the circumstances and differences are taken into account (Ember and Ember 2008, 6). In the words of Parvez Manzoor, this essay tries to contribute to the argument that "Islam and West are neither two incompatible, transcendence-affirming vs. transcendence-denying metaphysical worldviews, nor two clashing civilisations, religious vs. secular, but partake of a single human reality" (Manzoor 2014, 7).

In order to go *Beyond Orientalism*, Fred Dallmayr (1996) has advocated the transfer of the lessons from the orientalism debate to political theory. He proposes the concept of "cross-cultural or comparative political theory" that challenges imperialist and hegemonic modes of theorizing that only represent the thoughts of a small segment of the world's population (Dallmayr 2004, 249; cf. 1999; on Islam and democracy see Dallmayr 2011b). Instead, he proposes a departure from universalist assumptions that stem from European Enlightenment and to engage in "interaction, negotiation and contestation" with theories, meanings and practices that have historically grown in different cultural frameworks (Dallmayr 2004, 249): "This, in turn, means that the basic approach favoured by comparative political theory is dialogical, or 'hermeneutical'—that is, it relies on mutual interpretation" (ibid.). Dallmayr buttresses his research agenda by referring to philosophical criticism of the metaphysical hegemony of the Cartesian Eurocentric *cogito ergo sum* by Ludwig Wittgenstein's language turn, Edmund Husserl's phenomenology and Martin Heidegger's "planetary thinking" in favour of contextualism (ibid., 250).

Moreover, comparative political theory draws on Hans-Georg Gadamer's call for an encounter "between the reader and the text, between self and other, between indigenous traditions and alien life-forms" (Dallmayr 2004, 251). Gadamer argued that the understanding of a text not solely consists of how the author has intended it, but that it enters into dialogue with different contexts of interpretation and different interpreters (Dostal 2000). For the present research, this means that analysing Islamic thinkers and bringing them into dialogue with each other, but as well with the "prejudices" of the researcher, can open new dimensions of mutual

understanding and learning about perspectives on secularism in Islam (Gadamer 2004, 271). Moreover, Gadamer's idea of the hermeneutic circle serves as methodological background for the analysis of the understanding of Soroush and Ghannouchi (ibid., 268). While a close reading of their texts on secularism and Islamic democracy form the core of the present essay, it is supplemented by the analysis of the historical and political circumstances and contrasted by interpretation and criticism of secondary literature. However, it has to be highlighted that a hermeneutical reading of texts that emerged in a different cultural and intellectual environment is necessarily conditioned by the positionality of the researcher. In sum, this essay can be seen as a contribution to comparative political theory which tries to prevent the purported impossibility of secular democracy in Islam of becoming a self-fulfilling prophecy (cf. Dallmayr 2010, x).

Focussing on the intellectual environments of emergence, the Cambridge School of political theory argues for the importance of historical circumstances for the understanding of texts. As Quentin Skinner suggests, it is impossible to understand an idea just as a separate unit (Skinner 1969, 36). He claims that there is no such thing as a pure history of an idea, but ideas are always a reaction to the circumstances and the lives of the people. Thus, it is arguably impossible to write a "history of secularism in the Muslim world"; it is certain thinkers in certain circumstances, addressing a particular problem (ibid., 40). George Joffé offers an example for these considerations in the Middle East: "In part the role played by political Islam has arisen from the cultural context but it is also a conscious reaction to other ideological failures rooted in nationalism and secularist ideologies of liberation and development" (Joffé 2011, 516). Skinner claims that texts in social, ethical and political thought do not reveal "the essential sameness, but rather the essential variety of viable moral assumptions and political commitments" (Skinner 1969, 52). For the present essay, this admonition is taken serious by *not* taking definitions of secularism that have emerged in Europe as a starting point and "testing" Ghannouchi and Soroush against these concepts. Rather, this essay aims to illuminate the different assumptions that shape the framing of secularism. Furthermore, this methodology has in parts also been adopted by Ghannouchi and Soroush themselves when they explain the emergence and meaning of secularism in the historic context of their societies. However, the essay does not offer an authoritative and comprehensive account of Soroush's and Ghannouchi's thought, but is necessarily limited by the intellectual and cultural

background of the author: "it is a commonplace — we are all Marxists to this extent — that our own society places unrecognised constraints upon our imaginations" (ibid., 53).

Informed by the methodologies of comparative political theory, hermeneutics and contextual understanding, the main methodological feature of this essay is that it is problem-driven (cf. Ball 2004, 28). Ghannouchi's and Soroush's understandings of secularism is the object, or more precisely, the discourse of interest (cf. Foucault 1997, 12; Van Dijk 2008, viii). It is a characteristic feature of secularism that it lies at the intersection of several disciplinary currents and languages of analysis such as political theory, philosophy, history and theology. Since the nature of the object of this study cannot be confined to a certain discipline, this essay will, as Connell points out, follow the different disciplinary traces insofar as they are relevant to understand their notion of secularism (cf. Connell 2007).

The problem-driven approach also complements the impossibility to review the large quantity of works published by the two authors. Instead, the essay focusses on some central texts where Ghannouchi and Soroush discuss, directly or indirectly, the issue of secularism. The choice and availability of the texts will be considered at the beginning on the respective chapter on Ghannouchi (3.) and Soroush (4.). It has to be noted that the different research paradigms mentioned above are based on different epistemological and ontological foundations. However, it is not the aim of this essay to reconcile these disparities, but to use the theoretical diversity in order to overcome the methodological narrowness of the culturalist-essentialist paradigm that fails to grasp the complexities of secularism.

2.2. Understanding and defining secularism

Political and social concepts like "secularism" and "democracy" are never only descriptive terms for a phenomenon or a social fact (cf. Durkheim 1982, 50 ff.). One part of "secularism" consists of the actual word, the signifier (cf. Geertz 1973b, 26; Saussure 1959, 65). Secularism signifies an assemblage of theoretical ideas within intellectual history which are related to other concepts such as modernity and democracy and often comprises intercultural exchange. Other elements of this assemblage are, constituting another signification of secularism, historical developments, events and the consciously and unconsciously experienced practices

and materialities of secularism (cf. Neumann 2002; Pouliot 2007).

Because of the inductive approach of the present research outlined above (2.1.), it is neither possible nor desirable to give an *a priori* definition of secularism. When in the following chapters the word "secular", "secularity" or "secularism" is used, it generally refers to the understanding of Ghannouchi and Soroush. Substitutes like the "non-religious", "separation of religion and politics" or "separate realm of reason and religion" carry the same epistemological implications that are being criticised by Talal Asad and others (Asad 2002, 2003). Asad claims that the secular is always more than just the non-religious and—an insight he shares with the majority of scholars in the discipline of cultural studies approaches to religion—that it is far from uncontested what religion actually is (cf. Kippenberg and Stuckrad 2003). Thus, it is impossible to define secularism by the negation of another term, religion, whose meaning is as contested and political as the term secularism. Nevertheless, the terms "non-religious" or "worldly" are used in order to reserve the terms "secular" and "secularism" for Ghannouchi's and Soroush's arguments. While for the inductive approach no definition of secularism is reasonable at this point, one has to take serious Soroush's claim that it is impossible to look at the world without categories and words (see 4.3.2.). Therefore, this section will briefly outline some major positions in the discourse on secularism in the West to provide a heuristic background to which Ghannouchi's and Soroush's thought can be connected.

In his seminal book *A Secular Age*, Charles Taylor (2007) differentiates three different positions on what secularism means: The first position (secularity 1) claims that in the Western, or rather the North-Atlantic world, the state, politics and the public sphere have been "emptied of god" (Taylor 2007, 2). This means it is possible to engage fully in public life without even encountering the God of Abraham. This extends also to other areas of human activity that are separated from the religious domain such as the economic, cultural, educational and professional sphere. Echoing the theory of the functional differentiation of society, the norms that dominate these spheres are distinct non-religious "rationalities" in each of them (cf. Luhmann 1977, 1997, 2002; Taylor 2009, 1149). In the second meaning (secularity 2), secularity (which Taylor uses synonymously with secularism) means the decline of religious belief and practice of the people, people no longer attending religious ceremonies

or practising religion in their daily lives. In the foreword of the essay collection of Soroush, the editors and translators Mahmoud Sadri and Ahmad Sadri call this "subjective secularization" in contrast to "objective secularization" which refers to the aforementioned withdrawal of religion from the public sphere. The third dimension Taylor mentions (secularity 3) is a specific "condition of belief" in which belief in god is not unchallenged any more, but only "one option among others" (Taylor 2007, 3).

Although it would be possible and useful to distinguish between secularism as a sociological condition, a doctrine or an institutional arrangement and secularization as a process of establishing this condition and as the decline of subjective and objective religiosity, neither Ghannouchi nor Soroush, nor even Taylor is consistent in the use of this differentiation. A combination of the first and the second meaning of secularism is the core of the "secularization thesis" that was dominant among thinkers of modernization such as Karl Marx, Emile Durkheim and Max Weber and famously stated by Peter Berger (1967; also Cox 1966). However, after two decades the prior consensus has shifted towards holding the secularization thesis to be wrong (Berger 1980, 1999, 2000, 2008, 2013; Casanova 1994, 2009; Cox 2000, Tibi 2008). Instead, the "resurgence of religions" (Thomas 2005; Graf 2004; Kepel 1994), "post-secularism" (Dallmayr 2012a, 2012b; Graf and Meier 2013) civil religion (Bellah 1967; Casanova 1994, 2011; Beiner 2011) or "religio-secular" (Marty 2003), are current paradigms taking a more differentiated stance on Taylor's secularity 1 and 2.

Talal Asad is critical of the possibility to use this categorization because for him it is not possible to generally define religion. He rejects Taylor's definition of religion as the transcendental claiming that "there is nothing *essentially* religious" (Asad 2003, 25; for further criticism on essentialist definitions of religion see Smith 1998 and Lincoln 1996). According to Asad, "there cannot be a universal definition, not only because its constituent elements and relationships are historically specific, but because that definition is itself the historical product of discursive processes" (Asad 1993, 29). He proposes to start with Clifford Geertz's definition of *Religion as a Cultural System* (1973a). However, Asad criticises Geertz arguing that his characterization of religion as "affirm[ing] something about the fundamental nature of reality" takes up the standpoint of theology (Asad 1993, 43). Asad, in contrast, claims that

"Secularism is not simply an intellectual answer to a question about enduring social peace and toleration. It is an enactment by which a political medium (representation of citizenship) redefines and transcends particular and differentiating practices of the self that are articulated through class, gender, and religion. In contrast, the process of mediation enacted in "pre-modern" societies includes ways in which the state mediates local identities without aiming at transcendence" (Asad 2003, 5).

He argues against Taylor's claim of the absence of religion in the public sphere and asserts that while the character of state-subject relations has changed from medieval Europe, it is not only a question of "absence of religion" but rather a political and governmental doctrine of liberal society (ibid., 2007, 16; Hirschkind 1997).[7]

In contrast to the philosophical, anthropological and sociological concerns of Taylor, Asad and Berger, the political scientist Alfred Stepan has proposed an institutionalist model for secularism, the "twin tolerations" (Stepan 2000, 2001). In order not to impede democracy, both religious actors and the state have to grant each other a certain degree of non-interference. This implies that the state has to guarantee freedom of and from religion, freedom of assembly and freedom of speech in order to allow religious people to exercise their religious beliefs and practices. On the other hand, religious actors also have to grant the state a certain extent of freedom of action. Thus, they may not enjoy any superior veto rights in the political process. Stepan's twin tolerations have the advantage that they do not define secularism or religion as such but they are being defined only in their relation to democracy (cf. Hashemi 2004). This is an example of how inextricably linked secularism and democracy are being conceptualized. The link to modernity and thus culture and civilization is equally important as the culturalist-essentialist paradigm and the circumvention thesis demonstrates.

In this essay, democracy will be understood in accordance with the main thinkers analysed. Although there are some differences between Ghannouchi, Soroush and Stepan, Soroush explicitly refers to Dahl's eight criteria in his classic work *Polyarchy*: 1) Freedom of association, 2) freedom of expression, 3) right to vote, 4) eligibility for public office, 5) free

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7   For an instructive critique of "the constrictions of secular doctrine" see Conolly 1999, for a more empirical account of secularism as hegemonic principle see Nazir 2010. For an account of the recent debate about the new appreciation of religion in the public sphere of liberal democracies see Habermas and Ratzinger 2006, Habermas 2008 and Gordon 2013.

and fair elections, 6) right of political leaders to compete for support, 7) alternative sources of information and 8) policies dependent on voters' preferences (Dahl 1971, 3). Since Ghannouchi and Stepan also refer to these criteria, the present essay takes this definition as a basic touchstone unless otherwise indicated. As for Islam, this essay is grounded on Talal Asad's conceptualization of Islam as a "discursive tradition" (Asad 1986, 14). That means that Islam can be understood as discourses that include and relate themselves to the founding texts of the Qur'an and other texts varying between different denominations and *madahib,* Islamic schools of law. This conceptualization allows to compare Ghannouchi and Soroush since they both contribute and relate themselves to a similar discourse and to Islam as a tradition. These definitions and the brief sketch of some major positions in the secularism discourse serves as background which will be referred to while analysing Ghannouchi's and Soroush's thought in the next two chapters.

3. Rachid Ghannouchi's understanding of secularism

3.1. Reading secularism in Ghannouchi

A difficulty for the analysis of Ghannouchi's political thought non-Arabic-speaking researchers encounter is the lack of comprehensive translation of his works. However, *Secularism in the Arab Maghreb* (2000), *Participation in non-Islamic Government* (1998), *Islam and the West: Concord or Inevitable Conflict* (1997) and *The Right to Nationality Status of non-Muslim Citizens in a Muslim Nation* (1990) are contributions in English that provide a substantive elaboration of his thoughts on secularism. In addition to that, during Ghannouchi's exile in London from 1991 to 2011, the British Palestinian academic and activist Azzam Tamimi was closely collaborating with him on various occasions, translating the majority of the papers Ghannouchi gave for conferences and other events all over the United Kingdom (Tamimi 2000, vi). This intense collaboration was complemented by several interviews between 1995 and 1998 and various primary sources Ghannouchi provided including letters, speeches and lectures. Tamimi compiled this remarkable collection of material and knowledge on the political thought of Ghannouchi in his book *Rachid Ghannouchi: a Democrat Within Islamism*, a "treatise in the field of political theory", as he calls it (Tamimi 2000, vii). Thus, when Tamimi claims to be "something of an authority on his [Ghannouchi's, T. M.] political

perspectives” (2000, viii), this is perhaps somewhat over-confident. However, Tamimi enjoys access to primary sources regarding Ghannouchi’s time in exile that is arguably unprecedented, even for those fluent in Arabic. In addition to that, Tamimi’s account of Ghannouchi’s thought is very close to original texts and includes many direct quotations. Another important source is *The Politicisation of Islam. A Case Study of Tunisia* by Mohamed Elhachmi Hamid (1998), until 1992 member and external spokesperson of en-Nahda, as it provides a more critical account of the Nahda movement and the political thought of Ghannouchi (cf. Tamimi 2000, 209). Reading the translated works of and interviews with Ghannouchi against the different interpretative backgrounds of Tamimi, Hamdi, Preuschaft (2011) and Labat (2013) “provides sufficient material for a detailed analysis on Ghannouchi’s understanding of secularism and the concepts inextricably linked with it.

Finally, as Tamimi points out, in Ghannouchi’s earlier works before the exile in London, “The terms *secularism* and *secularization* are not encountered anywhere in Ghannouchi’s published works, including his central book *Al-Hurriyat al-ʿAmmah Fid-Dawlah al-Islamiyyah (Public Liberties in the Islamic state)* (1993). He developed the idea that secularism has been detrimental to traditional society in papers written since he moved to London in 1992 (Tamimi 2000, 107). This is another argument in favour of the research aim and scope of this study as there are more translations and a vast amount of secondary literature available on Ghannouchi’s thinking on secularism since the 1990s. According to an interview with Ghannouchi, he prefers to define secularism as “*dunyawiyah*: that which is worldly, mundane, or temporal”, not as *ʿilmaniya* (from *ʿilm*, science) or *ʿalmaniyah* (from *ʿalam* world), as other scholars do (ibid.). This can be seen as complementary to his understanding of secularism as something Western and unnecessary for the Muslim world (see 3.4.)—in contrast to science and rational reasoning which he understands as forming a substantial part of Islamic intellectual history and *ijtihad*. In addition to that, Tamimi observes that “Ghannouchi uses the term secularization with some laxity. He often uses the terms modernization and Westernisation as if they were synonyms, not only of each other, but also of secularization” (ibid.). This becomes also clear for example when Tamimi points out that what Ghannouchi now terms secularism, has been described as Westernisation in earlier writings (ibid.).

Ghannouchi explains his intellectual and political method and aims as follows: he proposes to

"choose the view with the strongest proof, the one that serves public interests and reflects the opinion of the majority of scholars, trying not to forget for a moment the current Islamic circumstances in which this message must be used, as a means of change and reform and of solving its problems. Our goal is not merely intellectual, but is an Islamic revolution that will uproot dictators from the land of Allah" (Ghannouchi in Hamdi 1998, 128). In other words, his writings are situated in a triangle of tension between three guiding principles: first, rational scientific argumentation; second, orientation according to majority opinions among classical, modern and contemporary Islamic scholars and third, a clear political purpose directed towards serving the interests of the people in the current political and religious situation. After a brief depiction of major historical and biographical experiences forming the background for Ghannouchi's thinking (3.2.), the next section will discuss Ghannouchi's depiction of Secularism and democracy in the West (3.3.) which stands in sharp contrast to Arab secularism and dictatorship (3.4.). The constructed bipolarity between religious democracy and secular dictatorship provides the background for the discussion of the role of secularism, separation of powers and people's free choice in the Islamic state (3.5.).

3.2. Historical and biographical context

As elaborated in section 2.1., according to the method of "contextual reading" proposed by Skinner, it is hardly possible to understand any political idea without taking into account its historical context. Due to the space restraints of this essay, in this section only a few essential biographical events can be outlined briefly. Rachid Ghannouchi was born in 1941 in a small Tunisian village close to the city of Hamma in the south-eastern province of Gabès (Preuschaft 2011, 14). Under the aegis of his father, the Imam of the village, Ghannouchi started to memorize the Qur'an and was later educated in a school associated with az-Zaytouna University, claiming to be the world's oldest Arabic-Islamic university (Ezzitouna University 2014). In 1952, at the age of eleven he witnessed the armed resistance against the French in his village when on his way back from school he saw the bodies of four killed resistance fighters displayed in the marketplace and protected by French soldiers. According to interview material, this generated in him what he describes as "unlimited hatred" for the French colonizers (Tamimi 2000, 6). When he moved to Tunis at the age of 18 to study at az-Zaytouna, he was disillusioned by the gap between traditional Islamic education and the reality of modernized and secularized urbanity of daily life and politics in the capital

(Preuschaft 2011, 15). This irritation continued during his studies at the Sorbonne in Paris where he embraced large parts of the thought of the Muslim Brotherhood and its founders Hassan al-Banna and Sayyid Qutb (Tamimi 2000, 37).

Other major influences on the political thought of Ghannouchi include the relatively progressive politics towards more gender equality in the Sudanese Islamist movement headed by Hassan Turabi (Tamimi 2000, 57). Moreover, the workers' revolts and the violent crackdown on what became known as "Black Thursday" changed his initially fierce opposition to Marxism into a purposeful alliance to fight the main enemy, the autocratic regime (Tamimi 2000, 50; Mabrouk 2011, 626; Jones 1988). Moreover, the success of the Iranian Islamic revolution had a deep impact on Ghannouchi and the Islamic movement in Tunisia. While its anti-imperialist and anti-authoritarian tendencies were praised, Ghannouchi distanced himself from the centralization of religious and political authority in the hands of the Iranian clergy (Tamimi 2000, 59). Finally, the experience of the nationalization of religious institutions in Tunisia under Bourguiba and Ben Ali, especially the dissolution of the *awaqf* (religious endowments) influenced the rejection of any kind of dependence on a single authoritative interpretation of religion. After this depiction of major events influencing Ghannouchi's political thought, his understanding of secularism and democracy in the West (3.) and Arab secularism and dictatorship (4.) will be analysed.

3.3. Secularism and democracy in the West

This section will demonstrate that Ghannouchi's understanding of secularism is inextricably linked to his understanding of democracy and modernization by elucidating its historical dimension. Moreover, it will be argued that secularism in the West for him signifies two different empirical phenomena. The positively appraised phenomenon is secularism as the historical process of stripping religious belief of the prerogative of the church. On the downside, secularism is seen as a materialist philosophy characterised by the significant lack of moral, social, communal and humanitarian power. Moreover, secularism emerged out of Western Christianity which is why it is a foreign concept to Muslims and the Arab world.

3.3.1. The positive side of Western secularism

Ghannouchi claims that Western religious and intellectual reform movements such as

Renaissance, Humanism, Reformation and Enlightenment are precursors and necessary, contingent and historical conditions for the emergence of secularism (Tamimi 2000, 108). Ghannouchi concedes that "there might have been genuine intellectual, psychological, and historical justifications for the rebellion against the religious establishment, a rebellion, then, deemed essential for the emancipation of man and the progress of society" (Ghannouchi in Tamimi 2000, 109). He goes on to frame these movements as directed against politico-religious authority in the Christian Western context. Christianity, in his view, had been "associated with despotic regimes and with oppressive theocracies" for centuries (Tamimi 2000, 110). Ghannouchi claims that in medieval Christianity a dominant class of clerics, the priests, monopolized the interpretation of religion by claiming to be God's representatives on earth and used it for the purpose of suppressing the common people (ibid., 110). This reflects a clear rejection of a substantial feature of the Iranian model of Islamic governance, where the guardian council and its leader claim the role of vicegerency for the hidden Imam according to the doctrine of *velayat-i-faqih* (guardianship of the *faqih*, the Islamic jurist) (cf. Hashemi 2009, 52; Halliday 2005, 47; see 4.4.2.).

Ghannouchi summarizes his reading of Christianity, secularism and democracy as follows: "the Christian theocratic establishment constituted a major obstacle hindering progress and development, and consequently hindering democracy. In contrast, the rise of secularism in the Muslim world occurred in completely different circumstances" (Ghannouchi in Tamimi 2000, 110). Implicitly, Ghannouchi thereby draws a parallel between the fight against a class of religious experts under the banner of democracy in the West and the fight for democracy against a class of secularist rulers in Tunisia. Finally, not only the historical circumstances in the West, as well Christianity itself is conducive to secularism. Because of the existing division of what belonged to God and what belonged to Caesar, Christianity "lacked a system for legislation and regulation of mundane affairs" (Tamimi 2000, 110).

These different aspects contribute to a specific construction of the emergence of secularism in the context of Western Christianity that is significantly different from the Muslim experience. First of all, Christianity and the caste of priests had been supporting authoritarian theocracies depriving the community from basic rights. Second, therefore, Christianity was an obstacle to democracy and it was legitimate to push back the influence of Christianity in public life to

facilitate democratization. Third, Christianity is constructed as different from Islam because it doesn't include such a clear set of social and political prescriptions and the respective legal body. Thus, its essence is more conducive to leave political life to worldly considerations. This allows Ghannouchi to draw the conclusion that secularism is something that originated in the West because of unique historical circumstances. Moreover, it is adequate to Christianity due to its apolitical character and its association with the struggle against theocratic authoritarianism. Because of the fact that neither the historic trajectory nor the religion itself is comparable, secularism is something of and from the West, but not for the Muslim world.

3.3.2. The "dark side" of Western secularism

Despite the benefits secularism has brought in limited areas of the Western context, for Ghannouchi the dark side of Western secularism outweighs by far the positive aspects. Ghannouchi especially criticises the philosophical or the "dark side" of liberalism and the moral void of a secular democratic system (Ghannouchi 2000, 117).

> "Liberalism is best seen as having two faces, one bright and one dark. The former, namely political liberalism, is exemplified by the democratic system and by the recognition and defence of rights and freedoms. The dark side is the philosophical dimension of liberalism which is based on the belief in the absolute ability of the mind to independently organise life; on giving precedence to the individual over the community; on excluding religious guidance and values from the organisation of economics, social relations, politics and international relations; and on ignoring the metaphysical component of man in favour of solely fulfilling his material needs" (Ghannouchi 2000, 117).

This depiction implies two major assumptions that are pivotal for Ghannouchi's criticism not only of liberalism, but as well of secularism. First, Ghannouchi claims that there is a need for guidance and support beyond the capabilities of human mind and being. Such a normative positing is of course highly contestable since it not only presupposes the existence of such a transcendental power beyond human capacity, but also constructs non-religious humans as deficient. While this is a common argument in anthropological doctrines of different religions, it is arguing in the same direction as what Catherine Bell calls the paradigm of "the cultural

necessity of religion" (Bell 2006, 36) in the study of religion. This contentious notion was "supported by many scholars of religion and society such as Durkheim, Freud and Marx in the late 19th and early 20th century. If one accepts the assumption of the anthropological and metaphysical necessity of religion, it is very difficult to justify why the religious dimension should be confined to the private sphere, as for example Lahouari Addi (1992) argues, and why it should not be a primary guiding principle in public life as other necessities such as freedom, security and livelihood.

The second assumption implied by the quotation above is that the conduct of economic and social life substantially benefits from religious guidance and that it is a necessary element holding together the society. Ethical standards, values and social regulations embodied in religion are claimed to have substantial positive influence. Vice versa, their absence is conceived as fundamental deficit in the social, economic and political sphere. The lack of religiosity is also diagnosed as reason for many societal failures in the West. A concrete example Ghannouchi mentions is the decline of family bonds: "the family has become meaningless" (Ghannouchi 2000, 120). Ghannouchi claims that this leads not only to an erosion of a certain social arrangement, but also to a moral void that disables the functioning of society. In a sweeping generalization that is not backed with any real argumentative engagement he discards all secular "liberal philosophy" claiming that they do not provide "a good answer why one should do good" (ibid., 119).

For Ghannouchi the lack of a religious framework on the individual and collective level leads to *tawahush*, the return to a savage state. People are getting alienated from each other and their "barbaric condition" comes to the forefront again. As signs of *tawahush* he mentions right-wing groups killing Moroccans in Paris, riots in Brixton and Los Angeles and German youths burning alive Turkish women and children in their homes (Ghannouchi 2000, 116-117). "Selfishness has replaced justice and compassion: millions of humans starve to death, yet the world's resources are controlled by an overfed minority that dumps millions of tonnes of food into the sea" (ibid., 122). Ghannouchi's ferociously criticises the materialist philosophy and its "relations based on power, utilitarianism, and hedonism and (...) an international order based on oppressing the weak, plundering their resources, and destroying their cultures" (Ghannouchi in Tamimi 2000, 72). In this line of argument, Ghannouchi judges secular

Western societies by its outcomes and justifiably points at the many failures where the systems do not meet the output they were aiming for. This is problematic because to connect a series of outcomes of a society as a whole with one specificity of its system, secularism, makes vast claims of causality that are highly contested in the literature on secularism (cf. Casanova 2011, 42; 1994; Calhoun et al. 2011, 4).

The analysis of Ghannouchi's depiction of the "bright" and the "dark" side of secularism in this chapter allows two summarizing conclusions. First, Ghannouchi considers secularism to be something that originated in opposition to the autocratic rule of the priest class in the West and is therefore a concept foreign and superfluous for the Muslim world. Second, a secularist society in combination with a secular state excludes the pivotal metaphysical dimension of human nature and cannot fill the moral void failing to provide ethic motivation, community cohesion and a foundation of firm values necessary to the functioning of society.

This constitutes one major disconnection in the understanding of secularism between Ghannouchi and dominant voices in Western discourse. While Taylor and Casanova also write about the decline of religiosity in an epistemological and every-day practical sense, most writers concerned with democracy focus on democratic institutions rather than personal beliefs or even dominant value systems in a given society (Taylor 2007, 6; cf. Casanova 1994; Stepan 2000, 2001; Diamond 2010, 99). For the latter, the question of democratic institutions seems to be rather a matter of concrete forms of government and thus to be treated almost independently from the crucial matter of common beliefs, morals and outcomes of a society. In other words, while for the democratization discourse institutions are decisive, for Ghannouchi moral foundations are the core of every problem and solution. In the next section Ghannouchi's description of the devastating impacts of secularism and its forceful colonial and post-colonial penetration into the Arab and Muslim world will be analysed.

3.4. Arab secularism and dictatorship

This section will demonstrate that for Ghannouchi, secularism in the Arab world is inextricably linked, if not in some regards even synonymous with the process of colonial and post-colonial Westernisation and modernization (3.4.1.). He criticises the religion-state relation in contemporary North Africa, especially Tunisia, and the Arab world, because for

him constitutes a "secularist theocracy" (3.4.2.) under the fig-leaf of "decorative democracy" (3.4.3.) bringing about "false modernity" (3.4.4.).

3.4.1. Colonialism and Westernisation

For Ghannouchi "Western colonial occupation" has attempted to undermine "faith and cultural heritage" that is still deeply rooted in every Muslim (Ghannouchi 1998, 90). He points out that because the influence of Christianity was reduced as a condition for progress in the Western world, Arab secularism has taken up the baton of constraining Islam, purportedly for the same purpose (Brieger 1996, 740; Tamimi 2000, 112). However, in contrast to the relative benefits secularism might have brought in the West, secularism in the Arab world is neither justifiable nor constructive (Tamimi 2000, 109): "The Arab version of secularism, in Ghannouchi's assessment, has been a declaration of war against Islam. Islam loses its essence if marginalized or restricted to a private sphere" (ibid., 112). This constitutes a clear statement in opposition to the liberal argument that religion should be confined to the private sphere (Willems 2002, 88; Roy 2013, 10; cf. Asad 2003, 8).

Out of his personal experience as philosophy teacher in Tunis, Ghannouchi rejects Western dominance with regards to school curricula (Tamimi 2000, 35). The philosophy curriculum is an example for him that a substantial part of the doctrine of secularism, especially its materialist component, originated in the West and is being imposed onto the Muslim world. Ghannouchi criticises many core thinkers of the Western philosophy curriculum on various grounds, constructing their theories as foreign and not generalizable. He accuses Marxism of Eurocentrism, claiming that the experience of the feudal lords and their oppressive collaboration with the church was a peculiar European historic constellation (ibid., 34). Sigmund Freud's work is dismissed as leading to immorality and libtertinism. Against Jean-Paul Sartre he argues that his theory about freedom and moral values only makes sense in the context of the destruction of moral life in Europe. In an interview, Ghannouchi has a clear suspicion why the philosophy curriculum was designed as it was: "A conspiracy is being hatched against the Ummah (...) uprooting it from its cultural habitat (...) not knowing to what community it belongs or which culture to identify with, which ideals to look up to or which values to refer to" (Ghannouchi in Tamimi 2000, 35). Here again it becomes clear how closely the notion of culture and thus modernity is tied to that of religion. For Ghannouchi, the decline

of Islam is inextricably linked with a decay and alienation of culture and identity.

Constructing a unified Islamic "us" he argues that "in order to protect our children from loss and from cultural subordination to the colonialists, and if we must teach them Descartes, Marx, Durkheim, Sartre, and Darwin, we should teach them at the same time that we have our own culture on the basis of which we ought to device our own solutions for our own problems" (Ghannouchi in Tamimi 2000, 35). Ghannouchi's argument against a Western frame of reference also prepares the ground for his theory of an Islamic state and an Islamic democracy since the superiority of the Islamic model is grounded on exactly those issues where he points out failures in the Western system, for example the more comprehensive and consequent moral theory and practice provided by Islam (cf. Brieger 1996, 737; Tamimi 2007).

To sum up, Western philosophy can be regarded as the epitome of the morally void theorists of secularism that have to be contrasted with the authentic heritage of Islam. It has to be noted, however, that Ghannouchi's accusation of the politics pursued by groups of people who are secular does logically not allow to make general comments about secularism. Nevertheless, this is the political and historical framework in which Ghannouchi interprets the vices of secularist actors and secularism. For him, post-colonial secular legacy and Arab secular theocracy have mutually supported each other and have to be regarded as concomitant phenomena as will be demonstrated in the next section.

3.4.2. "Secularist theocracy" and "pseudo-secularism"

According to Ghannouchi, the characteristics of secularist theocratic regimes are that in fact they are not pursuing a common Muslim cause, they have disastrous human rights records, they maintain power through rigged elections, they employ corrupt governments that lack credibility, facilitate a "growing rate of looting by the Western centre of the peripheries" and are ultimately only interested in remaining in power and suppressing the people (Ghannouchi 1997, 259). In order to describe the problems of secularism in the Arab world, Ghannouchi again refers to the substantial differences to the Western experience. In contrast to the liberating elements of secularism in the West, directed against the authority of the church, secularism in the Arab world "resulted in pledging religion, society and the mind to the

hegemony of a new church, the state of the secular elite, or what one may call the state of 'secular theocracy'" (Ghannouchi 2000, 105). His analogy with Western history is applied to the contemporary political situation: "The Muslim world is governed by pre-modern European-style regimes from the age of theocracy and absolutism" (ibid.). This sentence contains three recurrent framing elements of secularism: it is represented as medieval, foreign (European), and—described persistently as an oxymoron—at the same time anti-religious and theocratic. This oxymoron reflects the two-front war the Islamist movement finds itself. On the one hand, Ghannouchi claims that a lot of the failures and despotism[8] in the Arab world had been caused by the secular tendencies of Westernisation and modernization. Therefore, he calls for a resurgence of religion and religious values in all aspects of life. On the other hand, he rejects the "state-Islam" imposed by the secularist elite in collaboration with a substantive part of the religious establishment. With the metaphor of the medieval church he emphasises the dual notion of authoritarianism and monopolised religion, which is why he claims that "secularism in North Africa is a church of the same type against which the West rebelled" (Ghannouchi 2000, 105). The embodiment of this duality is for him the Tunisian president Habib Bourguiba, claiming to be at the same time Western-style secularist moderniser, *amir al-muʿminin* (leader of the faithful), and, as Ghannouchi would add, authoritarian ruler (ibid., 97).

Ghannouchi exemplifies the authoritarian monopolization of religion in a "secularist theocracy" by quoting the indictment of the Tunisian attorney general in 1962: "The defendant has permitted himself to have an understanding of the Qur'an contrary to the understanding of his excellency the president" (Ghannouchi 2000, 105). President Zine El Abidine Ben Ali continued with this trend, declaring in 1992 that "the state has sole responsibility for religion" (ibid.). In the same vain, the Tunisian Minister of Education issued a *fatwa* (legal opinion) declaring the Tunisian en-Nahda party "godless" (ibid.). Again employing the analogy with Western history, Ghannouchi contends that the "Arab Maghreb version of secularism has been turned by its advocates into some form of a church, which one may compare to the church in medieval Europe" (ibid., 98). A major element of secularist theocracy in the Arab world is the nationalization of religious institutions and *awaqf*. Ghannouchi highlights the fact that there is not one Arab state with independent religious institutions. In addition to Ben Ali, King Fahd of

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8   Ghannouchi uses the term despotism synonym to authoritarianism in contrast to rule by appointment through the public.

Saudi Arabia, Saddam Hussein, Muammar al-Gaddafi and Gamal Abdel Nasser "all monopolized religion and acted as spokesmen of it" (Ghannouchi 1997, 273).

Ghannouchi claims that "the exclusion of Islamists means the death of democracy and the replacement of ballot boxes by ammunition boxes" (Ghannouchi 1997, 273).[9] This is particularly relevant for Ghannouchi's framing of democracy and secularism because he reverses the burden of proof. While critics of political Islam usually fear the encroachment of Islamic actors on the democratic political process, Ghannouchi stresses the second pillar of non-interference: He suggest that for a democracy it is equally necessary that religious institutions enjoy a certain degree of independence from the state. Stepan's twin tolerations stress this duality of secularism; the state, too, has to grant the religious actors a sphere of non-interference (Stepan 2000, 2001; see 2.2.). In conclusion, "pseudo-secularism" consists for Ghannouchi in monopolising the interpretation of religion and to exercise full control over religious institutions and symbols (Ghannouchi 2000, 98). Secularism has become merely a tool of authoritarian regimes to suppress Islamic movements and stands thus in stark contrast to democracy (cf. Hamdi 1998, 97).

3.4.3. Despotism and "decorative democracy"

At least since the 1978 protests, the main enemy of the Nahda movement had become the despotic rule of the secular elite under Bourguiba and Ben Ali. The root of the problem in the Muslim world, he claims, lies in the hegemony of despotism, whereas it is "our main task now to combat despotism in favour of a genuine and true transition to democracy" (Ghannouchi 1998, 93; cf. 2011; 2013). Compared to secularism discourse in the West, this is a completely different point of departure. Stepan, Casanova and others write about the role of religion in democratic states and about the dangers posed by a too close link between religion and state. However, Ghannouchi's argument challenges the critics that try to conjure the threat of an Islamist abolishment of democracy over pro-Western (pseudo-)democratic regimes. Interpreting Islamic concepts in this direction he argues that "Jihad is the constant endeavour to struggle against all forms of political or economic tyranny because life has no value in the shade of despotism." (Ghannouchi 2000, 115). Therefore, he asserts that although both Tunisian presidents claimed electoral legitimacy, repression "is practised in the name of

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9   This constitutes a decisive distancing from Ghannouchi's earlier sympathies for the anti-imperialist and anti-Western rhetoric and politics of secularist Nasserism.

democracy, human rights, defending civil society and making peace with Israel" (ibid., 101).

Against the self-portrayal of secularist rulers as forces against Islamic fundamentalism, Ghannouchi claims that these are only slogans to rally Western support. In contrast to that, he emphasises that the conflict is straightforwardly political, "it is about the nature of government, about the choice between autocracy and democracy" (Ghannouchi 2000, 101), not religious or civilizational, as the polemics of Samuel Huntington and entourage suggest. He even amounts to say "we wish it were", suggesting that he sees more chance to reconcile civilizations than to fight the corrupt elite of Arab autocracies (ibid., 100). The West, Ghannouchi argues, has been even concomitant in suppressing democratization in North Africa through supporting the crackdown of the electoral victory of the *Front Islamique du Salud*, Islamic Salvation Front (FIS) in neighbouring Algeria in 1991 (Volpi 2003, 55; Elgindy 1995, 112; Ghannouchi 2000, 103).

In contrast to the characteristics of secular Arab states mentioned above, Ghannouchi claims that the people now call for civil liberties, popular representation, social justice and implementation of *shariʿa* (Ghannouchi 1997, 258). However, the secular despotic rulers have only done lip-service to what he understands as a real democratic transition. "Democracy, as a set of mechanisms for the proper administration of society and a formula for power-sharing, has been rejected and only a decorative form of 'democracy' has been installed, mostly in response to pressure from an embarrassed West." (Ghannouchi 2000, 102). Furthermore, Ghannouchi not only accuses the Arab elites of pseudo-secularism and decorative democracy, but also of "pseudo-modernity".

3.4.4. "False modernity"

Ghannouchi's resistance against the philosophy curriculum outlined above is an example of his attempt to reframe Westernisation by Arab secular elites as something alien, peculiar and therefore non-universal. At the same time, as with democracy and secularism, he tries to reclaim the "actual" or "true" meaning of modernity. For Ghannouchi, the exclusion of Islamic groups from the public sphere is a sign of "fake modernity" (Ghannouchi 1997, 272). It is part of a "modernity-modernisation package" brought by the colonialists and pursued by its inheritors, the secular elites (Ghannouchi 2000, 99). This package thus lives on and has

serious effects impeding the people in the Maghreb to enjoy the positive side of modernity. The core of these effects is the gradual erosion and destruction of local identity: "More than a century of modernisation has produced disastrous results: the most terrible of all has been undermining the cultural identity of the people" (Ghannouchi 2000, 101). Ghannouchi interprets the loss of cultural identity as the cause of most of the region's problems: "civil war, economic bankruptcy, social disintegration, moral dissolution and greater subordination to Western powers" (ibid., 102).

Another effect of modernization according to Ghannouchi is the unitarisation of the state. The state has succeeded to gain almost complete control over educational, judicial, cultural, economic and vocational institutions, especially unions, mosques and courts (Ghannouchi 2000, 100). Through the control of education, media and culture, the pseudo-modern state has been able to manipulate the people's "mental framework" inventing a secular national identity that supersedes that of Arabism and Islam (ibid., 99). Finally, false modernity implies "not a separation between religion and state, but (...) totally excluding religion from all aspects of public life" (ibid., 106). Again, Ghannouchi emphasizes that the conflict between Islam and modernity has no relation to the conflict between governments and the Islamic movements whatsoever (Tamimi 2000, 119). "The problem is not really with modernity or with science or even with secularism. The problem lies with false modernity, which is the deconstruction of the institutions of traditional society" (Ghannouchi in Tamimi 2000). False modernity understood as undermining of traditional Islamic society is seen as a tool in the hands of despotic rulers in the Middle East. Regardless of Ghannouchi's confession to have distanced himself from traditional Islam and his call for an Islamic renaissance in order to meet current challenges, "traditional" society remains a positive reference point in his argumentation and is a concept associated with authenticity in contrast to foreign-imposed secular modernity.

To sum up, Ghannouchi's understanding of modernity is closely linked to secularism violently imposed by colonialism and perpetuated by authoritarian post-colonial regimes. However, at the same time, there is a positive aspect of modernity that he wants to rescue against the dominant interpretation of modernity as a synonym for the West (see 3.5.4.).

3.5. In an ideal world: The Islamic state

After having analysed Ghannouchi's attempts to conceptualize pseudo-secularism, decorative democracy and false modernity in the context of Western-backed Arab dictatorship, this section analyses the positive formulation of his political thought, the Islamic state. The aim of this section is to analyse the role secularism, *shariʿa* and the *ulama* should have in an Islamic democracy according to Ghannouchi. Furthermore, this section will analyse in how far this vision of Islamic democracy and the relation between politics and religion facilitate mutual spheres of non-interference as demanded by the twin tolerations (see 2.2.). After outlining the enjoyment of liberties and citizenship rights (3.5.1.), his understanding of democracy and legitimate sovereignty (3.5.2.) will be analysed. Subsequently, the role of *imama*, *shura* and *ijtihad* in *shariʿa* government (3.5.3.) leading to "genuine modernity" (3.5.4.) will be discussed.

3.5.1. Freedom, liberties and citizenship rights

While any form of (neo-)colonialism and secular theocracies are the enemies Ghannouchi aims to fight against, he also outlines a positive idea Muslims should fight for: the Islamic state. A bedrock for Ghannouchi's vision of an Islamic state is the protection and guarantee of basic liberties that form an important element for the compatibility with the secularism conceptualized by the twin tolerations. According to Ghannouchi, Islam has been revealed to provide for essential human needs such as the right to choose a faith, the right to life, education, freedom of expression and the right to have a family (Tamimi 2000, 76). Ghannouchi derives the freedom of religion from Sura 2:256, "There is no compulsion in religion", Sura 10:99 "As for thee, wilt thou force men to become believers?" and Sura 88:22, "Thou art not in authority over their conscience" (Tamimi 2000, 97). He argues that Qur'anic verses pronouncing hostility or violence against non-Muslims, for example Sura 9:73, "strive hard against the disbelievers", only serve to protect the exercise of religion (Saeed 1999, 315). For Ghannouchi, god's will revealed in Islamic law implies human rights, which is why "human rights are deemed holy, as an Islamic concept, which makes it impossible for them to be denied or manipulated by a party, parliament, or ruler" (Ghannouchi in Hamdi 1998, 106). Although the justification is different, this constitutes a firm commitment to some inalienable basic liberties, also a cornerstone of liberal secular states (Shaw 2008, 266). Along with negative freedoms such as non-interference into the free exercise of religion, freedom of

expression and right to life, Ghannouchi also emphasizes the need for positive freedoms such as right to education, participation in government and equality before the law (Tamimi 2000, 76, 79).[10] In addition to this, he claims that restriction and manipulation of a free conscious and free choice can occur for example through the influence of the media, education, entertainment, financial institutions as well as other capitalist and state institutions (ibid., 75).

Regarding the question who enjoys citizenship rights in an Islamic state, a crucial question for the understanding of an Islamic in contrast to a secular state, Ghannouchi promotes an inclusive and tolerant position, albeit with some caveats. He claims that in the *dar-ul-Islam*, the land of Islam, where Islam can be practised freely, everybody pertaining to a certain nationality, irrespective of whether Muslim or non-Muslim, enjoys the same rights (Tamimi 2000, 76). Ghannouchi highlights that in the second *bayʿah* of ʿAqaba, purportedly the most important treaty in Islam, all tribes and parties were signatories and thus part of the pact recognizing Muhammad as political leader (ibid., 95). In addition to that, the community of Madina was one single *umma* (community), Arabs and non-Arabs, Muslims and non-Muslims alike. Most recently, Ghannouchi has praised the new Tunisian constitution adopted in January 2014 because it "establishes equality between all citizens without any discrimination, guarantees political, social, economic and cultural rights, and promotes gender equality" (Ghannouchi 2014; cf. Ryan 2014).

However, Ghannouchi holds up the distinction between *muwatanah ʿammah*, unqualified citizenship, and *muwatanah khassah*, qualified citizenship (Tamimi 2000, 77). While *dhimmis* (non-Muslim citizens of the Islamic state) may be elected as members of councils at different levels and form part of the state bureaucracy, the most senior positions such as the head of state may only be held by Muslims enjoying unqualified citizenship (ibid.). Although this constitutes a clear difference to any secular state doctrine, he points out that mechanisms of exclusion to certain state offices are common in most countries today. Ghannouchi expands the phrase "political rights and liberties" by deriving from it that "the *Ummah* is the source of authorities, and is the possessor of supreme sovereignty in matters governance in that it chooses the government, monitors its performance, calls it to account, power-shares with it,

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10 Tamimi seems to misunderstand the fact that negative and positive freedom are two concepts that are complementary in most contemporary political thought as well as in international human rights practice (Berlin 2002, 169; Saito 1996)

and dismisses it" (Ghannouchi in Tamimi 2000, 79). Ghannouchi's firm commitment to democratic principles indicated in this quotation will be analysed in the next chapter.

3.5.2. Democracy and sovereignty

Ghannouchi's appreciation of liberal democracy is almost unfettered and he praises the advantages of Western-style democracy (see interviews such as Al-Turki 2013; Brieger 2014; see also Ghannouchi 2012). Even his vision of *shariʿa* government as outlined below very much resembles the structures of Western democracies (see 3.5.3.). Tamimi claims that Ghannouchi supports a minimal definition of democracy following the five criteria of Macpherson, namely universal and periodic elections of executive and legislature, a sufficient degree of civil liberties, formal equality before the law, protection of minorities and a principle of maximal freedom for an individual with equal freedom for others (Macpherson 1977; Tamimi 2000, 84). However, Ghannouchi's understanding of democracy also draws on Malek Bennabi's definition calling democracy an "educational enterprise for the whole nation" (Tamimi 2000, 82) with psychological, ethical and socio-economic aspects going beyond minimalist procedural definitions such as the ones of Adam Przeworski (2003, 12) and Joseph Schumpeter (1950, 428). Ghannouchi understands democracy *not* only in its formal, procedural sense calling for people's sovereignty, separation of powers, political pluralism, basic freedoms and elections, but also in its essential dimension where the acknowledgement of the dignity of man is the core value (Tamimi 2000, 82). Democracy should be supported by every Muslim because "there is no alternative out there to democracy except dictatorship" (Ghannouchi 2000, 89). For Ghannouchi, the foundations of Islamic democracy rely even more on the aims of justice and peace in the world. Moreover, *shariʿa* provides a set of guidelines that are elaborated in the *'ilm usul al-fiq* (the science of the fundamentals) and the *'ilm al-maqasid* (the science of purposes) (Tamimi 2000, 91). Tamimi even argues that for Ghannouchi there can be no political theory outside the domain of *shariʿa* (ibid.).

Despite this emphasis on the authority of *shariʿa*, Ghannouchi ascribes sovereignty to the modern state as it is the "supreme authority above which no authority exists" (Tamimi 2000, 82). Because of the need of interpretation of what *shariʿa* means in general and in particular cases and the need for the acceptance by the *umma*, of any understanding of *shariʿa*, in the end it is the *umma* that enjoys ultimate political power. Despite the big influence of the *ulama*

through providing *fiqh* and advice on how to understand *shariʿa*, it is the *umma* that has the freedom of choice, the freedom to decide—including the state of exception (Ghannouchi 2000, 113; for a discussion of the different concepts of the *ulama* in Sunni and Shiʿa Islam see 4.4.1.; see Khuri 1987 and Soroush 2009b, 245-267). Following Carl Schmitt's famous definition, thus, for Ghannouchi sovereignty lies with the *umma* (Schmitt 2005, 5). This is an important difference to the Iranian model for example, where ultimate decision and veto power and thus sovereignty rests with the unelected council of guardians and its supreme leader. The sovereignty of the people and the rejection of veto power to religious leaders constitutes a crucial feature for meeting the prerequisites of the twin tolerations.

3.5.3. *Shariʿa* government: *imama*, *shura* and *ijtihad*

This section attempts to sketch a schematic picture of the different branches of power Ghannouchi envisions for an Islamic state in order to analyse the extent of religious authority and to understand what Ghannouchi's Islamic counterproposal against a secular state looks like. It will be demonstrated, however, that despite the rhetorical rejection of secularism lined out above (3.3. and 3.4.) Ghannouchi's vision of an Islamic state meets the requirement of the twin tolerations in that it grants the *umma* ultimate authority over religious law and the *ulama* responsible for its interpretation. While *shura* (consultation) is an underlying principle for the executive and legislative branch, legislation and judiciary is partly exercised by the council of scholars interpreting the text and coming up with *ijtihad* (independent reasoning). However, ultimate legislative power lies with the *umma* because it is free to adopt or reject interpretations of the *ulama*, or council of scholars.

A major purpose of *shura* is to prevent any individual or institution from monopolizing the interpretation of *shariʿa* since this is the prerogative of the *umma,* the vicegerent of god (Tamimi 2000, 100). *Shura* is practised at two levels, first at the level of legislation and second at the level of *imama,* political leadership (Ghannouchi 1992; Tamimi 2000, 101). As for legislation, especially regarding administrative and institutional matters, *shariʿa* provides only broad guidelines in many aspects. This creates a vast space where interpretation and temporal legislation by the *umma* is necessary. This is especially true for the institutionalization of the election of the members of the *ahl-ul-hal wal-ʿaqd,* the traditional Islamic equivalent for the representatives of the people in a modern parliament (Tamimi 2000, 101; cf. Esposito 2014).

At the level of political leadership, a ruler can only get legitimate leadership by designation through the *umma* and by keeping the *bay'ah* (contract, oath of allegiance) by abiding to *shari'a* and other laws decided upon by the *umma* as well as practising mandatory *shura* (Tamimi 2000, 101). Ghannouchi links *shura* as well to the necessity that "the public should be guaranteed the freedom to object and comment" because shura is one of the fundamental attributes of the believer such as *salat* (prayer) and *zakat* (alms) (Ghannouchi 1997, 271).

For Ghannouchi, the justification for the legislative powers and the control function of the *umma* lies in a *hadith* (teaching of the Prophet): "my community will never agree upon an error" (Encyclopaedia of Islam 2014). It has to be noted, however, that Ghannouchi's differentiation between "legislative authority" and "political power" is not completely congruent with classical European notions of separations of branches of power (Ghannouchi 1998, 91; Tamimi 2000, 83). While both the head of state and the *umma* are bound by *shari'a*, the supreme authority to decide upon what that means lies with the *umma* itself, a circular logic that finally empowers the *umma* as the sovereign, as noted above.

Regarding the interpretation of *shari'a*, Ghannouchi mentions several principles and rules that can be used to justify the expansion of the space for *ijtihad* and the need for the *umma's* agreement on any limitations imposed by *shari'a*. First, Ghannouchi draws on classical Islamic thinkers such as al-Andalusi and al-Shafi to emphasize that "the very essence of the message of Islam" is serving the interest of man (Ghannouchi 1998, 90). Thus, even the most fundamental principles of *shari'a* are interpreted as having to serve the lives of the people. This is not at all a commonplace claim, since this interpretation emphasizes the *telos* and the lifeworld performance of a *shari'a* principle and thus prefers a teleological, consequentialist and functionalist interpretation over strictly textualist approaches (for a discussion of different modes of interpretation, *tafsir*, see Rippin 2014). Teleological interpretations are dependent upon finding means, leaving wide spaces for the *umma* to decide upon strategies and policies to achieve these aims. Consequentialist interpretations need inductive evaluation of the outcomes that are rather matters of social sciences than of religious deduction or etymological investigation. This opens up spaces for the *umma* to determine the efficacy of certain rules and concepts and to interpret them as either desirable or undesirable in their outcome: "The decisive criterion in all cases is the fulfilment of the needs of humans and serving their best

interests" (Ghannouchi 1998, 91)

Second, the requirements of *shariʿa* can be divided into categories with different degrees of obligation. While there are "essential requirements" such as the protection of faith, life, progeny, wealth and mind, "special requirements" are necessary to enjoy lawful and good things in life. Finally, "ameliorative requirements" such as food and drink prescriptions are on a lower level on the scale of obligations (Ghannouchi 1998, 91). This view allows the *umma* greater leeway to decide since it minimizes the area of fundamental and unchangeable obligations.

Third, Ghannouchi emphasizes that changing circumstances since the classical times of Islamic *fiqh* (jurisprudence) make it necessary to deduce or innovate new laws and solutions. Fourth, prohibitions and requirements are eliminated by necessity. The circumstances and needs of today may thus be used to circumvent prohibitions or be creative in *ijtihad* to find new solutions (Ghannouchi 1998, 95).

Ghannouchi even states that since *shariʿa* only covers a small part of human interactions, "The human mind is left to cover the remaining areas, allowing it *unlimited space* for interpretation, deduction, and innovation. In absence of an absolute religious authority for the interpretation of the text, the only authority left for resolving disputes is that of the public opinion" (Ghannouchi 1997, 272; emphasis added; cf. Hamdi 1998, 113). Directly addressing the danger of monopolization of religious authority by the class of clerics he states that "What the ʾulama suggest is no more than their understanding of their *ijtihad*, a proposal submitted to the community, which has the final word in accepting or rejecting. This is an excellent example of the compatibility of democracy – which may be summed up as the right of the public to free choice – with Islam" (Ghannouchi 2000, 114).

The system of checks and balances envisioned by Ghannouchi can be summarized as has having four poles of power deriving from the fact that absolute divine authority is absent. First, *shariʿa* is the corpus of guiding principles that both the *umma* and the *imama* have to follow. Second, any organized institution of the *ulama* such as a council of experts provides judicial expertise and *ijtihad* for the *umma* to decide upon, fulfilling a very influential but as

well clearly constrained role.[11] Third, the *umma* is the actual sovereign because it has the power to accept or reject advice by the *ulama* and has the power to interpret and innovate not only *shariʿa* principles, but as well other laws and political institutions. Finally, the executive *imama* is restrained by obedience to *shariʿa*, by its appointment through the *umma* and the mandatory *shura* (cf. Ghannouchi 1997).

This is a defeating blow against any demand for absolute religious authority for the *ulama* claiming that every authority left is relative and changeable by the public opinion. This principle is exactly what democratic theorists such as Stepan ask of religion: that there is no religious authority surpassing the opinion of the majority. Judged by this paragraph Ghannouchi propagates a vision of an Islamic state that is perfectly compatible with Stepan's twin tolerations.

3.5.4. Genuine modernity

After having outlined Ghannouchi's vision of an Islamic state, this section will demonstrate that Ghannouchi tries to reclaim the concept of modernity from its association with Western secularism and instead claiming the need for a "genuine modernity" in Islam. Logically derived from the negative account of colonialism, neocolonialism, Westernisation and secularization (3.3. and 3.4.) Ghannouchi claims that "Instead of pseudo-modernity, Islamists today seek genuine modernity, one that emanates from within, one that is in response to local needs and that is in conformity with the local culture and value system" (Ghannouchi 2000, 100). Bourguiba was modern in a Western, anti-religious sense, however concerning governance, Ghannouchi invokes the image of the anti-modern king of medieval Europe. Because of the anti-religious and hence anti-Islamic tendency of secularism, Ghannouchi claims that "secularism is incompatible with Islamic values" (ibid., 106). However, he adds that "Muslims require 'genuine' modernity no less than anyone else" (ibid.). He goes on denouncing "false modernity" as Westernised elites trying to copy the way the US, France and Russia entered modernity (ibid., 106). In contrast to that, he outlines three dimensions of "true modernity" (ibid., 101): "Genuine modernity entails human emancipation and establishing the right to freedom of choice; the propagation of scientific and technological progress; and the establishment of a democratic system and reassertion of the sovereignty of the people" (ibid.,

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11 This proves wrong interpreters like Papamargaris, who claims that religion for Ghannouchi should be "limited to purely moral and ethical parts of everyday life" (2012, 9).

106).

It is important to note that Ghannouchi tries to rescue the concept of "modernity" by adding adjectives such as "genuine" and "true". Ghannouchi's discursive manoeuvre can be understood in terms of Shmuel Eisenstadt's concept of multiple modernities. Not only on an academic level, but in the very concrete context of Tunisia Ghannouchi tries to reclaim a vision of modernity that is dissociated from the predictions of the classical sociological modernization theories of Karl Marx or Emile Durkheim (Eisenstadt 2000, 1). Moreover, for Ghannouchi, modernity and modernization are not sociological categories or processes but a normative model implying some achievements of Western modernity such as democracy, technological progress and human rights, rejecting at the same time the inevitability and the desirability of secularism. This demonstrates clearly why democracy, modernity and secularism cannot be understood separately. It becomes clear that on a certain level secularism for Ghannouchi means anti-religion which is why Islam cannot accept it. How to discern these interdependent layers of meaning in Ghannouchi's understanding of secularism is the subject of the following section.

3.6. Conclusion: Democracy without secularism, not secularism without democracy

This section argues that Ghannouchi's understanding of secularism can be defined in four different dimensions: historical, sociological, doctrinal and institutional. Although Ghannouchi understands secularism as something alien and objectionable, in his theory of the Islamic state he proposes a form of government that meets the core demand of the twin tolerations: that there is no religious authority deciding over legislative matters and other political matters higher than the public opinion.

First, for Ghannouchi, secularism is a product of Western Christianity. Historicizing its emergence, Ghannouchi claims that because the church was supportive of despotic and repressive feudal rulers, reform movements such as Renaissance, Reformation and Enlightenment were directed against the political and doctrinal influence of the church and the omnipresence of religious authority in public life. Secularism was thus a plausible reaction

pushing back a church supporting despotism in the Europe. Since secularism is a historic process that developed in the specific context of the West, it is alien to the Muslim world because of the fundamental difference regarding historic circumstances. Not only was there no such thing as a church, but also the relation between Islam and politics is fundamentally different from Christianity. While Christianity employs the doctrine that there are separate realms of what belongs to Caesar and what belongs to god, a comprehensive set of rules and regulations about the relationship between human beings and society are inherent in Islam. Furthermore, secularism has been forcefully imposed onto the Muslim world through colonialism and keeps on being dominant in the despotic rule of the "secular theocracy" of the secular Westernised elite in post-colonial North Africa. In this sense, Ghannouchi is as much a post-colonial thinker as he is an Islamic thinker (cf. Young 2003, 2; 2001, 395).[12] The meaning of secularization as the dissolution of monasteries resonates with his firm opposition against the nationalization of religion, the expropriation of independent religious property and institutions, especially the religious endowments, *awaqf*, and religious schools, by the state.

Second, for Ghannouchi secularism is inextricably linked with the socio-cultural processes of secularization and Westernisation. His understanding of secularism in this regard is close to European modernization theorists such as Marx, Durkheim and Weber holding that in Europe individual religiosity as well as the role religion plays in the public sphere has been declining. In this process, which is closely connected to modernization in Europe, the mutual bonds holding together the *gemeinschaft*, the common values such as the appreciation of the family, decline (cf. Tönnies 1979). In addition to that, also moral standards of individuals and the society collapse. If religion and Islam in particular is the glue of community, then secularism is the solvent. In order to halt and reverse the problematic and dangerous socio-cultural process of secularisation in the Muslim world, it is necessary to get rid of the post-colonial despotic regime run by the secular elite and to foster true modernity. While Ghannouchi rejects secularism, he distinguishes from it and advocates some achievements of Western modernity such as democracy, human rights and technological progress. At the same time he calls for a revival of local cultural roots to counter the Westernising transformation and the secularization process associated with it.

12 As Ghannouchi, living in Tunisia in the late 1960s has influenced and arguably politicised Michel Foucault: "But if one is interested in doing historical work that has political meaning, utility and effectiveness, then this is possible only if one has some kind of involvement with the struggles taking place in the area in question" (Foucault 1980, 64; cf. Young 2001, 396).

Third, on a doctrinal level, for Ghannouchi secularism is a philosophy that is anti-religious, anti-Islamic and finally inhumane. Against the background of the post-colonial situation he constructs Western thinkers such as Marx, Freud, Durkheim, Weber, Nietzsche and Sartre as founding fathers of a *weltanschauung* that is hostile to religion and dangerous for every human being. Secularism "is a philosophy of self-deception, barbarity, tyranny and alienation because in one of its most widespread definition it means desacralising the world and viewing objects, ideas and values as usable things" (Ghannouchi 2000, 121). Moreover, "It is a philosophy of alienation because it strips man of his most important and unique characteristic: his ability to transcend nature" (ibid., 122). In other words, since for Ghannouchi transcendence is a substantial part of every human being, desacralisation means mutilating a vital dimension of every human being. Because secularism is a comprehensive doctrine, Ghannouchi finally claims that "secularism is self-contradictory. For as it marginalises religion and desacralizes the world, it offers itself as an alternative absolute and sacrosanct creed that employs every method of deception and violence to track and uproot the other" (ibid.). Closely linked to the second dimension, secularism as an ideology is the engine providing the theoretical framework that leads individuals and societies to abandon their religious local roots and thus fosters the socio-cultural process of secularization.

Fourth, on the institutional level, Ghannouchi claims to promote an Islamic state where Islamic principles guide the institutionalized structure and the exercise of power. He boldly opposes any exclusion of religious actors or parties and advocates independent religious institutions. While he proposes that the *ulama* or any council of religious experts should have an important role in offering interpretations of *shariʿa*, the ultimate authority rests with the public opinion of the *umma*. Even the often religiously defined community of the *umma* includes—as in 7th century Medina—all people living under a certain jurisdiction, irrespective of race or religion. While Ghannouchi claims that the *umma* is also subject to *shariʿa*, it is the *umma* that decides upon the interpretation of *shariʿa*, making it the most powerful and sovereign institution in his vision of the Islamic state. Thus, although Ghannouchi rejects secularism in the three dimensions mentioned before, he calls for an Islamic state where ultimate decision power lies with the same entity as in any liberal democracy: the people. Therefore, Ghannouchi's vision of an Islamic state meets the requirements of the twin

tolerations. To sum up, since the main target of his critique is the autocratic, secular elite in North Africa, his aim is to replace secularism without democracy with democracy without secularism.

4. Abdolkarim Soroush's understanding of secularism

4.1. Reading secularism in Soroush

Abdolkarim Soroush's work covers a wide variety of subjects and disciplines. The topic of secularism is intertwined with a majority of Soroush's intellectual elaborations which is why it is not possible to provide a comprehensive survey of everything he has written on secularism in the framework of this essay. Rather, the questions Soroush is concerned with when discussing secularism and the concepts he proposes as an answer to deal with the tension between religious claims of supremacy and democratic politics will be scrutinized. Thus, the present analysis will focus on some of his core texts displaying pivotal arguments in favour of a real-world-oriented reading of the Qur'an, the separation of religious knowledge from secular knowledge, "religious democratic government" and the connection of these issues to his understanding of secularism. Soroush's discussion of secularism, modernity and democracy all ground on his epistemological "theory of the contraction and expansion of religious interpretation" as explained in *Islamic revival and reform. Theological approaches* (Soroush 2000, 26-38), *The evolution and devolution of religious knowledge* (Soroush 1998) and the essay collection *The expansion of prophetic experience. Essays on historicity, contingency and plurality in religion* (Soroush 2009b; see 4.3.). The main focus of the present analysis lies on how this theory is applied to limit the role of *fiqh* and *shariʿah* (4.4.), secularism as a modern (4.5.1.), post-metaphysical (4.5.2.) and pre-political concept (4.5.3.), and finally on the necessity of a democratic government for religious societies (4.6.). Questions of democratic governance are the topic of two lectures Soroush gave at a human rights conferences of the Foreign Ministry of Iran, in Tehran (1991) and at the Institute of Orientalism, Hamburg in 1992. These lectures are the basis for the essays *The Idea of Democratic Religious Government* (Soroush 2000, 122-130) and *Tolerance and Governance. A Discourse on Religion and Democracy* (Soroush 2000, 131-155). Secularism, democracy and human rights are also dealt with in other works in the essay collection *Reason, Freedom,*

& Democracy in Islam (2000).

Similar to Ghannouchi, in the absence of an Arabic or Persian term for "secularism" Soroush uses a translation that serves his intellectual aims. The Persian words *gitianegi* and *donyaviat* have been suggested by scholars meaning "cosmos" and "world" respectively (Soroush 2009a). Soroush highlights that in line with the meaning of the Latin *saeculum*, "secularism is a confirmation of one world and a rejection of two other worlds" (ibid.). Secularism for Soroush is a "snubbing of the hereafter and the supernatural", but also a rejection of purely ascetic lifestyle (ibid.). Instead, secularism means to be concerned with the earthly and natural world and the life therein. He also points out that "secularism also connotes neglect of religion in the sense that a secular government derives its legitimacy and laws from the people, not from a divine source", hinting at the democratic dimension of secularism (Soroush 2000, 57, Fn. 5; see 4.6.).

The irreligiosity of the people under the Islamic regime in Iran is a major argument for his "democratic religious government" (Amirpur 2003, 103). This is why secularism for him is also closely linked to the sociological dimension of decline of private religiosity. According to Katajun Amirpur, Soroush hardly ever uses the loanword *sekularism* because it is commonly associated with the sell-out to Western imperialism (Amirpur 2003, 106; for Soroush's position towards the West see Roohani et al. 2014). In the same vain, although many of his proposals have been welcomed by the secularist camp, he denied to be a secularist (Amirpur 2003, 107). Soroush's preference for the translation to "scientification" can be seen as a purposeful choice for his main epistemological argument, that religious knowledge, in contrast to the essence of religion, is only but a human science with all its weaknesses and errors (see 4.3.2.)

Soroush's intellectual project has covered many different areas of studies such as comparative religion, social science, philosophy of science and theology (Sadri and Sadri 2000, ix). As mentioned earlier (1.), it is only possible to study Soroush's understanding of secularism by taking into account the epistemological, theological and sociological conditions of his thought. Soroush draws on many classical Islamic scholars such as al-Ghazzali and 19th century reformers such as Muhammad Abduh and Muhammad Iqbal, many of his positions transcend

the boundaries of orthodox Islam, often even those of the "liberal camp" (cf. Amirpur 2003, 89-92). For instance, he claims that Sura 111 on Abu Lahab, the Prophet's uncle who rejected Islam, is not part of the essence of Islam and that Muhammad would have included more stories into the Qur'an if he had lived longer (ibid., 91; 2011, 426).[13] This is an example where he clearly opposes the important orthodox dogma of the completeness of the Qur'an. The next section gives a brief overview of the historical context that has an influence on but also informs the audience of his claims on the limited role of religious law (4.4.), the importance of secularism (4.5.) and the secular nature of modern democratic government (4.6.).

4.2. Historical and biographical context

Only four years younger than Ghannouchi, Soroush was born in Tehran in 1945. He attended the ʿAlawi School founded by people in the conservative but pragmatic bazaari milieu where both modern and traditional sciences were taught (Jahanbakhsh 2001b, 143). At the age of 17 he started to study the classic disciplines of *fiqh* (jurisprudence), *usul al-fiqh* (legal theory) and *tafsir* (exegesis). Soroush claims that as many other students, he became politicized in the wake of the mass riots and subsequent events in 1963/64 following the CIA-backed coup against Mosaddeq's arrest of Ayatollah Khomeini (Soroush 2000, 5; cf. Dabashi 2008, 91). While he was first attracted to the anti-imperialist left-wing *Mojahedin-e Kalq* (People's Mujahedin of Iran), he subsequently turned against their dialectic antagonism claiming that a mixture of Marxism and Islam would be abused to increase their power (Amirpur 2003, 12).

From 1973 on he studied pharmacology at the University of Tehran which he followed by studying five and a half years analytical chemistry and the history and philosophy of science in London, earning his Doctorate in Chemistry in 1979 (Amirpur 2003, 10). In London Soroush participated in the political gatherings of Iranian students in Europe and the United states giving speeches and publishing his first academic treatises. Focussing on the philosophy of science and metaphysics, his book *The dynamic nature of the universe* found wide recognition even among high-ranking members of the Islamic movement such as Ayatollah Tabatabaʾi, Ayatollah Mutahhari and Ayatollah Khomeini (Soroush 2000, 10). Seven months after the revolution, in September 1979, Soroush returned to Iran and while continuing his academic career, he was appointed by Khomeini to be one of the seven members of the

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13 Here, Amirpur wrongly claims that Sura 13 was on Abu Lahab.

"Advisory Council on Cultural Revolution" in 1980. While Soroush claims that the main task of the council was to reopen the universities that had been closed due to political reasons, critics still hold this engagement on the side of the regime against him. Soroush asserts that he resigned from the council "as it turned into the headquarters of the cultural revolution" (Soroush 2000, 12). Following repression by Iranian state authorities, Soroush has been fired from his academic posts, barred from any teaching in Iran and gradually forced into exile. He has been a visiting professor at many notable universities in the United States and Europe since 2000 (Jahanbakhsh 2009, x). Soroush claims that it was the Islamic Revolution that created the impulse to find new ways to deal with the practical and theoretical problems at hand and to "gather other's truths and our truths under the same umbrella" (Soroush 2000, 21). In order to overcome what he calls stagnation regarding the understanding of religious texts, Soroush developed the theory of contraction and expansion of knowledge, the bedrock for his understanding of secularism (see 4.5.), which will be analysed in the following section.

4.3. "The evolution and devolution of religious knowledge"

4.3.1. Essentials and accidentals

This section outlines how the separation between the essence of religion and the accidentals of religion, namely religious knowledge and most of the regulations of *shariʿa*, provides the ground for secularism in that it strips large parts of Islam of any claims to superior knowledge and unchangeable validity (4.3.2.). Furthermore, since religious knowledge is accidental, Soroush claims that there are several paths to truths and therefore religious and political pluralism is not only a necessity but also enriching religious and political life (4.3.3.).

The first step towards the "theory of the evolution and devolution of knowledge" also called the "theory of the contraction and expansion of religious interpretation", is the ontological separation of essentials and accidentals (Soroush 2009b, 63). Soroush recalls Islamic revivalists of the past, among them Abu Hamid Muhammad al-Ghazzali, Jalal ad-Din Muhammad Rumi and Sayyid Haydar Amuli claiming that they all lamented the negligence of the essence of religion (Soroush 2000, 26). According to them, heresies, superstitions and superfluities were introduced by religion-mongers obscuring this true essence of religion. The latter managed to gain considerable prominence in making the uneducated population believe

that the most important commodities of religion were sermons, *fatawa* (edicts) and *kalam* (theology) (ibid., 27). Soroush claims that these early revivalists were deploring that the outward appearance of religion, including rituals and laws according to *shariʿa*, had left little space for the "true inner essence" and that legalism, *fiqh*, has left so little room for ethics and *ʿirfan* (spirituality) ibid.). Soroush refers to Aristotle's *Metaphysics* when he defines the essential as contrasted to the accidental (cf. Durrant 1975; *Metaphysics* Book Z.6 in Barnes 1984).

Essence for Soroush is the very core of religion, the fundamentals, the unchangeable, which has to be protected and promoted (Soroush 2000, 22, 65). In contrast to that, the accidentals of religion necessarily underlie changes depending on time, place, culture and interpretation. Soroush applies this fundamental distinction to a wide variety of matters and takes it as the foundation of his project of Islamic reform. He sets out to fight the "obesity of religion", the overemphasis on the accidentals, by "putting *fiqʾh* in his (sic) properly restricted place" (ibid., 22) as will be discussed in more detail below (4.4.).

Moreover, Soroush distinguishes between two different kinds of Islam. The "Islam of identity" has to be distinguished from the "Islam of truth" (Soroush 2000, 23). Identity is regarded to be an accidental and cultural attachment to the fundamentals of Islam which has come up as a reaction to the crisis identity (cf. Soroush 2009b, 73). In contrast to that, true Islam is a "repository of truths that point toward the path of worldly and otherworldly salvation" (Soroush 2000, 23). These simple distinctions Soroush draws are far from self-evident, as the comparison with Ghannouchi demonstrates (see 5.). It allows Soroush to challenge the domain of the experts of Islamic law, the clergy or jurisconsults.

It has to be noted that the role of experts in Islamic law differs between the Sunni Islam Ghannouchi is part of and the Shiʿa context Soroush addresses (see Khuri 1987). However, without the possibility to go into details about the denominational differences, in this essay both groups are regarded as religious experts with the role and importance that Ghannouchi and Soroush ascribe them.

As often in his writings, Soroush uses a metaphor to make a values judgement about the

inferior importance of *shariʿa* compared to the truth of religion. According to al-Ghazzali and the "sages"[14] and jurisconsults of the past, the "eternal and priceless pearl" of *tariqa* (the true path) and *haqiqa* (the inner dimension) is "hidden in the shell of religious laws and rituals [*shariʿah*]" (Soroush 2000, 27). As the shell is there to protect the pearl from the perils of the times, the Prophet's ruling regarding political and societal rules were appropriate to protect religion in the circumstances of Arabia fifteen hundred years ago (Soroush 2009b, 73; cf. Bamyeh 1999, 17-53). The essentials of Islam according to Soroush are only five classic dogmas of Shiʿa doctrine, namely the Iamat, the prophethood of Muhammad, divine justice, the oneness of god and the resurrection of the dead (Amirpur 2003, 89).

4.3.2. Contraction and expansion of religious knowledge

Soroush claims the revivalists of today, for example Muhammad Iqbal, Muhammad Abduh, ʿAli Shariʿati, Rouhollah Khomeini and Morteza Motahhari were aiming at "Reconciling eternity and temporality, the sacred and the profane; separating constant and variant, form and substance; reviving innovative adjudication in religion; finding courageous jurisconsults; reinvigorating religious jurisprudence; changing the appearance while preserving the spirit of religion; acquainting Islam with the contemporary age; establishing the new Islamic theology" (Soroush 2000, 30). The distinction between essentials and accidentials, the first part of the theory of evolution and devolution of religious knowledge, already displays that it is an "a priori piece of epistemology" (Soroush 1998, 246). Soroush asserts that it is this epistemological theory that was missing for these revivalists to achieve their theoretical and practical aims. With his theory it is possible to get rid of outdated interpretations of Islam. For example, it would not change the essence of Islam if women were not wearing the *hijab* (veil) any more or if the financial compensation for the heirs of a victims, *diyya*, was abolished (Soroush 2009b, 89).

Another important element of Soroush's epistemological theory is its reference to post-positivist philosophy of science (Soroush 1998, 245). He emphasizes that a fact can never stand alone and speak for itself. In contrast, every statement about a fact already implies certain epistemological assumptions, a theory how to perceive the world and how to make sense out of observations. The same is true for religious texts: "text does not stand alone, it

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14 Soroush calls Persian poets and philosophers like Rumi and Hafez "sages".

does not carry its own meaning on its shoulders, it needs to be situated in a context, it is theory-laden, its interpretation is in flux, and presuppositions are as actively at work here as elsewhere in the field of understanding" (ibid., 245). Because these necessary presuppositions are age-bound, every understanding of and knowledge about religion is age-bound too. While Soroush considers religion to be divine, its interpretation is of this world and humane and thus prone to fallacies as any other human knowledge (ibid., 256). He buttresses this claim by demonstrating the plurality of interpretations and religious sects over the centuries, asserting that "religion is nothing but the history of the science of religion, of course" (ibid., 248). It is not possible to "directly" see divine revelation, humans need to look through the mirror of interpretation (ibid., 251).

This is the second part of his epistemological theory: that there is a crucial distinction between religion (*din*) and religious knowledge (*maʿrefat-e dini*) (Soroush 2000, 31). While holy texts are flawless, human understandings of holy texts are full of flaws. While religion remains constant, religious knowledge and insight is changing. This prepares the basis for his claims for innovative renewal of religious knowledge and reconciliation with modernity: while religion is complete and in no need for change, religious knowledge is humane and incomplete and in need of thorough reconstruction: "It is up to God to reveal a religion, but up to us to understand and realize it (ibid.). Religion doesn't have to react to modernity, however, religious knowledge which is always influenced and conditioned by human understanding encounters new circumstances it has to adapt to (ibid.). Soroush uses this argument also to limit the claims of those reforming religion and claiming to officially interpret it: "Revivalists are not lawgivers [*shariʿan*] but exegetes [*sharihan*]. Although religion has no defect or flaw, defects abound in exegeses" (ibid., 31). As will be demonstrated below (4.4.2.), this line of argument is the breeding ground for a thorough critique of the clergy's claim to be able to reveal eternal truth.

But if religion is only a second-order epistemological category, where do the frameworks for understanding come from in the first place? Soroush claims that there is a religious knowledge of collective nature that exists prior to any particular religions (Soroush 2000, 16). These "extrareligious reasons and ideas" as he calls them, are "authentic and autonomously significant and (...) they even affect the understanding of religion itself" (ibid., 22). The

question of the existence of God, for example, is pre-religious and cannot be answered without extrareligious philosophical arguments (ibid., 128). Central pre-religious and pre-political universal values are human rights, justice, free choice and restriction of power (Soroush 2000, 132; Soroush and Keane 2007).

Another distinction that is important for Soroush's criticism of jurisconsult-sanctioned legalism is the difference between religious knowledge in general and personal knowledge of religion. Not only the rulings of *fiqh* regarding *shariʿah*, but also *kalam*, a science that consists in large parts of philosophy, gives ethical guidelines. Moreover, on a distinctively Shiʿa account Soroush highlights that for *irfan* (gnosis) three dimensions of Islam are crucial: *shariʿa* (exoteric path), *tariqa* (esoteric path) and *haqiqah* (mystical truth) (Soroush 2000, 34). Thus, in contrast to Ghannouchi, who orients himself closely to *fiqh* (Islamic jurisprudence) and *kalam* (Islamic theology), Soroush includes also ideas from Sufism, Persian literature and other "extrareligious" origins in his understanding of core concepts of Islam. While this means that he can draw on a larger repertoire of concepts, for example on the third, innermost dimension of faith of the heart as emphasized in Sufi traditions, it also makes it easier for him to recognize the importance of extrareligious sources for social and political affairs (cf. Chittick 2008, 4-8).

4.3.3. Pluralism and truth

After the separation of essence from accidentals and religion from religious knowledge, a third step in Soroush's theory is the recognition of religious pluralism and the plurality of truth claims. The different approaches to religion inherent in *shariʿah*, *kalam*, mysticism, Sufism and poetry already display a legitimate plurality of different facets of religion (cf. Soroush 2009b, 170). But Soroush goes even further than that. He acknowledges the existence of a vast variety of truth claims and holds these truths to be compatible because "no truth clashes with any other truth" (Soroush 2000, 21). The "healthy pluralism" constituted by the multitude of truth claims in the world are encouraging a constant fruitful search which serves as another argument in favour of the adaption to changing circumstances (ibid.). Drawing on the differentiation between general religious knowledge and private religion, Soroush even expands this plurality even further: "There are as many paths toward God as there are people" (ibid., 145). While expressions of faith are public, the essence of faith is private.

Soroush also argues that the depiction of religion as uniformity, emulation and obedience obscures the complexity, diversity and colourfulness of belief. However, against fears that this diversity might lead to the dissolution of religiosity Soroush argues that "A religious society becomes more religious as it grows more free and freedom loving, as it trades diehard dogma with examined faith, as it favors inner plurality over outer mechanical nominal unity, and as it favors voluntary submission to involuntary subservience" (Soroush 2000, 145). Voluntariness and plurality in faith are also closely linked to overcoming the imbalance of power that is characteristic for some religious institutions. They serve as a bulwark against "religious despotism", a notion he disdains as thoroughly as Ghannouchi (ibid.). Soroush uses the argument of plurality also to problematise ideologization of religion, a notion Shariʿati advocated because it creates a class of "'official' interpreters", resounding the criticism of Ghannouchi regarding the nationalization of religion (ibid., 21).

Soroush translates the epistemological statement about the diversity of truth claims into the realm of politics. The tolerance of different truth claims, or in other words different points of view and opinions, is for him "the only thing that is required for a democracy" (Soroush 2000, 138). Soroush counters also the argument that only the pluralism inherent in secular societies is suitable for democracy, by stating that religious pluralism makes "the faithful community (...) a thousand times more suitable for it" (Soroush 2000, 144; cf. 2004). In sum, Soroush states that inside and outside of religion there are competing truths that are ultimately compatible. Rational discursive engagement with the arguments of other truth claims can provide an important grounding for democracy. Reciprocal acknowledgement of the legitimacy of the diverging truth claims creates a powerful argument for giving up the enforcement of one religious truth claim through collective political means, a central requirement of the twin tolerations. After illustrating the three steps of Soroush's epistemological theory, the separation of essentials and accidentials, the separation of religion from religious knowledge and the pluralism of truth claims, the next section will demonstrate the application of this theory restricting the role of *Shariʿah, fiqh* and *ijtihad*.

4.4. *Shariʿah, fiqh* and *ijtihad*

4.4.1. Limitations of *fiqh* and *ijtihad*

One of the main theoretical projects of Soroush, as mentioned above, is the limitation of scope and influence of *fiqh* (Islamic jurisprudence) and related to that the role of the clergy. While Ghannouchi stresses that there is almost unlimited space for *ijtihad* (independent adjudication), Soroush is less optimistic and sees the very process of *ijtihad* in need of reformation (Soroush 2009b, 89). Thus, he calls for a "true ijtihad in first principles" before the necessary changes in *fiqh* can be advanced (Soroush 1998, 250).

Soroush claims that *fiqh* in the religious seminaries has been stagnant because of the neglect of extrareligious logics, circumstances and sources. Since *fiqh* is part of religious knowledge and thus a completely this-worldly and accidental enterprise, the same standards of rationality, norms and criticism should be applied to *fiqh* as to any other human science (Soroush 2009b, 83; cf. Jahanbakhsh 2001a). It is necessary to exercise innovative critique and free investigation of religious law in order to designate it to its "proper niche" and to fulfil its duty which Soroush describes as "harnessing power and devising effective and corrective methods of government" (Soroush 2000, 149). *Fiqh* is characterized as "consumer science", that means that they are dependent on the input of "producer" disciplines such as economics, political philosophy and sociology (Soroush 1998, 250). Very bluntly he declares that religious jurisprudence "is quite secondary to the essence of religiosity" (Soroush 2000, 149). Thereby, Soroush continues to ascribe religious law an important role for theory and practice of the political system, however, his language clearly displays the direction of his arguments: he aims at decreasing the authority and marginalizing the role of religious law in the understanding of Islam and in its impact on politics.

Soroush is also very critical about arrogant claims regarding Shiʿa jurisprudence in Iran. Emphatically he asks, if Shiʿa *fiqh* was the wellspring of life, why are there so many thirsty lips (Soroush 2000, 28)? "Furthermore, who says that all problems are legal [*fiqhi*] so that some form of adjudication [*ijtihad*] can resolve them? Who says that all the intellectual and economic transformations of the present age are summed up in legal transformations?" (ibid.). Soroush agrees with Khomeini that *ijtihad* as it is practised in the Islamic seminaries is

"insufficient" (ibid.).

Drawing on Iqbal and Shariʿati, Soroush mentions the example of a woman that runs away from her tyrannical or violent husband (Soroush 2000, 29). Neither of the two says that the solution can be found either by traditional jurisprudence or by the agency of religious jurisconsults because the only solution offered by *fiqh* to dissolve the marriage is apostasy, another major offence. Soroush concludes that jurisprudential and religious decrees have to adapt to changing material needs. In contrast to the claim of Islamists that the world has to be moulded according to *shariʿah*, Soroush claims that in the light of extrareligious considerations the jurisprudential schools have to correct and harmonize themselves with novel non-religious insights. These decisive new norms emerge from the open and critical "debate of the modern community of believers" (ibid., 148). Soroush stresses that the aggregated will of the people for change is superseding jurisprudence (ibid., 154). Soroush's appreciation of rational and critical debate as the source of norms and legitimacy constitutes a strong case for deliberative democracy (cf. Habermas 1994; Chambers 1995).

However, Soroush still considers *shariʿah* to be important. Emphasizing Thomas Paine's statement that government belongs to the law, Soroush considers a weakening of religion to be congruent with a weakening of democracy (Soroush 2000, 146). Moreover, compliance with the imperatives of law is the basis for legitimacy in a democracy. The adherence to religious law thus has positive effects on the peoples' attitudes towards democratic rule of law. Likewise, *shariʿah* promotes the idea of rights, justice and equitable implementation of laws. This contributes to the rationalization not only of jurisprudence but as well of the democratization of the law (ibid., 147).

4.4.2. Restricting the role of the clergy

Given the supreme power of the guardian council and the reproduction of religio-political elites in the circles of the jurisconsults in contemporary Iran, it is understandable that Soroush not only advocates a limitation of the importance of the subject of the religious experts, namely *fiqh* and *shariʿah*, but also a restriction of the role of the clergy itself (Soroush 2011b). "There is no question that clerical government is meaningless" (Soroush 2000, 23). He argues that no member of the clergy should have any political or economic privileges over other

citizens by virtue of his status as religious expert. In an interview Soroush explains that his definition of the clergy, not by their erudition or virtue but by their dependency on religion for their livelihood, was confronted with substantial resistance (ibid., 19).

Apart from their economic privileges, Soroush's main argument against the supreme position of the clergy derives again from the separation of religion from human religious knowledge. While he claims that religion is sovereign, it would be a major offence to put "one's own words in the Prophet's mouth and arrogating his seat to oneself" (Soroush 2000, 37). The only thing humans can do is to repeatedly struggle to understand the sacred texts and the tradition. However, this process does not include or bring about any sacred knowledge. Soroush summarizes the substantial difference between the prophets and the religious expert as follows: "The prophet of Islam is the last of prophets, and his religion is the last of religions. However, no jurisprudent [*faqih*] and interpreter [*mofassir*] is the last of jurisprudents or interpreters. The last religion is already here, but the last understanding of religion has not arrived yet" (ibid.). Because every member of the clergy is a fallible human being, "whatever they produce is nonsacred human knowledge" (ibid., 177).

Along with criticising the religious authority of the clergy, Soroush also questions their political power (see Soroush's letter to Khaminei, 2011a). He claims that the clergy has always been attaining undeservedly wealth and has been organized as a party, implying that it is defending its own interests, but now it has succeeded to come to power by eliminating all its rivals (Soroush 2000, 175). The theoretical foundation Soroush's anti-clerical position and the state doctrine of the *velayat-i-faqih*, guardianship of the jurisconsult, derives from the separation of spiritual guardianship and political guardianship (Soroush 2009b, 265). While in a spiritual relationship absolute obedience of the disciple is necessary, this is not true for *imamate*, external political leadership. Soroush argues that these two spheres have to be kept completely separate in order not to "end up with very strange results" (ibid., 264).

Although Soroush does not label this distinction "secularism", his anti-legalistic and anti-clerical arguments clearly fulfil the purpose of pushing back arguments, decrees and laws that are based on religious authority. He advocates the individuality of faith, acknowledges pluralism of faith in the private sphere and curbs the dominance of *shariʿah*—the realm where

not only the clergy has most influence, but that constitutes the major authority challenging the supremacy of the will of the people. Challenging any claims that the clergy or any other religious institution should enjoy the right to judge over what the public has decided is a central step towards the twin tolerations.

4.5. Secularism in the Iranian context

4.5.1. Tradition and modernity

After illustrating the arguments Soroush employs against the reliance on *shariʿa*, *fiqh* and the clergy in order to cope with contemporary political and other problems, this section will first depict how Soroush constructs the relationship between modernity and secularism and then sketch the emergence of secularism out of the death of metaphysics. As Ghannouchi, Soroush traces the movement towards secularism back to the mutually supportive relationship between religion and autocratic regimes (Soroush 2000, 60). In contrast to Ghannouchi, however, he draws parallels between medieval European, Middle Eastern and Iranian history. Out of the intolerable experience of injustices, inequalities and deifications grew the question how humans, while still being humans, can lead divine, that is infallible, governments (ibid., 61). Secularism was thus born as a movement pushing back the boundaries where explicitly non-religious rationality couldn't be employed and thereby expanding the realm of rational criticism. However, Soroush reaffirms that the rebellion was not directed against god, the eternally unchangeably good, but against those "who ruled and committed atrocities in the name of God" (ibid., 60). Although describing the historical emergence of secularism, the parallels to the situation in post-revolutionary Iran are evident and directed against the rule of the religious establishment.

Another characteristic of the pre-secular society, and that is, for Soroush, pre-modern society, is the hegemony of passivity. With regards to the co-originality of modernity and secularism, Soroush follows Durkheim and Weber in their theories of modernity and the disenchantment of the world that goes along with it (Sadri and Sadri 2000, xvi). Although Soroush argues that religion is needed for the functioning of a democratic religious government (see 4.6.), he makes a strong case about the bipolarity between a pre-secular past and a secular present implying to a certain degree the inevitability of modernity and secularization in the sense of a

withdrawal of religion from the public but in parts also a decline of religion in the private sphere. In contrast to traditional society, modern society is characterised as critical and demanding and not placid and inert, as in search for change and not merely understanding, minted by scepticism and anxiety instead of certitude, focussed on rights rather than duties and conceptualizing the world in terms of clarity and causality instead of bewilderment and enchantment (Soroush 2000, 56). Although Soroush presents this bipolarity as a neutral conceptualization, many of the characteristics of modernity are epistemological foundations or values that fit to his theory of contraction and expansion of religious knowledge and his idea of religious democratic government. The most decisive characteristics of "modernity" according to Soroush are a critical attitude in a variety of ways, the dominance of rationality and the omnipresent impact of modern sciences in extrareligious matters such as morality, society and politics (ibid., 59).

There are three main consequences of this depiction of modernity for Soroush's understanding of secularism. First, against any ahistorical romanticism of Arabia in the 7th century AD, the evolutionary development of sciences have brought many changes that make an orientation back to the original status undesirable, as the example of achievements in medicine suggest (Soroush 2000, 55). Second, modernity as a project of critical inquiry, innovation, activity and creativity is employed to back up Soroush's claim for the need for substantial epistemological and political changes. Third, the flourishing of extrareligious sources such as philosophy and the social sciences is taken as an obvious support for his claim to incorporate the achievements of these sources into religion, especially into a revised assessment of the position of *shariʿa*. Arguably Soroush uses the factuality of modernity as a normative tool to promote the need for epistemological and political secularism.

4.5.2. The death of metaphysics and the emergence of secularism

For Soroush, an important feature of pre-secular traditional society is the epistemological hegemony of a closed metaphysical system (Soroush 2000, 58). A dogmatic doctrine of metaphysical thought determined the worldview of the people preventing them from intervening and thinking different possibilities in the social, political and economic realm. However, Soroush's sweeping generalization of pre-modernity seems to ignore the significant amount of popular resistance for example during the peasant revolts in late medieval Europe

such as Flanders (1323-1328), England (1381) and Germany (1524-25) or of indigenous peoples against the intrusion of colonial metaphysics and metanarrative (cf. Tebrake 1993; Dunn 2002, Blickle 2012; Cohn 2006; Hill 2009). The negligence of these historic developments is a symptom of Soroush's anti-materialist historiographical understanding and the primacy he concedes to the metaphysical. Despite the fact that he takes into account the social and political dimension of anti-clerical resistance as illustrated above (4.5.1.), Soroush interprets it rather as the result of a preceding intellectual paradigm shift:

> "The main cause of secularization cannot be traced to political motivations that sought to restrict the powers of tyrants by denying religious legitimation to the government through separating religion from politics. This was one of the consequences of secularism, not its cause. Secularism was the progeny of rational metaphysics. The gateways leading to secularism and separating God and his designs from the world and its explanation were thrown open once the philosophers (primarily the Greek ones) embarked on the project of philosophizing the world order and subsuming it under nonreligious metaphysical categories" (Soroush 2000, 65).

For Soroush, the discovery of the category of nature and with it associated natural rights had grave consequences for all religions.[15] As the quotation demonstrates, Soroush regards the discovery of nature and the classification of the world in philosophical categories as the actual origin of secularism. For him, the idea that nature consists of an essence that can be thought independently from any notion of god(s), facilitated an explanation of the world by rationality and causality alone. Soroush argues that once something non-religious has an essence, for example "nature" or "rights", it is free from its dependence on a religious metaphysical framework, it can exist on its own. A thing cannot have several essences at the same time. Therefore, if a thing has a non-religious essence, such as the notion of nature, it cannot have a religious essence at the same time. For Soroush, this is the fundamental epistemological prerequisite for a separate understanding of religion and the social world and thus ultimately to religion and the political sphere.

The notion of causality has an even deeper impact on restricting the independence of religious

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15 When Soroush uses the term religion he usually refers to Islam in the first instance, but also other monotheist religions.

logics. Once it is accepted that causality is the fundamental ordering principle in the world, it is difficult for religion to maintain strong concepts contravening this causality, such as eternity and mercy beyond legalistic justice. Soroush reveals a predicament in which he finds himself as well: How to align the causality enshrined in large parts of modern worldview and philosophy[16] with the sovereignty and distinct logic of religion? Secularism for him is thus not an epiphenomenon of a historical and political movement against the clergy, but rather the result of a metaphysical shift. In contrast to Ghannouchi and many other scholars, for Soroush secularism did not originate in the context of reform movements in late mediaeval and modern Europe such as Renaissance, Reformation and Enlightenment but its foundation was laid before the emergence of Christianity by Greek philosophy. Only later the results of conceptualizing the world in philosophical categories manifested itself in first attempts of the separation of church and state in early modern Europe. The parting with metaphysics in the West carried with it the parting with the former institutions "administrating" metaphysics, namely the clergy, the church, religious laws and clerical government (Soroush 2000, 137).

4.5.3. Reason, religious duties and political rights

Along with the death of metaphysics, another development contributed to the emergence of secularism: "Secularism arose from two sources: the growth of modern scientific thought and rationality and the profound changes in the meaning and relationship of rights and duties" (Soroush 2000, 57). According to Soroush, the language of religions and especially Islam with its rich tradition of jurisprudence is a language of duties (cf. Amirpur 2004; Oh 2007). Human beings are mainly given commands in the holy texts and even where the texts talk about rights, it turns out to be imperatives to respect the rights of others: "No one has ever suggested that shariʿa deals with the subject who has certain rights" (Soroush 2000, 62). According to Soroush, the traditional "duty-bound" subject has turned into a "rights-carrier" (ibid.). The predetermined breaking point is the conflict that arises when the assumed duties a religious government imposes on individuals contradicts the rights they enjoy. No longer is the society viewed as a temple where the people have to satisfy god by following their heavenly inspired duties. The viewpoint of rights envisions society as a marketplace of religions where different offers compete for the favour of every individual (ibid., 64). This is a radical expansion of Soroush's acknowledgement of a pluralism of truth claims.

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16 For an account of the problematic of causation in social sciences see Jackson 2009, 12ff.

As indicated above (4.5.2.), the post-metaphysical heritage has contributed rational inquiry and criticism as a pivotal criteria of secularism:

> "Thus we may define secularism as a regime in whose polity no values and rules are beyond human appraisal and verification and in which no protocol, status, position, or ordinance is above public scrutiny. Everything is open to critique, from the head of state to the manner of government and the direction of policy determination. This is the meaning of secularism. Naturally, when politics is desacralised (that is, when it becomes rational and scientific) while religion remains sacred, the two are separated. This is the meaning of and the reason for the separation of religion and state in secular societies" (Soroush 2000, 60).

Here it becomes clear that Soroush constructs secularism as institutionalizing his epistemological claims regarding the fallibility of every human understanding of religion in a political order. The theological discussion of the necessary limitations of *ijtihad*, *fiqh* and the role of the clergy are now being translated to the political sphere claiming that there can be no limits to rational critical scrutiny at any political level: "The story of secularism is the story of nonreligious reason" (ibid., 68). However, Soroush recognizes the fact that desacralization as claimed by the secularization thesis is far from uncontested (see 2.2.). As a middle way, he claims that "ignorant and vulgar religiosity" is determined to die out while it is possible for a "learned and examined religion, to prosper on a higher level" (ibid., 61).

Moreover, since "roughly (...) three hundred years" legitimacy has not been derived from religion any more but from the "consent of the governed" (Soroush 2000, 57). Soroush claims that this phrase from the United States Declaration of Independence is "nowadays" commonly accepted, invoking the factual universal acceptance of representative democracy. This represents another example of Soroush's strategy to make plausible the inevitability of secularism: Taking the assumptions of the secularization thesis as granted, he constructs universal and normalized acceptance of secular democracy as the ultimate form of governance. Thus, the normative power of the factual serves as legitimation strategy for secularism, along with the invocation of natural law and universal rationality (cf. Anter 2006).

The quotation above implies yet another major assumption that is characteristic for Soroush's understanding of secularism: he implies that it is possible to neatly separate religion and politics. Despite strong interdependences, the intricate power relationships and the century long dual hegemony over knowledge and political authority, Soroush asserts that a separation of religion and politics is currently going on and ultimately inevitable. Thus, the underlying assumption for the possibility of separation is that religion and politics are two distinct spheres that are essentially separable, at least theoretically. This implies that there is a non-religious sphere where politics is moving to and a non-political sphere where religion is determined to move. The boarder line that delineates the religious from the non-religious and the political from the non-political is science and rationality. The secularization of politics is understood as its movement from the religious sphere to the non-religious sphere of science and rationality. This amounts to the characterization of religion as irrational and unscientific. However, Soroush also argues in favour of the rationalization of religious knowledge (see 4.3.2.). Thus, if a complete rationalization or religious knowledge was achieved, secularism would become obsolete because then there is no distinct sphere of religion left. It becomes evident that it is problematic to define religion as the non-religious, especially if one, as Soroush, advocates the rationalization or religion (cf. Bell 2006). To sum up, Soroush equals secularization with rationalization establishing pre-political human rights and rational inquiry as central element of a democratic religious system, which will be spelled out in the next section.

4.6. Democratic religious government

In contrast to culturalist-essentialist arguments from the camp of the circumvention thesis, Soroush highlights that agnosticism regarding religion is not part of the definition of democracy and should therefore not seen as an automatic requirement (cf. 2.2.). Secularization in the sense of public and private decline of religiosity is thus neither a necessary condition for democracy, nor it is desirable for Soroush as demonstrated below (Soroush 2000, 143). However, he argues that a religious society can benefit a lot from the secular nature of a democratic system.

Soroush claims that in order to achieve democratic religious government, as a first step it is necessary for a religious society to accept the secular nature of democratic government. One

can argue that Soroush holds that only in a second step, religion can re-enter the political sphere as a socially cohesive force encouraging moral behaviour and as a creative source for values for individuals and society that can then be democratically aggregated into policies. To buttress this claim Soroush outlines several arguments about the role of religion in politics he calls "modern" (Soroush 2000, 123). First, he holds that god is powerful enough to enforce his own rights, whereas there is no need to execute them on behalf of him (ibid.). Second, since there is disagreement about God's existence and neither believers nor non-believers are allowed to impose their vision onto others, tolerance in religious matters is the best way. This displays how the Taylor's secularity 3, the optionality of religion, is taken for granted by Soroush (see 2.2.). Third, stressing the religious emphasis on duties, Soroush claims that the fundamental principles of democracy such as human rights and liberty can be derived from natural rights, that is the principles that promote "a more humane, rational, secure, prosperous and fulfilling life" (ibid., 124).

Accordingly, Soroush argues that in the history of humanity some "Rational ends such as justice, order, and welfare and deliverance from discrimination, strife, prejudice, fratricide, ignorance, hunger and oppression" have emerged as a "consensus among all reasonable people" (Soroush 2000, 124). This idea resembles Rawlsian idea of an "overlapping consensus" that provides a "shared public basis for the justification of political and social institutions" (Rawls 1987, 1; cf. 1999). Soroush asserts that being human is the only requisite for enjoying those rights, irrespective of race, ethnicity, social class, but especially also irrespective of belief. That means that religious dogma may not put aside these fundamental principles. This constitutes the consequent application of Soroush's epistemological theory about pre-religious rationality to the political sphere. Before religion enters the political arena, the demarcations of the political battle are already determined by pre-religious principles such as human rights.

Soroush also argues that human rights discourse is not purely legalistic, that is concerning *fiqh*, but that it also includes *kalam* and philosophy. He states that human rights belong to an extrareligious area of discourse: "Like other debates on matters that are prior to—yet influential in—religious understanding and acceptance, such as the objectivity of ethical values, the problem of free choice, the existence of God, and the election of prophets, human

rights lies outside the domain of religion" (Soroush 2000, 128). This is a profoundly secular statement in that it delegates many political and other most fundamental, last questions to the pre-religious realm, undermining the claim held up by many religions to be in possession over primary and last truths (cf. Frazer 1990).

However, Soroush claims that a purely secular government in a religious society would be undemocratic (cf. Soroush 1992, 83). The adjective "religious" stands for the possibility that the government reflects the religiosity of society. In order to be democratic, however, as explained above (4.5.3.), the rationalization of religion is crucial; it is necessary to "absorb an adjudicative understanding of religion, in accordance with the dictates of the collective 'reason'" (Soroush 2000, 128). Moreover, government has to partake in the "collective wisdom" and employ the role of reason as arbiter. Thereby averting a "radically relativistic version of liberalism, rational and informed religiosity can thrive in conjunction with a democratic sheltered common sense" (ibid.). The assumption underlying Soroush's claim that respect for human rights, rationalized religiosity and public reason will harmonize is summarized by Katajun Amirpur in a simple set of equations: Since Islam is rational religion and human rights are born out of rationality, the requirements of human rights and Islam are bound to coincide (Amirpur 2003, 86). But Soroush goes even farther when he claims that "A religion that is oblivious to human rights (including the need of humanity for freedom and justice) is not tenable in the modern world. In other words, religion needs to be right not only logically but ethically" (Soroush 2000, 128). This means that religion is judged by natural rights, common sense and reason, not the other way around, as many Islamists such as Ghannouchi claim (see 3.5.4.).

Another substantial difference to Ghannouchi is that Soroush is sceptical about the writings of some Islamic thinkers that attempt to put the weight of justification of democracy in an Islamic society "upon the frail shoulders" of precepts such as *shura*, *ijmaʿ* (consensus of the faithful) and *bayʿat*, the oath of loyalty to the ruler (Soroush 2000, 132). For Soroush, every discourse on religious government should commence with a discussion of fundamental pre-political and pre-religious principles such as "human rights, justice, and restriction of power (all extrareligious issues)" (ibid.). Soroush, however, goes even further in that he claims that democratic religious government is not only one possible solution, but actually the only viable

political system that combines the principles of human rights, rationality and religion: "Let me, then, declare once and for all: A religious government over a faithful and alert society that respects liberty and dynamism of religious understanding cannot help but be a democratic society" (ibid., 145).

Once the religious society has made the first step, that is to accept the religious government, then religion can unfold its positive role for society. First, religions as "bulwarks of morality" can serve as guarantors of democracy (Soroush 2000, 153). Second, religion not only strengthens values and morality, but also provides accessible instructions and intrinsic motivations for the people to act accordingly. Third, no legal system can be held in check by another without causing infinite regress. Therefore, morality can serve as a grounding that supports acceptance and resilience for democratic institutions and the exercise of collective rationality. Regarding this point Soroush is in line with Ghannouchi's argument that religion should or even needs to play a central in a democratic society.[17]

4.7. Conclusion: secularism as epistemological separations

Soroush's understanding of secularism can be summarised as having an epistemological, a juridical, a pre-religious and an institutional or democratic dimension. First, the basis for all of Soroush's elaborations on secularism is his epistemological theory of the evolution and devolution of religious knowledge. He draws on the Aristotelian separation between essence and accidentals to prepare the theoretical grounding for conceptualizing religion, reason and politics. While the essence of religion itself is sacred, unchangeable and eternal, all knowledge on religion that humans can attain is preliminary, fallible and therefore has to be rationally scrutinized as rigorously as any other human science. This includes also a shift in the importance of different aspects of religion. Soroush devalues many core orthodox doctrinal dogmas, especially those related to ritual and behaviour as regulated by *shariʿa*. His epistemological theory is also expanded to call for a new theology and philosophy that can adapt to the changing social and political circumstances. This amounts to calling into question some Qurʾanic precepts that he claims are outdated due to their restricted accidental applicability to the 7th century. Thereby Soroush sets the scene for secularism in the sense of a

17 This argument resembles the Böckenförde dilemma that the liberal, secularized state lives by prerequesites which it cannot guarantee. These prerequesites can be provided by religion (Böckenförde 1976).

restriction of any claims of special religious knowledge that would be inaccessible to rational criticism or non-believers.

Second, Soroush applies this theory to the realm of jurisprudence and claims that *shariʿa* is only an external appearance that serves as a shell to protect the core values of religion. Since *fiqh* is a non-sacred science as any other, it has to take into account influences from other non-religious sources such as economics, philosophy and social sciences. Critical of the Islamist confidence in *ijtihad* to solve current problems, Soroush calls for an inductive approach focussing on the problems at hand and less on the texts provided. Equally, the role of the clergy is restricted to being scientists of religion without any higher claim to supreme sacred knowledge or prophetic role, let alone political power.

Third, Soroush claims the necessity of pre-religious and pre-political discourses and deliberations about the fundamental principles that even religions have to adapt to. Among those are human rights and collective reason that constitute major values that cannot be changed by any religion or democratic decision. These *a priori* values constitute unalterable limits to religion in general and religious democratic government in particular. These limitations can thus be compared to the limits constitutions in liberal democracies impose on the scope of democratic decision-making: The liberal state protects basic human rights and the system of democracy against its abolition by democratic means (cf. Holmes 1995). Secularism in this sense means for Soroush that there is no higher legitimacy than the reason of the people, irrespective of their different beliefs or worldviews.

Fourth, Soroush argues that the fundamental pre-political and pre-religious values can only be realized under a democratic religious government. Soroush's definition of democracy meets all standard proceduralist criteria of democracy (see 2.2.) and the prerequisites of the twin tolerations because of the restricted role of the clergy, religious knowledge and the ultimate authority of the consensus of the people—not that of any religious expert.

5. Comparison and conclusion

By way of comparing the different dimensions and concepts related to Ghannouchi's and Soroush's understanding of secularism, this section will demonstrate that there are similar

issues and problems raised by them. However, their arguments and evaluation of secularism differ substantially. This comparison does not claim to explain the reasons of the differences laid out here. Differences in the political, historical, religious, cultural, professional and biographical background certainly account for large parts of the variation. The aim of this section is to provide a spectrum of the points of agreement, but especially of the disagreements in order to provide a clearer picture of their understanding of secularism.

First, for Ghannouchi, secularism emerged in the context of a hegemonic, despotic, politico-religious authority in Europe and as a result of Christian reform movements such as Renaissance, Humanism, Reformation, and Enlightenment. Because of the Christian doctrine separating the spheres of God and Caesar, it is an essentially Christian and European concept that is alien to the Muslim world. For Soroush, the first step towards secularism is epistemological and was made by Greek philosophers who conceptualized the world in non-religious categories. Approving the secularization thesis, Soroush holds that secularism is closely linked to modernization and especially rationalization.

Second, Ghannouchi clearly distinguishes between two types of modernity. Starting from the Tunisian post-colonial secular elites, he condemns imported "pseudo-modernity" as morally rotten while he approves of "genuine modernity" that draws on the cultural and Islamic heritage of North Africa. Soroush regards modernity and modernization as an inevitable process that has liberated mankind from the perils of irrationality, passivity, dependence and distorted religion and has lifted mankind up to the heights of freedom, natural human rights, innovation, independence, rationality and true religion.

Third, for Ghannouchi, the West is a different civilization that is faced with the Islamic world. He calls for the rejection of the influence of many elements of this civilization, such as Marxism, existentialist philosophy, moral decay and radical liberalism. In contrast to that, Soroush conceives Iran as lagging behind the "caravan of civilization and progress" (Soroush 2000, 159) and advocates an open engagement with different identities transcending inherited categories. At the same time he argues that "We must stand in the agora of cultural exchange, fit, able, and willing to assume the task of defending the truth" (ibid., 170).

Fourth, Ghannouchi and Soroush agree that in order to stop the decay and guarantee the prosperity of morality in a society, religion is a most important element. While Ghannouchi holds religion to be necessary, Soroush argues that it is the best guarantor for morality. Ghannouchi depicts the results of secularization and liberalism in Europe as the decay of all moral bonds, community cohesion and social and economic justice. Soroush agrees, along with Jürgen Habermas, that the decline of religion dries out important sources of morality and solidarity (Habermas 2013, 287). This appreciation for religion in general is reflected in both Ghannouchi's and Soroush's staunch commitments to the freedom of religion comprising the free exercise of faith but also the freedom to choose and to have or not have a faith.

Fifth, the inclusion of extrareligious knowledge into religious affairs is something foreign and therefore unnecessary for Ghannouchi. In contrast to that it is Ghannouchi's basic anthropological assumption that every human being needs religion and thus secular government neglects a fundamental part of humankind. Rationality and reason, however, are considered to form an important part for political life as for religious life, *ijtihad* and *fiqh*. Moreover, reason fulfils the important function of enabling human beings to free choice in religious and political matters. For Soroush, extrareligious knowledge is the very basis for a renewal of religion and the only way to solve urgent political and social problems. As natural sciences for technological advancement, social sciences and philosophy are necessary to find solutions and provide consultation to the political process. Moreover, rationality is the central category for Soroush's epistemological theory of the contraction and expansion of religious knowledge that implies the recognition of pre-political and pre-religious discourses that are the foundation for unchangeable human rights, free choice and restriction of power in government. Finally, Soroush equals rationalization with secularization and calls for an increased rationalization of religious knowledge. He stresses that every human knowledge can and should be rationalized and critically reflected, however, it is also fallible and remains always preliminary and limited.

Sixth, Ghannouchi holds that *shariʿa* law provides a comprehensive set of principles that should guide all aspects of religious and political life. However, since many contemporary issues are not even touched upon in the classic texts and in jurisprudence in general, there is almost unlimited space for *ijtihad* to meet all of the urgent and long-term challenges. On the

contrary, Soroush is very sceptical about the capability of *ijtihad* to provide necessary solutions. The reason for that is that *ijtihad* cannot solve most of the current problems because they are no legal problems. Therefore, *ijtihad* is dependent on input from extrareligious "producer sciences". Finally, the realm of *ijtihad* is limited by pre-religious human rights and the free choice of the public.

Seventh, Ghannouchi is convinced that democracy is the best mechanism invented so far to limit power. He sees currently no alternative to democracy since the ideal Islamic state cannot be realized in the near future. Going even further, Soroush claims that democracy is the only form of political authority suitable for a truly religious society and necessary for the free exercise of religion. Both Ghannouchi and Soroush claim that the ultimate authority for legislative and executive political decisions lies with the people. For Ghannouchi, political decisions have to conform to *shariʿa*, however, the *umma* also has to agree on them. On the contrary, Soroush claims that all political decisions have to be in line with human rights and common sense. Moreover, religion has to adopt rationality and to harmonize the inter-religious with outer-religious developments.

Eighth, Ghannouchi claims that Islam and secularism are irreconcilable because the latter is anti-religious. Secularism is problematic because it is likely to lead to immoral political actions. He frames the debate on secularism around the question, how much and what politics can reasonably be independent from the moral, humane and socially cohesive force of Islam? His answer is that secularism remains a foreign and alien concept for the Muslim world and is neither necessary nor beneficial for a democratic Islamic society. However, with making the free choice of the people the supreme decision authority, his model meets the central criteria of the separation of religion and politics according to the concept of the twin tolerations. For Soroush, secularism as the rationalization and thus the secularization of religion and politics is a desirable and even necessary process. Only after accepting the secular nature of political institutions, religion can re-enter the political sphere and exert its positive influence. Thus, Soroush's vision of democratic religious government also clearly converges with the requirements of the twin tolerations. Although he doesn't consider himself to be a secularist, his political theory can be justifiably described as advocating a secular democracy in a religious society.

The analysis of the two Islamic thinkers' understanding of secularism has demonstrated that the culturalist-essentialist assertions about the lack of appreciation of secularism in Islam as stated by the "circumvention-thesis" are ignorant of the complex discussions of the multiple dimensions of secularism by Islamic thinkers. Ghannouchi's rejection of monopolized religious authority and Soroush's advocacy of a secular political system in a religious society are deeply rooted in Islamic concepts and represent influential interventions in the discursive tradition of Islam. Thus, this essay shows that a blanket-reading of "Islamic Politics" is misleading and a more nuanced understanding of the political positions and possibilities in the Middle East is necessary.

On a methodological level, the present analysis has demonstrated that "secularism" cannot be understood as a clear-cut theoretical model that can be contrasted to a monolithic notion "Islam". Classic Islamic theologians, jurists, Sufi poets, 19th century reformers, contemporary thinkers and European philosophers are intellectual currents that are perceived, discussed and negotiated by both Ghannouchi and Soroush and are therefore part of the relationships, connections and conditions of emergence forming an assemblage of secularism. At the same time, the phenomenological and contextual viewpoint allows an understanding of their conceptions of secularism taking into account their respective historical and political lifeworld experiences. Moreover, this essay has shown that it is both possible and necessary to understand the connections between different disciplinary and cultural viewpoints in order to grasp secularism in its complex and multi-layered dimensions. The misconceptions of the culturalist-essentialist paradigm not only stem from ignoring the diverse realities of Islam and secularism. They are also caused by neglecting the ontological relatedness and connectedness of secularism and the critical, contextualised and interdisciplinary approach necessary to understand thinkers writing about it.

The work of only two Islamic thinkers already displays a vast array of historical, epistemological, sociological, doctrinal and institutional elaborations on secularism. Further research on other thinkers from similar or different cultural and political backgrounds "promises to deepen the understanding not only of the relation between Islam and secularism, but also of the concept of secularism itself. However, in order to find out how the theoretical

contentions about secularism are translated into the current conflicts in the Middle East mentioned above, it is necessary to analyse the internal discursive dynamics of Islamic and non-religious political actors in the public sphere. Yet, this essay has demonstrated that in order to achieve acceptance for a mutual sphere of non-interference between religion and politics in a democratic state, it is necessary to ground the necessary debates and justifications in the cultural, intellectual and religious tradition of the respective society.

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