EUROPEAN ISLAM AND REFORM:
A COMPARATIVE STUDY OF THE THEOLOGIES OF
YUSUF AL-QARADAWI AND TARIQ RAMADAN

by

MOHAMAD AZMI BIN HAJI MOHAMAD

A thesis submitted to the
University of Birmingham
for the degree of
DOCTOR OF PHILOSOPHY

Department of Theology and Religion

School of Philosophy, Theology and Religion

College of Arts and Law

University of Birmingham

September 2014

UNIVERSITY OF BIRMINGHAM

ABSTRACT

This study investigates Yusuf al-Qaradawi's and Tariq Ramadan's conceptualizations of European Islam centering on three thematic issues: "European-Muslim" identity and the role of Muslims in Europe, reform in Islam pertaining to *fiqh* and Islamic ethics, and the question of incompatibility of Sharia with the European cultural system. It produces a detailed critique of the scholars' positions, analyzes the ways in which their approaches overlap and differ from one another, evaluates the extent to which they take into account in their thinking the socio-political realities of Islam and Muslims in the West, and determines the feasibility of their propositions in the European context. The study argues that their approaches are inhibited by impractical suggestions, rhetorical ambiguities, and unexplained gaps that leave room for disagreement beyond the scope of intra-Muslim debate, but various other components within their thinking can be taken as building blocks that can be assembled into a more functional model that is devoid of the inconsistencies and problems identified in the thesis. It recommends that future research on Islam and Muslims in the West inquire further into said limitations and produce a well-argued critique that can contribute to the contemporary Muslim discourse on European Islam and reform.

DEDICATION

To my parents,
Haji Mohamad and Hajah Samsiah

ACKNOWLEDGMENTS

M.A. and the first two years of my doctoral research, and served as an important presence with whom I shared my Ph.D experiences. My brother, Amin, and my younger sister, Hafizah, were my instant "mood-lifters" when I needed them. My childhood caretaker, Yuli, was unfailing in sending me words of comfort. Last but not least, my loving parents, Haji Mohamad and Hajah Samsiah, who have been with me in every phase of my life, are my source of happiness, strength, inspiration, and life. No doubt, I would not have managed to complete my Ph.D without their prayers.

Azmi Mohamad

Birmingham

September 2014

TABLE OF CONTENTS

TRANSLITERATION OF ARABIC WORDS

Alphabet	Romanization
ء	ʾ
ا	ā (long vowel)
ب	b
ت	t
ث	th
ج	j
ح	ḥ
خ	kh
د	d
ذ	dh
ر	r
ز	z
س	s
ش	sh
ص	ṣ
ض	ḍ
ط	ṭ
ظ	ẓ
ع	ʿ
غ	gh

ف	f
ق	q
ك	k
ل	l
م	m
ن	n
ه	h
و	w; ū (long vowel)
ي	y; ī (long vowel)
ى	á
ال	al-

DIPTHONGS

وْ	aw
يْ	ay

Notes:

- The transliteration system used in this thesis is that employed by the American Library Association and the Library of Congress (ALA-LC). Exceptions to its standard rules are explained below.

- Non-vocalized *tā' marbūṭa* (ة) is omitted from the transliteration (e.g., sunna, sharia, and khamsa)

- Arabic words that have come into general use in the English language are neither transliterated nor italicized (e.g., Qur'an, Sunna, Islam, jihad, and fatwa)

- The noun-ending 's' is added to pluralize the term "fatwa" (e.g., fatwas)

- The initial letters of the terms "Qur'an", "Sunna", "Sharia", and "Islam" are capitalized in all cases

ABBREVIATIONS

IHRL -   International Human Rights Law

UDHR -   Universal Declaration of Human Rights

ECHR -   The European Court of Human Rights

ECFR -   European Council for Fatwa and Research

ICCPR -   International Covenant on Civil and Political Rights

NOTES ON TERMINOLOGY AND TRANSLATIONS OF QUR'ANIC

REFERENCES

The study uses the following terms in the same way they are used by al-Qaradawi and Ramadan:

1. "Europe" and "West":

   Although it is acknowledged that these two terms do not necessarily carry the same meaning (the West includes Europe, but Europe is not all of the West), the study uses them both interchangeably when discussing theoretical issues that transcend national, cultural, and geographical differences. In the case of issues that are confined to a particular context (e.g., the Headscarf Affair and the concept of Laïcité in France), the study distinguishes between the two terms and makes every effort to underline country-specific or culture-specific factors related to the discussion.

2. "Integration" and "assimilation":

   The study differentiates between the terms "integration" and "assimilation"; "integration" allows the minorities to participate in society and co-exist with the majority without being required to lose their unique cultures, while "assimilation" requires the absorption of minorities into the majority culture and the abolishment of the former's cultural peculiarities.

3. All English translations of Qur'anic verses in the thesis are taken from Saheeh International, unless otherwise stated.

CHAPTER 1

INTRODUCTION

1.1   Introduction

Once a nascent area of research that sparked little interest in academia, the study of contemporary Islam and Muslim minorities in Europe has now become one of the most compelling subjects to venture into, owing largely to the growing presence of Muslims in the region following waves of postwar mass migration that has accentuated distinctive cultural differences, and to a convulsing string of Muslim-associated international crises in the last few decades that has generated enormous intellectual curiosity as to whether Islam is compatible with the ideals of modern society and human rights. While such debate has a global following, nowhere in the world is it more pronounced and intense than in Europe, whether this is due to the noted "assertiveness" of secularism in the region or the general assumption that many European countries have relatively limited experience with large-scale immigration (as compared to North America and Australia), and thus, with accommodating ethnic and religious diversity (or both). With this trend come increasing expressions of the need to create a "European" version of Islam that is informed by the region's values and compatible with its notions of secularism.

As can be immediately noticed, the concept of "European Islam" is elusive and its definition multivalent; the number of meanings associated with it may be about as many as the number of countries in Europe. This notion was first introduced in the early 90s by Bassam Tibi, a German political scientist of Syrian origin and Muslim faith, who criticized the prevailing traditional form of Islam in the Muslim world and argued that

1

Muslims should embrace the dominant European culture as their own (Mende, 2013). While some may revel at the idea of an Islam that is devoid of all practices and beliefs that contradict the normative cultural system in Europe, others may scoff at it as being nondescript and submissive to the demands of European authorities. More important, however, is the fact that this definition of "European Islam" is not shared by other more popular Muslim key theorists in the related area, such as Yusuf al-Qaradawi and Tariq Ramadan[1]. The latter scholars promulgate a more "balanced" form of European Islam – one that marries the core precepts of Islam with the common values upheld by European society as a whole rather than yielding acquiescently to the cultural expectations of the context, and that which strikes a balance between religious extremism and religious indifference. This strand of thinking is known as *waṣatiyya* (moderation), to which al-Qaradawi professedly adheres and with which Ramadan is often associated. While Tibi's theory of European Islam does not seem to attract much attention in academia - a phenomenon he himself laments, that of al-Qaradawi and that of Ramadan continue to generate huge interest among academics from various research orientations.

The concept of "European Islam" is further obscured by that of "Islamic reform", particularly with regard to the latter's terms, boundaries, and application in the modern world. While some would insist that Islam is inherently a reformist religion, as it calls for the revival of the Divine message that is believed to have been revealed to the messengers preceding the Islamic Prophet Muhammad and for the abolition of corrupt cultural norms that had interwoven themselves with religious practice, many others would argue that it cannot be reformed due to the belief that it is already a

---

[1] A biography of the two scholars is provided in Chapter 3

"perfect" religion, as described in the Qur'an[2]. The general idea of "reform", however, can be found in the Islamic tradition, and is represented by the Arabic terms *tajdīd* (inner revival) and *iṣlāh* (external reform). Accordingly, increasing numbers of academics have begun to tap more deeply into the notion of "Islamic modernism" – a reformist trend believed to have been initiated by Jamal al-Din al-Afghani (d. 1897 C.E.) and resumed by Muhammad Abduh (d. 1905 C.E.) and Rashid Rida (d. 1935 C.E.) - that can bring about the rejuvenation of Islam and Muslim thinking and the reconciliation of the faith and modern values.

As two of the most popular figures within the vibrant (though small) community of contemporary Muslim "reformers", Yusuf al-Qaradawi and Tariq Ramadan both embrace modernity and continue to ruminate on how to make Islam relevant to the present context, but they each have developed their own reformist worldviews, goals, and methodologies, and have consequently come to be known for promulgating different models of reform and European Islam. Al-Qaradawi is noted for his Islamist stance and for having developed an "adaptive" strategy that entails a gradual coordination of Muslim needs and societal expectations through *fiqh al-aqalliyyat* (jurisprudence of minorities) in the last few decades, while Ramadan continues to gain attention for his universalist perspective and his proposition for a "transformative" reform that involves a holistic redesigning of methodological approaches to the interpretation of the Islamic Revelation and ethics in all aspects of life. Despite the scholars' popularity, there has yet to be an in-depth comparative study of their thinking and models of reform in English, particularly in the context of European Islam.

---

[2] '… This day I have perfected for you your religion and completed My favor upon you and have approved for you Islam as religion...' (Qur'an, 5:3)

1.2   Problem Statement

As is clear from the general issues presented above, the ideal European Islam would be one that is both true to the Islamic tradition and suited to the practicalities of life in the region, however theoretical this description may be. This version of Islam would consequently be accepting of pluralism in its full sense, supportive of international human rights while espousing God's limits (as understood by Muslims), conducive to the positive negotiation of multiple identities among European-Muslim minorities, and, most importantly, capable of being accommodated to new situations as opposed to the situations having to be accommodated to its teachings. This ambitious notion, however, is muddled by various problems; first, there seems to be no unanimity among Muslim scholars as to the line between what can and cannot be reformed in Islam; second, there is disunity (sectarianism) in the Muslim world and among the Muslim communities in the West with regard to Islam and its hermeneutics; third, there is a conflict of interest between the Muslim proponents of Islamization and those of reconciliation; fourth, there is no consensus as to how a "balanced" Islam, as propagated by al-Qaradawi and Ramadan, is supposed to be realized in practical terms. As these issues continue to be debated intensely, there remains uncertainty and controversy as to how, and whether, Islam can be accommodated to the European context beyond the mere (unproven) assumption that it can.

1.3   Literature Review

While the state of literature on al-Qaradawi's and Ramadan's religio-political thoughts on Islam and Muslim minorities in Europe is noticeably dismal, a large portion of the sporadic studies done on the topic are of biographical, historical, and illustrative

nature; much effort has been invested in trying to explain who the scholars are and how they have to come to be who they are, to pinpoint the exact locations of their thinking between the two ends of liberal and extreme, and to unveil the "reality" beneath their public façade than in engaging critically with the substance of their sophisticated thinking. Although it is acknowledged that the unfolding of their personas may help provide a basis for understanding the roots and motivations that lie beneath their theories, it does not make substantial strides in contributing to the study on how Muslim minorities can bring Islam into harmony with the realities and practicalities of life in Europe. The few studies that will be reviewed in this section are those that have placed their focus, at least partially, on the scholars' propositions and ideas.

In *Yusuf al-Qaradawi: Islam and Modernity*, Helfont (2009) attempts to understand al-Qaradawi's persona within the framework of "modernity"[3] and determine how modernity has affected the development of Islam and the scholar's thinking. Helfont analyzes al-Qaradawi's approach to five themes that have become popular in the present discourse on contemporary Islam: Modernity, *jihad*, interfaith relations, democracy, and women. He makes use of a large number and variety of primary and secondary sources that consist of hundreds of the scholar's fatwas, sermons, and interviews in the media in both English and Arabic, claiming that no in-depth work of the same length on al-Qaradawi had been published in English prior to his own research. Given the primary objective of Helfont's research, the findings in his work are concentrated preponderantly on al-Qaradawi's rhetoric and how it supposedly reflects the scholar's innermost thinking. While there is little engagement with the substance of al-Qaradawi's ideas, Helfont manages to discover what he believes to be contradictions

---

[3] In his research, modernity is defined as an environment in which an individual enjoys the right to autonomy in their private life, which implies that they are free to determine their own circumstances, as opposed to acquiescing to external dictations (e.g., religion and culture) (Helfont, 2009).

in the scholar's fatwas and theories on issues of human rights (e.g., apostasy, homosexuality, women, and interfaith relations). He argues that al-Qaradawi is both progressive and reactionary depending on whom he is compared with, and on the specific aspects of the scholar's thinking on which one chooses to focus. Based on his findings, he concludes that al-Qaradawi has been largely misrepresented by many Western academics and politicians as being a purely "moderate" and "progressive" thinker due to their tendency to compare his thinking solely against the more orthodox Muslim orientation, and that the modern nature of the scholar's thinking should not be confused for "moderation". Aside from these findings, there is no attempt in the book to further discuss al-Qaradawi's "balanced" theology, to examine its impact on the development of Islam and Muslim thinking in the modern world, and to relate it to the wider context of the studies being made on the same topic.

Larsson's work in *Yusuf al-Qaradawi and Tariq Ramadan on Secularisation: Differences and Similarities* is an analytical attempt at exploring and comparing the scholars' views on secularization, which they generally define (according to him) as division between religion and politics (Larsson, 2009). Although the scope and nature of his work are short and cursory, Larsson is able to show several important similarities and differences between al-Qaradawi's and Ramadan's thinking by looking into how the scholars situate the principle in the Islamic context. He finds that secularism has no place in Islam in al-Qaradawi's thinking, and that it is akin to apostasy, as the scholar believes that the idea that human reason can be above Divine law signifies atheistic thinking and rejection of Islam. On the other hand, he cites Ramadan as arguing that secularization, despite being a fundamental aspect of European identity, does not adversely affect Muslims' adherence to Islam because their freedom to practice their

beliefs are guaranteed in Europe, and that Muslims should develop their own "Western-Muslim" identity (without being dependent on what is imposed on them by the Muslim world) and free themselves from the shackles of their cultural baggage. Larsson attributes these few differences to the scholars' cultural settings (i.e. background and environment) and their approaches to the Islamic Revelation, and accordingly acknowledges the difficulty in comparing two theologians who think from different cultural perspectives (that of al-Qaradawi being Middle-Eastern, and that of Ramadan being close to European intellectual thinking). Due to this, Larsson, in the conclusion of his work, cautions future researchers to not depend on simplified analyses, and to look for more in-depth explanations.

Hassan's work in *Fiqh al-Aqalliyyat: History, Development, and Progress* provides a legal historical narrative of the development of the *fiqh* and a discussion of its significance to the debate on the function of Sharia in the West (Hassan, 2013). In order to explain how the scholar has become a reference point for Muslim minorities in the West and the force behind *fiqh al-aqalliyyat*, and to understand his position and fatwas for Muslim minorities, Hassan's analysis hones in on four main areas of focus: the history of al-Qaradawi's involvement in the study of Muslim minorities in the West and *fiqh al-aqalliyyat*, his theory and methodology of the *fiqh*, his reputation in the West and his reception by Western Muslims, and his perspective on *Sharia*, *fiqh* (in the general sense), and *ijtihād*. Aside from the explanatory nature of his work, Hassan manages to flag some critical questions and findings about al-Qaradawi's approach**.** First, he argues that the fact that the legal framework of *fiqh al-aqalliyyat* is based on exceptions and cases of necessities leads to al-Qaradawi being stuck in a dilemma between wanting to 'empower the minorities and extend his intellectual support to

them' (Hassan, 2013, p.78) and being unable to do so except through 'the reality of their disempowerment as minorities, which means weakness, exceptions, and necessities' (Hassan, 2013, p.78); second; he points out that the two-sidedness of al-Qaradawi's methodology is confusing – on one side, it calls for a 'well-defined category of *fiqh*' (Hassan, 2013, p.78), and on the other, there is no clarity as to its 'framework, subjects, or parameters' (Hassan, 2013, p.78); third, he highlights that, while al-Qaradawi maintains that the principle of *taysīr* [4] (necessity) should not run in conflict with the explicit texts of the Sharia, it is not easy to understand what "clear-cut" means and who can define such texts; fourth; he contends that the use of leniency in *fiqh al-aqalliyyat* presents the *fiqh* as an open source that turns everyone into a jurist, which, then, compromises the integrity of jurisprudence due to the resulting 'tension between the expert jurist and the "lay" [Hassan's emphasis] jurist' (Hassan, 2013, p.79). Additionally, Hassan also questions the extent of al-Qaradawi's familiarity with the laws and cultures of the West in his effort to blend the Text and the context in his *fiqh*. On the basis of his focus on al-Qaradawi and *fiqh al-aqalliyyat*, Hassan concludes that the scholar's use of *fiqh*, despite its shortcomings, shows that Sharia can be accommodated in the West, and what the scholar attempts to achieve is the construction of a discourse of a normative Western Islam from within.

Global Mufti: The Phenomenon of Yusuf al-Qaradawi is a compilation of articles by a group of academics focusing on the scholar's personal background, his multifaceted persona, his intellectual concerns, his involvement in European politics in the context of the affairs of Muslim minorities, and the evolution of his thought on issues such as women, moderation, and the "public good" (*maṣlaḥa*) (Gräf and

---

[4] *Taysīr* is one of the Islamic concepts that underpin al-Qaradawi's use of *fiqh al-aqalliyyat*. See Chapter 5.2.2 for discussion on the methodological framework of this *fiqh*.

Skovgaard-Petersen, 2009). The purpose of the work is to explain the scholar's position within the Muslim ideological spectrum, his phenomenal status and scholarly ubiquity in the Muslim world and the media, and the positive impact of his works on the development of Western-Muslim intellectual thought. Given its specific focus and orientation, the work is more a historical and descriptive narrative of al-Qaradawi as a preacher, scholar, and activist than an in-depth engagement with his religious thoughts on Islam and Muslim minorities in the West; there is little critical deconstruction of the explicit features of al-Qaradawi's thinking in order to understand and question their roots, underlying motivations, and problems against the wider context to which they are applied. Two of its chapters, however, should be singled out in this section due to their contributions to the understanding of the scholar' opinions on certain issues related to Islam and Muslims in Europe.

In Chapter 4 of the book, Caeiro and al-Saify (2009) review the historical development of al-Qaradawi's interest in Muslims minorities from the 60s to the 90s and his writings (mainly the conciliatory aspects of his thinking) on their integration and normalization, and his reception in the European context. Aside from the historical and descriptive portions of their analysis[5], the most important, albeit short, contribution in their work is their focus on the scholar's use of *fiqh al-aqalliyyat*; they briefly show how al-Qaradawi uses the afore-mentioned *fiqh* to legitimize Muslim presence in the West for the additional benefit of spreading the message of Islam, and explain that the scholar's methodology is built on a combination of employing the methods of traditional *fiqh* through a new interpretative lens (*ijtihād*) and taking into consideration

---

[5] These parts center on al-Qaradawi's contributions to the affairs of European Muslim minorities and his mixed reception in Europe (i.e., popular among Muslim organizations; criticized by liberal and secular Muslims and the European media; controversial in the European political arena)

the importance of the context. Their work leads them to conclude that al-Qaradawi's thinking will remain relevant to any future efforts to construct European Islam.

In Chapter 6 of the book, Stowasser (2009) analyzes four gender-specific writings of al-Qaradawi published between the 60s and the late 90s and compares her findings on the scholar's modernist position on women's rights and obligations with the *waṣatiyya* ideology that he represents. In her chapter, she summarizes the main substances of the chosen writings and makes several arguments: first, al-Qaradawi's writings reflect a gradual transition in intellectual focus from women's rights and duties in the domestic sphere to their rights and duties in the public sphere; second; al-Qaradawi exhibits a traditionalist attitude in his understanding of the role of women in the familial context, but goes beyond the traditionalist paradigm in his position on women's role in the social and political context; third, al-Qaradawi prioritizes the collective implications of the issue of gender quality in Islam over its individual implications, as opposed to modernist intellectuals who see the issue as a human rights question, and thus, focus on its individual implications before its collective implications; fourth, in speaking of the relationship between men and women in Islam, al-Qaradawi prefers using the term *iqtirān* (simultaneous interaction) to *musāwa* (equality) – Stowasser understands the scholar's choice of word here as allowing both the connotations of "gender equivalence" and "gender equality", the former in the private sphere and the latter in the public sphere.

Gregory Baum's work in his book *The Theology of Tariq Ramadan: A Catholic Perspective* is professedly the first and the only one thus far to have presented and analyzed Ramadan's religious thoughts on the issue of reform. Through the lens of a Catholic in the Augustinian tradition who is convinced of an affinity between

Catholicism and Islam in dealing with the challenge of modernity, and one who is interested in studying Ramadan's effort to make Islam relevant to Muslim minorities in the West, Baum manages to simplify the Swiss thinker's sophisticated thinking for the general Christian reader (as per his intention) and shows the specific points at which the latter's theology converges with the contemporary Catholic thinking. Baum's analysis centers on three overarching themes within Ramadan's religious thought: The universal message of Islam, Sharia as way of life and its hermeneutics, and the situation of Muslims in the West. Within these three general themes, Baum gives special attention to Ramadan's position on corporal punishments in Islam, Western-Muslim identity, religious pluralism, women in Islam, and the relationship between faith, reason, and nature. His method of analysis involves presenting the historical elements of the afore-mentioned subjects of focus, as well as their parallels in the Catholic tradition where applicable, exploring Ramadan's ideas and comparing them with contemporary Catholic teaching, and offering his own theological reflections.

Although many of Baum's findings contribute more to the comparative aspect of his analysis than the issue of European Islam, he manages to make several points regarding Ramadan's reformist theology and the situation of Islam and Muslims in the West. First, Baum notes that Ramadan's theology finds a balance between reformism and conservatism – the Swiss thinker supports the values of religious pluralism and freedom of worship, but disagrees with many ideas offered by liberal Muslim thinking. Second, Baum finds that Ramadan's espousal of Islamic universalism, through his understanding of *fitra* (intuition) that orients all human beings towards the One God, is indicative of a humanist interpretation of Islam. Third, Baum highlights Ramadan's belief that Islam is capable of flourishing in any given society due to its flexibility in

reshaping its prescriptions that deal with social relations. Fourth, Baum underlines Ramadan's argument that there is no problem in being Muslim in the West and being participatory in society in pursuit of the common good. Fifth, Baum points out Ramadan's conviction that Sharia is incompatible with authoritarian regimes because it calls for social justice and observance of Muslim social ethics. Sixth, Baum discovers that Ramadan's ideology is free from fundamentalist and anti-Semitic sentiments, and that he is mistakenly perceived by some as being a fundamentalist in disguise and an anti-Semitist due to his disagreement with the theological liberalism of some academics in the West and his opposition to Israel's militant policies against Palestine.

Given Baum's specific focus on relating Islam to Catholicism and his objective of simplifying the former for the general Christian reader, his analysis does not invest in discovering the practicality of the Swiss thinker's reformist ideas in the context of Islam in the West, fleshing out problems that may or may not surround the latter's conservative position on certain Muslims beliefs, and, most importantly, answering whether Islamic principles can be reconciled with the norms of secular society. In addition, the fact that Baum's analysis does not include Ramadan's ideas in his *Radical Reform: Islamic Ethics and Liberation* (both of these works were published in 2009), means that it misses out on studying the latter's "transformative reform" (as the main focus of the afore-mentioned book).

Andrew F. March's *Reading Tariq Ramadan: Political Liberalism, Islam, and "Overlapping Consensus"* is a brief analysis of Ramadan's ideas in one of his most popular books on Muslim integration and the issue of European citizenship, *To be a European Muslim*, on how Muslims can (and should) find a balance of adhering to their Islamic beliefs and fulfilling their European commitments (March, 2007). The work was

designed to evaluate whether Ramadan's views are compatible with the core elements of political liberalism (e.g., individual freedom and universalism), and to compare them with the more radical Islamist views in contemporary Muslim thinking, particularly those of the Muslim Brotherhood. March finds that, not only does Ramadan distance himself from the more conservative Muslim thinking in many instances, but he also offers a form of European Islam that is 'fully supportive of a liberal political order' in the West (March, 2007, p.412). He bases his positive reading of Ramadan's thinking on several of the scholar's main ideas: First, Ramadan's understanding of Muslim political participation is premised on the duty to protect and serve the welfare of Muslims and non-Muslims alike (as opposed to the former only), with emphasis on universalism and social solidarity; second, Ramadan promotes the value of "freedom of choice", such as his refraining from taking an absolutist stance on the issue of compatibility or incompatibility between Islamic morality and European liberalism in order to give the new generations of Muslims the freedom to deal with it themselves, his belief that Muslims should be free to abide by religious prescriptions as they wish, and his rejection of Islamization in favor of granting people the freedom to embrace Islam based on informed choice. For March, Ramadan's main beliefs here reveal that his thinking resonates with the values of mutual recognition, restraint, and individual freedom that are isomorphic with political liberalism, and are thus supposedly evidential of his (March's) theory of "overlapping consensus".

1.4   Study Focus and Methodology

This comparative and deconstructive study of al-Qaradawi's and Ramadan's thinking on European Islam and reform is an attempt at bringing transparency to the

logic and structural features of their reformist theologies and providing a critical response to their approaches to creating a pragmatic European-Muslim perspective that balances traditional attachment to religious beliefs with progressive commitment to societal harmony and cohesion. It enquires into three key areas of their theological focus: first, European-Muslim identity and the role of Muslims in the West - al-Qaradawi expresses this through the concept of *da'wa* (proselytization), while Ramadan does so through the concept of *shahāda* (testimony); second, their methodologies of reform with regard to *fiqh* and ethics - al-Qaradawi is noted for his "adaptive" approach, while Ramadan is known for his "transformative" approach; third, their approaches to several critical issues under the banners of criminal law and women's rights in Islam that have become the centerpiece of the Islam-West debate. The presentation of the analysis of these three themes in the main chapters follows a dual focus approach: First, the study presents and analyzes al-Qaradawi's and Ramadan's ideas, and second, it probes into the underlying principles that drive their approaches and the problems raised by their positions. No previous study has explicitly compared (and deconstructed in detail) the scholars' views on *da'wa* and *shahāda* and their adaptive and transformative models of reform.

The study relies on the scholars' main and most popular works (both paper- and digital-based) that deal wholly or partially with the topic of Islam and Muslim minorities in Europe. For analyzing the afore-mentioned three themes that constitute the main chapters in the thesis, the study makes use of the following books, the first four of which are by al-Qaradawi and the latter three by Ramadan: *The Lawful and the Prohibited in Islam* (2003), *Priorities of the Islamic Movement in the Coming Phase* (1992), *Fiqh of Muslim Minorities: Contentious Issues and Recommended Solutions*

(2003), *Islamic Awakening: Between Rejection and Extremism* (1995), *To be a European Muslim* (1999), *Western Muslims and the Future of Islam* (2004), and *Radical Reform: Islamic Ethics and Liberation* (2009). These books represent the culmination of ideas that al-Qaradawi and Ramadan have been advocating for years and decades, and have accordingly been utilized by academics and analysts in the related field, as seen in the Literature Review. First, *The Lawful and the Prohibited in Islam* is a near-comprehensive collection of fatwas by al-Qaradawi, and one that is widely considered to be illustrative of his *waṣatiyya* position. Most of the scholar's views in the book are still relevant to the present time and frequently referred to by scholars and laypersons despite a lapse of more than three decades since its first publication. The book is an indispensable resource for presenting and studying al-Qaradawi's verdicts regarding many of the issues discussed in the main chapters in this thesis (e.g., women's rights, Islamic law, morality, and interfaith relations)[6]. Second, *Priorities of the Islamic Movement in the Coming Phase* contains al-Qaradawi's formulation of the concepts and boundaries of the global Islamic "revival" project (of which he is one of the main propagators) and his propositions concerning the establishment of Islam in the postmodern world. This work is one of the main sources from which al-Qaradawi's understanding of *da'wa* is derived for the analysis in Chapter 4. Third, *Fiqh of Muslim Minorities: Contentious Issues and Recommended Solutions* is a collection of contemporary fatwas and solutions (produced by al-Qaradawi through the use of *fiqh al-aqalliyyat*) to the problems faced by Muslim minorities in the West in adhering to traditional Muslim beliefs. These fatwas are explicative of the scholar's reformist thinking and efforts to make Islam practicable in a secular, non-Muslim-majority

---

[6] See Chapter 1.5 (Thesis Organization) for details on the structure of the thesis and brief synopses of its chapters.

environment that engages with contextual realities different from those in the Muslim world, and are accordingly useful for the discussion in Chapter 5. Fourth, *Islamic Awakening: Between Rejection and Extremism* addresses the problems of Muslim youth in relation to the tendency of religious extremism and contains al-Qaradawi's advice on the importance of keeping to the path of moderation. This popular book provides clarity to the scholar's idea of balance between religious extremism and religious indifference, and is thus useful for the discussion in Chapter 4, particularly on the subject of European-Muslim identity and its expression in the modern secular context of Europe. Fifth, *To be a European Muslim* creates a space for Ramadan to attempt at answering some of the key challenges faced by Muslims in Europe pertaining to the questions of belonging, identity and citizenship based on a thorough study of Islamic sources. Sixth, *Western Muslims and the Future of Islam* encompasses the summation of Ramadan's ideas in *To be a European Muslim* and enables him to ruminate on the questions of political and social participation in light of Islamic principles. These two books by Ramadan cover his views on the intangible aspects of European-Muslim identity, and are thus helpful for the analysis in Chapter 4 and (to some extent) Chapter 5. Seventh, *Radical Reform: Islamic Ethics and Liberation* deals with Ramadan's perception of the limitations posed by *fiqh al-aqalliyyat* and the classical Muslim hermeneutics in addressing contemporary ethical challenges and Muslim issues. Although the book speaks more to Muslims in the modern world as a whole than Muslim minorities in Europe per se, a bulk of the ideas and propositions contained within the book are more feasible in a demographically diverse context where autonomy, freedom of choice, pluralism, and religious and secular equality are upheld as intrinsic values of society, such as the West. This piece of work is a major reference for the theme discussed in

Chapter 5. In addition to the afore-mentioned paper-based writings, the study depends on digital sources on the Internet in order to keep up-to-date with al-Qaradawi's and Ramadan's most recent views (both written or oral) that are available on their personal websites and social media platforms**.**

In conformity with the afore-mentioned methodology, the study is intended to achieve several objectives; first, to reveal similarities and differences between the scholars' thinking and subsequently judge whether their differences are more a matter of rhetoric or substance; second, to determine whether or not (and if so, to what extent) they take into account the practicalities of life in the West in their reformist approaches; third, to examine the problems raised by their ideas and recommendations; fourth, to explore the implications of their teachings for the development of Islamic theology in the West; fifth, to identify the overall strengths and weaknesses of their positions. Given its focus, the study employs content and comparative methods of analysis for the purpose of examining both primary and secondary sources on al-Qaradawi's and Ramadan's religious thoughts, and exploring their explicit contents as well as implicit. Due to the scholars' writings being situated in different cultural contexts, the study keeps its argument and discussion close to their theological backgrounds in order to avoid making simplified comparisons. The study makes primary use of sources in English and refers to those in Arabic where necessary.

In light of the above objectives, this study frames its discussion around the following questions. First, how and where do al-Qaradawi and Ramadan resemble and/or differ from one another with regard to their reformist thinking and methodologies on the construction of European Islam? Second, in accordance with the scholars' reformist thinking, can Islamic principles be reconciled with the norms of

secular society (in which Muslim minorities live) or will Islam always have to Islamize or Arabize society? Third, how do the scholars help set the boundaries of a form of European Islam that is both true to the Islamic tradition and suited to the practicalities of life in the West? Fourth, what are the problems raised by the scholars' teachings and the issues that they face in their efforts to accommodate Islam to new situations?

1.5   Thesis Organization

The thesis is divided into eight chapters with sections and subsections, as outlined in the table of contents. The first three chapters are of introductory, contextual, and biographical nature, while the succeeding four chapters represent the main analytical body of the thesis followed by the concluding chapter. The following are brief synopses of the chapters in the thesis, excluding this introductory chapter.

Chapter 2 presents a historico-contextual narrative that traces the development of Muslim minority communities in Europe and their subsequent growth from the 70s until the start of the 21st century, with emphasis on the key moments that had a bearing, both direct and indirect, on the characterization of Islam and Muslims in Europe and on the nature of the conflict between the principles of Sharia and the conventions of human rights in Europe. The chapter is divided into four sections: Muslim settlement in Western Europe, political Islam, the "new" generations of Muslims, and the Euro-Islam and Islamic Europe debate.

Chapter 3 presents a biography-cum-investigation of the intellectual formation of al-Qaradawi and Tariq Ramadan as two of the most renowned, controversial, and influential Muslim thinkers in the study of contemporary Islam. It focuses on three aspects of their lives and experiences: First, their early lives, educations, careers, and

academic works; second, their public images and reputations in the world and the Western academia; third, their engagement with and contributions to the affairs of Muslim minorities in the West and the issue of Islamic reform.

Chapter 4, as the first of the main chapters in the thesis, examines al-Qaradawi's and Ramadan's ideas, beliefs, and assumptions about the ideal "Western-Muslim" identity and its religious and socio-political functions through the Islamic concepts of *da'wa* and *shahāda* respectively. There are four sections in the chapter: Introduction, *da'wa*, *shahāda*, and discussion.

Chapter 5 examines and compares the scholars' differing models of reform (adaptive and transformative) and their conceptual and methodological frameworks; the study's focus on *fiqh al-aqalliyyat* in this chapter differs from previous works on the same topic in its more in-depth examination of the roots of the scholars' methodological choices in the Islamic tradition and its more detailed reflections on the problems that arise from such choices in the European context. The chapter consists of four sections: Introduction, al-Qaradawi's adaptive reform and *fiqh al-aqalliyyat*, Ramadan's transformative reform and ethical reference, and discussion.

Chapter 6 explores the scholars' approaches to the themes of *ḥudūd* (Islamic criminal law) and women's rights in Islam, focusing on their views on key issues such as apostasy, homosexuality, polygamy, verbal repudiation of the wife by the husband in the Muslim divorce system, and veiling. The purpose of the chapter is to discover how the two scholars balance their traditionalist and reformist tendencies when dealing with the afore-mentioned issues, and to unfold the underlying philosophies that inform their positions. The chapter comprises four sections: Introduction, *ḥudūd* and Islamic morality, women's rights in Islam, and discussion.

Chapter 7 takes a panoramic look at the findings in the three main chapters that precede it and identifies the overall strengths and weaknesses of the scholars' positions. It, then, proceeds with a discussion on how the scholars help set the boundaries of a form of European Islam that is both true to the Islamic tradition and suited to the practicalities of life in the West, and on the problems facing any attempt to accommodate Islam to the modern context. The chapter is divided into four sections: Introduction, strengths and weaknesses of al-Qaradawi's position, strengths and weaknesses of Ramadan's positions, and discussion.

Finally, Chapter 8 concludes the thesis by reviewing the main findings and arguments made in the main chapters, presenting a concluding statement on the basis of the study conducted and in consideration of its limitations, and highlighting the implication of the result for future research.

1.6   Significance of the Study

The significance of this study can be presented in five points. First, it responds to the fact that there is lack of research on the theologies of al-Qaradawi and Ramadan that engages more critically with their theories and propositions than with their personas. While most of the few existing research studies on the scholars' thinking throw light on the scholars' personal backgrounds, contributions, and controversies (as demonstrated in the literature review), this study delves into the intricacies of their thinking, combining detailed analysis of their ideas with sensitivity to some of the most pressing issues that fall within the discourse on Islam in the West. Second, this study will benefit not only researchers and academics interested in the study of Islam and Muslims in the West, but also the general readers, whether Muslims or non-Muslims,

who wish to come to terms with the current progress on theological reform in Islam and the existing and anticipated problems that have come and could potentially come with the phenomenon. Third, the findings in this theoretical study may complement those made in other socio-scientific and ethnographic studies of European Muslims and the process of integration. Fourth, the deconstruction of the two scholars' thinking flags new and under-researched issues (which are summarized and presented in the conclusion of this thesis) that should be explored in future research.

CHAPTER 2

ISLAM AND MUSLIMS IN POSTWAR EUROPE

2.1   Muslim Settlement in Western Europe

Since the last five decades, the proliferation of immigrants and the inflow of political asylum seekers (which largely began in the 60s) have contributed significantly to the diversification of the region's cultural panorama and religious landscape. Its immigrant population now comprises a myriad of ethnic groups deriving predominantly from Asia, Africa and its Eastern neighbors, each with their own unique characteristics and traditions. Among the diverse spectrum of non-Christian religions brought about by immigration, Islam now stands as the most predominant faith among the immigrants and those who have an immigrant background. The reverse is also accepted to be true: The vast majority of Muslims living in Western Europe are of immigrant origin with a minority of them being converts.

Having established that, it must be highlighted here that figures on Muslim population are naturally questionable due to the 'guesstimate' nature of most statistical reports. Many countries in Europe do not collect data on religious affiliation simply due to political policies, legal provisions, perceived sensitivity of the matter in question, or violations against their secular ethos. Some countries such as the UK have included voluntary questions on religion in their national census for the notional purpose of understanding better the needs of people from different religious backgrounds (Geoghegan, 2011), notwithstanding the extent of belief or practice. Within the last decade, there was a trend of equating ethnicity with religious identity in order to generate unofficial estimates of Muslim population of non-Western-European origin

(Nielsen, 2004); whether or not this remains the case at the time of writing this thesis is not clear. It must be pointed out, however, that prefacing the statistical study of Muslim demography in Western Europe is the elusiveness of the term "Muslim"; "Muslimness" can denote belief in God (with or without adherence to religious rituals) or exist as a nominal form of identity. Furthermore, it is difficult (or even contentious) to try to measure the degree of one's "Muslimness", considering the fact that different Muslim communities may diverge significantly in what they believe to represent religiosity.

As can be observed, this dual immigrant-Muslim background has become a fundamentally recurring theme in contemporary discussions on Islam in Western Europe. The issues of immigrant integration and Muslim religious accommodation tend to be inextricably cemented together in today's political discourse, while many studies concerning Islam in the West across various disciplines have also been conducted primarily within the context of immigration. This approach presumably allows analysts to be attentive to the unique effects of immigration on the characters of Muslim communities and the development of their religiosity, in addition to religious issues that may be independent of any ethnic-cultural context. This naturally corresponds to the multi-faceted nature of Muslim integration in this region. First, Western European Muslims are characterized by differing practical interpretations of Islamic beliefs and ideologies, which manifest not only in an intra-religious context, such as the manner in which some practices of Pakistani Muslims may differ from those of Turkish Muslims, but also in an inter-generational setting, such as the manner in which the religious interpretations of the first generation of immigrants may differ from those of their European-born descendants. Thus, these differences are conventionally taken into consideration when discussing the case of Muslim integration. Second, European

authorities have approached the issue of Islam and Muslim accommodation in various ways in accordance with their own integration and secularism policies, such as France's model of Laïcité, Britain's model of multiculturalism, and Germany's multiple religious establishment. Although the afore-mentioned elements will be discussed more thoroughly later in this thesis, it is important to mention them earlier on in order to sketch the contours of the problem with which the subject of Muslim integration is concerned. This chapter will glance through the historical trajectory of Muslim immigration dating back from the end of the Second World War until the present time and focus on issues related to Muslim experience in Western Europe. This background provides an indispensable context for this analysis, as this is the timeframe during which the unique position of Muslims as immigrants, ethnic minorities, Muslims, and Europeans within the wider society has been manifesting, which, along with Muslim-related political events and the synergistic efforts made by both European states and the Muslims towards integration, has affected (and probably continues to affect) the development of the character of their Islam.

As indicated previously, the current phase of Muslim establishment in Europe is an outcome of the immigration boom during the decades of the 1960s and 1970s. Although Muslims had already arrived much earlier in France and Britain due to industrialization and recruitment for the East India company respectively, it was only after the end of the Second World War that Muslim immigration evidently began to accelerate on a large scale, as many European authorities started recruiting single male workers from foreign countries to assist with postwar reconstruction and recovery efforts as well as to capitalize on the growing economies. Until the early 60's, Muslim workers, many of whom were low-skilled or semi-skilled, had largely come from the

region's colonies and countries with which it had had historic ties, leading to a preponderance of specific ethnic groups in specific countries: For example, Algerians in France, Turkish people in West Germany, South Indians in Britain, Surinamese and peoples from the Indonesian archipelagos in the Netherlands, Tatars in Sweden, Ahmadiyya followers in Denmark and Switzerland, and so on. Later, economic growth in the 60s prompted these countries to sign recruitment agreements with a wider range of countries, resulting in the arrival of workers from diverse ethnic backgrounds. Furthermore, they began to receive around the same time refugees seeking asylum following political upheavals and instabilities in their home countries such as Iran and Pakistan. This trend continued in strong waves until its decline in the late 90s after the introduction of intensified border control, meticulous immigration restrictions, and stricter expulsion agreements between countries.

During the first phase of recruitment, residence in Western Europe was not intended to be permanent. While European authorities believed that recovery from the Second World War would later end the need for foreign workers in the labor sector, most workers also hoped to return home after earning sufficient financial resources to provide for their families. However, permanent residency later became inevitable, as European authorities began tightening immigration policies and many workers did not return. When the long period of economic boom ended in the 70s, the high rate of employment and the need for foreign workers consequently diminished. European authorities then gradually started implementing policies to deter immigration and ensure the return of existing workers; countries such as Germany even paid financial incentives to encourage guestworkers to leave. Consequently, many workers became worried about the unlikelihood of ever returning to Europe following this new change. The

period between the first proposals for the new policies and their implementation incidentally gave the workers a pivotal window of opportunity for bringing their families over; those who did not return hastily arranged for their families at their place of origin to immigrate to Europe as there was no policy restricting family reunification. Although the recruitment of foreign laborers did end, European countries were not able to prevent further immigration flows. It should be noted here that this process of family reunification had happened a decade earlier in Britain due to the establishment of the Immigration Act of 1962.

The effects of economic decline in the late 70s and early 80s were reportedly detrimental to the immigrants' image in the wider society. Hunter and Serfaty (2002) report that immigrants' rate of unemployment was particularly seen as a burden to the public. In addition, Roy (1994) observes that Muslims became 'ghettoized' due to the fact that they settled in less-prosperous areas en masse. Already by the late 70s, Muslims in Western Europe were 'guesstimated' to be as many as 5.5 million. A decade later, the total Muslims in Western Europe reached 7 million in approximation (Nielsen, 1995). Main areas of settlement in this region have predominantly been France, the United Kingdom, and Germany, thus making them the top three Western European countries with the most number of Muslims. France now has a large number of Algerians, Moroccans and Tunisians, and a small number of Harkis, West Africans, and Turks. Germany has a large number of Turkish people, with Middle-Easterners, North Africans and the Balkans forming the smaller population. Britain's immigrant population are mostly represented by ethnic groups from the Indian sub-continent, while those from other parts of Asia, Africa, and Eastern Europe form a moderate percentage

in comparison (Rex, 2002; Goldberg, 2002; Leveau and Hunter, 2002; Nielsen, 2004; PEW, 2011).

The rapid growth of family life following family reunification consequently instigated the need for access to basic rights such as education for children, health care and employment, and for institutions to support religious needs such as Muslim family law, dietary law, places of worship, public religious amenities, recognition of religious celebrations and so on. This has been shown to be complicated, as different European countries embrace different forms of secularism with varying degrees of religious freedom, religious accommodation and religious tolerance. For example, it is known that France adopts the strictest form of secularism (at the expense of violating religious freedom), whereas Britain continues to be the most accommodative of religious needs, as demonstrated by its tolerance of most religious expressions (Suleiman et al., 2009). This has been muddled further by the fact that Muslim communities do not necessarily express religiosity in the same way. In retrospect, when the first generation of immigrants came to Europe, they brought with them their specific versions of Islam that were essentially 'ethnically-based'. These Islams were products of generations of interweaving between local traditions and the applications of religious precepts based on cultural interpretations as manifested in their very place of origin. Therefore, when discussing Islam's practical manifestations in the West, one is required to make specific references; one should speak of a Pakistani-Islam, a Yemeni-Islam, an Indian-Islam, a Bosnian-Islam, a Turkish-Islam, an Iranian-Islam, an Iraqi-Islam, an Indonesian Islam, and the like. Many of the first generation across various communities also practiced 'folk religion', in which veneration of saints, tombs, and shrines was paramount (some of these practices have presumably intensified rather than disappeared).

Interestingly, even within the narrow confines of a single ethnically-based Islam, one may further break its community of followers into smaller autonomous groups due to different sectarian beliefs as well as adherence to various Sufi practices. Pakistani Muslims, for example, though stereotypically grouped as one due to their ethnic origin and religion in general, may practically comprise those of the Sunni tradition and the Shia tradition, and then those of Deobandi sect and Barelvi sect. While these denominations traditionally share many similar beliefs and observances, they also diverge critically in some central articles of faith, leading to a conflict where each may even go as far as pronouncing the other as 'kafir'. The Barelvis and the Deobandis, for example, disagree seriously in their view of the image of Muhammad; whereas the former emphasize the over-devotion of the prophet as a semi-divine figure, the latter view him as a mere mortal while acknowledging his ideal prophetic character. The Alevis in Germany, for example, do not regard prayer and fasting during the month of Ramadan as being relevant to their religious lifestyle, whereas these practices are relatively vital to the Muslims of the Sunni and Shiite sects (in Haug et al., 2010).

Additionally, it must be highlighted that most of the first generation of Muslim immigrants who came to Europe were from rural areas in their place of origin. This most likely had a bearing on their outlook on family and social values, which reportedly tended to be conservative and rigid, despite this conservatism seeming to clash outwardly with the demands of their new liberal culture. Among the traditional values that were given a high priority were modesty in the public sphere, traditional gender roles, obedience to parents, and denunciation of sexual deviations (according to traditional Muslim belief) such as pre- and extra-marital sex and homosexuality. This

conservative thinking would later prove to be an inter-generational problem during the era of the subsequent generations.

Nevertheless, prior to the late 80s, the general European public had not been quite aware of Islam. In fact, there had been little, if any, allusion to a 'Muslim' political problem in most parts of Western Europe. The Muslims had been seen by the wider society and even by themselves as 'immigrants' or 'blacks' for political purposes (Malik, 2009). In some parts of Britain for example, it was relatively common to hear of 'Paki-bashing' (the act of physical or verbal attacks against South Asians due to racial prejudice), particularly during the 60s when hostility towards immigration and immigrants became more apparent. Elsewhere in France and Germany, racist rhetoric in politics was not uncommon. It may perhaps be suggested that the 'color' question was predominantly on the front burner in most parts of Western Europe, with political discourse dominated by racial issues such as discrimination, equality, civil rights, welfare, unemployment, crime, riot and the like.

2.2   Political Islam: The Modern Problem

As implied previously, Islam as a religion began to attain greater limelight in Western Europe following the occurrence of political events from the 80s, which allegedly began with the Muslim outrage over the publication of Salman Rushdie's 'Satanic Verses' that convulsed both the West and the Muslim world. Although this controversy has been narrated many times, most notably by scholars such as Kepel (1997) and Malik (2009), it is important to revisit some of its key issues to illustrate how a novel could feasibly bring simmering cultural tensions to a head and then become an important prelude to subsequent global Muslim crises.

In hindsight, much of the furor over the 'Satanic Verses' novel was steeped in the idea that it was believed to present a satirical portrayal of Islam, by way of derogatory allusions to elements traditionally held in reverence by many Muslims, particularly the conservatives. For example, Malik (2009) explains that Rushdie was accused of exploiting Islamic characters such as the Prophet and his wives, painting them in derogatory colors, and placing them in obscene circumstances, but the making of all of which the author himself had strongly denied. Adding fuel to fire was what followed in 1989 in the form of an edict issued by the then supreme leader of Iran, Ayatollah Ruhollah Khomeini, which condemned the British author along with the novel's editors and publishers to death as a warning against non-Muslims not to ridicule fundamental Muslim beliefs. Rushdie and many of the book's foreign translators and publishers began to receive death threats following Khomeini's proclamation, the most tragic outcome of which was later the death of the Japanese translator Hitoshi Igarashi in 1991 and more than thirty civilians during the Sivas massacre of 1993. Although Khomeini's edict was eventually abrogated in 1988 by the Iranian government of Muhammad Khatami, the preceding Iranian government had equivocally supported the killing of Rushdie for many years and offered a bounty for it, which prompted several European countries to suspend their diplomatic ties with Iran. Meanwhile, many countries in the Islamic world such as India, Pakistan, Bangladesh, Saudi Arabia, Sudan, Malaysia, and Egypt reacted by implementing a ban on the novel's publication, while in the United Kingdom, public demonstrations broke out in the cities of Bolton and Bradford within a one-month gap, the latter attaining international fame due to extensive media broadcasts.

Intriguingly, anger over the issue was centered mainly in the Indian subcontinent and Britain. There was reportedly little to no evidence that it was as highly controversial in other European countries with Muslim population as it was in the afore-mentioned areas (Malik, 2009). Correspondingly, many scholars and thinkers such as the late Benazir Bhutto questioned whether what fanned the flames of the issue was truly distress over the satirization of religious beliefs, especially as it was reported that a big number of those who were infuriated by the novel's publication had not even read it. As for Khomeini's fatwa, Kepel (1997, p.139) suggests that it was merely 'an opportunity to assert his ideological hegemony as champion of Islam, especially as his Saudi rivals had mobilized their international networks of influence in the anti-Rushdie campaign'. Anthony (2009) also supports this rivalry-based exploitation of the Satanic Verses issue, saying that both Saudi Arabia and Iran saw in the outrage in Britain opportunity to reassert their claim to be the global leader of Islam. Notwithstanding the afore-mentioned theories, Muslim reaction to the Satanic Verses and Khomeini's edict led to arising questions concerning Islam's compatibility with the West, as the issues of blasphemy and freedom of expression went global. The Satanic Verses controversy has since come to be identified by many as the symbolic beginning of a putative cultural conflict between the West and Islam.

Succeeding this controversy not long after was the Headscarf Affair (l'affaire du foulard) in France in 1989, when three young girls were expelled from their school for wearing headscarves tangibly out of a concern to preserve the principle of Laïcité. However, it may probably be safe to allege that the strong French reaction to such religious expression was potentially stimulated by the fear of Islamic fundamentalism that had been generated earlier by the Rushdie Affair. As observed by Cesari (2004),

following the Satanic Verses controversy, the Islamic Scarf Affair, and a series of world-shocking events thereafter, such as the tragedy of 9/11, the murder of Theo van Gogh, Madrid bombings of 2005, and London bombings of July 2006, Islam (as expressed by its fundamentalist strain rather than the general) has come to be perceived as a significant problem in international relations. Consequently, there has been a dramatic switch of focus from the issue of race to the issue of religion in Western Europe (Abbas, 2007). Most of the anti-Western terrorist assaults in the last few years were masterminded by the Al-Qaeda, a militant organization that has played a major factor in vehemently politicizing Islam. The murder in Toulouse in 2012 for example, where a Muslim man shot three unarmed French soldiers, a rabbi and three small children at a Jewish school to death, was reportedly due to frustration over the French involvement in Afghanistan, their opposition to the wearing of the veil, and the ordeal of the Palestinians (BBC, 2012). This may probably testify to Al-Qaeda's influence in enkindling dismay over an ostensibly ongoing oppression of Muslims in the world and thrusting political Islam into the global limelight.

Correspondingly, many have suggested that it is the politicization of Islam rather than the religion itself that prompts the clash between the followers and non-followers of Islam. In particular, militant Islamism, as an extrinsically violent and intolerant ideology, is now emerging as a major political threat, buttressed by resentment towards 'cultural modernity' and 'the realities of Western hegemony' and the struggle to establish the superiority of political Islam (Tibi, 2009). Islamists, being the proponents of Islamism, argue that current Muslim societies have reverted to the state of Jahiliyya (traditionally interpreted in this context to mean pre-Islamic, which, in turn, supposedly carries the connotation of barbaric or amoral), resulting in the legitimate need for

'rectification', even by way of resorting to violence for as long as the ultimate purpose can be achieved. In addition, Islamists reject the exaltation of human reason, a core value underpinning cultural modernity, over revelation, an element to which many Muslims bear witness. Thus, one of the questions that remains central in many debates concerning Muslim religious integration in the West is whether human reason and the absolute claims of the Revelation can be reconciled.

Dangers posed by Islamism continue to put much of the world, particularly the West, on vigilance for indicators of potential terrorist activity. However, when the practice of racial and ethnic profiling and the association of terrorism with a particular religion have begun to be more "aggressive" in many Western countries, particularly since 9/11, the sense of belonging among many Muslim minorities may have been adversely affected. Naturally, the problem of racism in Western Europe has become interlaced with the issue of Islamophobia. There have been many reported cases in the media where Muslims in Western Europe perceived that they were being mistreated on many different levels due to their religious affiliation. The increasing establishment of Islamic institutions and the appearance of women wearing headscarves and men wearing turbans and beards are reported to have constantly been seen as a sign of resistance among many Europeans, particularly in countries like France and Germany. Furthermore, according to the observation made by Hunter and Serfaty (2002), many Europeans perceive any religious expression in the public sphere, whether that of Islam or other religions, as either a threat to their cultural identity and values, a challenge to their secular traditions, or a political agenda as opposed to a religious requirement.

In the context of terrorism, what appears to add to the worry of the Western world is the fact that many of the perpetrators of previous assaults did not come from

the Islamic world, but rather from their own soil. More baffling was the fact that these Western-born terrorists were reportedly well-blended citizens living ordinary lives among the greater society rather than those living in ghetto neighborhoods and suffering from socio-economic problems, a group which often tends to be associated with social disruption and crime. As suggested by Abbas (2007, p.4), terrorists are normally the ones 'emotionally affected by the injustices of the world', a weakness that dangerously facilitates Jihadi-Salafist indoctrinations by Islamist groups. Accordingly, more and more discussions are devoted to answering questions on the radicalization of the youth.

All the afore-mentioned problems have been interpreted by many as being a hindrance to the process of integration among Western European Muslims. However, many recent criticisms have also been directed at – as often expressed by the media - Europe's past inconsistent immigration policies at the expense of growing integration problems, or its miscalculated tolerance with 'unappreciative' immigrants. While France appears to continue to struggle with its assimilation policy, Britain and Germany have seemingly lamented – notwithstanding tonal nuances - over the failure of multiculturalism. On the one hand, multiculturalism - which theoretically gives immigrants the flexibility to retain their ethnic identity while actively exchanging cultural elements with the host in a positive way - has been criticized for giving too much freedom to the immigrants to realize their cultural expressions and create autonomous communities, which may result in the lack of unity within diversity. On the other hand, assimilation - which forces immigrants to completely internalize the host culture and prioritize nationalism - has been criticized for unrealistically expecting immigrants to shed their cultural heritage in a short period of time, which may paradoxically lead to stronger cultural resistance to the host culture.

Most Western societies, which used to be largely homogeneous, are now presented with the complexities of multicultural living. With the exception of countries that favor assimilation such as France, successful integration in most other countries is reasonably a mutual effort rather than a struggle by one side. It does seem to make sense that a 'push and pull' effort be adopted by both European authorities and Muslim immigrants; perhaps, it can be said that the pivotal issue now is the extent to which European authorities are willing to accommodate religious needs of the Muslims and the extent to which Muslims are willing to accept the secular realities of modern Europe in order to find a middle ground that is acceptable to both sides. As already known, European Muslims of immigrant background are now mostly in their second and third generation, the majority of whom are inarguably European-born and are thus European from the social, language and cultural points of view. It is consequently no surprise that they have increasingly become the subject of current analyses of European integration.

2.3   The "New" Generation of Muslims

Despite what discourses on integration problems may seemingly imply on the surface, a good number of European Muslims are properly represented in various areas of public life. The youths, who now constitute the bigger percentage of the whole Western European Muslim population, have experienced a European system of education (Nielsen, 2004) and are now interacting with the wider society on a daily basis. As Islam of the new generation has been shaped by the modern context of secular Western Europe, the young Muslims are understandably more familiar with the distinctive features of their European culture - such as languages, customs, and values - than those of the culture of their origin (Malik, 2009).

With regard to their Muslimness, many studies increasingly point to radical changes in how they seem to construct the meaning of religion, affirm its role in life, and articulate their religious identity. These changes constitute the basis for the much-discussed issue of 'inter-generational gap'; the first generation have found it difficult to transmit to the succeeding generation ethnic-religious norms of their countries of origin that they have long embraced and protected. Even among the 'in-between generation' (those who were born in their country of origin but immigrated with their families and have thus spent most of their time growing up in the contexts of Western-European society), there was an observable trend of abandoning traditional beliefs and placing importance on different aspects of religious life; many young Muslims began to display a more individualized religiosity (Sunier, 1996). Individualization, in this context, denotes 'a sharpening of self-consciousness, privileging personal choice over the constraints of religious tradition' (Cesari, 2003, p.260), which transpires when one shapes their religious life by deciding independently 'which elements of Islam (s)he considers to be binding or not' (Peter, 2006, p. 106) without being tied to traditional Islamic prescriptions (Joseph and Najmabadi, 2005). Several distinctive features of Muslim youths' religiosity provide evidence for this process: De-ethnicization of religion, religious decline and identity reaffirmation.

Firstly, much has already been said about the 'de-ethnicization' of religion, a process by which constraints of ethnic-cultural praxis lose their relevance in the shaping of religious life. Young Muslims have become increasingly critical of - and no longer identify with - the ethnic ways of their parents or grandparents, particularly those that seem unsustainable in their current modern context. This can be observed in how they have begun to question practices promulgated by many of the first generation such as

ethnic dress codes, female segregation, and female circumcision among others. Subsequently, the new generation have started seeking to enhance their understanding of Islam of their own accord through reformative thinking by focusing on innovative approaches commonly expressed through terms such rethinking, renewing, reinterpreting, rediscovering, and so on. As evidenced by the current trend, these youths have aspired to derive 'modern' interpretations of the teachings of the Qur'an and Sunna to establish a proper context for their religious identity, to mainstream, and to provide a balance between what they believe as representing the 'true' Islamic way of life and the realities of their secular culture. In line with the pace of modernity, many technology-literate Muslims have also turned to the cyber world for learning Islam and seeking answers, a world with no boundaries where people from different backgrounds, beliefs, ideologies, and cultures come together to share ideas, all claiming their right to '*ijtihād*'. Kaya (2009) describes this new technology-savvy Muslim generation as 'a digitalized umma'.

Additionally, European-born Muslims also comprise Muslim converts with native European background and upbringing. The absence of ethnic roots means that they tend to see Islam in its 'non-ethnic' form, which consequently allows them to practice a version that essentially 'keeps pace' with the dynamic landscape of the West. An interesting twist here is of course the fact that many of the converts tend to adhere to Sufi traditions and practices, the majority of which are ironically products of cultural influences and peculiarities themselves. Spiritual practices such as the Whirling Dance and the Fire Walking certainly cannot be said to have its origin in a non-culturally-influenced Islam. Thus, a Sufi-based Islam must also be viewed as a 'cultural' form of Islam and as one of the many versions of Islams practiced in the West. Such

complexities not only point to the variety of Islam's practical manifestations and the danger of making generalizations, but also the impossibility of defining a 'non-cultural' Islam.

Another much-discussed effect of individualization is what appears as a steady decline in religious observance. It was observed in the 90s that only a small percentage of Muslims in Western Europe committed themselves to the observance of the daily prayers and the Friday prayer, although a majority of them no doubt celebrated Islamic festivals such as Eid al-Fitri and Eid al-Adha (Shadid and Koningsveld, 1995). 80% of them did not prioritize strict adherence to their daily prayers, although 70% did practice fasting during the month of Ramadan (Ramadan, 1999). In the last decade, Muslims in Britain increasingly began to engage with the state and the bigger society, drawing themselves away from one-sided engagement with the mosque (Geaves, 2005). Several recent studies also show similar findings; young Muslims in Germany, France and Belgium mostly categorized themselves as either 'trying to fulfill religious requirements' or 'faithful but not fulfilling religious requirements' (Kaya, 2009). Additionally, it was observed that European Muslims tended to identify with Islam either sociologically or religiously; while those who saw Islam as a socio-cultural element generally embraced secular European values and were indifferent towards religious doctrines, those who identified with Islam religiously tended to 'explicitly affirm the meaning of their belonging, follow certain rules of life, and ritualize certain moments in their lives according to Islam' (Marechal et al., 2003, p.10).

Parallel to this has been a strong inclination to reaffirm their religious identity (Ramadan 2004). While many attribute this to more transparent problems, such as the issue of economic deprivation (Hunter and Serfaty, 2002), the effect of 'minority'

mentality (Ramadan, 2004) crippling their sense of belonging within the wider society, or anti-Islamic political events prompting a defensive emotional state (Malik, 2009), some also speak of 'religious symbolism', a process by which religious practices 'lose their efficacy' and have become more 'symbolic and secularized' (Kaya, 2009, p.184). Symbolic religiosity allows young Muslims to 'feel' religious without having to 'act' religiously, which can be said to subsequently testify to the paradoxical connection between religious decline and identity reaffirmation. As remarked by Maussen (2005, p.10), Muslims 'increasingly abandoned the more 'traditional' elements of religious practice in favor of a conception of Islam as a marker of cultural boundaries and identity in Western European societies'.

In the midst of this individualization process, ideological diversities persist to exist. Many analysts have thus far tried to produce as precise categorizations of Muslim religious ideologies as possible. A general observation often made is that the attitudes of the second and third generation of immigrants may be subsumed under three broad categories; the first group comprises those who are thoroughly integrated and fully embrace their European identity, the second group belongs to those who embrace their European and Muslim identities, accepting that they can be faithful to both the requirements of Islam and the secular Europe, and the final group includes those who, like many of the first generation have been stereotypically seen, cling to their cultural heritage and identities due to feeling deprived of economic privileges and of any sense of belonging in the broader society.

However, looking closely at the attitudes of European-born Muslims in France and Germany reveals even deeper layers of ideological diversity and religiosity. Leveau and Hunter (2002), for example, group Muslims in France into four different categories:

The secular (those who favor secularization and do not adhere to Islamic practice), the conservative (those who adhere to Islamic practice but are open to the reinterpretation of Islam in the Western context), the fundamentalist (those who consider Islamic law to be immutable and thus are not open to any reinterpretation), and the Islamist (those who adhere strictly to Islam and have political ambition to revive the ideal society of the Prophet's time). As for the case in Germany, Goldberg (2002) identifies five categories of Muslims: Those who were already religiously inactive prior to their immigration, those who were initially observant but increasingly became nominal, those who practice their belief in an obtrusive manner, those who assert their Islamic identity after immigration, and those who are active within Islamically-oriented associations.

2.4   Euro-Islam and Islamic Europe

Despite the potential seen in the modern outlook of the majority of the new generation of Muslims, the issue of Islam and Muslim accommodation and integration in Western Europe continues to foster energetic debate among many scholars and politicians. In most discussions, careful distinctions are made between Islam as a religion, diverse Muslim ideologies and socio-economic problems of Muslims, as the conflation of these elements may dangerously lead to misinformation that undermines the ongoing dialogue between Islam and the West (Esposito, 2010; Ramadan, 2010). Thus, it is now common to see an exponentially-growing interest in discussing diverse concepts, ideas and issues such as Eurabia, Jihad, Islamophobia, Islamism, Sharia, and the like in the mainstream media, political discourse, and academia. In some other cases, 'Islam' as a religion seems to be represented as a totemic symbol for many of its extrinsic interpretations and affiliations (fundamentalism, traditionalism, Islamism and

so on), such as that which can perhaps be best observed from political campaigns against the Islamization of Europe, most commonly used by intellectual political figures like Ayaan Hirsi Ali, Daniel Pipes, Geert Wilders, the late Theo van Gogh, Hans-Peter Friedrich, Jean-Marie le Pen, Franz Schonhuber and others. Certainly, one may, as many others already have, question whether anti-Islamic meta-narratives are based on true anti-Islamic sentiments or rather exploitations of Muslim problems for political purposes.

Within the dialogue between Islam and the West, Western Europe's leading thinkers, many of whom are European-born Muslims of immigrant background themselves such as Bassam Tibi and Tariq Ramadan, have suggested that ideological tensions between the two sides can be reconciled by adopting an idealized version of Islam that is 'unobtrusive' and 'in harmony' with the secular characteristics of Europe. This proposal has paved the way for some of the Islamic reformist thinking in Europe that revolves around tackling issues such as democracy, secularism, gender equality, and human rights from a fresh perspective, treading on a path different from that which is normally taken by orthodox and traditional thinkers. Parallel to this innovation is, of course, the problematic nature of defining an Islam that is 'unobtrusive' and 'in harmony' with Europe. Given the largely secular nature of this region, one may perhaps suggest that Islam in Europe needs to be secularized and relegated completely to the private sphere to meet the demands of its host. However, if religious expressions in France have been shown to clash with the principle of Laïcité but not present a problem in Britain's multicultural setting, it becomes critical that "European Islam" is not seen as a monolithic concept.

Many modern Muslim reformers (as proponents of an 'unobtrusive' European Islam are often called) have argued that making Islam 'in tune' with the realities of Europe requires 'adjustments' in its theology and law in order to 'adapt' to its host culture. This approach has naturally earned many criticisms from its opponents, particularly traditional and orthodox thinkers, who tend to argue that Islam's universal nature makes it the ideal 'solution' to which everything else adapts. Commonly-heard evidence for this idea of Islamic exceptionalism is the verse: 'This day, I have perfected your religion for you, completed My Favour upon you, and have chosen for you Islam as your religion' (Qur'an, 5:3), a widely-debated ambiguous message but normatively taken by the previously-mentioned Muslim group to mean that Islam in the 7th-century was already in its most perfect form. However, reformers like Ramadan have constantly argued that establishing a European Islam does not necessarily require modifying Islamic sources such as the Qur'an and Sunna. He writes (2004, p.72): 'This renewal is not a modification of the sources themselves but a transformation of the mind and eyes that read them, which are naturally influenced by the new social, political, and scientific environment in which they live. A new context changes the horizons of the text, renews it, and sometimes gives it an original purport, providing responses never before imagine'. Although reformers equivocally argue that reform is pivotal in the struggle to respond to the demands of our times (gender equality, religious pluralism, and human rights), is Islam in Europe now capable of reform and challenging established traditions?

Notwithstanding the afore-mentioned question, the present call to modern reform is not without precedent in Islam's history. The challenge against subscribing to classical traditions can already be traced back to as early as the 11th and 12th century in

al-Ghazali's thinking (and the 13th century in that of Ibn Taymiyya), which later influenced the outlook of many more thinkers such as Muhammad Ibn `Abd al-Wahhab, Shah Wali Allah, Muhammad Abduh, and Sayyid Ahmad Khan to name a few. Although some of these scholars were against European domination, others encouraged healthy cooperation with the West. More importantly, however, is the fact that they rejected full acceptance of classical interpretations of Islam and held that Muslims must reinterpret the sources of law through *ijtihād*. Similarly, *ijtihād*, which, in this context, refers to the reinterpretation of Islamic law and theology, is widely accepted by modern reformers to be a fundamental tool of reform. As a prerequisite for moving to the subsequent phase of *ijtihād*, religious texts are often bifurcated into two different sets: Firstly, those that concern fundamental praxes that are unchangeable (such as prayer, fasting, and pilgrimage) and secondly, those that concern social legislation that may be rearticulated in light of current social and cultural realities (such as marriage and gender rights).

This reformist thinking has given birth to the much-discussed concept of 'Euro-Islam', a fundamental theme in this thesis, and one that – albeit expressed in many variants by many scholars – purportedly shows promise in the making of an unobtrusive European Islam. The concept was, as self-claimed by its creator, first introduced by Bassam Tibi in his paper 'Les Conditions d'un Euro-Islam' at Institut du Monde Arabe in Paris in 1992, who has since developed and discussed this concept in many of his writings in German and English. The concept was further developed by Tariq Ramadan who has also made the topic of Muslim minorities in Europe as the main theme of most of his academic research. Yusuf al-Qaradawi, considered one of the most influential Islamic theologians in the Muslim world, is also often acknowledged for developing

new interpretations of Islam that appeal to modern Muslim minorities living in the West, the most notable of which was the introduction of *fiqh al-aqalliyyat* (Jurisprudence of Minorities). Emphasized in this jurisprudence is the concept of *taysīr* (literally translated as 'facility' in English) that temporarily exempts Muslims in the West from strict observance of the Islamic law.

As can be seen from the afore-mentioned problems, scholars are now faced with the challenge of tackling intrinsic problems presented by the prima facie clash between the foundational ideologies of Islam and the West. This is, of course, in addition to the efforts made by experts in the study of social science and politics in analyzing 'external' issues of 'Euro-Islam', such as the effective integration of Muslims into European society, involvement of Muslims in politics, participation in local and national government, education, unbiased representation in the media, dietary needs, family law, Muslim burial restrictions, and so on. Modern reformers such as Ramadan and Tibi have generated theories and proposals in their attempt at establishing a common thread that feasibly connects the liberal democracy of the West and – as commonly expressed by traditional scholars - the dogmatic underpinnings of Islam. Here naturally lies the challenge of re-articulating in Islamic terms characteristics of liberal democracy such as equality (often implying strands such as gender, sexual orientation and pluralism) and freedom (often implying freedom of speech, lifestyle and religion), especially when they are constantly pitted against what many Muslims tend to perceive as normative Islamic dogmas, such as prohibitions against blasphemy, apostasy, hedonism, and sexual 'perversions', and commandments for embracing traditional gender roles and adopting Sharia and all the categories of law that it implies, including the controversial *ḥudūd*. Noticeably, the idea of 're-articulating liberal democracy in Islamic terms'

seems to portray the former as a problem and the latter as a solution. However, to borrow Ramadan's perspective, reform is, on the other hand, an attempt at seeing modernity and all of its inherent values with a new eye that is influenced by both the expediency of the current situation and the essence of Islam. Unfortunately, reformers are often challenged by the idea of reform itself, as the right to *ijtihād* (as opposed to the adherence to *taqlīd*) continues to be a subject of debate. Herein resides the problem of conserving the Islamic, but also the national and cultural, identity of Muslims in Western Europe, an element that remains central in all debates on 'Euro-Islam'.

CHAPTER 3

YUSUF AL-QARADAWI AND TARIQ RAMADAN

3.1   Yusuf al-Qaradawi

Yusuf bin Abdullah al-Qaradawi, better known by the mononym "al-Qaradawi", is a Sunni-Muslim, Qatari scholar of Egyptian origin born on September 9, 1926. Donning the roles of Islamic jurist, preacher, and activist, al-Qaradawi holds distinctive precedence in the Arab-speaking world as the most recognized, influential, and outspoken figure in the 21st century, and as one of a very few Muslim scholars who claim to strive to marry classical Islamic jurisprudence with contemporary thinking. His work and contributions to the Muslim *umma* have extended beyond the sheltered world of academia into the wider realms of politics and digital media, the latter of which, in the 90s, catapulted his career to new heights and himself to international prominence. The scholar draws considerable prestige mainly from his extensive proficiency in all branches of the Islamic sciences - a specialty that apparently no other contemporary scholars can (yet) match - and his traditional schooling at al-Azhar University.

Generally, the course of al-Qaradawi's life can be seen as falling into two distinctive stages: First, a smaller part of his life that had been spent in Egypt prior to his migration to Qatar in 1961, and second, a greater part of his life that has been spent in Qatar where he is currently based. While it was during the first of the two stages that the scholar developed his multifaceted knowledge of the Islamic sciences, honed his oratory skills, and joined the Muslim Brothers, most of the pivotal moments in his career as a globally-recognized scholar have occurred during the latter stage in Qatar. This demarcation is particularly useful for the purpose of examining al-Qaradawi's

formative years and bringing to the fore in this brief biography the key factors that influenced his intellectual formation.

3.1.1 Education and Experience

Al-Qaradawi's passion in the study of Islam seems to have been a natural progression from his childhood experiences and interests. Raised in a devout Muslim family in Egypt, he had had the Qur'an memorized before the age of ten. His first experience with the Azhari education system began in 1940 when he joined its affiliated institute in the Egyptian city of Tanta at around fourteen years of age. Existing biographies of the scholar cite that he was an exemplary student, excelling in academics while actively leading the institute's student representative council (Gräf and Skovgaard-Petersen, 2009). It was during this period in Tanta that al-Qaradawi first joined the Muslim Brothers after having been inspired by a speech delivered by its founder, the late Hasan al-Banna, at an event hosted by the movement (Gräf and Skovgaard-Petersen, 2009). The scholar is cited to have written very highly of al-Banna in his memoir, complimenting the latter's vision, persona, and eloquence and alluding to the fact that such admiration had had a profound impact on his intellectual and spiritual development (Gräf and Skovgaard-Petersen, 2009). In addition, the scholar professes to having a deep admiration for the renowned, classical *sufi* and theologian Abu Hamid al-Ghazzali and his ideas in his celebrated *Ihyā 'Ulūm al-Dīn* (Revival of Religious Sciences). It is believed that these two figures serve as major role models for al-Qaradawi (Gräf and Skovgaard-Petersen, 2009).

The scholar's consistent balance of academics and organizational experiences in Tanta was to be repeated later in his tertiary years at the main al-Azhar University,

where he began his studies with the Faculty of Theology. While committed to his academic performance, he was active in managing events for students as head of the student council at his faculty and was involved in preaching missions, political coups, and activist work with the Muslim Brothers. It was his engagement with the movement that led to his imprisonment several times from the late 40s to the early 50s. Notwithstanding this and the extent of his non-academic obligations, al-Qaradawi achieved a remarkable feat by graduating top of his class – which was reportedly a size of 500 students - at the end of his four-year degree course in 1954 (Gräf and Skovgaard-Petersen, 2009). Three years later, he pursued a graduate program in Quran and Hadith at al-Azhar and completed it in 1960. Between the year 1954 and 1957, al-Qaradawi obtained a Diploma in Language and Literature from the Institute of Higher Arabic Language Studies. Following his graduation and prior to his migration to Qatar in the early 60s', the scholar had had a short career in Egypt as a writer and publications advisor at the Department of Islamic Culture at al-Azhar, an imam and a lecturer in several mosques, and a supervisor of the Institute of Imams of the Ministry of Religious endowments (a post that he would continue to hold until 1990).

The turning point for his career path and fortunes began in 1961 when he was sent to Qatar as an emissary for al-Azhar to serve as a principal in a secondary-level institute of religious studies in the city of Doha. It did not take long after he had settled in for his influence to seep into the fabric of the Qatari society; his work as a preacher and a religious instructor during the months of Ramadan endeared him to many, and most particularly to the former emir of Qatar, Khalifa bin Hamad al-Thani, who offered the scholar a Qatari citizenship in 1968 (Gräf and Skovgaard-Petersen, 2009). The period from the 60s to the 70s saw al-Qaradawi playing a central role in shaping Doha's

religious education system and turning Qatar into a stable, international platform for Muslim scholars and activists to meet and engage in discussions. In 1973, he was appointed as Head of the Department of Islamic Studies in the Faculty of Education at what was to become the present-day University of Qatar. This was also the year when he earned a distinction on his Ph.D thesis (titled "Zakat and its Impact in Solving Social Problems") at the same faculty at al-Azhar University where he had previously attained his first and graduate degree. In 1977, he established the Faculty of Sharia and Islamic Studies and the Centre of Seerah and Sunna Research, serving as the former's dean until 1990 and the latter's director until the present time (this remains true at the time of this writing).

The 90s was particularly momentous for the scholar. The advent of the Internet, social media, and satellite-based television helped bring him out to a larger spectrum of Muslim audience within and beyond the Arab-speaking world. The success of his own television program, *Sharī'a wa al-Ḥayā* (Sharia and Life), which was founded in 1996 on the Qatari channel al-Jazeera, quickly established him as a popular Muslim preacher and granted him a reliable platform for his particular *da'wa* (proselytization) beliefs and needs. Naturally, the wide-reaching power of the media also meant that differences between al-Qaradawi's beliefs and other Muslim ideologies became more significantly visible, resulting in a growing chorus of criticisms of his thinking from all corners of the world.

Since then, the scholar has continued to expand his horizons; in 1997, he founded a website in his own name (www.qaradawi.net) and another Islamic website now known as "OnIslam" (formerly "IslamOnline"), the latter serving as an extensive resource for Muslims seeking scholarly opinions on issues relevant to Islam, current

Muslim news and events, and various forms of Islamic information such as sermons, Qur'anic texts, and Hadith collections. In the same year, he was made President of the Dublin-based European Centre for Fatwa and Research (hereinafter ECFR) established in London. In 2004, the scholar founded the International Union of Muslim Scholars (hereinafter IUMS) in Ireland, a non-state organization run by "moderate-thinking" *'ulamā* from various Muslim branches (e.g., Sunni, Salafi, Sufi, and Shi'ite) with the intention to lead the Muslim *umma* and achieve its unity. Through the Union (and his own website), al-Qaradawi and his co-*'ulamā* have lobbied internationally for various Muslim causes and called for a series of boycotts against Western companies and products deemed to have made blasphemous attacks against Allah, Prophet Muhammad, and Islam in general. In 2006 alone, the scholar made international headlines for, first, lambasting the Danish government over the publication of the cartoon depictions of Prophet Muhammad and calling on all Muslims to boycott Danish products and stage peaceful political demonstrations, and second, criticizing Pope Benedict over a speech he made in Germany, in which he quoted Manuel II Palaeologus, a fourteenth-century Byzantine Christian emperor, who once said that Prophet Muhammad had introduced to the world only evil and inhumanity (Gräf and Skovgaard-Petersen, 2009).

As a man of exceptional forte, al-Qaradawi has managed to pen over a hundred books, booklets, articles, and research papers dealing with various aspects of Islam - such as jurisprudence, fundamentals of religion, Islamic economy, Qur'an, Sunna, creed, proselytization, education, Islamic revival, and Islamic thought - many of which have been translated into Albanian, Bosnian, Dutch, English, French, German, Spanish, and Turkish. Among his most popular books are *The Lawful and the Prohibited in Islam* and *Priorities of the Islamic Movement in the Coming Phase*. Though distinctly

controversial and filled with unconventional ideas, his writings appear to have met with a positive reception from the general Muslim populace, with a disproportionately low share of criticisms (albeit harsh) from orthodox-thinking and secular-oriented intellectuals. Much of his appeal and commanding authority seem to have been aided in the first place by the fact that he is perceived as an independent scholar, unbound by any state, political organization, or ideological group.

3.1.2   An Extremist, an Innovator, and a Moderate Scholar

With the exception of his own admission that he belongs to the reformist school of thought of Muhammad Abduh and Rashid Rida and to a "moderate" wing of Islam, al-Qaradawi's thinking is not easy to situate within the folds of Muslim theological trends. This is often attributed to the fact that the scholar has continued to modify - and backtrack on - some of his opinions over time, but an overlooked factor in this obscurity is that his terms of "moderate-thinking" can have surprisingly divergent meanings.

In the minds of the general public, al-Qaradawi projects an ambivalent image of himself that continues to be subject to a mixed bag of receptions. Since being propelled into the limelight, he has often been caught in a political storm both within and outside the Muslim world following his forcefully-expressed fatwas on highly-sensitive religio-political issues. On an intra-Muslim level, critics have written and spoken against his persistence in dispensing with some classically-established norms of Muslim jurisprudence in favor of an easy interpretation of Islam that is more closely resonant with contemporary trends. His statement of support for women to play a significant role in politics and nominate themselves in the parliament, for example, was an innovation (*bid'a*) to many self-identified extremists, albeit it being a much-needed stepping-stone

for progress by many Muslim feminists and moderate thinkers. On a global scale, al-Qaradawi has often been marked as an extremist due to his Islamist vision, his advocacy of views that are considered inconsistent with human rights as specified in Western national constitutions and international charters, his vocal opposition to foreign policies and events that he (and many Muslims) perceived as anti-Islam, and many more. His sanctioning of suicide bombing in Palestine as a defensive tactic against Israel troops and in Iraq against American troops (which he has never retracted despite pressure from various Muslim groups), for example, was a profound shock to many in the West and the Arab-Muslim world and a major premise to extremists to justify violence through a loose interpretation. Given his prominence, many of his previous fatwas were assumed to have had far-reaching consequences, even if he himself was never personally involved in terrorism. Accordingly, al-Qaradawi has been banned from entering the US since 1999, and had been portrayed by the British media for a period of time as a scholar of "terrorism".

Yet, as mentioned in the previous passage, the scholar perceives of himself as neither an extremist nor an innovator. He has been among the very few Muslim intellectuals championing the concept of *waṣatiyya* (moderation), which strikes a perfect balance between the two ends of religious fanaticism and religious indifference and allows the blending of the unchanging tenets of Islam with the dynamic expediencies of the modern time. His method of working mainly involves applying independent reasoning (*ijtihād*) and its manifestations (e.g., analogy and consensus) as well as "cross-*madhhab*" referencing (integrating the approaches used by the various classical schools of Muslim thought) while keeping to the general principles stipulated by the Quran and Sunna in order to solve contemporary problems that are not defined

(or not well defined) by the Sharia. Nevertheless, the scholar places this concept of *waṣatiyya* within a traditional Muslim frame of reference, and thus, his aversion to both extremism and liberalism may not necessarily mean he sits within an exact equilibrium between the two extremes. Rather, it is apparent from his verdicts that he maintains a balance of both puritanical and liberal thinking, applying one or the other where he deems fit with the best of intentions and to the best of his knowledge. For example, while he fights vehemently for women's rights, he brings to his thinking a specific, predetermined interpretation of women's role in life that may not fall perfectly in line with that which is normative in the West. In a similarly confusing way, al-Qaradawi vouches for what he describes as a "human brotherhood" – a bond that supposedly does not discriminate by religion, nationality, or culture - but there is, at the same time, a distinct emphasis on the supremacy of Islam and exclusivity of the Muslim *umma* that may border on being divisive.

Throughout al-Qaradawi's writings, lectures, and fatwas, a few themes have continued to surface rather consistently and without much variation, if any. The scholar's propagation of *da'wa* and the revival of Islam, first and foremost, can be said to be at the very core of his work, serving as an umbrella that encompasses other constitutive objectives, which necessarily include supporting Islam and Muslims in the West. In his memoir, al-Qaradawi criticizes the al-Azhar education system for not having emphasized the importance of propagating Islam and designing a curriculum that trains students to become missionaries (Gräf and Skovgaard-Petersen, 2009). In addition, the scholar appears to be deeply concerned with the declining authority of *'ulamā* as the collective guardian, reference, and guide of the Islamic religion in the face of globalization and post-colonial challenges in many Muslim countries. His

lifetime work of creating and unifying organizations of Muslim scholars and intellectuals is likely to have been oriented towards establishing a central authority that primarily oversees Muslim affairs across the globe, perhaps much like the role of the Church in Christianity.

3.1.3   Al-Qaradawi on Islam and Muslims in Europe

It may be mistakenly assumed that al-Qaradawi's first foray into the world of European Islam and Muslim minorities occurred at around the same time he founded the ECFR in the 90s. However, his interest in the niche had already begun to develop in the late 50s prior to the publication of his very first book, the Lawful and the Prohibited in Islam, the writing of which was initiated as a response to a need for a concise guide to contemporary issues faced by Muslims in the West (Gräf and Skovgaard-Petersen, 2009). Having had this interest as a starting point, al-Qaradawi ventured further by attending conferences in Europe in the 70s that centered on the study of Islam and of the integration of Muslims in the European and North-American context.

In the 80s, al-Qaradawi played a prominent role in the Arab-speaking world in calling for more awareness of the "plight" of Muslims in the West and a greater responsibility for helping them sustain and develop their religious beliefs and identity. The scholar urged that this be done by establishing Islamic schools abroad, providing access to Islamic books in European languages, training Muslims from non-Muslim lands in Arab universities, and sending scholars to the West to guide the Muslim communities in the region. He further established his authority and presence within the network of Islamic organizations in Europe by joining the Board of Trustees of the Oxford Centre of Islamic Studies in 1985. By this time, he had become a powerful

symbol of Muslim authority around which various European and translational Islamic networks built their popularity, such as the Union of Islamic Organizations of France (UOIF) founded in 1983, and the Federation of Islamic Organizations in Europe (FIOE) founded in 1989, including those that had initially rejected al-Qaradawi's thinking before overturning their position upon recognizing that the scholar's popularity in the West could help their own causes. In 1997, al-Qaradawi was elected as chairman of the ECFR, which was founded with the aim to provide a platform for European Muslim scholars to discuss issues relevant to Muslims in Europe and to serve as an exclusively-European fatwa body that complements the more established, longer-serving fatwa councils in the Muslim world. Since the ECFR's inception, the scholar has continued to hold a commanding influence on its fatwa-producing role, with many *fatwas* having been derived quite literally from the scholar's own writings (Gräf and Skovgaard-Petersen, 2009).

One of al-Qaradawi's most notable contributions to the understanding and shaping of the life of Muslim minorities in the West was to develop and popularize *fiqh al-aqalliyyat* - allegedly first used by Taha Jabir al-Alwani, the founder and former chairman of the Fiqh Council of North America (FCNA). The Jurisprudence of Minorities was created as a means to establish new interpretative efforts to facilitate the practice of Islam in the face of challenges exclusive to the Western context (this will be discussed in more detail in Chapter 5.2). This development is argued to have made many Muslim practices significantly easier to adhere to for Western Muslims – or at least in theoretical terms, as evidenced by the relatively-lenient verdicts in al-Qaradawi's first and most popular book, *The Lawful and the Prohibited in Islam*. The

scholar has received academic attention in European languages for almost two decades now.

3.2   Tariq Ramadan

Tariq Said Ramadan, mononymously referred to as Ramadan, is a Muslim academic and philosopher of Egyptian origin born in Geneva, Switzerland on 26th August 1962. Acclaimed by Time magazine in 2004 as one of the world's most influential people, the Swiss has risen over the years to become a leading European-Muslim thinker in the field of contemporary Islam, having penned a number of globally-read books and given media-circulated lectures, mainly within the past decade, on issues of Muslim identity, integration, and ethics that quickly launched him into the international spotlight. As a reformist thinker, Ramadan has attracted as many critics as admirers from all ends of the political and religious spectrum in the West and the Arab-speaking world; the fact that there are more books and articles about him, most of which are dotted with criticisms, than his own writings is evidence of his controversial image.

3.2.1   Education and Experience

There is very little, if any, information about Ramadan's early years growing up in Geneva. The scholar himself has never been known to divulge this aspect of his personal history. In his book - *What I Believe* - published in 2009, he advises those who seek to understand his thinking and intellectual development not to rely on virtual encyclopedic entries that are riddled with factual errors and biases and then devotes a chapter exclusively for recounting a brief story of his life, albeit only from the age of eighteen. It is mainly from this short chapter that one can reliably discern the key

factors and events in the scholar's personal life that have contributed to his intellectual development.

Ramadan professes to have been raised in a family that attaches great importance to humanitarian concerns. From the age of eighteen in the early 80s until he began engaging with the issue of Islam and Muslims in the West near the end of that decade, the scholar travelled to many third-world countries to give assistance and raise global awareness of endemic social, economic, and political issues such as poverty, corruption, domestic violence, and illiteracy. Although his commitment then was not proclaimed in the name of Islam, he argues that it was of high value to his parents.

Ramadan undertook his tertiary education at the University of Geneva, where he earned his MA in Philosophy and French literature and his PhD in Arabic and Islamic Studies. The scholar's research focus centered on the philosophy of Friedrich Nietzsche, which enabled him to branch out later into the worlds of other philosophers such as Socrates, Aristotle, Plato, Kant, Marx, and others, and to analyze their views against those of Nietzsche. Following his graduation, he began a teaching career at a high school in the city of his birthplace, Geneva, and later served as its dean. After many years, Ramadan decided to resign from his post, feeling a need to seek a change and to return to the fundamentals of his faith, and having been spurred by the predicament befalling the image of Islam following a series of Muslim-related controversies and events such as the Iranian Revolution (1979), the Rushdie Affair in Britain (1989), and the Headscarf Affair in France (1989). Having turned his attention to contemporary Muslim issues, Ramadan's priorities shifted to defending his religion against misconceptions and prejudices and showing that there is a crucial, workable, common foundation to the values espoused by Islam, Christianity, Judaism, and other secular

groups such as humanists, atheists, and agnostics. To this aim, he moved temporarily with his family to Egypt to undertake an intensive study of the Islamic sciences – a fast-track course designed to allow him to complete an equivalent of a five-year university program in less than two years through a private tutoring arrangement.

3.2.2 The Martin Luther of Islam and an Islamist in Disguise

Ramadan's status is confusingly tinged with admiration and controversy, with some celebrating him as the Martin Luther of Islam, some accusing him of being an extremist or Islamist in disguise, and a fair few labeling him as a heretic. Much of the skepticism that critics attach to his thinking, approach, and personality is mainly attributable to his unwavering commitment to the core aspects of Islamic beliefs (which, in many cases, supposedly means rejection of secular ethical humanism), his philosophical way of proffering and engaging mainly with generalities, and his personal blood ties with his deceased maternal grandfather, the late Hasan al-Banna.

Ramadan has been accused of using "doublespeak" and conveying different messages to different types of audience, fuelling the image of him concealing a sinister agenda, such as Islamization of the West, beneath a well-constructed rhetoric of "reconciliation". The scholar rebuts this in many places, most identifiably in his book, *What I Believe*, arguing that the accusations of "doublespeak" leveled at him were simply an outcome of "double-hearing" (a tendency to hear what one wants to hear out of confirmation bias), and that any perceived differences in how he delivers his message to his varying kinds of audience is due to his using their respective frames of reference for a more effective delivery while keeping to the same content. Many Western critics see inconsistency in Ramadan's position as a mediator between the West and the

Muslim world; while the scholar speaks of mutual respect and the conflict-free feasibility of being both a Muslim and a European, his loyalty to the core values of the West has often been judged rather narrowly by his assertive opinion on specific issues such as homosexuality, veiling, and the like.

Additionally, the scholar has been accused of secretly forging ties with terrorist groups and allying his thinking to their radical ideologies. Claims abound about the scholar's encounters with several high-profile terrorists and his contributions to the funding of Hamas through a Palestinian charity and other extremist groups through the Al-Taqwa Bank (which the United States had believed at one point to be a major sponsor of Osama bin Laden and his associates). Such allegations have come with upsetting consequences for the scholar and his family. From late 1995 to early 1996, Ramadan was banned from entering France in the midst of terrorist attacks in Paris that were carried out by an Algerian-Islamist movement, with which the scholar allegedly had connections. On July 28, 2004, nine days before he and his family were to leave for the United States for his then-impending tenured position at the University of Notre Dame, the U.S. Department of Homeland Security revoked his work visa that had been granted to him earlier that year on the grounds of national security and public safety. This revocation was claimed to be in conformity with a legal doctrine that allows denial of entry to foreigners who have used their status to support terrorism. Ramadan has dismissed such claims as unfounded and pointed mainly to his having been refused entry by several Muslim countries (e.g., Algeria, Egypt, Libya, Saudi Arabia, Syria, and Tunisia) as counter-evidence, though the main reason he was banned is believed to be his criticism of what he saw as a lack of democracy in many parts of the Muslim world. Additionally, in 2009, Ramadan was dismissed from his teaching post at the Erasmus

University of Rotterdam on the grounds that his chairing a program on Iran's state television could be construed as advocating the regime.

Notwithstanding all the controversies, Ramadan sees himself as belonging to the reformist camp, claiming to be sensitive to the historical and geographical evolution of human cultural contexts and to strive to put Islam in the right perspective while remaining faithful to its principles (Ramadan, 2009). In accordance with his professed objective to build bridges between the West and the Muslim world and explain the true merit of Islam (and other religions), he has extensively written and given talks on various themes that have characterized the discourse on Islam and modernity as well as critical problems of human rights, political governance, interreligious hospitality, and global peace. In trying to make Islam better understood, the scholar has been overtly critical about problems within the Muslim psyche that he believes underline the stagnation of Muslim thought in the modern time, the most fundamental of which are: First, the fallacy of mistaking some cultural norms (ones that have prevailed throughout the long history of various Muslim cultures and civilizations, but which can be proven to contradict the principles of Islam as understood by the general Muslim populace) for fundamental Islamic tenets, and second, the fallacy of misunderstanding the teaching of Islam by framing its interpretations within a particular period in Muslim history, leading to restrictive outcomes that betray the higher objectives of Sharia.

3.2.3   Ramadan and "European-Islam"

It must be noted that, given his numerous media appearances and his fluency in (and use of) multiple languages (e.g., Arabic, French, and English), the scale of Ramadan's contributions to contemporary Muslim issues beyond paper-based systems

is too massive to be covered in this short biography. However, most, if not all, of his original thoughts have been presented principally in his few writings that center particularly on Islam and Muslims in Europe and the general West. His engagement with this sub-field of contemporary Islam began in the late 80s, but his popularity as a thinker only took off within the following decade, beginning in France after the release of his book, *Les Musulmans Dans la Laïcité* (Muslims in Secular Society). What ultimately brought his thinking to international attention were his other two books published a few years later, *To be a European Muslim* and *Western Muslims and the Future of Islam*.

In these few publications, Ramadan's complex and extensive arguments all appear to stem from the same core idea that it is possible to be both European and Muslim without a disabling sense of inner conflict in the combination. The scholar has consistently placed more emphasis on the Muslim state of mind than on anything else; he argues that, while the European Muslim psyche has been plagued by a "victim mentality" that brews feelings of isolation and alienation and creates barriers for active cooperation between the state and its Muslim communities in working for the betterment of the latters integration, social welfare, and overall quality of life as rightful citizens, the Muslim world on the other side has been held down by restrictive interpretations of the Islamic Revelation that do not serve justice to its original message.

The appeal of Ramadan's theology among European Muslims can be put down to his positive reading of Muslims making a home and being at home in Europe as rightful citizens. In the midst of a profound identity crisis following rapid globalization and consecutive Muslim controversies around the globe, the scholar's largely pacifist ideas may have come at the right time to stand as a beacon of hope for those who seek

to regain a sense of purpose and reaffirm their multiple and intersecting identities. Being a European Muslim (and one who may or may not have immersed in an ocean of soul searching himself), Ramadan might just be perceived as a qualified authority to speak empathetically of the unique experiences of European Muslims as opposed to imported scholars from the Muslim world.

Despite the controversies and criticisms surrounding Ramadan's thinking and approach, the scholar has had a successful career and has attracted a large following in Europe. Primarily serving as Professor of Contemporary Islamic Studies in the Faculty of Oriental Institute at St Antony's College of the University of Oxford, he is also President of the Euro-Muslim Network (EMN) - a European think-tank in Brussels, Belgium and a member of the IUMS founded by al-Qaradawi. Beyond Europe**,** Ramadan is Visiting Professor at the Faculty of Islamic Studies in Doha, Qatar and the Malaysian University of Perlis, Senior Research Fellow at Doshisha University in Kyoto, Japan, and Director of the Research Centre of Islamic Legislation and Ethics (CILE) in Doha, Qatar.

CHAPTER 4

DA'WA (PROSELYTIZATION) AND *SHAHĀDA* (TESTIMONY)

4.1   Introduction

While it probably comes as no surprise that both al-Qaradawi and Ramadan converge in the recognition that European Muslims must uphold Islam as a guiding force in life, the scholars differ in their thinking on how the Muslims should develop and express their "inner selves" (beliefs and values) and "outer selves" (behavior and relationships) in the pluralistic European context in accordance with the fundamental teachings of Islam; al-Qaradawi formulates his understanding through the concept of *da'wa* (proselytization) (al-Qaradawi, 1992; 1995; 2012; OnIslam, 2009), while Ramadan does so through the concept of *shahāda* (testimony) (Ramadan, 1999; 2004). Although these two concepts may have overlapping characteristics that reflect the general idea of Islamic preaching, their essential functions have largely been reshaped by the scholars and presented in ways that resonate with their individual approaches to the idea of European Islam. Accordingly, al-Qaradawi and Ramadan diverge in their motivations for using these two concepts in discrepant ways, and in their perceptions of the structural elements underlying the concept of European-Muslim identity. The issue of most salience here is the positioning of European Muslims as "agents of Islamic proselytization" by al-Qaradawi and as "bearers of the Islamic testimony" by Ramadan, which will be discussed in this chapter.

4.2   *Da'wa*

In a general context, al-Qaradawi describes the purpose of *da'wa* as calling mankind 'to righteousness, to command the common good and forbid that which is evil and undesirable', and '… to join together in mutual teaching of truth and of patience' (al-Qaradawi, 1995, p.90-91). This is premised on his belief that 'Islam teaches a person not only to be pious and righteous but also to endeavour to reform others' (al-Qaradawi, 1995, p.90). When contextualized in Europe, *da'wa* takes on the more specialized meaning of *"political proselytization"*, which seeks the Islamization of the non-Muslim majority part of the world as its ultimate goal, and which is intended for bending the political ideologies of the West in the direction of Islam's and the Muslim *umma*'s interests (al-Qaradawi, 1992; 2012; OnIslam, 2007). The key to realizing this ambition, according to the scholar, is to develop and maintain a politically influential Islamic presence within the wider society that can serve as a bridge between the Muslim world and the West, which subsequently allows the Muslims to communicate directly with the non-Muslims to promote a positive image of Islam (al-Qaradawi, 1992; 2012; OnIslam, 2007). Thus, al-Qaradawi places responsibility on Muslims in the West to capitalize on their residency and entrusts them with the mission of proselytizing, which he believes is incumbent upon every committed Muslim, whether scholar or layperson (al-Qaradawi, 2012; OnIslam, 2007). Following the scholar's personal definition of *da'wa*, the fundamental importance of the concept is, then, accentuated by its dual purpose: First, he portrays it as an indispensable foundation of the Muslim identity, and second, he views it as a means for expanding the Islamic message and guiding the non-Muslim others into the Islamic way of life and thought, with the presence of Muslims in the West being a vehicle of convenience for this mission of Islamization. In this sense,

da'wa can be understood as having two dimensions in al-Qaradawi's thinking - intra-Muslim *da'wa* and extra-Muslim *da'wa* - each with their own unique set of constructs.

4.2.1   Intra-Muslim *da'wa*

Al-Qaradawi intends for the intra-Muslim dimension of *da'wa* to be an avenue for inculcating in the hearts and minds of Muslims in Europe an awareness of their religious obligations at both the individual and community levels, and for protecting them from assimilation. This appears to be predicated firmly on his conviction that the Muslims are in need of constant reminder to preserve their religion and retain its ethical principles in the face of the 'vortex of materialist and utilitarian trends' seen as endemic to the cultural fabric of the West as a whole (al-Qaradawi, 2012, para. 15). Although the scholar believes that the region has positive characteristics that do not clash with the principles of Islam, such as its technological advancements and the resulting wealth of opportunities, his perception of it is largely negative, as evidenced by his elucidation of five of its most unfavorable characteristics (as he sees them): First, 'the flawed knowledge of the divinity: Western perception underlying Western civilization does not have a neat, clear-cut vision of God living up to His true dimensions. It is rather a hazy and blurred vision'; second, 'the materialistic propensity which believes in the primacy of matter as a basis for understanding the universe, knowledge and behaviors, denying at the same time the metaphysical and spiritual dimension'; third, 'the secular tendency, which is the upshot and the corollary of the two preceding characteristics. It is a tendency which separates religion from social life'; fourth, 'conflict: It is a civilization pervaded by conflict, a civilization which does not believe in peace, quietude or love. It is marked by conflict between man and himself, between man and his fellows and

finally between man and his Creator'; fifth, 'feeling of superiority: It is a drive which is deeply ingrained in the mind of all Westerners. They consider themselves to be superior to others and believe that Western civilization is synonymous to Human Civilization. They recognize no other civilization' (in Wani, 2014, p. 50-51).

Consistent with this negative perception, the scholar warns Muslims in the West not to '… melt into that larger community in the very way salt melts into water', metaphorically expressing his concern about the risk of their becoming culturally indistinguishable from the wider society (al-Qaradawi, 2012, para. 13). He urges that, when Muslim parents find it 'extremely difficult to bring up their children Islamically, they should go back to their countries of origin, as staying in the West in this case will cause an irreparable harm to the whole family' (OnIslam, 2007, para. 4). Al-Qaradawi's seeming equation of being "Western" in behavior with being "less Muslim" here is linked to his belief in the comprehensiveness of Islam (*shumūliyyat al-islām*); similar to most classical and contemporary Muslim scholars, he adheres to the mutually-dependent nature of belief and practice in Islam, and is accordingly resistant to the idea that a Muslim can identify with Islam without being a practicing believer. He writes that 'there is indeed no iman [faith] without Islam, and no Islam without iman' (al-Qaradawi, 1995, p.63), defining *imān* as that which 'pertains to the heart' and Islam as that which 'pertains to bodily action and outward behaviour' (al-Qaradawi, 1995, p.63). Furthermore, he states that Islam '… consists of beliefs which can enrich the mind, of ibadat [worship rituals] which purify the heart, of morals which purify the soul, of legislations which establish justice, and of manners which beautify life' (al-Qaradawi, 1995, p.100). It is particularly this Islamic quality of "comprehensiveness" that cements

the scholar's conviction that Islam and secularism (in the general sense of separation of religion and politics) are incompatible (OnIslam, 2011).

In addition to his concern about the risk of religious attrition, the scholar expresses his fear of losing the loyalty of the Muslims completely to their host societies, particularly those who are 'versed in various vital and important specializations' (al-Qaradawi, 2012, para. 14). He regards the migration of these talented Muslims to the West as the main cause of the intellectual stagnation in the Arab and the Muslim world (al-Qaradawi, 2012). Consequently, he stresses that, although they must abide by the laws of the countries in which they reside, it is imperative that they retain their loyalty to Allah, Prophet Muhammad, and their fellow believers, and that they prioritize the concerns of the Muslim nation over their own interests (al-Qaradawi, 2012, para. 14).

As a preventive measure for religious attrition and diversion of loyalty (both of which are simply "assimilation" in his thinking), al-Qaradawi encourages Muslims in the West to establish an autonomous, parallel Muslim existence within the broader society, modeling after a similar cultural enclave in the history of Jewish minorities in Europe that – according to the scholar - helped the Jews maintain their unique identity (al-Qaradawi, 2012). Describing this Jewish entity as one that was 'distinguished for its own thoughts and rituals' and naming it the 'Jewish ghetto' (al-Qaradawi, 2012, para. 13), the scholar recommends that Muslims in the West create their own Muslim ghetto, in which they must have '… their own religious, educational and even entertainment institutions' (al-Qaradawi, 2012, para. 11) as well as '… their own scholars and sheikhs, who can answer their questions, guide them to the right path, and bring about reconciliation among them in case of their disagreement' (al-Qaradawi, 2012, para. 12). However, he also warns them not to misconstrue this idea of 'Muslim ghetto' for a call

to foster isolationism - a phenomenon he negatively likens to lifelessness (al-Qaradawi, 2012). Rather, the 'Muslim ghetto' should be characterized by an openness to engage positively with the wider society and without the proneness to yield submissively to the latter's traditions (al-Qaradawi, 2012). The scholar defines this idea of positive engagement as Muslims taking a proactive role in participating '… in all the activities of that society, doing good, circulating guidance, preaching virtue and resisting vice, and influencing the society where they live through role modeling and preaching as much as they can…', all of which he considers to be in accordance with Islamic teachings (al-Qaradawi, 2012, para. 28). Reflecting further on the notion of "Muslim ghetto", al-Qaradawi recognizes that the whole idea of establishing an Islamic presence in the West can only transpire through the cooperation of all the diverse groups of Muslim minorities in the region, 'as individual effort is nothing compared to collective effort and indeed Allah's Hand is over the group' (al-Qaradawi, 2012, para. 13). Thus, he calls on Muslim minorities in the West to 'unite together as one man' (OnIslam, 2007, para. 5) and 'reject any form of division that is capable of turning them an easy prey for others' (OnIslam, 2007, para. 6), tying this to the Prophetic saying that reads: 'A believer to his fellow believing brother is like a building whose bricks cement each other' (OnIslam, 2007, para. 5).

4.2.2 Extra-Muslim *da'wa*

In its extra-Muslim dimension, *da'wa* serves as a way for grafting Islamic ideologies onto the cultural fabric of the West in a gradual manner in order to bring about al-Qaradawi's vision of complete Islamization (al-Qaradawi, 1992, 2012). The scholar sees this process as a catalyst for a pre-destined Islamic conquest of the world,

inspired by a prophetic saying that heralds Islam's resurgence in Europe (after having been expelled from the region twice according to the scholar - first from Andalusia, and second from the Balkan states) as a dominant religion through a peaceful ideological conquest following the capture of Constantinople (which, he acknowledges, was completed in the fifteenth century) and Rome (which, he notes, is destined to happen in the future as part of the prophecy) (OnIslam, 2009). Such conquest will professedly occur '… through the power of word and pen, not through the military force, for the world will open its arms and heart to Islam, after being overburdened by the philosophies (ideologies) of materialism and positivism', and '… [Europe] will find none but Islam as a rescuer' (OnIslam, 2009, para. 7). His belief in the truth of this prophecy is further fortified by the idea that the mass Muslim migration to the West during the latter half of the 20th century occurred '… through divine predestinations and natural causes' with '… no planning or arrangement on part of us as Muslims' (al-Qaradawi, 2012, para. 3). Al-Qaradawi's espousal of the Islamization of the West runs parallel with his rejection of the demotion of religion to the private sphere. He contends that, for a society to be Islamic, it 'must commit itself to Islam in its totality…' and '… be willing to apply Allah's injunctions and the Sunnah of His Prophet (SA'AS) on all the affairs and aspects of life: social, economic, political, or intellectual' (al-Qaradawi, 1995, p.100), which, again, points to his belief in the comprehensiveness of Islam. It must be highlighted, however, that the understanding of *da'wa* in the sense of converting non-Muslims to Islam is not necessarily exclusive to al-Qaradawi; it is noted that this idea 'is part of a larger framework of identity and duties constructed by Sunni religious scholars in the Arab world since the 1970s', which expanded due to the presence of Muslims in Europe (Shavit and Wiesenbach, 2009, para. 5). Nevertheless,

al-Qaradawi seems to outshine a league of similarly Islamist-oriented thinkers through his detailed and thorough proposal on the path to achieve the objectives of *da'wa*.

As much as can be coherently gleaned from the scholar's scattered ideas on *da'wa*, he envisions the Islamic conquest of Europe to work in three ways: The creation of pro-Islamic environment in the region, the attainment of high-level positions by Muslims in order to influence the society from above, and the Islamization of Western thought (al-Qaradawi, 1992; 2012). First, al-Qaradawi understands a pro-Islamic environment as a setting in which Islam is largely seen as a positive religion. Acknowledging that the negative image of Islam in the West is an obstacle to achieving other bigger aims of the Islamic movement (which, in his writings, refers to the global revival of Islam), he states: 'We should seek … to improve our image in the eyes of the West … an image of violence, fanaticism, bloody collision with others and neglect of freedoms and human rights, particularly the rights of minorities and women' (al-Qaradawi, 1992, p. 248). Second, al-Qaradawi suggests that the proposed Islamic presence through the use of *da'wa* in the West can be realized by Islamizing important institutions in the society, such as by '… taking important positions in the media, the arts, and the human sciences and social sciences' with the aim to '… influence European society from "above"' (al-Qaradawi, 1992, p.264). At the political level, the scholar expresses the convenience of having Muslims in parliaments who can work to defend their freedom and rights as minorities in expressing their beliefs and to ensure that no Western legislations are in conflict with Islam, such as that which may hinder them from observing their religious obligations, and that which may compel them to commit religious prohibitions (al-Qaradawi, 2012). Moreover, he urges Muslims in the West to form 'blocs, parties, and associations' – in response to other non-Muslim

ideological forces that do the same - for the purpose of avoiding lagging behind, 'totally unable to do anything while others achieve progress' (al-Qaradawi, 1995, p.91). Wiedl notes that al-Qaradawi's suggestions here resemble the late Mawdudi's strategy of societal transformation that requires considerable support 'from above', without which 'the intra-personal approach of da'wa and education' may become unproductive (Wiedl, 2009, para. 40). Finally, al-Qaradawi suggests that it is imperative to introduce changes at the ideological level by promoting Islamic definitions of generic moral and political concepts (e.g., justice, equality, democracy, and human rights) to rectify what the scholar perceives as misinformed modern-Western understandings of Islam. For example, he justifies the seemingly-"inferior" position of women to men in Islam (as can be perceived perhaps from Islamic rulings concerning marriage issues, inheritance, and the like) as being '... based on the Islamic comprehension of equality before Allah, but not on the Western comprehension of gender equality' (Wiedl, 2009, para. 39).

4.3   Shahāda

To begin with, Ramadan views *shahāda* as a timeless and versatile concept that most appropriately expresses the essential features of Muslim identity in accordance with the teachings of Islam (Ramadan, 1999; 2004). He describes it as being represented by two general functions: First, it allows 'a clear remembrance of the fundamental core of our [Muslims'] identity via faith in the oneness of God (*tawḥīd*) and His last revelation to the Prophet Muhammad' (Ramadan, 2004, p.73-74), and second, it serves as 'an elevated consciousness that gives us the responsibility to remind others of the presence of God and to act in such a way that our presence among them and with them is, in itself, a reminder of the Creator, spirituality, and ethics' (Ramadan, 2004, p.74).

Thus, similar to the dual dimension of *da'wa*, the concept of *shahāda* emphasizes the two-sided nature of Muslim identity - the Muslim as an individual, and the Muslim as a member of a community (Ramadan, 2004). This is further supported by his belief that 'each of the four practical pillars of Islamic religious practice [i.e., prayers, alms giving, fasting, and pilgrimage] has a double dimension - individual and collective' (Ramadan, 2004, p.88).

The two general functions of *shahāda* mentioned above are reflected in Ramadan's designation of the world as *dār al-shahāda* (the abode of testimony) - a term that refers to the idea that the earth presents itself as a sanctuary in which mankind, as a universal whole, rightfully dwell as bearers of God's testimony and message - and of Muslims as *shuhadā' 'alā al-nās* (witnesses before humankind), which allows him to subsequently define the European environment as 'an area of responsibility for Muslims' and one 'in which Muslims are brought back to the fundamental teaching of Islam and invited to meditate on their role' (Ramadan, 2004, p.77). The scholar's preference to use the concept of *dār al-shahāda* here is contrary to the classical Muslim geo-political division of the world into *dār al-islām* (the abode of Islam) and *dār al-ḥarb* (the abode of war), the former denoting countries within which Islamic law prevails and the latter referring to those that do not have a peace treaty with Muslims (Ramadan, 2004). The use of this categorization was supposedly grounded in the political experience of the early Medinan community during the expansion of Islam under the command of Prophet Muhammad when it became instructive to differentiate between the territory that was under Muslim rule and that which was not. Ramadan states that, as opposed to having a basis in the Quran or Sunna, the afore-mentioned classical geo-political categorization was merely '… a human attempt, at a moment in history, to describe the

world and to provide the Muslim community with a geopolitical scheme that appropriate to the reality of the time' (Ramadan, 2004, p.69), and is thus inapplicable to the present time. *Dār al-shahāda*, in addition to being in correspondence with the principle of *'ālamiyyat al-Islam*, finds justification in the Qur'anic notion of universal geography, which is perhaps most clearly expressed by the verse: 'Said Moses to his people, "Seek help through Allah and be patient. *Indeed, the earth belongs to Allah* [emphasis added]. He causes to inherit it whom He wills of His servants. And the [best] outcome is for the righteous' (Qur'an, 7:128). A theoretical corollary of this Qur'anic notion for Ramadan is the legal maxim of *al-aṣl fī al-ashyā al-ibāḥa* (permissibility is the original ruling of things), which expresses the idea that anything that is not explicitly forbidden by the Revelation, particularly in the area of social affairs, is permissible (Ramadan, 2009, p.89). It is this positive principle that, according to the scholar, is '… opening to humankind the fields of rationality, creativity, and research' (Ramadan, 2009, p.21). Meanwhile, the positioning of Western Muslims as *shuhadā' 'alā al-nās* here impresses upon them the need to 'give their society a testimony based on faith, spirituality, values, a sense of where boundaries lie, and a permanent human and social engagement' (Ramadan, 2004, p.73) as well as to 'avoid all reactionary and oversensitive attitudes and to develop a self-confidence based on a deep sense of responsibility, which in Western societies should be accompanied by real and constant action for justice' (Ramadan, 2004, p.77). This positive acknowledgment of the European environment and the role of Western Muslims, then, provides the motivation for Muslims to make 'an authentic contribution to society' by way of '… infinite self-giving in the cause of social justice, the well-being of humankind, ecology, and solidarity in all its manifestations' (Ramadan, 2004, p. 77).

Ramadan further clarifies the significance of *shahāda* in the shaping of Muslim identity in six ways, the first three of which concern a Muslim's faith and religiosity, while the last three relate to their role in society (Ramadan, 2004). First, allegiance to Islam starts fundamentally with the pronouncement of *shahāda* (the Muslim declaration of faith that reads 'There is no God but Allah, Muhammad is Allah's messenger') that marks one's submission to God and his commandments. Second, the intangible idea of submission to God is expressed by adherence to mandatory religious practice, the abandonment of which nullifies the religio-spiritual dimension of *shahāda* that serves as a marker of Muslim identity. Third, only through observing Islamic religious practice can the integrity of Muslim identity be expressed and preserved. Fourth, professing the *shahāda* entails acceptance of the pledge to maintain 'respect for His creation' and loyalty to 'agreements, contracts, and treaties' into which Muslims have entered, whether explicitly or tacitly (Ramadan, 2004, p.74). Fifth, professing the *shahāda* places the onus on the Muslim to 'present Islam, explain the content of their faith and the teaching of Islam in general' (Ramadan, 2004, p. 74). Sixth, professing the *shahāda* puts responsibility on the Muslim to be actively engaged in society and to participate in the endeavor to achieve positive institutional, economic, legal, social, political or any other area of reform in order to establish and promote justice. Beneath all this rhetorical gloss, it is clear that Ramadan makes a reference to the key characteristics that, according to him, define a Muslim as both a devout follower of Islam and a law-abiding European; on the one hand, the Muslim must submit to God in totality, adhere to religious practice, and disseminate the Islamic message, and on the other hand, they must value diversity and pluralism, be compliant with national laws, and be committed to social good and justice. Thus, similar to al-Qaradawi, Ramadan seems to disfavor the

idea of being Muslim only in the nominal sense (though this nominal adherence is thought to be more common that not in Europe), and encourages Muslims to be socially participatory for the common good.

In order to achieve the reification of his abstract understanding of the ideal European-Muslim identity, which he defines as one that is 'neither completely dissolved in the Western environment nor reacting against it but rather resting on its own foundations' (Ramadan, 2004, p.83), Ramadan further identifies four universal principles[7] of Islam that must be dressed in the Western culture: Faith, understanding, education and transmission, and action and participation (Ramadan, 2004). These four principles, which will be presented below, appear to be universal abstractions of the six constituents of *shahāda* presented previously.

First, Ramadan acknowledges that 'Muslim identity, at its central pivot, is therefore a faith, a practice, and a spirituality' (Ramadan, 2004, p.79). It is presumable that the latter two here ("practice" and "spirituality") are causally-connected constituents of faith, considering the scholar's idea that *shahāda* binds together faith (as a trusting commitment to God on a spiritual level) and practice (as a means for manifesting this spiritual devotion on a practical level) into a unified experience that is fundamental to what it means to be a Muslim (Ramadan, 2004). Following his definition of spirituality as 'recollection and the intimate energy involved in the struggle against the natural human tendency to forget God, the meaning of life, and the other world' (Ramadan, 2004, p.79), the link between spirituality and both faith and practice is expressed in his other statement that 'all the practices prescribed by Islam, especially

---

[7] In a previous work, Ramadan pinpoints five elements of Muslim identity that are similar to the four principles of Islam mentioned in the text. These five elements are 'faith and spirituality', 'practice', 'protection', 'freedom', and 'participation' (Ramadan, 1999, p.132-134). The scholar does not clarify how these elements relate to the four principles.

prayer, are in fact a means of recollection (*dhikr*)' (Ramadan, 2004, p.79). Second, Ramadan argues that Muslim identity is based 'on a constant dialectical and dynamic movement between the sources and the environment, whose aim is to find a way of living harmoniously' (Ramadan, 2004, p.80). Third, the scholar argues that being Muslim is also defined by the responsibility of educating and transmitting the universal message of Islam (Ramadan, 2004). However, he warns that 'transmitting the Message of Islam through *da'wa* must not be confused with either proselytism or efforts to convert: the duty of the Muslim is to spread the Message and to make it known, no more no less' (Ramadan, 1999, p.133-134). Therefore, he stresses that 'whether someone accepts Islam or not is not the Muslim's concern for the inclination of every individual heart depends on God's will' (Ramadan, 1999, p.134). Fourth, Ramadan states that 'the outward expression of Muslim identity is the articulation and demonstration of the faith through consistent behavior' (Ramadan, 2004, p.82). In reference to this 'behavior', he writes:

> 'This "acting," in whatever country or environment, is based on four important aspects of human life: developing and protecting spiritual life in society, disseminating religious as well as secular education, acting for justice in every sphere of social, economic, and political life, and, finally, promoting solidarity with all groups of needy people who are forgotten or culpably neglected or marginalized' (Ramadan, 2004, p.82).

Ramadan believes that these four universal principles of Islam '… give an adequate picture of the fundamentals of Muslim identity, individual and social, separate from its cultural reading in a specific region of the world' (Ramadan, 2004, p.82). At this point, one can possibly observe that the universal form in which *shahāda* is

presented by the scholar correlates with his consistent emphasis in his writings and lectures on the importance of freeing the universalistic and humanistic essence of Islam from its restrictive cultural circumscriptions (Ramadan, 1999; 2004; 2009). Correspondingly, in his endeavor to define a Western-Muslim identity, he underlines the significance in distinguishing between '... religious principles that define the identity of Muslims and the cultural trappings that these principles necessarily take on according to the societies in which individuals live' (Ramadan, 2004, p.78). The ensuing objective here, he clarifies, is to 'cloak this universality [universal religious principles] with the specificity of their national cultures [for Muslims in the West] through the process of integration' (Ramadan, 2004, p.78).

Resonant with his explication of the six constituents of *shahāda* and the four foundations of Muslim identity on the one hand, and his idea of subsequently dressing these universal principles in the Western culture on the other, Ramadan's understanding of Western Muslims' responsibilities is anchored on the idea that they take an assertive stand for their rights as both Europeans and Muslims. He argues:

> 'Muslim leaders and intellectuals should on the one hand demand and require the just and equitable application of the law with respect to all citizens and all religions. And on the other, they should face up to their responsibilities by using the broad freedom they enjoy in the West and trying to provide Muslim communities, through courses, study circles, and all kinds of institutions and organizations whose essential aims are to keep Islamic faith and spirituality alive, to spread a better understanding both of Islam and of the environment, to educate and pass on the message of Islam, and, finally, to see to it that Muslims get really

involved in the society in which they live. There is nothing to stop them from doing so and although many initiatives have been taken in this direction over the past several years, the teaching given has often remained traditional. From the Islamic point of view, adapting, for the new generations, does not mean making concessions on the essentials but, rather, building, working out, seeking to remain faithful while allowing for evolution. With this aim, Muslims should take advantage of the most effective methods (e.g., of teaching, management) and scientific and technological discoveries (which are not in themselves in conflict with Islam, as we have seen) in order to face their environment appropriately equipped; Consequently, Muslims should move toward exercising a choice from within the Western context in order to make their own what is in harmony with their identity and at the same time to develop and fashion the image of their Western identity for the present and the future' (Ramadan, 2004, p.84-85).

Following this elaboration, Ramadan concludes that 'the definition of Muslim identity can be only of something open and dynamic, founded, of course, on basic principles but in constant interaction with the environment' (Ramadan, 2004, p.83) rather than one that is '… confined within cold Islamic rulings defining what is lawful and unlawful (*al-ḥalāl wa al-ḥarām*)…' (Ramadan, 1999, p.116). Given his afore-mentioned emphasis on the idea of dressing universal Islamic principles in the Western culture, it is useful to present the scholar's approach to fundamental questions pertaining to the issues of Western-Muslim belonging, religiosity, and socio-political experiences.

First, concerning the issue of belonging, Ramadan leaves no question as to where the loyalty of Muslims lies when he states that 'the primary attachment of believers… ' is naturally '… to God and their faith' (Ramadan, 2004, p.94). However, the scholar immediately clarifies that what is of utmost importance here is the need '… to clarify the nature of the connection that exists between Islamic requirements and the concrete reality of citizenship in Western countries' (Ramadan, 2004, p.94). Thus, while al-Qaradawi focuses on the idea of prioritizing religious identity over other forms of affiliations, Ramadan prefers to focus on the complementarity between both national and religious identities; he writes:

> '"Muslim identity" responds to the question of being and as such is essential, fundamental, primal, and primordial, because it contains the justification for life itself. The concept of nationality, as it is understood in the industrialized countries, is of a completely different order: as an element of identity, it organizes, from within both a given constitution and a given space, the way in which a man or woman is related to his or her fellow-citizens and to other human beings. Muslim identity is a response to the question: "Why?," while national identity is a response to the question: "How?," and it would be absurd and stupid to expect geographical attachment to resolve the question of being. In short, it all depends on what one is talking about: if it is a question of a philosophical debate, the individual is a Muslim of American, British, French, or Belgian nationality, as is the case with any humanist or Christian involved in explaining his or her ideas about life. If the discussion is of legal, social, and/or political questions, the individual is

an American, English, French, or Belgian person of the Muslim faith, as others are of the Jewish or Christian faith' (Ramadan, 2004, p.93).

With regard to ethnic identity, Ramadan warns about the problem of 'not knowing very well how the outlines of that identity are drawn' due to the uncertainty among Muslims – particularly among the older generation according to the scholar - in defining 'whether they wanted to be "Muslims" in the West or rather "Pakistani, Turkish and Arab Muslims" in the West' (Ramadan, 2004, p.78). Moreover, he highlights that 'native European and American converts' were 'divided between exiling themselves from their own culture by Arabizing or Pakistanizing themselves and simply staying what they were at a distance from Muslim communities that had come from elsewhere and were culturally distinct', although he does not expound on how Muslims can be "Muslim" without being heavily "ethnic" (Ramadan, 2004, p.78). Nevertheless, the scholar had already noted prior to making the afore-mentioned statements that many of the second and third generations of Western Muslims were beginning to trend towards reaffirming their identity, observing Islamic teachings, and - in the case of the more educated – returning to a 'de-ethnicized' Islam (Ramadan, 1999). According to him, this was not 'exclusively a phenomenon of opposition to the West…', but rather '… a positive affirmation of self-confidence among young Muslims' (Ramadan, 1999, p. 114).

In addition to Muslim attachment to God and their faith, Ramadan emphasizes the importance of maintaining a sense of belonging to the Muslim *umma*, which he defines as 'a community of faith, feeling, brotherhood, and destiny' (Ramadan, 2004, p.89). He follows the lead of many other Muslim scholars in likening a Muslim within the *umma* to 'an organ in an enormous body' to show how this sense of belonging forms

part of the Muslim identity (Ramadan, 2004, p.90), taking inspiration from the Prophetic sayings: 'The umma is one body; if one of its members is sick, the whole body experiences the fever and the affliction' (in Ramadan, 2004, p.90), and 'Gather together, for the wolf picks off only the sheep that stand alone' (in Ramadan, 2004, p.90). The scholar, then, explains that the mission of this Islamic body is 'to bear witness to their faith in the presence of God before the whole of humankind by standing on the side of justice and human dignity in all circumstances, in relation to Muslims and non-Muslims alike' (Ramadan, 2004, p.91).

Regarding the issue of religiosity, Ramadan, similar to al-Qaradawi, warns Muslims not to diminish the importance of maintaining religious awareness and spirituality in the Western context. He writes that it is vital for Muslims in the West to determine how to '… preserve the vitality of a spiritual life…' in a '… secularized and industrialized…' society that is '… subject to the logic of production and consumption…' (Ramadan, 2004, p.70), and to subsequently 'pass on the necessary knowledge [the message of Islam]' (Ramadan, 2004, p.71). In the specific context of religious practicalities and difficulties, Ramadan consistently exhibits an unfavorable view of the European societal fabric across many of his works; notwithstanding the symbolic revivalism of religion shown by many Muslim youths (e.g., fasting during Ramadan), he highlights the disappearance of religious and spiritual practices and references from the public space and the passive belief in God as inevitable social realities in the region (Ramadan, 1999), and describes 'the present world order' as seeming 'to have forgotten the Creator and to depend on a logic that is almost exclusively economic...' (Ramadan, 2004, p.73). In addition, the scholar brings to light elements that 'appear to be obstacles to the positive and full existence of Muslims in the

West' (Ramadan, 2004, p.70), making these out to be 'fundamental "problem areas" concerning issues of education in general and Islamic education in particular in a secular environment, issues of social and political participation and of culture' (Ramadan, 2004, p.71).

Nonetheless, Ramadan also acknowledges that these negative characteristics do not paint an accurate picture of the European reality. He believes that the region also provides pivotal advantages for Muslims, such as the feasibility of enjoying '… to a large extent, the right to live as [practicing] Muslims in Europe and North America', and on which they can base their '… hopes for a better future' (Ramadan, 1999, p.138). He argues that Europe does not necessarily make a hostile place for Muslims because it provides them with 'an environment that guarantees freedom of conscience and worship to Muslims (that is, of their faith and their practice), that protects their physical integrity and their freedom to act in accordance with their convictions' (Ramadan, 2004, p.70). He further acknowledges that Muslims in North America and Europe enjoy five fundamental rights that 'allow them to feel at home in their countries of residence' (Ramadan, 2004, p.70): 'The right to practice Islam, the right to knowledge, the right to establish organizations, the right to autonomous representation, and the right to appeal to law' (Ramadan, 2004, p.70).

Concerning the socio-political experiences of Muslims in the West, Ramadan expresses his concern on the prejudicial misrepresentation of Islam, stating that it is 'at the bottom of the difficulties lived by Muslim communities at the present time' or 'even the main factor' (Ramadan, 2004, p.71). He explains that '... events taking place on the international stage', such as 'the fallout from political situations in Muslim countries and the active interests, and sometimes manipulations of governments', have caused 'a

whole range of prejudices and preconceived ideas about Islam and Muslims' (Ramadan, 2004, p.71). This has further led to acts of discrimination against Muslims, backed legally by laws that are 'used tendentiously because of this atmosphere of suspicion' (Ramadan, 2004, p.71). Having argued so, Ramadan does not overlook the fact that perpetual problems in the Muslim-minority psyche have significantly contributed to the problem of Muslim integration in the West. He highlights the tendency among many of the Muslims living in the West to suffer through their minority mentality rather than rising up to demand their rights, acquiescently submitting to harassment, racism, and discrimination (Ramadan, 2004). The scholar identifies this minority mentality as one of the three intra-Muslim problems (the other two being sectarianism and isolationist attitude) that together militate against Muslim discourse in the West today being clearly heard (Ramadan, 2004), although it is unclear whether he bases this on actual studies on Muslim minorities in Europe or anecdotal evidence. As opposed to such defeatist attitude, he contends that Muslims should exert a 'positive influence' within their society 'once their position is secure' (Ramadan, 2004, p.73), and that 'in all circumstances it is right to resist the victim mentality by refusing to sink into emotional complaining that brings isolation or a blind rebellion that brings exclusion' (Ramadan, 2004, p.73). He writes:

> 'Muslims will get what they deserve: if, as watchful and participating citizens, they study the machinery of their society, demand their rights to equality with others, struggle against all kinds of discrimination and injustice, establish real partnerships beyond their own community and what concerns themselves alone, it will be an achievement that will make political security measures, discrimination, Islamophobic behavior, and

so on drift away downstream. In the end, the ball is in their court . . .

unless they are determined to remain forever on the margins' (Ramadan,

2004, p.7).

4.4   Discussion

The expositions in the preceding sections bring to the fore various points of

convergence and divergence **-** the former more numerous, but less distinctive and

complex than the latter - between al-Qaradawi's understanding of *da'wa* and

Ramadan's interpretation of *shahāda*. It is clear that both scholars try to situate their

conceptualizations of European-Muslim identity in an equidistant point between the two

tendencies of isolation and assimilation, but they cater to different areas of emphasis in

their understandings of the role of Muslims in Europe, the main distinction being that

al-Qaradawi uses *da'wa* to place particularistic emphasis on the Islamization of the

West, while Ramadan uses *shahāda* to promote his universalistic perspective on the

relationship between Muslims and non-Muslims in the West. It is important in this

section to discuss further how the scholars are similar and different in their approaches,

and to probe into the reasons for the specific ways in which they use *da'wa* and

shahāda, in addition to explaining the concepts' roots in the Islamic tradition as they

see them.

One important characteristic that bears upon al-Qaradawi's and Ramadan's

choices in their thinking is the conception of materialism and secularization as being in

opposition to spiritualism. The fact that they weave faith and practice together into one

unified experience and portray the former as somewhat impotent without the latter

explains why much of their rhetoric is underlined by the need to remind Muslims of

what it means to be "Muslim" in the spiritual sense and to belong to the Muslim *umma*. Al-Qaradawi's message, however, is tinged with a greater sense of urgency compared to that of Ramadan, which is perhaps telling of the different motivations that lie beneath the surface. Al-Qaradawi's consistent perception of the West as a largely-corrupt world and a threat to the development of Western-Muslims' spirituality inadvertently accentuates a portrayal (on his part) of Muslim minorities as "the victim" on the verge of becoming "Westernized" without any support from the Muslim world. This seems to contradict his use of *da'wa* to empower Muslim minorities and reverse their self-perception (as he understands it) from being "on the periphery" with no important role to play to being a "model minority" that takes a proactive position in advancing the betterment of society. Hassan (2013) discovers a similar dichotomy in his analysis of al-Qaradawi's approach, though in the context of the scholar's methodological use of *fiqh al-aqalliyyat*[8] rather than that of his construction of *da'wa* as discovered in this study; it seems plausible that the correlation between these two findings is not coincidental, thereby adding to evidence suggesting that such dichotomy in the scholar's thinking is more real than perceived. As for Ramadan, he refuses to entertain the idea of "Muslim victimization" and emphasizes instead the positive aspects of the West, from which Muslim minorities can find for themselves resources for changing their condition. This appears consistent with his placing on Muslims in the West the responsibility for "bearing witness" to Islam, which includes getting involved in society in positive ways.

With regard to al-Qaradawi's and Ramadan's call on the Muslims to belong to the *umma*, there is little elaboration on their part on what this belonging denotes in practical terms. It is, however, deducible from their adherence to the Prophetic saying

---

[8] This is discussed in the Literature Review section in the introductory chapter of the thesis (Chapter 1.3).

on the importance of unity in Islam - which likens Muslims united under the banner of the Muslim *umma* to the different parts of the human body that work interdependently for the proper functioning of the whole system - that Muslims are bound by the same Divine intention of the Islamic Revelation that implores them to love and care for one another, and to join hands for the cause of Islam, making the plight of one Muslim the plight of them all. Thus, a French Muslim of Moroccan origin living in Paris and a British Muslim of Pakistani origin living in Birmingham, for example, are presumably encouraged to be committed to each other's wellbeing in their duty to uphold the truth of Islam (as Muslims see it) despite their differences in upbringing, culture, and national identity. This happens to be the same reasoning that al-Qaradawi and Ramadan use to urge Muslims in Europe to combat divisive sectarianism that only serves to reinforce the perception of Islam as a backward belief system. Aside from the afore-mentioned similarities, al-Qaradawi and Ramadan differ significantly in particular features of their thinking, as will be discussed below.

Through his formulation of *da'wa*, al-Qaradawi seems to reveal a dualistic thinking on his part that breaks his perception of the European cultural space into rigid binary oppositions (e.g., Islam and *kufr*, Muslims and non-Muslims, good and evil, and Islam and modernity), which, given his traditional devotion to Islam and his disapproval of the general secular cultural model, subsequently leads to a need for one-sided Muslim dominance. While the obligation to proselytize is hardly a phenomenon exclusive to the scholar's thinking, and while his ideas on *da'wa* may generally be reminiscent of the teaching of Hasan al-Banna, his dichotomized view of Islam and the West can be speculatively ascribed to his carte blanche reading of Qur'anic verses and Prophetic utterances that appear to highlight Islam's exclusivity as the only remaining

"true" religion before God. Some of the most-frequently cited scriptural and Prophetic evidence addressing the issue are as follows: 'And whoever desires other than Islam as religion - never will it be accepted from him, and he, in the Hereafter, will be among the losers' (Qur'an, 3:85); 'indeed, the religion in the sight of Allah is Islam. And those who were given the Scripture did not differ except after knowledge had come to them - out of jealous animosity between themselves. And whoever disbelieves in the verses of Allah, then indeed, Allah is swift in [taking] account' (Qur'an, 3:19); 'it is narrated on the authority of Abu Huraira that the Messenger of Allah observed: By Him in Whose hand is the life of Muhammad, he who amongst the community of Jews or Christians hears about me, but does not affirm his belief in that with which I have been sent and dies in this state (of disbelief), he shall be but one of the denizens of Hell-Fire' (Sahih Muslim, 1:284).

The "Islam" that al-Qaradawi expresses in his rhetoric refers particularly to the Islamic Revelation that Prophet Muhammad is believed to have relayed and established in the 7th century, which accords with the scholar's deep-seated conviction that any other belief system that deviates from this form, particularly its strict monotheistic element, represents a religion of denial or disbelief (*kufr*), and that that which blatantly contradicts its ethico-moral framework (the Muslim code of lawful and unlawful) is an "impaired" source of ethical and moral conduct. Notwithstanding his admission that the term '*kufr*' can carry several different contextual meanings (e.g., atheism, conversion from Islam to another faith, polytheism, idolatry, and secularism), his belief that '… a *kafir* [denier] becomes a Muslim as soon as he witnesses that there is no God but Allah and that Muhammad is his messenger…' begs to confirm the concomitant classification of non-Muslims as monolithically *kuffār* (deniers) (al-Qaradawi, 1995, p.62). However,

in spite of his repudiation of non-Islamic and non-religious affiliations, there is no indication of hostility in his perception of non-Muslims; while rejecting the extremist view that Muslims have no mutuality with Christians and Jews due to the latter's "disbelief" and their "alteration" of the word of Allah (al-Qaradawi, 2003), al-Qaradawi makes it a point to single out the two groups for special regard due to their status as "People of the Book" (al-Qaradawi, 2003, p.311) and clarifies that the Islamic commandment 'to be kind and generous' to followers of other religions extends to even 'idolaters and polytheists' (al-Qaradawi, 2003, p.311). In the context of Muslim life in the West, the scholar encourages Muslim minorities to draw together the three Abrahamic religions and collaborate with Christians and Jews in upholding interfaith tolerance, defending the weak and oppressed anywhere in the world, and combating 'the enemies of religious belief', 'the materialist proponents of creedal infidelity and behavioral libertinism', and 'the propagators of nakedness, promiscuity, abortion and sexual perversion in all its forms' (al-Qaradawi, 2003, p.22). However, he also warns Muslims not to diminish their differences with the other two Abrahamic groups relating to Islamic creed, matters of worship, and the code of *ḥalāl* (lawful) and *ḥarām* (unlawful) (al-Qaradawi, 2003).

In theoretical terms, al-Qaradawi's narrow definition of Islam mentioned above inevitably leaves open an extremely wide scope for what can be deemed within the parameters of the European socio-cultural fabric as falling into the category of *kufr* (mainly by the scholar himself). In tune with his portrayal of the foundations of the secular cultural fabric as the source to which many of the problems underlying the Islam-West conflict are tied, his belief that to become "Western" in behavior and attitude is to become less "Muslim" is likely to be indicative of a hint of reluctance on

his part to see the West as "home" for Islam and Muslims. This position translates into two outcomes: First, in recognizing the vulnerability of Muslim faith and spirituality (as he sees it) in the European context, he shapes the internal dimension of *da'wa* into a protective measure against any possibility of assimilation and religious attrition, and second, in holding that the European cultural fabric is a symbol of *kufr*, he designs the external dimension of *da'wa* as a means to Islamize the West, taking the direct approach of promoting Islamic interpretations of values and ethics through intra-Muslim practices and extra-Muslim preaching in hope that they supplant the increasingly secular foundations of the region.

In contrast to al-Qaradawi's stringent shaping of *da'wa*, Ramadan formulates *shahāda* in a distinctly flexible manner and in a universalistic language and uses it as a basis for professedly developing a harmonious multi-faceted Western-Muslim identity within a pluralistic frame (e.g., a European of Pakistani origin, Muslim faith, and British nationality). Whereas al-Qaradawi's thinking appears to traverse along the contours of "dualism", Ramadan seems to perceive the world as being made up of naturally interdependent, interconnected systems (e.g., cultures, systems, traditions, and economies), as perhaps suggested by his recurring comments on the themes of "natural interaction" and "complementarity" (e.g., interaction and complementarity between religious, ethnic, and national identities), which rejects the binary logic of oppositions. The message of universalism that Ramadan propagates finds expression in his flexible use of *shahāda*, which may subsequently be attributed to his allegorical reading of the concepts of Islam and *kufr*. The scholar recognizes two different interpretations of "Islam" in Muslim theology: First, submission to God in its generic sense, and second, Islam as 'the religion whose text is the Qur'an and whose prophet is Muhammad'

(Ramadan, 2004, p.206). While not condoning the puritanical tendency to restrict this definition of "Islam" to the latter meaning, he suggests that the former offers a more sensible correspondence with the message of the Revelation that revolves around the one and eternal "monotheism", which is built on 'the recognition of the existence of a Creator and conformance to His messages' (Ramadan, 2004, p.206). It should be pointed out, however, that there is a contradiction between how Ramadan defines "Islam" here and how he defines it in his formulation of European-Muslim identity through *shahāda*; in the latter context, he associates Islam specifically with belief in the one God and 'His last revelation to the Prophet Muhammad'[9]. Nonetheless, the less strict between the two possible meanings of Islam ties with his minimalistic definition of *kufr* (denial) in the context of the Revelation, which narrows down to "the deliberate rejection of God" after having received the knowledge of "Truth". Although Ramadan recognizes that the broad range of semantic connotations of *kufr* inevitably allows the designation of Jews and Christians as *kuffar* in the sense that 'they do not recognize the Qur'an as the last revealed book' and that 'they deny [*yakfuru*] the truth of the message and its Prophet'[10], he denounces the use of this nomenclature to emphatically discredit non-Muslims' faith in God (Ramadan, 2004, p.206).

Whereas al-Qaradawi minimizes the meaning of Islam, Ramadan broadens the traditional scope of what can be defined as "Islamic" to include any entity that meets the higher objectives of Sharia (*maqāṣid al-sharī'a*)[11], and that which does not contradict the universal principles of Islam (as Muslims know them), regardless of whether it is of religious or secular nature, and whether or not it is prevalent in Muslim cultures. Having

---

[9] This is mentioned in Chapter 4.3 on page 72.
[10] The bracketed clarification in this quotation - *yakfuru* - is added by Ramadan.
[11] In general, Sharia has five main objectives: Protection of life, protection of property, protection of lineage, protection of religion, and protection intellect.

been born and raised in Europe, his intimate familiarity with the machinery of the region's pluralistic socio-cultural fabric and his first-hand experience of belonging to a religious minority perhaps allow him to take a balanced view of its potential benefits and challenges to the development of Muslim faith, ethics, and character, which, unsurprisingly, inform much of his confidence in, and positive attitude towards, the notion of reconciliation. Thus, far from seeing the cultural foundations of Europe as the sole root of the problem, his discussion of issues related to Muslim identity in the West revolves primarily around the themes of minority mentality and reductionist Muslim thinking. Much of his message to European Muslims is built around the idea of breaking free from any internalized self-prejudice (e.g., the tendency to direct deeply-ingrained negative attitudes, such as the feeling of alienation, towards oneself), and of asserting their rights and carrying out their responsibilities as citizens of their countries. In *shahāda*, Ramadan finds a flexible means to develop a seemingly-consistent image of what it means to be a Muslim beyond the confines of space and time and amidst the challenges of negotiating between multiple identities (e.g., religious, national, and ethnic) within a pluralistic context, as opposed to an unyielding commitment to Islamize the West.

The contrast shown hitherto between al-Qaradawi's and Ramadan's motivations for using *da'wa* and *shahāda* casts light on how the former portrays the Islamization of the West as an ultimate end of pursuit and how the latter describes the Islamization of Muslims (in the sense of returning to Islam after a long lapse of cultural reductionism) as a means to an end (which is, as best as can be gleaned from his philosophy, "faithfulness to the one God and His Will"). The question that naturally follows is whether Western Muslims must Islamize the societies in which they live in a form of

complete reconstruction or rather seek ways to reconcile Islamic principles with the normative ideals of their societies.

For al-Qaradawi, remedying the "wrongdoings" of the world, and especially of the West, through preaching and Islamization appears to be a matter of fulfilling an obligatory Islamic commandment; the Quran and many Prophetic sayings point to the Muslim responsibility of enjoining "good" and forbidding "evil", which is the essence of *da'wa* that - as portrayed by the scholar - lies at the very heart of the Muslim life. One can relate this to the story of the Children of Israel in the Qur'an, who, according to Muslim scholarly interpretations of the Text, were cursed for not having forbidden "evil" among themselves:

> "Cursed were those who disbelieved among the Children of Israel by the tongue of David and of Jesus, the son of Mary. That was because they disobeyed and [habitually] transgressed' (Qur'an, 5:78).
>
> 'They used not to prevent one another from wrongdoing that they did. How wretched was that which they were doing' (Qur'an, 5:79).

The following Prophetic sayings further illuminate this commandment:

> 'Whoever among you sees an evil, let him change it with his hand; if he cannot, then with his tongue; if he cannot, then with his heart - and that is the weakest of Faith' (Sunan an-Nasa'i, 47:24)
>
> 'There is no people among whom sins are committed when they are stronger and of a higher status (i.e. they have the power and ability to stop the sinners) and they do not change them, but Allah will send His punishment upon them all' (Sunan Ibn Majah; 36:4145)

These statements clarify that Muslims must, by all (or any) of the suggested means, denounce evil, albeit with the concession that the duty hinges on a Muslim's circumstantial ability to do so.

Although Ramadan does not contest the binding nature of the Islamic commandment to enjoin good and forbid evil, he consistently portrays himself in his writings as a disbeliever in the idea of converting people to Islam (in the sense that there is an element of pressure that prevents them from making a choice based on knowledge, enthusiasm, and their own free will), which, to him, is not "Islamic" (Ramadan, 2004, p.81). For the Swiss thinker, an understanding of *da'wa* that is undergirded by the idea of one-sided Islamization, much like that which al-Qaradawi propagates, reduces genuine efforts to establish mutual understanding to '... a call to our truth, a *dawa* (call, invitation, preaching), with no meaning beyond that' (Ramadan, 2004, p.205). He clarifies further that 'conversion is something that only God can accomplish, through His revelation, with each individual, and no other human being has the right to get involved in it' (Ramadan, 2004, p.81). It is this notion of "free will", among other features of the scholar's thinking, that mainly leads March (2007) to argue for the existence of an overlapping consensus between the scholar's ideas and political liberalism, as noted in Chapter 1.3. In addition, Ramadan's position here, albeit unconventional within the Muslim scholarly tradition, falls in line with the manner in which the Qur'an explains the nature of "belief" and the purpose of the Revelation; scriptural verses abound that describe the role of the prophets as "messengers" and "warners" (as opposed to "converters"), and that they were naturally powerless to change the hearts of the peoples to whom they were sent because "divine inspiration" from deep within the soul can only come by God's guidance (and His only). In

recognition of the impossibility of Muslims applying the principles of social affairs (*mu'āmalāt*) in the Qur'an and Sunna in their entirety due to the fact that European countries (or the West in general) abide by their respective national constitutions and international standards of human rights, Ramadan suggests that Muslims 'apply and respect the rulings of the Religion as much as possible within the framework of the constitution of the country they live in and must at the same time avoid involvement in activities which contradict their Religion' (Ramadan, 1999, p.139).

Putting Ramadan's thinking into perspective, it is possible to establish a link between his understanding of religious equality and his universally-oriented *shahāda*. Rather than encouraging Muslims to present Islam in its classical religio-cultural form, his conception of the core function of Muslims in the West (as expressed by *shahāda*) as reminders for the general mankind of the absolute existence of God and seekers of morality, ethics, and justice transpires as a rather generic religious mindset understandably shared by many believers of other religions. This is reflected in his emphasis that all monotheistic revelations, including Islam as the last of them, converge in their ultimate purpose to 'remind human beings of the presence of the Creator and the finiteness of life on earth' (Ramadan, 2004, p.202). The scholar thus calls for pragmatic discussions on issues of primary concern for all the diverse groups living in the West with no partiality, encouraging both Muslims and non-Muslims to collaborate in enjoining what is positive and resisting what is negative in their shared society, and in promoting 'a true religious and cultural pluralism on an international scale' (Ramadan, 2004, 76). This can be realized, he adds, by establishing 'partnerships with other organizations that work more widely in the same areas so that a plural front can be established against injustice, discrimination, and xenophobia in the name of all citizens

without differentiation' (Ramadan, 2004, p.154). Ramadan's understanding of *shahāda,* therefore, seems to confirm the idea that Islamizing non-Muslim Europeans does not fall within the utmost priorities of Muslims in the West in his thinking. It is, nevertheless, difficult to envisage how the scholar's intention to 'remind human beings of the presence of the Creator and the finiteness of life on earth' might fare in equilibrium with secular ideologies that, while mutually committed to the betterment of society, seem to believe in the necessity of a "godless" society (Ramadan, 2004, p.202). To develop the preceding arguments further, the problems presented by al-Qaradawi's mission of Islamization and Ramadan's vision of "religionization" must be analyzed.

Al-Qaradawi's Islamist vision, first, calls into question the role of Islam (while already facing the challenge to overturn its negative image in the media) as a moral compass for Muslims and non-Muslims in a space where secularism appears to have emerged as a dominant force in society. It cannot be disputed that many Muslim interpretations of the Islamic vision of human life do not march in unison with the modern sensibilities of human rights advocates in the West. This cultural conflict is evident from several cases across many European countries in recent years. For example, when the French parliament issued a controversial ban on the wearing of face veils (albeit this also being subject to Muslim sectarian disputes) in 2010, justifying it with the necessity to protect the principles of human dignity and gender equality, public safety concerns, and the French model of assimilation, the measure reportedly enjoyed 'the support of 82% of the French population' despite the argument that 'it will do more to stigmatize Muslims than address real integration problems' (in Archick et. al., 2011, p.13; PEW, 2010). In the UK in 2008, the Archbishop of Canterbury, Dr. Rowan Williams, found himself in the eye of a religious and political storm following his

public acknowledgment of - as expressed by the media - the inevitability of adopting the Sharia for social cohesion due to the difficulty of Muslims, in general, to relate to the British legal system. A spokesman for the then Prime Minister, Gordon Brown, responded by stating that Sharia cannot be used as a justification for breaching British laws and values, to which all British citizens must submit (Butt and Radnofsky, 2008). Nonetheless, a finding made by the Institute for the Study of Civil Society (CIVITAS) claims that there exist (at the time of the report) as many as 85 sharia courts in Britain, many of which have allegedly acted in ways that are legally discriminatory to Muslim women dealing with marriage issues[12], and to be 'seriously out of step with trends in Western legislation' (MacEoin, 2009, p.130). This sentiment also seems to be largely true across Western European countries at the political level; many public figures argue for the incompatibility of Islam with European standards of democracy due to 'its criminal law and criminal procedure, its rules on the legal status of women and the way it intervenes in all spheres of private and public life in accordance with religious precepts' (ECHR, 2004, p.22).

Second, al-Qaradawi's vision of an Islamic Europe looks to be far from the current reality of European demographics and its trends. Despite the diminishing global significance of Christianity in the region (Jacobsen, 2011), symbolic identification with the religion as a social marker reportedly remains high (PEW, 2011); the estimated 76% population of Christians in Europe in 2011, which includes its various denominations, effectively makes Christianity the predominant faith in the region, followed by other Abrahamic, Dharmic, and Neo-pagan religions as well as secular ideologies by a big margin (PEW, 2011). The region's estimated population of 15 million Muslims, in

---

[12] **Secrets of Britain's Sharia Councils**. (2013) TV. Karen Edwards: BBC Two. United Kingdom

comparison, merely amounts to 6% of its total population (PEW, 2011). The notion of a Muslim-majority Europe is also deemed questionable by the PEW itself; Greene quotes Brian Grim, a senior researcher at the think tank, as arguing that the Muslim population, despite the predicted rapid demographic growth[13], is 'trending with the general global population'[14] rather than leading to the realization of 'Eurabia'[15] (Greene, 2011, para. 39). Greene further states that Christianity seems set to remain the biggest religion in the world for the next 20 years, with the current 2 billion Christians (30 to 35 percent of the global population) 'making it very unlikely that there will be fewer than 2.2 billion Christians in 2030' (Greene, 2011, para. 27). Moreover, he cites Alan Cooperman, an associate director of the PEW as saying that there is no indicative evidence in the report that 'there would be more Muslims that Christians' in 2030 and suggesting conversely that 'Christianity and Islam could both be growing at the expense of other religions' (Greene, 2011, para. 30). Given that Europe's demography is likely to remain diverse in the future, the idea of Islamizing the West - in addition to seeming like a tall order - may risk facing strong resistance from other major religious and secular groups and the danger of it backfiring on efforts to rectify the increasingly-negative image of Islam in the Western media.

Al-Qaradawi's notion of Muslim ghetto appears to be impractical in contexts that do not essentially support the preservation of cultural differences. Although many Muslim communities in Western Europe have long established a parallel existence with varying levels of interaction with the wider society and have been relatively successful in preserving their unique identities, there has been conflict arising from dissimilarity

---

[13] A popular study made by the PEW Research Centre in 2011 predicts that the region's Muslim population might exceed 58 million by 2030, or 8% of the total European population.
[14] Greene interprets 'global trends' as having fewer children per woman and an aging population.
[15] "Eurabia" is a popular political neologism that describes the transformation of Western Europe into a Muslim-majority region

between the very nature of such existence and the varying integration models applied by European countries. On the one hand, it is possible to observe that the policy of multiculturalism adopted by Britain - and the Netherlands to a certain extent – has significantly allowed Muslims to build their own cultural communities. However, multiculturalism is also perceived to be double-edged; it may be criticized for giving too much freedom for minorities to develop their own separate communities, making it even more difficult to integrate them into the wider society, and especially so in the case of the minority of Muslims who do not want to integrate into the fold. On the other hand, the republican-assimilationist model adopted by France, with its strong demand on the total embracement of French cultural norms, strongly discourages the parallel existence of minority enclaves. Thus, there seems to be an understanding that cultural practices that are perceived to be in conflict with French ideals, such as face veiling and circumcision, must be abandoned in order for Muslims to be able to commit to total participation in French life. Correspondingly, it is shown that there is a general perception among Europeans that Muslims themselves are responsible for their poor integration, citing reasons such as refusal to integrate and rejection of Western values as the main causes (in Archick et al., 2011, p.11).

Meanwhile, Ramadan's "uncontextualized monotheism" raises concern about whether the permissive nature of his message of universalism here comes with the risk of allowing Muslims to be dragooned by situational factors into yielding credibility to other non-Muslim frames of reference at the expense of their general "limits" for compromises (e.g., portraying "Islam" as a universal monotheism leads to the possibility of some arguing that its specific worship rituals are more a symbolic element than a critical component of the religion). Furthermore, due to the general manner in

which it is expressed, the scholar's message of universalism may not seem as auspicious beyond the confines of contemporary Muslim thinking. By seemingly projecting a panoramic Muslim view onto the wider field of perspectives in a shared environment, there is a significant risk of this approach being perceived as attempting to sublimate others' personal perceptions of differences into one's own subjectivity and eclipsing their sense of importance into the background. This problem is similar to that which may arise from Karl Rarhner's theory of the "anonymous Christian", which defines every man as essentially "Christian" if he ever so sincerely seeks God and strives to live His will, whether or not he has knowledge of Christianity and its Creeds. In Ramadan's concept of universality, there seems to be a lack of clarity in the exact manifestation of how Muslims should perceive the parallel importance of other non-Muslim believers in light of their mutual seeking of God, and of other followers of non-religious beliefs in view of their mutual aim of social solidarity. Admittedly, the problem in this self-centered orientation may be more a matter of perception than reality. However, it should merit some concern because Ramadan conceives of this universality, as highlighted previously, as leading to a form of pluralism that sets out to put all existing diverse groups on an equal footing to enable them to work as a unified, harmonious, consensus-seeking team. It would not be incorrect to argue that in order to have representatives from all groups to engage in an open reflection on global issues, there needs to be a neutral ground where all participants express willingness to decenter from any prejudicial patterns and subjective structures of thinking. While Ramadan clarifies in many of his writings that Muslims are not legally forced by their respective countries to do that which is forbidden by their religion or conscience, there needs to be a clearer

end-point in the hazy picture of his idea of universalism where indelible differences can be asserted early in the process to avoid further issues down the line.

CHAPTER 5

ADAPTIVE REFORM AND TRANSFORMATIVE REFORM

5.1   Introduction

The need and interest for a solution to making Islam relevant and pragmatic for Muslim minorities in the European context have evoked different reactions from al-Qaradawi and Ramadan, prompting them to use different approaches to contextualizing the thinking and practices of the Muslims within the social modes of living and cultural fabric of their immediate environment. As indicated briefly in the introductory chapter of the thesis, al-Qaradawi's "adaptive" approach is reflected in his use of *fiqh al-aqalliyyat* that seeks to make Muslim beliefs practicable in the West, while Ramadan's "transformative" thinking is reflected in his proposition for a new holistic ethical reference that guides the order of society. In the context of this divergence and its dialectical significance, this chapter serves as an avenue for discussing the main structural features of both models of reform and bringing to light their ideological constructs and subtleties, the understanding of which is a further step to deconstructing and comprehending al-Qaradawi's and Ramadan's intricate thinking on European Islam and reform.

5.2   Al-Qaradawi's Adaptive Reform and *Fiqh al-Aqalliyyat*

5.2.1   Conceptual Foundations

Al-Qaradawi's adaptive approach is, first and foremost, founded on the recognition that Muslim residency in the West is a factual reality (irrespective of his negative evaluation of the cultural fabric of Europe, as discussed in Chapter 4.2.1),

which is contrary to the more conservative Muslim thinking that generally regards such phenomenon as "un-Islamic" and "transitory" (Mas'ud, 2005; Shavit, 2012). Similar to Ramadan, al-Qaradawi does not abide by the rigid subsumption of non-Islamic countries under the category of *dār al-ḥarb*. Rather, he prefers to include them (with the exception of Israel) under *dār al-'ahd* or *dār al-sulḥ* (abode of contract) - a third category introduced by the Sunni jurist al-Shafi'i (d. 820 CE) as an intermediate between the preceding concepts of *dār al-Islām* and *dār al-ḥarb* (Ramadan, 2004) - which refers to a non-Muslim territory that has peace treaties and diplomatic ties with Muslim countries. Thus, any country in which Muslims enjoy the right and freedom to fulfill their most fundamental religious obligations is included in *dār al-'ahd* or *dār al-sulḥ*. Al-Qaradawi's acceptance of Muslim residency in the West is proportional to his adherence to the principle of *'ālamiyyat al-Islām*, which is traditionally associated with the belief that Islam is intended for all peoples, places, and times. The significance of this foundation is clear; it provides the crucial basis for the confidence to contextualize Islamic practices and forge a well-defined identity for Muslims minorities in the West that is naturally befitting to both their religion and environment. Therefore, consistent with his formulation of a "balanced" European-Muslim identity through the concept of *da'wa*, al-Qaradawi's adaptive approach allows him to establish ways in which the Muslims can "integrate" - rather than "assimilate" - into their mainstream societies (Shavit, 2012).

Although al-Qaradawi is not the original founder of *fiqh al-aqalliyyat*, it is often agreed that he was the first to throw it on the radar of academia and the Muslim world, owing much to his immense popularity and his global following (Gräf and Skovgaard-Petersen, 2009). The scholar defines the concept as a branch of *fiqh* that 'takes into

account both the heritage of [classical] Islamic *Fiqh* and modern circumstances, trends, and problems' in dealing with issues faced by Muslim minorities in Europe, claiming that it is complementary to the traditional *fiqh* in the Muslim world rather than an attempt at recreating Islam or Sharia (al-Qaradawi, 2003a, p.7). *Fiqh al-aqalliyyat* enables al-Qaradawi to treat in a lenient light the unique problems faced by the Muslim minorities in maintaining their commitment to religious beliefs, and to accordingly provide religious concessions for the purpose of allowing them to deal with the hardship instead of being discouraged by it. For example, a newly converted Western Muslim may find it difficult to immediately adopt the entire spectrum of Islamic prescriptions during the initial phase of adjusting to life as a practicing follower of Islam in the West, and thus deserves to be judged with leniency and given time to develop spiritually[16]. The wider objectives of the *fiqh* are multifaceted; al-Qaradawi suggests that it can help Muslims who live in a non-Muslim majority context, where different norms are in practice, by enabling and encouraging them to live a successful Islamic life that is thoroughly devoted to God, to convey the universal Islamic message, to interact positively with their co-existing non-Muslim communities, to become aware of their rights as citizens, to fulfill their religious, social, and political obligations, and by providing them with answers and solutions to their questions and problems (al-Qaradawi, 2003a).

The relevance of *fiqh al-aqalliyyat* to Muslim life in the West is further justified in al-Qaradawi's thinking by two objectives: The need for facilitation (*taysīr*), and the purpose of proselytization (*da'wa*) (Shavit, 2012). These two objectives are unified by a maxim adopted by many reformist scholars that reads '*al-taysīr fī al-fatwā wa al-*

---

[16] Examples of al-Qaradawi's actual use of *fiqh al-aqalliyyat* are provided and discussed in Chapter 5.2.2

tabshīr fī al-daʿwa' (facilitation in the issuance of rulings and propagation of Islam through proselytizing) (Shavit, 2012). The need for facilitation in the issuance of legal rulings is predicated on the conviction that the challenges faced by Muslims living in a non-Muslim majority context in keeping true to Islamic tenets, if left unaddressed, can be too burdensome as to ultimately cause religious negligence and attrition (al-Qaradawi, 2012). Additionally, it is believed that removing hardship is one of the most fundamental objectives of Islamic law; the evidence typically adduced for this claim is the verse: '… Allah intends for you ease and does not intend for you hardship…' (Qur'an, 2:185). Therefore, there exists a "scripturally-supported" basis for al-Qaradawi to legitimize the use of leniency for the purpose of easing the lives of Muslim minorities through the use of *fiqh al-aqalliyyat*. Here, it is possible to note that the scholar's justification for the use of *taysīr* is reminiscent of his thinking on *da'wa,* where he sees Muslim minorities as being in a weak position and lacking knowledge in Islam, resulting in their needing support from the Muslim world, as discussed in Chapter 4.2. Correspondingly, the emphasis on proselytization in the theorization of *fiqh al-aqalliyyat* is deemed an acceptable grounds for making modifications to Islamic law (Shavit, 2012), with the consideration that Muslim residency in the West is conducive to achieving Islamic revivalist purposes and bringing benefits to the Muslim world in a wider context (Wiedl, 2009), which is, again, redolent of al-Qaradawi's Islamist thinking and his understanding of *da'wa*.

5.2.2 Methodological Framework

Al-Qaradawi stipulates that the methodology of *fiqh al-aqalliyyat* should be consistent with that of classical Islamic jurisprudence, which rely on the Qur'an, Sunna,

and the various manifestations of *ijtihād* (independent reasoning), such as consensus (*ijmā'*), analogical reasoning (*qiyās*), '… considerations of public interest [*istiṣlāḥ*], juristic preference [*istiḥsān*], blocking the means to evil [*sadd al-dharāi'*], custom [*'urf*], revealed laws preceding the Shari'ah of Islam, the Fatwa of a Companion…' and the like (al-Qaradawi, 2003a, p.12), albeit approached with a renewed perspective and sense of purpose in correspondence with the stated objectives of the adaptive *fiqh*[17]. Considering the complex and unprecedented nature of many of the problems faced by Muslims in the West, an adaptive jurist of *fiqh al-aqalliyat* is required to place emphasis on *ijtihād* and other concepts that allow flexibility of modification, such as *ḍarūra* (necessity)*, taysīr* (facilitation)*, maqāṣid al-sharī'a* (objectives of Sharia), and the principle of lesser evil (a lesser evil is to be preferred to a greater one). *Ḍarūra* - or more precisely, the maxim of '*al- ḍarūra tubīḥu al-maḥẓūrāt*' (necessity makes the unlawful lawful) is often used to allow the reversal of rulings, even those of fundamental importance, in cases of extreme necessity: The lifting of Islamic dietary law (e.g., illegality of consuming pork) in the case of starvation, for example.

In addition to the methods above, al-Qaradawi employs a "cross-madhhab" approach, delving into the intricate web of rulings within the classical Sunni tradition of the four legal schools and extracting from it a plausible (though not necessarily widely recognized) basis, which is often a product of combined juristic opinions, to justify allowing flexibility to accommodate problems. Hassan (2013) notes that the scholar's approach here is useful in the context of Muslim minority problems for two reasons: First, it accommodates Muslims who are not as well-versed in the basics and nuances of the existing debates across the madhhabs as to be able to maintain exclusive adherence

---

[17] The objectives of *fiqh al-aqalliyyat* are outlined in Chapter 5.2.1 on page 103.

to one madhhab of their choice, and coincides with the reality that the Muslim communities in the West are fragmented due to it being made up of diverse groups who comply with the respective madhhabs that predominate in the countries of their ethnic origins; second, it allows al-Qaradawi to merge different juristic opinions instead of having to switch from one madhhab to another and justifying his action each time (Hassan, 2013).

Through the use of the afore-mentioned conceptual framework, *fiqh al-aqalliyyat* has witnessed the modification, suspension, and even reversal of classical rulings in unprecedented circumstances (about which the Qur'an and the Sunna are silent) for the 'greater good' of Muslim minorities in the West. Despite drawing legitimacy from the Sunna, it is this very role of critical reasoning that continues to ignite fears and disagreement among traditionally-oriented scholars, who dread the likelihood of Muslims misusing autonomous critical reasoning to provide leeway for 'specious' needs (Khan, 2004). In *fiqh al-aqalliyyat*, however, al-Qaradawi clarifies that any outcome of *ijtihād* should not contradict the explicit rulings of Sharia (al-Qaradawi, 2003a). The following examples of the scholar's use of the *fiqh* (all of which can be found in his *Fiqh of Muslim Minorities: Contentious Issues & Recommended Solutions*) will show the scholar's intention to fulfill its objectives and demonstrate the centrality of *ijtihād* (and the other three concomitant principles) to his adaptive approach.

First, al-Qaradawi permits the use of the Islamic concession of combining two prayers in one time, such as the sunset prayer (*maghrib*) and the evening prayer (*'ishā*), in the summer in Western countries where sunset is late and nights are short in order to allow Muslims who need to work early in the morning to get adequate hours of rest at night. Depending on the mosque and the calculation method used for determining

prayer times, the evening prayer often begins one (to one and a half) hour after the sunset prayer and ends after the dawn prayer sets in. The concession that is made permissible by al-Qaradawi here works by allowing Muslims to perform the two prayers together in succession at the time stipulated for either the earlier prayer or the later prayer. This deviates from the prevailing traditional view that such flexibility can only be resorted to in extreme circumstances, such as severe weather conditions and natural disasters, or in exceptional conditions such as when one is in a state of journey or in a state of fear.

Second, al-Qaradawi allows a female Muslim convert to remain in a legal union with her non-Muslim husband, on whom she is dependent for support and with whom she has children, for the purpose of easing her hardship, which may prompt her to abandon Islam. Al-Qaradawi approaches this issue by reframing the question in the problem, so as to ask instead whether it is worse for the woman to stay in the marriage while still a Muslim or for her to renounce Islam altogether due to her love for her family and in order to maintain support from her spouse. The classical Islamic perspective on this issue is that the woman must be separated from her husband after having embraced Islam or after the expiry of her first waiting period (*'idda*).

Third, al-Qaradawi grants a male Muslim convert, who is in a financial hardship and intent on improving the financial conditions of other Muslims who are committed to the mission of Islam, to accept family inheritance from his deceased non-Muslim father. The scholar acknowledges the predominant belief in Islam that it is unlawful for a Muslim to inherit from a non-Muslim - as adopted by the four Rightly-Guided Caliphs, the founders of the four Islamic schools of thought, and the majority of classical and contemporary Muslim scholars - following the Prophetic sayings that read

'Neither a Muslim should inherit a non-Muslim, nor should a non-Muslim inherit a Muslim' and 'There is no interfaith inheritance (in Islam)' (in al-Qaradawi, 2003a, p.118). However, he reasons that Islam does not deprive a Muslim from fortune and benefits that may be used for good purposes in accordance with Islamic teachings, and that it is better for family inheritance in the afore-mentioned context to be obtained by believers than non-believers who may use it to 'devise malicious schemes against Muslims' (al-Qaradawi, 2003a, p.119). In addition, he suggests that this may help prevent a non-Muslim interested in converting to Islam from being discouraged due to the fear that they may be deprived from their family inheritance after having embraced the religion.

Fourth, al-Qaradawi approves of Muslims living in the West congratulating non-Muslims on their religious or national festivals for the purpose of fostering good relations within their pluralistic environment, and of returning the favor of being complimented on Muslim feasts. This is based on the Qur'anic verse that reads: 'And when you are greeted with a greeting, greet [in return] with one better than it or [at least] return it [in a like manner]. Indeed, Allah is ever, over all things, an Accountant' (Qur'an, 4:86). It is generally believed that Muslims are prohibited from showing support for the "falsehood" of other religions by any means, but al-Qaradawi contextualizes this belief and subsequently allows Muslims to give their complimentary greetings on the condition that they do not include any religious symbols or messages that contradict Islamic principles. The scholar goes through several steps to cast non-Muslims in a positive light before coming up with his solution: First, he distinguishes between non-Muslims who fight the Muslims and drive them out of their homes and those who do not; second, he cites a Prophetic tradition that stipulates that a Muslim

must treat their Pagan mother with respect[18]; third, he highlights the special status of People of the Book in Islam and supports it with the ruling that a Muslim man is allowed to marry a woman from the former group; fourth: he quotes a Prophetic saying that narrates how the Prophet responded to a group of Jews who greeted him with a curse with a restrained reply and reprimanded his wife, 'Aisha, for having retorted the Jews' verbal assault with another curse[19].

From the afore-mentioned examples of al-Qaradawi's use of *fiqh al-aqalliyyat*, one can deduce three important points regarding his adaptive reformist thinking. First, the scholar's approach shows the practice of pragmatic and contextual thinking, where he suspends the literal and historical interpretations of the Islamic Revelation in order to assess the circumstances within which a problem is set and the wider ramifications of its resulting solution. Second, although he uses *ijtihād* and the principles of *taysīr*, *ḍarūra*, *maqāṣid*, and lesser evil to a significant extent, he keeps his solutions consistent with the general principles established by the Qur'an and Sunna. Third, his fatwas are clearly anchored in the notions of Islamization of the West, protection of religion, and interfaith tolerance, all of which correspond to his use of the concept of *da'wa* and his concern about losing the Muslim minorities to religious attrition and Western secularism (as discussed in Chapter 4.2). It should be added here that protection of religion is widely

---

[18] Narrated Asma': "My mother who was a Mushrikah (pagan, etc.), came with her father during the period of peace pact between the Muslims and the Quraish infidels. I went to seek the advice of the Prophet saying, "My mother has arrived and she is hoping (for my favor)." The Prophet said, "Yes, be good to your mother." (Sahih al-Bukhari, Vol. 1, Book 73, Hadith 9).

[19] Narrated `Aisha (the Prophet's wife): A group of Jews entered upon the Prophet and said, "As-Samu-Alaikum." (i.e. death be upon you). I understood it and said, "Wa-Alaikum As-Samu wal-la'n. (death and the curse of Allah be Upon you)." Allah's Messenger said "Be calm, O `Aisha! Allah loves that on, should be kind and lenient in all matters." I said, "O Allah's Messenger! Haven't you heard what they (the Jews) have said?" Allah's Messenger said "I have (already) said (to them) "And upon you !" (Sahih al-Bukhari, Vol. 8, Book 73, Hadith 53).

regarded by Muslim scholars as one of the five classical objectives of Sharia (*maqāṣid al-Sharī'a*). As defined by Abu Hamid al-Ghazzali (d. 1111 C.E), these objectives are protection of religion, protection of life, protection of intellect, protection of lineage, and protection of property (in Ramadan, 2004, p.39). This list was later updated with many other objectives such as honor, peace, justice, and love of God by scholars such as al-Qarafi (d. 1285 C.E), Ibn Taymiyya (d. 1263 C.E), Ibn Ashur (d. 1973 C.E), al-Alwani, and al-Qaradawi in light of the changing contextual conditions (Ramadan, 2009; Shavit, 2012)**.**

5.3 Ramadan's Transformative Reform and Ethical Reference

5.3.1 Conceptual Foundations

As best as can be coherently discerned from Ramadan's writings, his call for transformative change in the approach to challenges and opportunities faced by Muslims in the West (and Muslims in the modern world) first appeared in text in his *Radical Reform: Islamic Ethics and Liberation*. It is in this work that the scholar expresses the limitations of the adaptive reform (notwithstanding its contributions), flagging its readiness to comply submissively with contextual realities and its "outpaced" methodology as its main issues (Ramadan, 2009), and suggests his transformative reform as a more progressive and realistic alternative. While his use of the terms "transformative" and "radical" to describe his model of reform may already be indicative of its departure from the conventions of the adaptive approach, his definition of the proposition speaks of an attempt at pushing the proverbial envelope beyond the vision of reconciling Muslim beliefs and European values; transformation reform seeks to formulate 'visionary committed open ethics that questions the world, its order, its

achievements, and its lapses and then devises and proposes concrete modalities to transform it' (Ramadan, 2009, p. 81-82).

The inception of transformation reform appears to be propelled mainly by Ramadan's perception of stagnation in contemporary Islamic thought among religious leaders and lawmakers, particularly in their efforts to outline an applied Islamic ethics in many scientific fields and non-spiritual areas of life (Ramadan, 2009). This is supposedly caused by two main intellectual limitations on the part of contemporary Muslim scholars: First, their abstract understanding of the world is insufficient to grasp the concrete complexity of human affairs, and second, their lack of knowledge in the sciences prevents them from understanding the world's realities (Ramadan, 2009). He argues that 'what was originally natural and integrated in the same person [knowledge of religion and the sciences] gradually became distinct, complex, and distributed among the minds of the social body immersed in history' (Ramadan, 2009, p.86)**.** This disintegration of expertise, then, led to the autonomy of 'context scholars' (specialists in the natural and social sciences) and that of 'text scholars' (specialists in the study of religion or *'ulamā*); while the former group remains self-engrossed in making expeditious technological progress in their particular fields (Ramadan, 2009, p.118), the latter gets by 'with scanty information, with research-based conclusions to issue legal rulings about realities and contexts (that are inevitably more complex than they can understand)' (Ramadan, 2009, p.126). Their tendencies to work within separate, autarchic domains without learning from and contributing to the means, visions, and achievements of one another have resulted in an unbalanced phenomenon where significant strides have been made in the sciences, but only little in the production of Islamic ethics (Ramadan, 2009). Consequently, complex issues plaguing both groups of

111

experts continue to evolve in areas that teeter on the border between religious ethics and scientific thought, such as abortion, assisted suicide, human cloning, contraception, organ transplantation, and the like.

The afore-mentioned conflict is further exacerbated by the defensive attitude shown by Muslim scholars towards the growth of science and modernity. First, many have lapsed into the typical rhetoric of exclusivists in their use of problematic labels such as 'Islamic' and 'non-Islamic' to establish boundaries between what they believe truly reflects Islam and what does not; the latter has been growingly tainted by the negative connotation of 'non-ethical' and consequently deemed 'irrelevant to Islamic legal deliberation and reform' (Ramadan, 2009, p.118). Second, many have increasingly begun to adopt the approach of seeing "exogenous" Western progress and achievements in Islamic terms following the perceived need to protect 'ethics against the "excesses" of the sciences' (Ramadan, 2009, p.118). In response, Ramadan (2009) denounces the idea of 'Islamizing' the productions of Western modernity (e.g., science, technology, and cultural norms) through the use of superficial "Islamic-imbued" religious markers such as legal concepts and tools borrowed from the Islamic tradition - a trend he perceives as a misguided effort to '… recolonize the Universe of knowledge through an inflated use of the term "Islamic"…' (Ramadan, 2009, p.128). His position on this issue – which he seems to suggest as the right approach, and that which parallels his general understanding of *shahāda* as discussed in Chapter 4.3 - is to consider any phenomenon in the world that does not present itself as being blatantly contradictory to Islam, irrespective of the absence of superficial Islamic markers, as essentially 'Islamic' (Ramadan, 2009), which is consistent with his loose definition of Islam discussed in Chapter 4.4. The key idea within this argument that effectively sets the scholar apart

112

from the advocates of the Islamization of knowledge is apparently his view that the Islamic nature of any given element is defined by its ethics, norms, and goals, which should be used to '… orient - and limit - the use of knowledge acquired' (Ramadan, 2009, p.128), rather than by its superficial characteristics, such as methods and tools.

In light of the issues discussed above, transformation reform appears to present itself as a solution in Ramadan's thinking in two important ways. First, it allows the creation of a unified framework of thinking and problem solving through the integration of relevant areas of knowledge that can serve as a lens through which global problems in all spheres of life - whether existing or potential - are analyzed and dealt with. Second, it rejects the idea that religion and modernity represent two coexisting but mutually exclusive worlds. Evidently, the author's focus in *Radical Reform: Islamic Ethics and Liberation* centers largely on a supposed symbiotic, divine-intended relationship between the Revelation and the universe ('universe' here refers to the evolving diverse natural systems and processes of the world); this happens to be consistent with the theme of "complementarity" that characterizes his understanding of the interaction between religion and nationality through the concept of *shahāda*, which is discussed in the previous chapter[20] (Ramadan, 2009).

Ramadan views the relationship between the Revelation and the universe as that of an 'inherent complementarity' (Ramadan, 2009, p.89), highlighting how they each are autonomous in their natural functioning, but complementary to one another in their ultimate objectives. He argues that this mutual enchainment necessitates both knowledge of the universe and knowledge of religion be rightfully seen as a dual, complementary force that is responsible for shaping all aspects of human life and

---

[20] This is discussed in Chapter 4.3 on page 79

experience, especially as the complexity of the world has grown to such an extent that all these aspects have become inevitably intertwined with one another (Ramadan, 2009). In a philosophical sense, Ramadan explains that both the Text and the universe reveal the order of things (he calls this the 'how' of things) in different ways - the former with its explicit or interpreted commandments, principles, and historical narrations, and the latter with its discernible laws of nature (Ramadan, 2009, p.89). He writes:

> 'In the Universe, then, one can find definitive element beyond the changing (as-sunan al-kawniyyah) as well as definitive elements at the core of the changing (the constants of history - sunan Allah), exactly in the same way as there exist definitive transhistorical rules within the revealed text (belief and practice) and constant effective causes ('ilal) (that can be inferred) behind the interpretative latitude offered by speculative (zanni) ayat: the two Revelations require the intelligence to distinguish those two categories and carry out important analytical work in each of the two areas, in particular, to reach appropriate understanding both of the Universe and its order and of human beings and their diversity in space and time' (Ramadan, 2009, p.97).

Following the above clarification, Ramadan prompts his readers to consider two possibilities. First, it is possible to rope together the 'evidence' presented independently by the two orders through the use of human intelligence in extracting - and later converging - their underlying meanings and rationales (Ramadan calls this the 'why' of things). This is precisely what the scholar means when he writes: 'The two orders are not opposed, each of them completes the other, gives it meaning and perfects the path of knowledge by reconciling the "why" and the "how", thus enlightening the mind and

appeasing the heart' (Ramadan, 2009, p.99). Thus, this twofold discovery and understanding of how things work and why they matter from a religious perspective supposedly enable one to grasp the ultimate message of God. Second, as Ramadan argues that human history tends to repeat itself through recurring, invariant patterns of life and behavior (which is a phenomenon acknowledged by the Qur'an, and thus a common citation by Muslim scholars), it is possible to use discernible 'constants and definitive principles' to develop a reading grid through which scholars can understand the internal logic of the living world and subsequently anticipate the possible manners in which future cycles of life may present their complexities (Ramadan, 2009, p.97).

To contemplate further, one can identify two ultimate objectives to which both the roles of the Revelation and the universe seem to subscribe: Affirmation of 'Truth', and the protection of mankind's interests and welfare. Observably, the Qur'an describes the universe in a frequent degree as an 'open book' that is 'pervaded with 'signs' offered to people's minds and hearts' (Ramadan, 2009, p.86), as indicated, for example, by the verse: 'Indeed, in the creation of the heavens and the earth and the alternation of the night and the day are signs for those of understanding' (Qur'an, 3:190). The scholar understands this verse to be a divine reference to the 'implicit correspondence between the two orders of the Revelation and the Universe' (Ramadan, 2009, p.88); hence, his deduction that the universe 'invites it [human conscience] to ponder over its [the universe] natural and universal laws' (Ramadan, 2009, p.93). Therefore, rather than restricting human reason, the Revelation allows the human mind to exercise autonomous creative thinking beyond the boundaries traditionally defined by classical scholars (Ramadan, 2004; 2009). Additionally, Ramadan observes that many Qur'anic verses appear to associate what is 'good and natural' for mankind with what is 'lawful

and permitted' to them, whether through explicit wordings or implicit suggestions, and that many classical scholars believe that the objectives of the creation of the universe (mainly the promotion of all that is good for mankind and the prevention of all that is harmful to them) are identical to those of the Revealed text (Ramadan, 2009, p.89). Therefore, Ramadan believes that reading and understanding the two Books in parallel 'should enable us to present higher objectives [objectives of Shari'a] in an original - and always open - way, involving most importantly, a new, more specialized, and more pragmatic relationship to reality' (Ramadan, 2009, p.136).

5.3.2   Methodological Framework

The practical aspects of Ramadan's transformative reform are expressed principally in his idea of a global ethical reference that is intended to 'regulate human action' (Ramadan, 2009, p.146) and 'orient and limit the use of [human] knowledge acquired'. In order to allow this ethical reference to be fully implemented, the scholar lays out several prerequisites that must be met (Ramadan, 2009). First, Muslim scholars need to reconsider the classical order and specifics of the sources of Islamic jurisprudence in order to accommodate other non-scriptural authorities for the formulation of universal laws and ethics. Second, Muslim scholars and specialists in the sciences must participate in equal collaboration in the establishment of higher objectives that can be used to orient their thoughts and productions. Third, Muslim scholars must be encouraged to develop a twofold specialization in both the study of revelation and at least one field of human sciences. These three prerequisites will be discussed in detail below.

First, the scholar's call for the inclusion of non-scriptural sources in the framework of Islamic jurisprudence necessitates the restructuring of all pre-existing legal elements employed by classical Muslim jurists. While the sources of classical Islamic jurisprudence are generally structured into two main groups in terms of importance (the primary group consists of the Qur'an and Sunna and the secondary group comprises *ijtihād* and its manifestations), transformation reform requires creating two complementary canonical domains that must be approached in parallel with equal seriousness: Revelation (and all its subsumed legal elements), and the universe (all branches of studies that are designed to improve both the understanding of the complex universe and the progress of mankind). As both domains must maintain their own rules, principles, and characteristics, transformation reform requires the universe now to be '… considered in its own right as an autonomous complementary source of law and its elaboration' (Ramadan, 2009, p.101), as opposed to being seen as a supplementary element used only to 'shed additional light' on the study of scriptural sources (Ramadan, 2009, p.83).

Second, as a consequence of rebalancing the theological importance of the Revelation with the universe, the exclusive authority of text scholars for elaborating legal and ethical rulings must now be shared equally with context scholars (Ramadan, 2009). The scholar envisions this as occurring in two steps: First, the two groups of experts must be allowed to formulate the higher objectives and aims needed to orient the norms and methods of their own respective fields; second, they each must share their reflections and contributions with the other (Ramadan, 2009). Here, Ramadan appears to be motivated by the need to address possible loopholes and deficiencies that may occur in the process of elaborating ethical rules and principles due to the fact that

the text scholars and the context experts are specialized in narrow niches rather than broad fields of study. He also implies that contributions from scientists are crucial in preventing text scholars from making one-sided determinations of norms about 'complex, profound, and often interconnected issues' of which 'they only have relative or superficial, second-hand knowledge' (Ramadan, 2009, p.124). Having suggested this, the scholar insists that there have to be specific boundaries of prerogative for each of the two groups of scholars based on their specific areas of expertise and the nature of the contexts within which they work. He writes:

> 'Even though the fundamentals of belief (*'aqîdah*) and worship (*'ibadât*) obviously remain the prerogative of the *fuqahâ'* insofar as they are exclusively determined by the texts, this is not so for social, economic, and scientific issues for which an ethical reflection is only possible by relying on the knowledge of specialists, while respecting the autonomy of their practice and of their scientific methodologies when taking their expertise into account' (Ramadan, 2009, p.121).

From this excerpt, it is apparent that the scholar acknowledges the unique methodologies of both the study of religion and the sciences; he warns against the inappropriate imposing of means (e.g., norms, principles, tools, and methodologies) that are characteristic of and intrinsic to one field on another. He believes that 'only through such a global approach can different areas of knowledge truly be reconciled, by stipulating higher universal principles in the future and protecting the sciences' autonomy… ' (Ramadan, 2009, p.127). However, Ramadan also highlights that 'the ethical reference may sometimes determine that some areas of knowledge or some techniques are useless, if not dangerous' and subsequently 'suggest or impose a limit to

118

research…' (Ramadan, 2009, p.130). Given the theoretical nature of the scholar's proposal, it is unclear how he envisions the necessity of "protecting the autonomy of the sciences" and that of "imposing a limit to their research" are supposed to work together.

The third prerequisite of Ramadan's ethical reference concerns his suggestion that the afore-mentioned collaborative approach must be supported by efforts from modern-day text scholars to specialize in at least one field from the many areas of the sciences (e.g., experimental, medicine, economics, psychology, sociology, and the like). The reason for this requirement is not clear; not much can be discerned from the scholar's statement that '… the specialization of *fuqaha'* clearly appears to be the condition required for applied ethics to be efficient in the various fields just mentioned' (Ramadan, 2009. p.121). However, it is possible to speculate that this prerequisite seems to be based on his belief that 'it is impossible to be faithful to Islamic ethics applied to the whole range of sciences without possessing a large mastery of those disciplines' (Ramadan, 2009, p.110), in addition to realizing that it is now impossible for a single text scholar to master such a wide range of knowledge and skills. Ultimately, one may be tempted to presume that the scholar envisages the final task of 'legislating' this Islamic ethical reference – after having been elaborated by text scholars and context scholars on an equal footing at the procedural stage - as falling exclusively on the text scholars.

To demonstrate the practical use of this collaborative approach, Ramadan (2009) hypothetically discusses the issue of abortion and provides a way for both religious scholars and scientists to meet on common ground**.** Muslim theologians generally uphold the prohibition of performing abortion due to the conviction that it is tantamount to disposing a human being's life, particularly beyond the first four months of gestation.

119

The only exception to this rule beyond such period is if abortion becomes imperative for the protection of the mother's life. However, through the collaborative work between theologians and scientists, it is possible to draw upon the expertise of the latter to identify how and at what point abortion becomes crucial, even if such decision means ending the baby's life. One reasonable way to achieve this, according to Ramadan, is to extend the range of exceptions to the rule, such as considering the mother's physical and mental health, development, autonomy, welfare, education, and dignity as well as the potential condition of the preborn baby, all of which he appears to consider as "Sharia-derived" objectives (despite not appearing distinctively "Islamic") (Ramadan, 2009).

Returning to Ramadan's core idea of formulating an "ethical reference", he argues that 'adding objectives [an approach favored by scholars such as al-Ghazali, Ibn Ashur, al-Alwani, and al-Qaradawi] to the existing list [the existing five elements of *maqāṣid al-Sharī'a* discussed in Chapter 5.2.2] is not enough, but that we should reconsider their source, their origin, and thereby their categorization and formulation' (Ramadan, 2009, p.136). As can be observed, the use of *maqāṣid al-sharī'a* here adds a significant amount of flexibility into the transformative reformist approach; Kamali notes: '… the maqasid integrates a degree of comprehension and versatility into the reading of the Shari'ah that is in many ways unique and rides above the vicissitudes of time and circumstance' (Kamali, 2008, p.24). Ramadan's proposition for the restructuring of the objectives of Sharia requires a two-stage approach: First, understanding the principles of the elaboration of ethics and its subsumed objectives, and second, conducting a multidimensional process of applied *ijtihād* (critical autonomous reasoning) (Ramadan, 2009).

The first stage begins with the understanding that the whole process of ethical elaboration is broadly driven by two perspectives that constitute the ultimate purpose and objective of Sharia: Protection of *al-dīn* (global conception of life and death), and protection of *al-maṣlaḥa* (the common good and interest) (Ramadan, 2009). These two perspectives are founded by three a priori goals: Protection of life, protection of nature, and protection of peace (Ramadan, 2009). Subsumed under these three goals are thirteen general objectives that relate directly to mankind's being and action at both the individual and social levels, such as protection of dignity, protection of welfare, protection of knowledge, protection of creativity, protection of autonomy, protection of development, protection of equality, protection of freedom, protection of justice, protection of fraternity, protection of love, protection of solidarity, and protection of diversity (Ramadan, 2009). To further refine these general objectives, Ramadan (2009) categorizes them into three levels, within each of which are several more specific goals. The first level - the inner being - comprises six components: Education of the heart and mind, conscience (of being and responsibility), sincerity, contemplation, balance (intimate and personal stability), and humility (Ramadan, 2009). The second level - the outer being - consists of nine elements: Physical integrity, health, subsistence, intelligence, progeny, work, belongings, contracts, and neighborhood (Ramadan, 2009). The third level - the being in a societal context - contains eight constituents: Rule of law, independence, deliberation, pluralism, evolution (the constant process of change in human societies), cultures, religions, and memories (Ramadan, 2009). Observably, these complex perspectives, goals, and objectives do not appear to be distinctively "Islamic" (yet again); their generic nature, rather, agrees with Ramadan's universalistic approach discussed in the previous chapter on *shahāda*.

As for the second stage, Ramadan (2009) highlights the importance of using a three dimensional *ijtihād*: *Ijtihād* at the religio-textual level, *ijtihād* at the socio-contextual level, and collaborative *ijtihād* of applied ethics (union of the first two processes of *ijtihād*). The structure of these three dimensions corresponds to the 'parallel-collaborative' approach that Ramadan appears to propose, where both groups of religious scholars and scientists must first work with their respective methods and skills within their respective areas of specialization, and then share their respective thoughts to reach a common understanding. This common understanding, then, must revolve around 'common legal and practical studies in various areas of specialization aiming to determine ethical values, the scope and modalities of their application, and the stages of their implementation' (Ramadan, 2009, p.144).

5.4   Discussion

At a cursory glance, the models of reform promulgated by al-Qaradawi and Ramadan may seem too different to have any basis for comparison by virtue of their unique methodological approaches, and of the fact that they are portrayed as branching out to fulfill different objectives; al-Qaradawi's adaptive approach is acutely focused on blending Islam into the European context, while Ramadan's transformative approach is broadly centered on revolutionizing this context itself in accordance with "Islamic" (by which he also means "generically-shared") principles. Although the transformative reform's all-encompassing focus supposedly includes the wellbeing of the Muslim minorities, there is little explanation in Ramadan's writings as to how it can help solve the particular Muslim issues that already fall under the purview of *fiqh al-aqalliyyat* - it is, thus, difficult to find clear and convincing evidence of overlap or contradiction

between them in such a way that embracing one nullifies the applicability of the other. If both models of reform are able to exist in parallel, the argument that the adaptive reform suffers from an outpaced methodology and a submissive nature and is thus "functionally obsolete", then, does not hold any water. However, when the two approaches are deconstructed to their underlying bases, it becomes obvious that they are based on similar operating fundamental principles, and that their differences are mainly down to rhetorical embellishment, with the exception of a few features that stand out as exclusive to their own respective thinking, as will be demonstrated in this section.

To begin with, both models of reform are similarly characterized by the need to elevate the worldly context to the same level as the Text, through the use of *ijtihād*, in the contemporary interpretation and application of Islamic law and ethics. There is no clear difference between al-Qaradawi's method of subjecting the pertinence of classically-established rulings to contextual realities and Ramadan's "radical" proposition to make the context a complementary source to the Revelation, although the latter may seem more likely to skirt beyond the confines of classical Muslim thinking due to it not being confined to *fiqh* issues. In addition, it can be argued that these two approaches are equally based on the principle of *maqāṣid al-sharī'a*; al-Qaradawi's use of this concept is evident in his way of making the objective of "protection of religion" central to his approach to developing the most lenient solutions to the problems commonly faced by the Muslims, while Ramadan's generous expansion of the list of "Sharia-derived" objectives beyond the classical five can be traced back to the need to promote the general concept of "wellbeing". The only difference here lies in their methodological proclivities; al-Qaradawi seems content with keeping mostly to the original five objectives of Sharia in the context of *fiqh al-aqalliyyat*, while Ramadan

123

appears determined to exhaust the potential of *maqāṣid al-sharī'a* as far as his creativity permits.

Reflecting on their methodological differences, it is clear that al-Qaradawi and Ramadan take different approaches to using *ijtihād* and its concomitant manifestations. For al-Qaradawi, it seems that the notion of *ḍarūra* must serve as a conditional precursor to *taysīr*, which, then, precipitates a departure from the classical conventions of Sharia in order to find a lenient alternative to a problem through *ijtihād* and by resorting to the established principles of *maqāṣid al-sharī'a* and the lesser evil. Additionally, there seems to be no clear formula on which the scholar bases his determination of issues as invoking the principle of necessity and requiring the application of *ijtihād*. His cautious approach of creating temporary fixes only where they are needed (in response to the questions asked by Muslim minorities) begs to convey the impression that the scholar holds the classical image of Islam as a standard against which the religiosity of European Muslims is compared or assessed, and to which they must try to conform as much as possible. Correspondingly, the adaptive approach appears to be envisioned as a provisional solution that is to be sustained presumably until Muslims have managed to normalize into a balance of religious and worldly commitments, or until the West has become a pro-Islamic environment that facilitates the translation of faith into practice; the latter dovetails with al-Qaradawi's long-term vision of Islamizing the West, as discussed in Chapter 4. Here, it should be noted that al-Qaradawi is quoted as having said that 'it is necessary for Muslims to discover religiously legitimate and pragmatic means of adapting to contemporary realities for the purpose of gradually reforming them according to salafist understandings of Islamic law' (Wiedl, 2009, para. 32). Considering the suggestion that

the strategy of adaptation in al-Qaradawi's thinking is merely a short-term means for the bigger mission of Islamization, it can be argued that the adaptive reform is similar to the transformative approach in the sense that the former is also intent on ultimately revolutionizing the context, though with a different end goal (Islamization for al-Qaradawi as opposed to "religionization" for Ramadan).

Contrastingly, Ramadan's attempt at stretching the classical boundaries of *maqāṣid al-sharī'a* shows that he does not consider *ḍarūra* as a precursor or *taysīr* as a motivation, which is reflective of his adherence to the principle of permissibility (everything is permissible except that which is forbidden). The fact that the scholar takes this flexibility further by interpreting the objectives of Sharia with sensitivity to not only the immediate needs of Muslim minorities, but also to those of the greater society speaks for the "radical" nature of his transformative approach. The scholar seems to rely more on logical thinking than the classical conventions of Muslim jurisprudence and has no hesitancy in making "deviations" in his transformative reform, as evidenced by his hypothetical approach to the case of abortion and the overturning of its classical prohibition discussed in Chapter 5.3.2. Nevertheless, this very flexibility begs questions more than provides answers, particularly with respect to its boundaries; given the general nature of Ramadan's understanding of "welfare" and "interests", and his suggestion that text scholars and context scholars should handle contemporary problems equally, one may be lost speculating on the proper frame of reference in which the objectives of Sharia are defined. It would not seem far-fetched to imagine the problem of abortion (and the principles and rationales used in the production of its solution as proposed by Ramadan), for example, being analogized to other controversial issues in Islam (e.g., apostasy), leading to the scholar's approach being questioned as to

whether arguments such as "protecting a person's freedom of choice is supporting their welfare" could be used to overturn their prohibitions. The problem here, however, is, the fact that "wellbeing" can be defined rather differently in the Sharia and in secular ethics. It is noted that the Islamic concept of *maqāṣid al-sharī'a*, according to Ramadan and many other Muslim scholars, may legitimately be used to re-examine the contemporary suitability of certain Islamic rulings involving social matters through the higher objectives of Sharia; the tradition remains that issues of worship and explicit prohibitions should not be tampered with. Then, if the meaning of 'wellbeing' in secular ethics is interlaced with progressive self-liberation that disregards dogmatic, religious constraints, the question that may follow naturally is whether contemporary Muslim theologians would be willing to consider this concept as a legitimate guide for re-examining rulings that fall within the overlapping spheres of worship and social, such as female leadership in mixed-gender congregational worship. However, there do not seem to be (or rather have yet to be) any clear rules for where, when, how, and the extent to which the concept of "wellbeing" applies in this context, although it is considered legitimate enough in theory by Ramadan to overturn the prohibition against abortion. Nonetheless, the scholar's acknowledgment of the importance of grasping the essence of Islamic principles (as opposed to the specific historical Islamic models reflecting those principles) by extracting moral and ethical messages that often lay beneath the textual particularities of canonical injunctions can help pave the way for a multi-perspective interpretation of this "essence" and a multi-ideological collaboration for the common good of the world.

The unconventional use of *maqāṣid al-Sharī'a* and the idea of allowing contextual settings to modify rulings established by classical Muslim scholars, as

demonstrated by al-Qaradawi and Ramadan, have not been without criticisms. Making the context the source of legislation as a pragmatic approach under the pretext that Sharia does not address all issues and legitimizing unlawful acts through the principles of *ḍarūra*, *maqāṣid al-Sharī'a*, and the like is assumed to have led to the violation of Sharia teachings (Khan, 2004)**.** It is argued that the reformist tendency to impetuously associate the silence of Sharia on certain issues with the concept of permissibility overlooks the traditional belief that Islam remains silent in a few specific areas in order to avoid imposing burden and hardship on its believers (Khan, 2004)**;** this argument is based on the verse:

> 'O you who have believed, do not ask about things which, if they are shown to you, will distress you. But if you ask about them while the Qur'an is being revealed, they will be shown to you. Allah has pardoned that which is past; and Allah is Forgiving and Forbearing (Qur'an, 5:101).

When al-Alwani, coiner of *fiqh al-aqalliyyat*, first passed a fatwa in the 90s allowing Western Muslims to participate in voting (an issue that is not touched on explicitly by the Qur'an and Sunna), many conservative-oriented scholars within the Muslim world began to express concerns about the validity of accepting secularism, condoning political division among the Muslim community, and establishing alliances with non-Muslims (Mas'ud, 2005). This led to the explicit dismissal of *fiqh al-aqalliyyat*, with some labeling it as *bid'a* (innovation), a 'plot to divide Islam', a guarantee for the 'thawing of the Islamic existence in the current of the deviating Western civilization', and a leeway for specious concessions (Mas'ud, 2005, p. 63). In addition, the reformist thinking that underpins *fiqh al-aqalliyyat* is criticized as being 'a

symptom of a corrupted thought process, which looks to the dominant West for its solution' (Khan, 2004, p.2). Although it is often agreed that contextual differences may sometimes prompt change of Islamic rulings, this phenomenon is supposedly only applicable to laws that were originally based on *'urf* (custom) and *ra'y* (reasoning), not those that were based on the explicit teachings of the Qur'an and Sunna (Khan, 2004). The point here seems to be that the Islamic Revelation should always have precedence over human laws and sciences in administering the affairs of the world.

Whether al-Qaradawi's approach is wholly applicable to the afore-mentioned criticisms is difficult to determine. While it is true that the scholar tends to deviate from the Muslim conventions of jurisprudence, his fatwas do not appear to contradict any core beliefs and teachings in the Islamic tradition. For example, while he grants Western Muslims the ease of combining the sunset and evening prayers in the summer, he maintains that the five prayers remain obligatory, as opposed to calling on the Muslims to abandon the last prayer of the day altogether. Meanwhile, Ramadan (2009) responds to the criticism by claiming that there has always been emphasis in Islam on the reading of both the Text and the context for understanding religion and human affairs; it is generally believed that the Prophet, the Rightly-Guided Caliphs, and their leading disciples possessed a cohesive proficiency in various areas of knowledge and an 'intimate' understanding of the realities of their own contexts, which supposedly allowed them to confidently, creatively, and pragmatically 'establish links [presumably between the complex conditions of human affairs and the written revelation], to devise adaptations, to "read" texts differently' (Ramadan, 2009, p.79).

Furthermore, many modernist scholars now acknowledge that the importance of contextual approach to the interpretation of the Revelation had been accentuated long

128

before the establishment of the four schools of Islamic Jurisprudence and the alleged closing of the gate of *ijtihād* (Ramadan, 2009). The Qur'an, for example, contains general principles relating to social codes and morality, which were then expounded by Prophet Muhammad in accordance with the contextual conditions of the 7th-century Arabia. His endorsement of his companions using their own judgment (*ijtihād*) when dealing with matters whose reference cannot be found in the Qur'an and Sunna is almost universally accepted as a proof that the tradition of using human judgment and reason is deeply-embedded within the Islamic tradition as opposed to being an exogenous element (albeit with diverging opinions concerning the limits and conditions of *ijtihād*). This tradition of using human judgment and reason would continue with the four jurists and scholars thereafter, whose elaboration of laws was inarguably influenced by the unique conditions of their particular context. The notional corollary here, then, is that God's message across time has always remained the same, but the ways in which it is understood and implemented continue to evolve in accordance with socio-cultural changes.

Given the difference in focus between al-Qaradawi's adaptive reform and Ramadan's transformative reform (the former on the religio-legal problems faced by Muslim minorities and the latter on a broader spectrum of issues that impact society as a whole), they each pose different questions and concerns. Although it is acknowledged that *fiqh al-aqalliyyat* has enabled Muslims scholars to address a plethora of highly-contextualized issues faced by Muslim minorities in the West, such as determining the duration of fasting for Muslims living in countries with protracted daylight hours in the summer, encouraging intercultural and interfaith dialogue and harmony, urging the Muslims to bolster their sense of national belonging, and allowing them to participate in

129

political elections, to engage in secular and co-ed education, to join military service, to adopt court-requested termination of marriage, and the like (Mas'ud, 2005; Ramadan, 2009), its one-sided compliance with the principles of necessity and hardship removal bespeaks its acceptance of being stuck in a perpetual loop of adaptation. In this sense, it almost seems like it suffers from the paradox of urging Muslims to rise from a deep slumber of acquiescence through a process that inadvertently encourages a defeatist stance. In addition to the lack of clarity regarding the formula by which al-Qaradawi defines a situation as "hard" and "needing to be judged with leniency", any astute observer is compelled to question whether there is a practical limit to how far a jurist of *fiqh al-aqalliyyat* can go before stepping over the line of reformist adaptation into compromising the fundamental principles of Islam.

Meanwhile, transformation reform conveys the impression that it places the overarching, multifaceted issue of Islam in the West within an Islamic frame of reference, as evidenced by its objective of orienting the ways of the world in accordance with "Islamic" ethics that is derived from the parallel reading of the Revelation and the universe. Given the holistic nature of this reform, there exist the dangers of possibly depriving those who do not subscribe to its assumptions of their own particularities (e.g., their identities, thinking, beliefs, values, lifestyles, and traditions) and of conferring upon oneself the right to impose their particular beliefs on the 'different' others. One can certainly question the possible impact of establishing this Islamic ethical outlook as a universal standard on the idea of harmony in interfaith relations within the reformist discourse. Whether intended or not, this may ironically present itself as a subtle variation of 'Islamizing' the universe, the very issue that Ramadan's transformation reform supposedly intends to avoid. Furthermore, the fact that transformation reform

130

requires the coordination of the ethics of scientific research with that of Islam leads one to ponder the probability of scientists allowing religious scholars to impose a limit on their established ethical standards that have comfortably led to their freewheeling technological progress and their own scientific definition of what is good and what is harmful for humankind. One may be tempted to further question how transformation reform intends to protect the autonomy of the sciences, considering its attempt to establish its proposed ethics and its position on issues of which the socio-political fabric of the West has largely come to be accepting (e.g., human cloning). Given the probability of disagreement between the two groups of experts, one is ultimately left speculating whether transformation reform can serve as a common ground on which both text scholars and context scholars can meet.

Having argued so, it is possible to alternatively see Ramadan as suggesting a set of Islamic principles that offer an ethical model to anyone who wishes to follow it without any form of imposition. In this alternative, he could be inviting dialogue between his proposals and others, with the aim of arriving at mutually agreed answers. Nevertheless, Ramadan's approach here is subject to the challenge of getting various groups that can be ideologically opposed to one another to meet on common ground to find ways to regulate human action and work towards the betterment of their shared society. Although this is arguably feasible in the context of problems that do not involve Islamic beliefs and ethics, the overarching issue of the conflict between the regulating function of religion and the liberal values of secularism remains stuck in a quagmire of uncertainties. Ramadan is indeed correct to state that Muslims are not legally obliged to accept that which is understood to be in opposition to Islam (e.g., the celebration of same-sex rights). However, one is naturally tempted to highlight that remaining neutral

perhaps also denies the essence of *da'wa* and *shahāda*, which is the commandment to enjoin what is positive and forbid what is negative Islamically in society. If, in the case of this conflict, the key to productive dialogue is willingness to concede and accommodate each other's views of interests, then one must question whether it is "religiously" acceptable for Muslims in the West to either withdraw from or concede to the demands of their secular culture. In the case above, it may be argued that the purpose of a "regulating" Islamic ethics is intended to be achieved mainly in the area of social and economic problems, such as poverty, crime, discrimination, and racism, where 'partnerships with other organizations that work more widely in the same areas' could be fostered '… so that a plural front can be established' (Ramadan, 2004, p.154). Understandably, it would be more strategic to begin with addressing issues of higher importance that already seem to hold a higher odds of generating an open and honest joint collaboration, such as the general welfare of the population, rather than frittering away on a cultural war that requires one to jump through indefinite hoops to bridge philosophical differences. In addition, it can be presumed that efforts to achieve cultural cohesion are likely to be hampered more by the absence of socio-economic and environmental security than that of religious harmony, particularly in secular contexts where religion borders on irrelevance.

From a broader point of view, both the adaptive and transformative models of reform encourage dialectical exchanges and dialogical relationship between intellectuals from various religious and cultural backgrounds, considering that many of the problems faced by Muslims in the West are not necessarily exclusive to Islam, but also to other religious and non-religious-based groups. Idealistically, this may open the door to mutual openness and understanding that does not rely on the semantics of 'tolerance',

but rather on the concept of 'mutual respect'. However, the opaque distinction between "proselytization" and "universality" that exist within the ideological frameworks of the adaptive and transformative approaches may create an unnecessary friction in the working relationships between the involved parties.

From a narrower point of view, the methodological aspects of the adaptive and transformative thinking can prove to be double-edged in their philosophy and implementation. While the cautious nature of the adaptive thinking may help promote itself to the wider society as a safe, unobtrusive process of reformation that does not infringe on the status quo of the larger context of the West, its concession-based system does not seem to contribute much to providing a theoretical solution to helping Muslims bring about a dynamic "European Islam". Meanwhile, the collaborative approach proposed by transformation reform may provide a more civilized and rational resolution of conflicts where the outcome is determined by the immediate concerned parties themselves (i.e., Western Muslims and European policymakers) as opposed to having a foreign clerical body of scholars from the traditional Islamic world as a middle agent (most of whom may not even have a concrete, first-hand experience of the issues faced by Muslims in the West). However, the lack of detail as to the "limit" that this model of reform poses and how to ensure that this limit will not hamper the feasibility of the collaborative approach may risk making the whole proposition appear too unclear for consideration, much less application.

CHAPTER 6

SHARIA IN EUROPE: THE QUESTION OF INCOMPATIBILITY

6.1   Introduction

It is relevant to recall that the European Court of Human Rights (hereinafter ECHR), in their annual report for 2003 (published in 2004), declare Sharia incompatible with the fundamental principles of democracy as propounded in the Convention, 'particularly with regard to its criminal law and criminal procedure, its rules on the legal status of women and the way it intervened in all spheres of private and public life in accordance with religious precepts' (ECHR, 2004, p.22). Although this statement was made in response to the Refah case[21] in 2003, its general tone has allowed it to be perceived almost as a testimony to a unified "European" stance on the incompatibility of Islam as a whole with European democratic liberalism. On the issue of social liberalism, a survey by the PEW Research Centre on global attitudes to morality in 2013 concludes that Europeans[22] are the least likely to judge matters such as extramarital affairs, gambling, homosexuality, abortion, premarital sex, alcohol consumption, divorce, and the use of contraceptives as morally unacceptable compared to Latin Americans, Asians, Africans and Middle Easterners; Americans are more liberal than Europeans only regarding gambling and alcohol consumption (PEW, 2013; Wike, 2014). Contrastingly, almost all of these issues are forbidden in Islam and made punishable by varying penalties in most legal systems in the Muslim world. The

---

[21] *Refah Partisi* (The Welfare Party) was an Islamist political party in Turkey, whose dissolution by the Constitutional Court of Turkey in 1998 for allegedly violating the principle of secularism was upheld unanimously by the European Court of Human Rights in 2003.
[22] Only eight European countries participated in the survey: Britain, Czech Republic, France, Germany, Greece, Italy, Poland, and Spain.

following passage covers a wider range of legal and cultural Muslim norms that are deemed problematic in the ECHR's terms:

> 'Severe punishments for crimes, including executions or limb amputations; stoning or imprisoning women for adultery; the criminalisation of sexual activities outside of marriage; and for homosexual or lesbian activities; non-recognition of the transgendered; certain rules concerning marriage and polygamy, even with more modern legislative and administrative limitations and restrictions that make polygamy difficult; honour killings or attacks, talaq, ie unilateral divorce by men, without the consent of the wife, even with more modern legislative and administrative and restrictions on it; allowing women divorce with their husband's consent but only upon the basis of foregoing financial benefits; child custody only for fathers when children reach the age of seven; lack of succession rights for women's, illegitimate children and female children; penalties for apostasy, and the absence of adoption' (McGoldrick, 2013, p.54).

These issues can be collated into two broad themes for the purpose of this chapter: First, criminalization of norms that fall within the notional boundaries of "freedom", whether explicitly or obliquely, as protected by the International Human Rights Law (hereinafter IHRL) and its various conventions; second, oppression of women. Although the first theme does not appear to be directly relevant to the question of Islam in Europe, considering that the penal code of Islam (*ḥudūd*) is not in force within the national legal systems in the region, and that there are no reports showing that European Muslims demand for its implementation (Berger, 2013), its prevalence in

135

the political and academic discourse on Islam and the West suggests that it (together with the issue of women's rights in Islam) may be perceived as most representative of a dividing line between the "irreconcilable" philosophies of Islam and European democracy. In addition to presenting al-Qaradawi's and Ramadan's opinions on key issues that fall within the afore-mentioned themes, this chapter examines the scholars' efforts to both defend the traditional Muslim perspectives of right and wrong and balance them with European secular morality through their reformist thinking.

6.2   *Ḥudūd* and Islamic Morality

6.2.1   Overview of *Ḥudūd* and its Controversy

The magnification of *ḥudūd* in the Western media may have achieved no less than perpetuate Samuel Huntington's "clash of civilizations" thesis, but it would also be erroneous to categorically dismiss the actuality of this penal code under the juridical interpretations of Islam. Subsumed under the overarching concept of *jināya*[23], *ḥudūd* derives its scriptural legitimacy from the Qur'an and Sunna. The Qur'an explicitly addresses four types of offenses with specified punishments; first, adultery[24], which is punishable by 100 lashes for both unmarried and married offenders; second, slanderous accusation, which is punishable by 80 lashes; third, theft, which is punishable by amputation of the offender's right hand; fourth, highway robbery, which is punishable by either of the following four penalties depending on the severity of the offense: Execution, crucifixion, amputation of hands and feet from opposite sides of the body, or imprisonment. Subsequently, the Sunna adds to the aforementioned penalties stoning

---

[23] *Jinaya* (criminal law) comprises four categories of punishment: *Ḥudūd* (the mandatory punishment), Qisas (the reciprocate punishment), *Diyya* (compensation paid to the heirs of a victim), and Ta'zir (any other offense that is not covered by Ḥudūd and Qisas, and that whose form and quantum may accordingly be decided by the court).

[24] Adultery includes homosexuality and lesbianism according to the majority of classical Muslim jurists.

for married adulterers and a one-year exile for an unmarried male adulterer, although there is difference of juristic opinion with respect to combining both the punishments of lashing and stoning. In addition, classical Muslim jurists expanded the Qur'anic four-point list of offenses to six with the addition of apostasy and alcohol consumption (few also added armed rebellion as the seventh offence), the punishment of which varies by Muslim legal interpretation.

The controversy over *ḥudūd* lies in the fact that it is seen as violating the stipulated standards of the IHRL, as expressed in its Conventions[25]. Criticisms against the penal code appear at three different levels: First, it criminalizes and imposes punishments for acts that fall within the normative domain of the Western cultural fabric; second, its implementation suffers from procedural abuses; third, its prescribed penalties exhibit a degree of "torture" that transcends the boundaries defined (albeit imprecisely) by the IHRL. As will be shown below, it is the coalescing of various articles within the conventions of the IHRL that provides justifiable incentives to declare *ḥudūd* as intolerant of human rights.

At the first level, Islamic punishments of inter-religious conversion, apostasy, alcohol consumption, and all forms of sexual relations outside the bounds of a legal, monogamous, heterosexual marriage are considered to be in direct violation of the protected principles of "freedom" and "privacy" in the following articles of the Universal Declaration of Human Rights (hereinafter UDHR):

> Article 11(2): 'No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence,

---

[25] These Conventions include the Universal Declaration of Human Rights (UDHR), the European Convention of Human Rights (ECHR), Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the "Torture Convention"), and the International Covenant on Civil & Political Rights (ICCPR).

under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed' (UN General Assembly, 1948b).

Article 12: 'No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks' (UN General Assembly, 1948b).

Article 18: 'Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance' (UN General Assembly, 1948b).

At the second level, criticisms against *ḥudūd* include claims that the law lacks provisions that grant the accused his fundamental rights such as the presumption of innocence and the right to defense. Article 11(1) of the UDHR states: 'Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence' (UN General Assembly, 1948b). Although legal systems in the Muslim world vary in reflection of diverse religious ideologies and cultural influences, many of them are observed to not guarantee equality for individuals before the law (Ramadan, 2004).

At the third level, criticisms center on the original nature and quantum of *ḥudūd* punishments. The IHRL, through Article 5 of the UDHR, states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment". The

"internationally-agreed" definition of torture can be found in Article 1 of the "Torture Convention":

> 'Torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions' (UN General Assembly, 1948a).

In addition, capital and corporal punishments do not have a favorable position in the IHRL. Although there is no explicit prohibition of capital punishment in said Convention, attempts have been made to encourage its restriction and abolition. For example, Article 6 of the International Covenant on Civil and Political Rights (hereinafter ICCPR) limits its use by declaring that 'sentence of death shall not be imposed for crimes committed by persons below eighteen years of age' (UN General Assembly, 1966). Meanwhile, corporal punishments are legally prohibited in general terms in the IHRL and in particular terms in the "Torture Convention". Judging strictly by the principles set in the preceding articles, it is clear that the *ḥudūd* penalties of stoning, lashing, and amputation violate the prohibition of "torture" under the IHRL framework.

139

6.2.2   Al-Qaradawi on *Ḥudūd* and Islamic morality

Despite the apparent extremity of *ḥudūd* penalties to modern sensibilities, al-Qaradawi has never contested the applicability of the penal code in Muslim life throughout his lifelong career. What sits at the very heart of his opinion on the issue is his unwavering conviction that the laws prescribed by Allah, as derived and inferred by Muslim scholars from the Quran and Sunna, are absolute and eternally valid (Sharia and Life, 2011). For him, the degree of extremity exhibited by *ḥudūd* penalties is necessary to ensure the effectiveness of the penal code as both a deterrent and a punishment, although he places more emphasis on the former purpose than the latter due to his agreement with the general Muslim belief that Islam is not keen on punishing people (Sharia and Life, 2011).

The idea that *ḥudūd* is based more on preventing than punishing is, as many Muslims believe, reflected in the scrupulousness of its conditions. In theory, the meticulous nature of procedural rules and requirements prescribed by Islam in the *ḥudūd* ordinance for prosecuting a crime seems to make it difficult, if not impossible, for a Muslim perpetrator to be liable for conviction. The evidentiary system of eyewitness testimony of two Muslim males of good reputation (four in the case of adultery and fornication), who themselves are subject under extreme scrutiny to ensure the trustworthiness of their accounts, seems to readily annul the risk of arbitrary prosecution of most of the *ḥudūd* offenses. In addition to circumstantial evidence being mostly peripheral to the eyewitness system in the Islamic law, prosecution of a crime without direct, substantial evidence can only stand if the act is committed in a conspicuous manner (e.g., alcohol consumption in the public sphere). Al-Qaradawi presents the hypothetical case of a man who has committed adultery in private and

sought God's forgiveness as an example of a situation in which *ḥudūd* may not apply (Sharia and Life, 2011). In such circumstance, he argues that, should there be uncertainty in the evidence, the crime will cease to fall under the purview of *ḥudūd* and should be dealt with instead by the court's discretion (*ta'zīr*), for it is better for the judge to err by absolving a guilty criminal than by prosecuting an innocent man (Sharia and Life, 2011). As can be observed, the crime is punishable nevertheless from the scholar's perspective.

Al-Qaradawi's proposition for the suspension (as opposed to abolition) of *ḥudūd* rests on his belief that its implementation in any given society must be conditional upon two criteria: First, the society must have applied Islamic teachings in their totality; second, the Muslim community must have had adequate knowledge of Islamic commandments and prohibitions as well as the terms of the penal code (Sharia and Life, 2011). He bases this conviction on the historical account of Prophet Muhammad having made it a priority to establish the "quintessential" Muslim society in Medina before sanctioning the penalties of *ḥudūd* (Sharia and Life, 2011). The scholar's thinking here is rooted in the logic that proper establishment of social justice (e.g., sufficient standard of living, adequate rate of employment, social and gender equality, and political stability) and adequate understanding of Islamic teaching (including the intricateness of the Islamic law) can prospectively prevent the occurrence of crimes - and concomitantly, the need to exercise the severe penalties of the Islamic penal code in the first place (Sharia and Life, 2011). The simplicity of this proposition, however, does not reflect the reality that the Muslim world is divided in its approach to *ḥudūd*; most Muslim countries vary greatly in their use of traditional Islamic punishments, while many do not even adopt the penal code.

In addition to his proposition for the suspension of *ḥudūd*, al-Qaradawi suggests that it is necessary to subject the penal code to *ijtihād*, particularly for vague areas where there are definitional complexities (e.g., the scope of "theft") and ruling ambiguities (e.g., punishment for alcohol consumption and apostasy). In the context of theft, for example, Kamali (1999) questions whether scenarios such as "stealing from a deceased person" and "pickpocketing" fall within the precise definition of this crime in the Qur'an. Al-Qaradawi makes it clear that alternatives to *ḥudūd* in the civil law (e.g., imprisonment) are ineffective as both deterrents and punishments, with the rationale being the feasibility of amateur convicts benefitting from an in-prison "tutoring" from other inmates with a higher degree of criminal experience, and the subsequent possibility of criminal recurrences (Sharia and Life, 2011). In most instances, al-Qaradawi's understanding of Islamic morality does not deviate from the prevailing Muslim thinking in the Muslim world; he deems norms such as homosexuality, pre- and extra-marital sexual relations, and the consumption of intoxicants as simply "perverted" and "unnatural" (al-Qaradawi, 2003b). As will be evident henceforth, the scholar exhibits a tendency to use the Qur'an and Sunna to justify his views in most occasions, and to reinforce his line of argument with logical reasoning that mainly engages with presumptions about the general risks associated with said norms.

In prohibiting adultery and fornication, al-Qaradawi cites the verse 'And do not approach unlawful sexual intercourse. Indeed, it is ever an immorality and is evil as a way' (Qur'an, 17:32) and states that the inclination '… to satisfy one's sexual need freely with whomever is available and whenever one pleases, without any restraints of religion, morality or custom…' is founded on the philosophy of 'the advocates of free sex', which '… reduces the human being to the status of an animal' (al-Qaradawi,

2003b, p.132). He adds that such practice '… leads to confusion of lineage, child abuse, the breaking-up of families, bitterness in relationships, the spread of venereal diseases, and a general laxity in morals…', subsequently paving the way for '…a flood of lusts and self-gratification…' (al-Qaradawi, 2003b, p.133). In a similar manner, al-Qaradawi forbids homosexuality by citing the story of Prophet Lot (whose society, as documented in the Qur'an, was rife with men pursuing other men for sexual desires) and the corresponding verse: 'Do you approach males among the worlds; And leave what your Lord has created for you as mates? But you are a people transgressing' (Qur'an, 26:165-166), and then proceeds to describe the practice as '… a reversal of the natural order, a corruption of man's sexuality, and a crime against the rights of females…', which '… disrupts its [society's] natural life pattern and makes those who practise it [homosexuality] slaves to their lusts, depriving them of decent taste, decent morals and a decent manner of living' (al-Qaradawi, 2003b, p.153). While he acknowledges that classical Muslim scholars differ in the type of punishment imposed on men (and women) who engage in same-sex relations, he defends the severity of the penalties, saying that they have been prescribed '… to maintain purity of the Islamic society and to keep it clean of perverted elements…' (al-Qaradawi, 2003b, p.154).

On the issue of alcohol consumption, al-Qaradawi has come under intense criticisms in the Muslim world for having modified his original prohibition of the act in his book *The Lawful and the Prohibited in Islam*. Previously, al-Qaradawi forbade the use of all types of intoxicants in any amount (with the exception of those used for medicinal purposes), citing as justifications, first, the Qur'anic verse that reads 'O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Satan, so avoid it

that you may be successful; Satan only wants to cause between you animosity and hatred through intoxicants and gambling and to avert you from the remembrance of Allah and from prayer. So will you not desist?' (Qur'an, 5:90-91), and then, the Prophetic sayings that read 'Of that which intoxicates in a large amount, a small amount is ḥarām [unlawful]' and 'If a bucketful intoxicates, a sip of it is ḥarām' (in al-Qaradawi, 2003b, p.59). In the afore-mentioned book, he also highlights 'the harmful effects of drinking on the individual's mind, his health, his religion and his work', 'the disasters which he brings upon his family by neglecting their needs and by not fulfilling his obligations, as the head of the family, toward his wife and children', and 'the spiritual, material and moral evils which proliferate in societies and nations due to the widespread assumption of alcohol' (al-Qaradawi, 2003b, p.56). The scholar takes his argument in the book further by linking the specific Islamic prohibition of consuming intoxicants to the general Sharia rule that 'it is haram for the Muslim to eat or drink anything which may cause his death, either quickly or gradually, such as poisons, or substances which are injurious to health or harmful to his body' (al-Qaradawi, 2003b, 65). However, in 2008, al-Qaradawi issued a fatwa that permits Muslims to consume any beverages with alcoholic content formed naturally through the process of fermentation and of not more than 0.5% based on the logic that such minimal concentration of the organic compound is not sufficient to cause intoxication (Harrison, 2008). The scholar's position here not only contradicts the very evidence on which he based his original prohibition of alcohol consumption (i.e., the Prophetic saying: 'If a bucketful intoxicates, a sip of it is ḥarām'), but it also prioritizes reason over scriptural authority, which is a glaring exception to his usual commitment to keeping close to explicit Islamic texts. It is not clear, however, whether al-Qaradawi's change of mind

144

here was prompted by leniency (in correspondence with his use of *fiqh al-aqalliyyat*) or spontaneity.

With regard to apostasy, al-Qaradawi goes by the belief among a majority of classical Muslim jurists that apostasy is punishable by death (in OnIslam, 2006). While the Qur'an is silent about this worldly punishment, there is supposedly ample evidence in the Prophetic tradition. Al-Qaradawi uses the following evidence to support his position: First, the Prophetic saying that reads 'Whoever changes his religion, you kill him' (in OnIslam, 2006, para. 11); second, another corresponding Prophetic saying that reads 'The blood of a Muslim who testifies that there is no god but Allah and that I am the Messenger of Allah is not lawful to shed unless he be one of three: a married adulterer, someone killed in retaliation for killing another, or someone who abandons his religion and the Muslim community' (in OnIslam, 2006, para. 12); third, the historical account that the last of the four Rightly-Guided Caliphs, `Ali ibn Abi Talib, himself put some apostates to fire after having given them three days to repent (in OnIslam, 2006).

6.2.3   Ramadan on *Ḥudūd* and Islamic Morality

Similar to al-Qaradawi, Ramadan does not contest the scriptural bases of the *ḥudūd* offenses and penalties. Rather, the Swiss thinker questions Muslim readings of the Islamic tradition and interpretations of the penal code. By his call for a global moratorium on *ḥudūd* in 2005, Ramadan intended to put an end to government abuse of the penal code and establish an open dialogue that would allow scholars to critically question its contemporary applicability in light of the objectives of Islam, with the focus shifted from administering punishments to promoting social justice and integrity of

every individual member of society. In theory, this dialogue would require intellectuals to evaluate three important aspects: First, the scriptural sources from which the specifics of *ḥudūd* are legitimately derived and the range of both possible and established divergent readings over time and history; second, the conditions (and exceptions) of *ḥudūd* as stipulated by the scriptural sources, by a body of scholars through unanimous decisions (*ijmā'*), or by individual scholars across all schools of legal thought, while taking into account their divergences; third, the realities of today's sociopolitical context (existing political and legal systems) that bear an immediate effect on the contemporary applicability of *ḥudūd* and Muslim-scholarly divergences with respect to this issue (Ramadan, 2005). The main objective of these three aspects is to allow scholars to clarify interpretative latitudes offered by the texts, while keeping in mind the state of evolving modern societies (Ramadan, 2005).

Irrespective of the fact that *ḥudūd* is mainly inapplicable to non-Muslims, Ramadan suggests that the afore-mentioned proposed dialogue must not exclude contributions from non-Muslim intellectuals or citizens, and that '… all parties must learn to decentre themselves and move towards listening to the other, to the other's points of reference, logic and their aspiration' (Ramadan, 2005, para. 31). He further adds that Muslims all over the world should 'refuse the formalist legitimization of the teachings of their religion and reconcile themselves with the deep message that invites towards spirituality, demands education, justice and the respect of pluralism' (Ramadan, 2005, para. 38). Hypothetically, should the plan to form a unified approach to *ḥudūd* fail to materialize, Muslim scholars will have no choice but to rely on pluralist interpretations and formalizations of the penal code. Despite Ramadan's proposition seeming to read in somewhat allusive terms, it is possible to glean that it is more of an

attempt to establish proper manners of installing *ḥudūd* punishments in the legal system rather than an attempt to reconsider its implementation. Admittedly, to question whether Muslims can dispense with (rather than just suspend) the penalties of *ḥudūd*, particularly those that find their origin in the Qur'an and Sunna, in favor of punishments that are more consistent with the universal human rights may risk being perceived as suggesting tampering with "the word of God". This seems to be the main reason for Ramadan's cautiousness in expressing his opinions regarding certain moral issues in Islam, considering his position as a "mediator" between Europe and the Muslim world.

Although Ramadan does not discuss moral issues in Islam in the same detailed way as al-Qaradawi does (e.g., with extensive references to the Qur'an and Sunna), he conveys the same message that is embedded in al-Qaradawi's verdicts: God, who knows better than His creations what is good and what is bad for them, '… points out limits and rules [pertaining to *ḥalāl* and *ḥarām*], both global and precise, to encourage them [human beings] to live in accordance with His Will' (Ramadan, 1999, p.70). The Swiss thinker clarifies that '… the responsibility of the true Believer is to follow it [the path of Islam prescribed by God] by making the appropriate choices to prevent himself from becoming a wrongdoer or allowing doubts to creep in' (Ramadan, 1999. p.70). Although his use of the expression "the true Believer" and his linking it to the duty of "following the Path of Islam by refraining from wrongdoings" may reveal a tacit effort at promoting a hierarchy of Muslim "authenticity" that places adherence to God's Will at the top and straying from it at the bottom (which implicitly suggests that a Muslim who obeys God's limits and rules is a "true" Muslim, and one who does not is "less of a Muslim"), Ramadan emphasizes that 'the human being is free and has the choice [to decide whether or not they want to follow said path]' with the Revelation as a means for

147

distinguishing right from wrong, and with the knowledge that '… what is forbidden by God is bad for [them]…' (Ramadan, 1999. p.70).

Ramadan's position discussed above is consistent with his "middle-road" opinion on homosexuality (one of the very few moral issues that he has discussed so far in his writings), which can be argued to be explicative of his overall thinking on the conflict between adherence to Islam's limits and respect for European values (e.g., individual rights and freedom of choice, irrespective of Islam's limits). In an article published on his website, the Swiss thinker - while maintaining that 'homosexuality is forbidden in Islam' (Ramadan, 2009, para. 3) - stresses that Muslims 'must avoid condemning or rejecting' homosexuals on the basis of their sexual orientations (Ramadan, 2009, para. 3), and that if a Muslim 'engages in homosexual practices, no one has the right to drive him or her out of Islam' (Ramadan, 2009, para. 3). Thus, as opposed to revisiting the illegality of homosexuality in Islam, Ramadan deals directly with the reshaping of Muslim thinking on said issue, which is consistent with his long-standing emphasis on the importance of distinguishing between Islam and Muslim thinking in the context of reform. While acknowledging the immutability of the Islamic prohibition of homosexuality, the scholar criticizes the tendency in the West to overdramatize the adverse impact of the traditional Muslim perception of homosexuality on the success of Muslim integration, '… as if European culture and values could be reduced to the simple fact of accepting homosexuality' (Ramadan, 2009, p). From Ramadan's position on homosexuality and "Muslim freedom" discussed thus far, one can glean several important points: First, Islamic prohibitions in the scholar's reformist thinking remain universal, binding, and immutable; second, the Muslim has the freedom to choose whether or not to abide by Islamic commandments

without being forced by any authority. Relating these points to the Muslim responsibility of enjoining good and forbidding evil that is embedded within the notions of *da'wa* (proselytization) and *shahāda* (witness) discussed in Chapter 4, one can conclude preliminarily that said duty, in Ramadan's thinking, is limited to only making others know of Islamic views on "evil" without the need to "forbid" them by imposing harsh laws and regulations that deny the Muslim's freedom of choice.

6.3   Women in Islam

Another important theme that occupies the forefront of the Islam-West debate is the oppression of women in Islam, as evidenced by their vulnerability to violence and discrimination in some parts of the Muslim world supposedly on the basis of their "weaker" gender in accordance with the Islamic tradition. A common denominator of the many issues that fall within this theme appears to be the elusive conceptual status of man and woman in Islam, embedded within which are two notions that have become the archetypal bases for divergence among Muslim scholars: Male "superiority", and the role of women within and beyond the familial context. Muslim understandings of these two notions are constructed around a network of Qur'anic verses and Prophetic sayings that address individual and inter-dependent roles of man and woman both in a general sense and in the context of family and marriage. Two verses in the Qur'an stand out for their popularity in the Muslim discourse on the afore-mentioned notions, one dealing with the status of man over woman as expressed by the term *"daraja"* (literally understood as "degree") in verse 228 of Chapter 2, and the other with God's supposed preference for man as expressed by the term *"faḍḍala"* (literally understood as 'preferred') in verse 34 of Chapter 4.

The following different interpretations of the term *"daraja"* in verse 228 of Chapter 2 reveal various subliminal proclivities on the part of the interpreters (bold added for emphasis):

'*...and men are **a degree above** them...*' (Pickthall)

'*... but men have **a degree (of advantage) over** them...*' (Yusuf Ali);

'*... but the men have **a degree over them [in responsibility and authority]**...*' (Saheeh International);

'*… **of course, men are a degree above them in status…*'** (Mawdudi)

The following interpretations of the term *"faḍḍala"* in verse 34 of Chapter 4 also show similar divergences (bold added for emphasis):

'*Men are in charge of women, because **Allah hath made the one of them to excel the other**, and because they spend of their property (for the support of women)...*' (Pickthall)

'*Men are the protectors and maintainers of women, **because Allah has given the one more (strength) than the other**, and because they support them from their means...*' (Yusuf Ali)

'*Men are in charge of women by [right of] **what Allah has given one over the other** and what they spend [for maintenance] from their wealth...*' (Saheeh International);

One can observe how each of these expressions carries a subtle meaning that either justifies or qualifies mainstream traditional Muslim understanding of the dynamics of relationship and power between man and woman. Practices such as polygamy, veiling obligation, lesser share of inheritance for women, and divorce by male repudiation can be shown to feed on scriptural evidence that vary in terms of

150

clarity and ambiguity; as such, they lend themselves to infinite explication and contextualization.

6.3.1   Al-Qaradawi on Women in Islam

Al-Qaradawi's understanding of the relationship between man and woman begins from the particularization of man as the "dominant" companion of woman and of woman as the "dependent" companion of man. His view here seems to be predicated on Qur'anic references that, according to the prevailing interpretation in the Muslim world, assign the female gender into traditional familial roles, such as "mothers, "daughters", "wives", "sisters", all of which connote a degree of dependency on their men. The scholar clarifies his opinion as follows (bold added for emphasis):

> *"Because of his **natural ability** and **responsibility for providing for his family**, the man is the **head of the house and of the family**. He is **entitled to the obedience and co-operation of his wife**, and accordingly it is not permissible her to rebel against authority, causing disruption. Without a captain, the ship of the household will flounder and sink"* (al-Qaradawi, 2003b, p.227).

Although his foundational belief above is clearly tied to the context of marriage, it can be shown to bear significantly on his broader thinking on Muslim women's role in society. While he has been noted as a keen advocate for women's rights in the political sphere, his view of women's role in Islam remains resolutely traditional in many other areas, such as polygamy, divorce, veiling, and worship matters.

The intra-Muslim diversity surrounding the issue of polygamy reveals that differences of opinion occur at various exegetical levels: First, the context of the text

151

(the specific historical setting of the revealed verse); second, the text itself (its wording, whether explicit or ambiguous); third, deductions from the context and the text (rationale and conclusion). The specific ruling on polygamy can be found in verse 3 of Chapter 4 in the Qur'an:

> *And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those your right hand possesses. That is more suitable that you may not incline [to injustice]* (Qur'an, 4:3).

At the contextual level, it is believed that this verse was revealed to Prophet Muhammad as a solution to a problematic gender ratio disproportion within the Muslim community following the dramatic loss of men in the Battle of Uhud in 625 C.E. (this was later exacerbated by further loss in the Battle of Trench in 627 C.E.). Given the societal context of the period, where men were primarily "providers", the revelation on polygamy would presumably have served the practical purpose of protecting the orphaned and widowed women and rebuilding the Muslim community through proliferation of births. However, Muslim scholars over the following centuries extrapolated this context to a wider range of comparable cases**.**

Al-Qaradawi permits polygamy in the following three cases (this view is not uncommon among traditional Muslim scholars): First, the case of a woman unable to provide her husband with an offspring due to infertility, chronic illness, and other kinds of ailments; second, the case of a woman unable to meet her husband's insatiable sexual needs due to minimal libido, chronic illness, prolonged menstruation and so on; third, the case of gender ratio disproportion where women outnumber men. The scholar

concludes: 'In such a situation, it is in the interests of the society and of women themselves that they become co-wives to a man instead of spending their entire lives without marriage, deprived of the peace, affection and protection of marital life and the joy of motherhood for which they naturally yearn with all their hearts' (al-Qaradawi, 2003b, p.176). Observably, the first two cases mentioned above put the man's interests at the center of importance, while the third seems to cater to the woman's wellbeing. The apparent partiality to men in this context is not without criticisms; Wadud (1999), for example, questions male Muslim scholars' tendency to view polygamy as a solution to a man's unbridled lust**.**

At the textual level, the notion of "justice" in verse 3 of chapter 4 highlighted earlier as one of the absolute conditions of polygamy (the other being the limit of marrying up to four wives at one time) is subject to varying definitions in Muslim thinking. Al-Qaradawi (2003b) believes that "equality" encompasses material support (e.g., food, drink, housing, clothing and expenses) as well as affection (e.g., the division of his time between them). He opines that the notion of "love" does not fall within the scope of "equality", '… for equality in the division of love is beyond human capacity and any imbalance in this regard is forgiven by Allah Taala' (al-Qaradawi, 2003b, p.175). The scholar justifies this with the Qur'anic acknowledgment of man's absolute inability to be just:

> *And you will never be able to be equal [in feeling] between wives, even if*
> *you should strive [to do so]. So do not incline completely [toward one]*
> *and leave another hanging. And if you amend [your affairs] and fear*
> *Allah - then indeed, Allah is ever Forgiving and Merciful* (Sahih
> International, Qur'an, 4:129).

Al-Qaradawi's position here comes in conflict with the opposing argument that polygamy should hardly be realizable due to the fact that equality of love is unattainable in such form of union (Wadud, 1999). It is also worth mentioning that the ruling on polygamy is accompanied by a seemingly-dissuasive focus on man's fear of injustice (as expressed in '… but if you fear that you will not be just…'). Furthermore, Prophet Muhammad was reported as saying: 'When a man has two wives and he is inclined to one of them, he will come on the Day of resurrection with a side hanging down' (Sunan Abi Dawud, 11:2128). Hence, many scholars assert that monogamy is still the preferred marital arrangement in Islam. Al-Qaradawi concludes that '… anyone who lacks the assurance that he will be able to fulfill all these obligations with justice and equality is prohibited by Allah Ta'ala from marrying more than one woman' (al-Qaradawi, 2003b, p.211).

Another area in which al-Qaradawi's foundational belief on man's "natural superiority" presents itself clearly is the issue of divorce. Similar to many other Muslim scholars of traditional thinking, al-Qaradawi perceives divorce in a negative light, abiding by the Prophet's saying that 'among lawful things, divorce is most hated by Allah' (in al-Qaradawi, 2003b, p. 189). In reference to the possibility of abuse of divorce, the scholar warns:

> '*People who divorce their spouses and marry others in order to enjoy a variety of sexual partners are liked neither by Allah nor by his Messenger. The Prophet called them "the tasters," saying, "I do not like the tasters, men and women," and, "Allah does not like the tasters, men and women*" (al-Qaradawi, 2003b, p.235)**.**

The controversy regarding Islamic inequity in divorce within the Islam-West debate mainly lies in the observation that men have significantly easier access to divorce than women, both in theological and legal terms. In general, a Muslim man may unilaterally divorce his wife through verbal or written repudiation (*ṭalāq*) without the consent of the wife and the court. Contrastingly, a Muslim woman who wishes to seek a divorce would need to resort to limited options, often involving third-party mediators, and intricate, time-consuming legal proceedings. The following statement by the Human Rights Committee (HRC) in 2000 highlights the incompatibility of Islamic male repudiation with the principle of equality of rights between men and women:

> *'States must also ensure equality in regard to the dissolution of marriage, which excludes the possibility of repudiation. The grounds for divorce and annulment should be the same for men and women, as well as decisions with regard to property distribution, alimony and the custody of children. The need to maintain contact between children and the non-custodian parent, should be based on equal considerations. Women should also have equal inheritance rights to those of men when the dissolution of marriage is caused by the death of one of the spouses*[26]*'.*

The afore-mentioned Islamic way of effectuating divorce seems to be the basis on which al-Qaradawi expresses the opinion that 'it is not permissible for a woman to seek divorce from her husband unless she has borne ill-treatment from him or unless she has an acceptable reason which requires their separation' (al-Qaradawi, 2003b, p.201). This is believed to find support in the Prophetic saying that reads: 'Any woman who

---

[26] General Comment No. 28, CCPR/C/21/Rev.1/Add.10

asks her husband for a divorce when it is not absolutely necessary, the fragrance of Paradise will be forbidden to her.' (Sunan Ibn Majah, 10:2133). Furthermore, al-Qaradawi does not question the permissibility of the controversial male repudiation as a means for effectuating divorce. Rather, in his much-celebrated book, *the Lawful and the Prohibited in Islam*, he only expounds on the limitations stipulated in the Islamic tradition on when a man can divorce his wife (e.g., during her period of menstruation).

In the more general Muslim scholarly tradition, a conventional justification for the greater right of men via repudiation is, again, their "natural" position as leaders and financial supporters of the household, with the consequent argument being that women are not intrinsically seen as inferior to men. As stipulated in Islamic family law, there are certain general procedural restrictions that must be observed by a man who wishes to repudiate his wife: First, he must be of sound mind at the time of repudiation, and second, repudiation must be absolute (without being intended to be conditional upon a future action) (al-Qaradawi, 2003b). Although the legal systems in the Muslim world vary, the ways in which divorce is handled in many Muslim countries tend to converge, and are largely reflective of the overall picture of "unequal" divorce rights between men and women by the IHRL standards.

Another issue that contributes to the problems of oppression of women and Islamic intolerance in Muslim cultures is the obligation of veiling**.** The following statement by the ECHR on the headscarf controversy was made in reference to the Dahlab[27] case:

> '*The Court accepts that it is very difficult to assess the impact that a*
>
> *powerful external symbol such as wearing a headscarf may have on the*

---

[27] Lucia Dahlab was a primary schoolteacher in Switzerland who was prohibited from wearing an Islamic headscarf in the performance of her duties.

freedom of conscience and religion of very young children. The applicant's pupils were aged between four and eight, an age at which children wonder about many things and are also more easily influenced than older pupils. In those circumstances, it cannot be denied outright that the wearing of a headscarf might have some kind of proselytizing effect, seeing that it appears to be imposed on women by a precept which is laid down in the Koran and which, as the Federal Court noted, is hard to square with the principle of gender equality. It therefore appears difficult to reconcile the wearing of an Islamic headscarf with the message of tolerance, respect for others and, above all, equality and non-discrimination that all teachers in a democratic society must convey to their pupils' [28].

In response to the controversies over the wearing of the headscarf or veil, al-Qaradawi points out the irony that the right of European Muslim women to cover their heads (and faces) on their own accord is denied on the grounds of protecting the principles of equality and freedom, while non-Muslim women are allowed to 'freely dress in a revealing and provocative manner!' (OnIslam, 2010, para. 26). Nevertheless, the scholar sympathizes with the Muslim women who are affected by the headscarf ban and accordingly permits them to take off their veils within premises where the law is in place on the basis that the need to access such premises makes removing the veil permissible (OnIslam, 2010). He cautions, however, that European Muslim women must revert to covering themselves when they are no longer within the scope of the ban (OnIslam, 2010). Thus, while the scholar makes use of the principle of *ḍarūra* in this

---

[28] This can be found in paragraph 5 under the section IV Key Elements of Reasoning in *The 'Islamic Scarf' in the European Courts of Human Rights* by Carolyn Evans. See Evans, C. (2006) in Bibliography.

case to grant some leniency to Muslim women in Europe, he remains adamant that the obligation of veiling is binding in most instances.

Al-Qaradawi's position on the Islamic veiling is premised on his belief that it is part of the personification of the principle of "modesty" captured by the Islamic concept of *'awra* (that which is to be hidden). *'Awra* denotes specific parts of the body that must be covered in the presence of the same or the opposite sex. Often cited as a justification for the Islamic principle of modesty is the general prophetic prohibition of looking at the *'awra* of another person of the same or the opposite sex with or without desire (al-Qaradawi, 2003b). There is variation in the definition of a woman's *'awra*, but a vast majority of Muslim scholars agree that veiling is obligatory, with a minority arguing that it is merely "encouraged" (al-Qaradawi, 2003b). The following verse is often taken to be evidence for the specific obligation of veiling:

> *'And tell the believing women to reduce [some] of their vision and guard their private parts and not expose their adornment except that which [necessarily] appears thereof and to wrap [a portion of] their headcovers over their chests and not expose their adornment except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers, their brothers' sons, their sisters' sons, their women, that which their right hands possess, or those male attendants having no physical desire, or children who are not yet aware of the private aspects of women. And let them not stamp their feet to make known what they conceal of their adornment. And turn to Allah in repentance, all of you, O believers, that you might succeed'* (Quran, 24:31).

Given the ambiguous nature of the verse, there exist differences of opinion concerning the precise nature of 'veiling', centering on the phrase: '… not expose their adornment except that which [necessarily] appears thereof'...' in the afore-mentioned verse. Al-Qaradawi defines "adornment" as that which '… includes both natural features such as the face, hair, and other attractive parts of the body, and artificial enhancement of beauty, such as the dress, ornaments, make-up, and the like' (al-Qaradawi, 2003b, p.139). As for the latter part of the Qur'anic phrase - "that which [necessary] appears thereof" – the scholar accepts the definition adopted by the Companions of the Prophet and their immediate followers that it denotes the face, the hands, and their ordinary adornments, such as kohl (eye cosmetics of black powder) and a ring (al-Qaradawi, 2003b). He sees this as being based on the following prophetic saying:

> '*Aisha: She said that 'Asma, the daughter of Abu Bakr, one came to the Prophet (SAAS) wearing transparent clothes. The Prophet (SAAS) turned his face away from her and told her, "Asma'', when a woman begins to menstruate, nothing should be seen of her except this and this", and he pointed to his face and hands*'[29].

Thus, with the exception of the afore-mentioned allowance, al-Qaradawi believes that all outward manifestations of a woman's beauty must be protected, which include bodily parts, mannerisms, accessories, and clothing that are deemed to be potently arousing to men. While exceptions exist according to the scholar's definition - such as the permissibility of not covering the hair, ears, neck, upper part of the chest, arms and legs in the presence of the woman's father – he remains stern in the belief that

---

[29] Sunan Abu Daud, 31:30

other parts of her body, such as the back, abdomen, thighs and two private parts are meant to be covered before any other man or woman (al-Qaradawi, 2003b).

Taking all the preceding specifics of *'awra* into consideration, there is, then, such a thing as an "Islamic dress" for a Muslim woman in terms of coverage, size, clarity, and distinctiveness of design according to al-Qaradawi. He provides the following conditions for an Islamically-acceptable female dress code: It 'must cover entire body with the exception of "that which is apparent"; 'it must not be transparent, revealing what is underneath it'; it 'must not be too tight so as to define the parts of her body'; it must not be or resemble a type of clothing that is specifically for men; it must not imitate any non-Muslim way of dressing, as Islam encourages its followers to develop their own distinctive characteristics in appearance (al-Qaradawi, 2003b, p.149-150).

Al-Qaradawi's traditional perspective on women in Islam is further accentuated by his critical response to the Wadud controversy in 2005. On March 18 of said year, Amina Wadud, an American scholar of Islam, led a mixed-gender Friday prayer in a church in New York City that garnered both acclaims and criticisms, the former mainly in the West and the latter predominantly in the Muslim world. It did not take al-Qaradawi long to issue an online fatwa condemning Wadud and implying that she had removed herself from Islam. He states that 'throughout Muslim history it has never been heard of a woman leading the Friday Prayer or delivering the Friday sermon…' (OnIslam, 2005, para. 5), and that 'it is established that leadership in Prayer in Islam is to be for men' (OnIslam, 2005, para. 6). He further argues that the fact that 'prayer in Islam is an act that involves different movements of the body [e.g., bowing and prostrating]' (OnIslam, 2005, para. 7) means that 'it does not befit a woman, whose

structure of physique naturally arouses instincts in men' (OnIslam, 2005, para. 7), which may consequently 'divert the men's attention from concentrating in the Prayer and the spiritual atmosphere required' (OnIslam, 2005, para. 7). To conclude his fatwa, he addresses Wadud directly:

> '*My advice to the sister referred to in the question is that she should revert to her Lord and religion and extinguish this unnecessary strife. I also advise my Muslim brothers and sisters in the United States not to answer this stirring call and to stand as one before the trials and conspiracies woven around them*' (OnIslam, 2005, para. 43).

Several important ideas in al-Qaradawi's response to the controversy reflect his overarching position on women's role in Islam. First, his believes that leadership in prayer in Islam is a right exclusive to men. Second, the idea that a woman leading in the front may dangerously serve as a potent distraction for men behind the line seems to reveal a reductionist perception of the gender as sexual beings. Third, his advice that Amina Wadud return to God and religion denotes his belief that a woman who leads a mixed-gender prayer automatically removes herself from the fold of Islam.

Speaking to an audience in a panel discussion with the theme *Jewish, Christian and Muslim Women Seeking Clergy Equality* in South Africa in 2011, Wadud defended her decision by clarifying her belief that, while there had been very little precedent for a female leading a Friday prayer and delivering a sermon prior to the event in 2005, there is no evidence in the Qur'an and Prophetic sayings that leadership in Islamic congregational worship is a man's proprietary, or that it cannot be occupied by a woman (MomentMag, 2013). In the same public speech, she admits that the event in 2005 was a

public statement against what she described as a "socio-political restriction" of women from positions of authority in religious rituals (MomentMag, 2013).

6.3.2 Ramadan on Women in Islam

Ramadan recognizes women as both individuals of their own right and 'partners [of men] on the spiritual path' (Ramadan, 2009, p. 210). He believes that God 'addresses women as being on an equal footing with men', and that 'their status as beings and believers' and what is required of them in matters of worship are absolutely similar to those of men (Ramadan, 2009, p. 210). His idea of "partnership" here seems to be based on the notions of equality and mutual complementarity (as opposed to dominance and dependency), which is rooted in his understanding of the Qur'anic verses that read 'They are clothing for you and you are clothing for them' (Qur'an, 2:187) and 'And of His signs is that He created for you from yourselves mates that you may find tranquility in them; and He placed between you affection and mercy. Indeed in that are signs for a people who give thought' (Qur'an, 30:21) (in Ramadan, 2009, p. 210). Contrary to al-Qaradawi's understanding of the Qur'anic view of women's role in Islam, Ramadan's reading of the Text allows him to believe that it invites 'the believing conscience to perceive women through their being, beyond their different social functions' (Ramadan, 2009, p. 211). Accordingly, the scholar appears to be critical of the fact that much of Muslim theological discourse on women tends to revolve predominantly around their roles and functions in the familial context.

Unlike al-Qaradawi, Ramadan is cautious about the kinds of issues into which he allows himself to delve, and is especially critical about the tendency in the West to reduce the issue of women's rights in Islam 'to a passionate, oversimplified debate

about a list of "problem practices"' (Ramadan, 2009, p.208) that has misdirected the attention of those involved and interested in the debate from the crux of the matter, which, to him, is the understanding of women's being in light of the higher objectives of Islam. As opposed to limiting the debate to only studying what the Texts permit or forbid, the scholar believes that it is crucial for the discourse on Muslim women's rights to focus on issues as '… the acquisition of knowledge (about texts and all the other sciences) for women; the meaning of their dignity and welfare in all that has to do with their minds, hearts, and bodies; their inalienable autonomy and the essence of their freedom in the mindscape of social representations as well as in group structures, without overlooking the question of the essence of womanhood and related factors' (Ramadan, 2009, p.218). Referring to the more intricate issues in the context of women's rights in Islam that seem '… to be a forbidden territory…' due to the sacrosanctity of the Texts and the "unquestionable" nature of Muslim cultural norms, Ramadan finds it fairly surprising that Muslim jurists and thinkers tend to come to an impasse when engaged in a debate despite their being so readily supportive of *ijtihād* and social and political reform (Ramadan, 2009, p.227). Strangely enough, this phenomenon seems to apply to Ramadan himself. For example, he appears reluctant to even open a discussion on the issue of women's right to lead the Friday prayer. In an interview with Claudia Mende from Qantara.de[30], Ramadan cautions that the afore-mentioned issue 'does not have a real position of authority from within the Islamic setting', and that it is significantly more important for a Muslim woman 'to be a faqi, meaning a jurist, a judge, a Muslim scholar' than create a controversy around their right to lead the Friday prayer (Mende, 2009, para. 4). He further states that 'when men and

---

[30] Qantara.de is a popular German-based online Internet portal funded by the German Foreign Office that aims to promote dialogue with the Islamic world.

women are together it is better to have a man doing it' (Mende, 2009, para. 6), although he does not explain why he thinks so. Here, it may seem like Ramadan is perpetuating the image of patriarchal constructions of femininity and that of patriarchal reluctance to shift power in gender relations and roles, especially considering the fact that the scholar rejects the idea that '… a woman with the same training and skills as a man should be barred from responsible posts because of being a woman' (Ramadan, 2009, p.20). However, as will be seen in the discussion section of this chapter (Chapter 6.4), the scholar's position here is guided by several other common key factors within the prevailing Muslim paradigm for thinking about the boundaries of reform in relation to women's rights (and other contemporary issues).

On the issue of veiling, Ramadan's support for the right and freedom of women to choose on their own whether and when to fulfill the obligation is consistent across his writings and speeches. Although he does not deny that veiling is an Islamic prescription, he argues that it cannot be imposed on women by the state or any other authority but her own self because it is an act of faith that can only be embraced and expressed by sincere choice, similar to prayers and the other pillars of Islam (Ramadan, 2009). He believes that Muslim women should be trusted to experience on their own accord and at their own pace their spiritual journey to emancipation (Ramadan, 2009). The scholar further points out that during the Prophet's lifetime, women were not forced to wear the headscarf, much less veil the face, which, according to him, was an obligation specific only to the Prophet's wives (Paulson, 2007). Thus, he strongly recommends an intra-community debate in the Muslim world on the nature of face veiling (though not for the headscarf obligation). Similar to al-Qaradawi, Ramadan brings to his thinking the perception of men as being susceptible to carnal desires, as

evidenced by his assertion that the Islamic veiling is intended to protect them (men) as the weakest of the two genders who are much more likely to look at women in a fragile way than vice versa (in Dunbar, 2008).

In correspondence with his effort to support the freedom of Muslim women to decide the terms of their own lives, Ramadan asserts that women should have a say in their marriages. With regard to polygamy, for example, the scholar, in *Let the Quran Speak,* a popular Canadian religious talk-show hosted by Shabir Ally (President of the Islamic Information & Dawah Centre International in Toronto, Canada), highlights the view of Ibn Hanbal that a woman can stipulate conditions in her marriage contract, such as adding a special clause that ensures her right to monogamy, in order to protect herself from being involved in a polygamous relationship (Let the Quran Speak, 2009). The problem with polygamy in the Muslim world, according to Ramadan, is that women most often do not know their rights in the intricate laws of Muslim marriage, and are thus forced to submit to their husbands' desires to turn their marriages into polygamous relationships (Let the Quran Speak, 2009). While the scholar does not explicitly forbid polygamy in general, he makes it clear that, in the context of the West (or any other context in which monogamy is a policy and a societal standard), Muslim men are not allowed to practice polygamy because they are obliged to abide by their legal contract with the state, where they live as rightful citizens (Let the Quran Speak, 2009).

In an interview with Steve Paulson, a correspondent from Salon (a US-based news website), in 2007, Ramadan clarifies that the ways in which Muslim men treat women in the present time, particularly in Muslim-majority countries, are far from being reflective of those in which the Prophet treated women in his lifetime (Paulson, 2007); the scholar tries to demonstrate the contrast between the two by comparing the

165

heavily-debated problems of women's restricted access to education, their limited roles of nurturing and housekeeping, and domestic violence to the Prophet's elevation of women's status beyond such roles, his efforts to encourage them to contribute at the social, political, and scholarly levels, and his reputation of never having beaten a women in his lifetime (Paulson, 2007). He echoes this message in the same episode in the afore-mentioned Canadian religious talk-show in 2009, explaining that the source of the problems related to the oppression of women is not Islam, but rather the literal reading of the Islamic Revelation, the conflation of Arab cultures and the universal principles of Islam, and the misguided belief that the harsher and the "less-Western" the Muslim interpretation of women rights in Islam, the more "Islamic" it is (Let the Quran Speak, 2009). With regard to the classical pigeonholing of women as "daughters", "sisters", "wives," or "mothers" in traditional Islam, however, Ramadan appears to take an apologetic approach. Rather than linking it to patriarchal attitudes, the scholar attributes it to the following reasons: First, the Companions and early *'ulamā* interpreted the Text in accordance with their viewpoints, cultural specificities (especially pertaining to the conception of the natural status of women), and contextual conditions (Ramadan, 2009); second, women were not involved in the process of legal elaboration at the time to give their input, and consequently, the male jurists who took part in it could only do as much as determine women's functions because 'they could not understand from within how the latter [women] experienced interpersonal relations and integrated social dynamics' (Ramadan, 2009, p.213)**;** third, it serves the intention of Muslim jurists to protect the importance of the family structure in Islam (Ramadan, 2009). Due to these reasons, Ramadan urges women to be '… (more) present in fatawa councils throughout the world, both as text scholars and as experts specializing in social

dynamics and daily realities' (Ramadan, 2009, p.232), and to 'train [themselves] in the study of texts, acquire the tools to interpret them, and complete the understanding of principles with thorough reflection about environments and the logics of discrimination or alienation' (Ramadan, 2009, p.214). He puts the responsibility on Muslim women to reclaim their privileged status as intended by Islam and protect themselves from '… all formalist dictatorships, both that which imposes the headscarf without belief in the practice coming from the heart and that which imagines all objectified female bodes fit into a size six dress, that which compels women to stay at home for religious reasons and that which sends them back home after the age of forty-five for aesthetic reasons (Ramadan, 2003, p.221).

6.4   Discussion

The preceding expositions reveal that al-Qaradawi and Ramadan exhibit both traditionalist and reformist tendencies in their approaches to moral and gender issues in Islam. Judging from a cursory glance, one might be inclined to argue that there is no rhyme or reason to the scholars' vacillation (beyond gender, cultural, or historical biases) between their observing Islamic precepts unconditionally and using independent reasoning. Al-Qaradawi, for example, is willing to apply some leniency in the obligation of veiling and the consumption of foods with alcoholic content, but not in the issues of religious conversion (from Islam to another), liberal sexual orientations, and female leadership in worship matters. In a similar manner, Ramadan shows his support for the cause of individual freedom by stressing the importance of letting Muslims abide by Islamic commandments and prohibitions out of their own free will (e.g., refraining from consuming intoxicants, although obligatory in Islam, is a decision that Muslims

should be able to make on their own), and by distinguishing between "obligation" and "imposition" in gender issues (e.g., veiling, albeit an "obligation", cannot be "imposed" on women), but leans to the traditionalist side when it comes to the same moral issues on which al-Qaradawi is inflexible (e.g., illegality of homosexuality). The line between what can and what cannot be reformed in Islam in the scholars' thinking is, however, not as loosely drawn as it may seem. As seen in the preceding sections, al-Qaradawi and Ramadan make references to ideas such as the absolute authority of God (e.g., *ḥudūd*), the principle of self-restraint (e,g,, carnal and worldly desires), and the immutability of certain Islamic norms (e.g., female leadership in Muslim rituals) in defending their views, bringing to light three corresponding binary conceptual pairs that appear to have a bearing on their traditionalist and reformist choices**:** First, the explicit and the ambiguous in the Islamic tradition; second, the mutable and the immutable in Islamic law; third, Divine prerogative and human reason in Islam. The first concern centers on the question of where to draw the line between unconditional observance and the use of independent reasoning in the interpretation of Islamic principles. The second concern revolves around the problem of determining the "boundaries" of reform in a manner consistent with the Quran and Sunna. The third concern pivots on the dichotomy of man's subjugation to God's will and man's independence from God in defining the path to "Truth" and the abstract terms of morality. While all three may seem similar in essence, each of them is grounded on different conceptual bases, as will be shown in this section.

To begin with, both al-Qaradawi and Ramadan exercise restraint from challenging rulings that they believe are based on explicit evidence in the Islamic tradition, albeit the fact that there seems to be variance in what determines a text as

"explicit", and that some "explicit" texts can be argued to be semantically ambiguous. Although the two scholars often insist that Sharia is more than simply a strict set of commandments and prohibitions, practicing Muslims generally tend to believe that the conduct of a believer of Islam is, nevertheless, bound to its standards of "lawful" and "unlawful" (*ḥalāl wa al-ḥarām)*, which derive principally from Sharia legislation, as a reflection of their submission to God's will. Stipulations dispensed by this dual concept of morality find their origin in the legal injunctions laid out in the two primary sources of Sharia - Qur'an and Sunna. Islamic legal injunctions fall into two categories in terms of legal clarity: Explicit *(qaṭ'i)* and ambiguous (*ẓanni*). Explicit injunctions refer to rulings that are axiomatic in expression and meaning, while ambiguous injunctions refer to rulings that can have several meanings, and are thus open to analysis, commentary, and interpretation (Kamali, 2003, p.136). Explicit injunctions constitute a smaller portion of the text, centering on issues of creed, worship, and core Islamic prohibitions, which can be either self-sufficient or dependent on explications by the Sunna. The Muslim practice of prayers, for example, traces its original ruling in general terms to the Qur'an, while details of its preparations, timings, and methods of performance can be found in the Prophetic tradition. Definitive injunctions of the Quran and the Sunna form the common unalterable denominator upon which Muslims unanimously agree, and about which al-Qaradawi and Ramadan are most cautious in their reading of the Revelation (Kamali, 2003, Ramadan, 2004). Meanwhile, the larger portion of Qur'anic legislation, which is argued to be ambiguous, is rendered dependent on *ijtihād* for explanations (Kamali, 2003). The prohibition of marriage to mothers and daughters in the Qur'an[31], for example, may appear irrefutable in its ruling, but the term "daughters"

---

[31] (Qur'an, 4:23): "…forbidden to you (in marriage) are your mothers and your daughters..."

itself leaves a good deal of ambiguity as to its scope. There is much debate over whether it includes other non-biological categories, such as 'illegitimate daughters, stepdaughters, granddaughters, and foster daughters'; while the Hanafi school of thought accepts that 'the term 'daughters' includes all daughters', the majority of legal scholars exclude "illegitimate daughters" from its scope (Kamali, 2003).

Despite the semblance of these defined categories, the science of Qur'anic exegesis is complex; in addition to *tafsīr* (textual interpretation), the use of *ta'wīl* (allegorical reading), which looks into underlying elements of the text, such as rationale and purpose, has led to the speculation that even explicit injunctions may be subject to critical analysis. Kamali's statement below bears significant impact on the notion of latitude in Sharia:

> *'Ratiocination [allegorical reading] in the Quran means that the laws of the Quran are not imposed for the sake of mere conformity to rules, but that they aim at the realization of certain benefits and objectives. When the effective cause, rationale, and objective of an injunction are properly ascertained, they serve as basic indicators of the continued validity of that injunction. Thus when a ruling of the Shariah outside the sphere of worship no longer serves its original intention and purpose, it is the proper role of the scholar to substitute a suitable alternative'* (Kamali, 2003, p. 139).

The late Benazir Bhutto, for example, questioned the contemporary applicability of amputation as a punishment for theft, arguing that the contemporary legal use of detention (imprisonment) effectively serves the same deterrent and rehabilitative purposes intended by the Islamic penalty (Bhutto, 2008). This opinion might seem

gratuitously revolutionary for orthodox Muslim scholars given the explicitness of the ruling in the Text, but suspension and reversal of rulings based on public interest can be shown to have historical antecedents in Islam. For example, Caliph Umar Ibn al-Khattab reportedly suspended the explicit Qur'anic punishment for theft during a period of famine in consideration of the probability that such crime was committed out of the perpetrator's desperation to survive[32]. This account, which both al-Qaradawi and Ramadan have used to support their calls for the suspension of *ḥudūd*, is regarded as one of the many examples in the history of Islam that prove that legal texts in scriptural sources need to be understood in light of their intended objectives.

Although it may be gathered from the preceding discussion that the collective use of independent reasoning (*ijtihād*), allegorical reading (*ta'wīl*), and objectives of Islam (*maqāṣid al-Islām*) may greatly expand the possibility of revising historical injunctions, al-Qaradawi and Ramadan appear unanimous in the assertion that reason should never be applicable to the domain of worship (*'ibādah*) (e.g., Muslim prayers). Adding complexity to this restriction, however, is the fact that some of the areas in which there is conflict of values between Islam and democracy can be said to fall within the overlapping margins of the two rigidly-defined worship and social domains of Islam, such as the issue of female leadership in Muslim rituals. This brings the focus to the issue of mutability and immutability in the Islamic law. In this context, the tenets of Islam can be bifurcated into two classes (as determined by classical Muslim scholars): The mutable (*al-mutaghayyirāt*), those which are unstable and subject to change, and the immutable (*al-thawābit*), those which are absolute and binding regardless of time and place. Although perspectives as to what is changeable or unchangeable in Islam

---

[32] This *hadith* was narrated by Ibn Kathir in his *al-Bidayah wa al-Nihayah* (4:99)

differ to a significant extent, there seems to be marginal dispute among Muslims over the following general definition; immutable Islamic laws include the six tenets of faith (*'aqīdah*), the five pillars of worship (*'ibādah*), obligatory moral values (*akhlāq*)[33], explicit prohibitions (*muḥarramāt*)[34], and the Islamic penal code (*ḥudūd*), while mutable Islamic laws encompass social and cultural affairs that are ineluctably tied to temporal evolution and environmental changes (Ramadan, 2004; Kamali, 2008). Scholars in the field of Islamic jurisprudence have developed a strict legal methodology for approaching these two categories of Islamic laws. In the domain of "the immutable", the guiding criterion is traditionally the principle that "everything is forbidden except that which is permitted by the Revelation". Two conditions immediately follow: First, human reason and intellect must not make any addition or omission in this domain, and second, innovations (*bid'ah*) are considered unlawful. Contrastingly, in the sphere of "the mutable", the guiding criterion is the principle: Everything is allowed except that which is forbidden by the revelation. Ramadan optimistically views the latter of the two principles as one that broadens the boundaries of rationality and creativity, but he also tends to immediately qualify that any outcome of human interpretation must remain faithful to the "principles" of Islam (Ramadan, 2004).

Nevertheless, contextual approach to the Islamic Revelation, in some cases, can show that even abstract injunctions, prohibitions, and recommendations that are absolute and immutable in themselves may take different practical forms according to the environment, as shown by the concessions given by al-Qaradawi in his *fiqh al-aqalliyyat.* It is generally known by Muslims that it is possible for the religio-legal status of a certain action to shift dynamically between the five categories of Islamic

---

[33] e.g., justice, respect and tolerance
[34] e.g., consumption of pork and alcohol and sexual "perversions"

judgment (*aḥkām al-khamsa*): Obligatory (*wājib*), recommended (*mustaḥāb*), permissible (*mubāḥ*), reprehensible (*makrūh*), and forbidden (*ḥarām*). For example, marriage in Islam, while permitted (*mubāḥ*) and recommended (*mustaḥāb*) in general, may become obligatory (*wājib*) for a Muslim who finds it "extremely difficult" to repress their sexual desires when the risk and temptation of fornication is present, reprehensible (*makrūh*) for a Muslim is "doubtful" of their capability to be just to their spouse, or prohibited (*ḥarām*) for a Muslim who is "convinced" of their incapability to be just to their spouse (Ramadan, 2004).

In addition, embedded within the contextual approach is the constant emphasis on the need to disentangle the underlying principles of Islam (argued to be immutable, absolute, and eternal) from their historical models of implementation (argued to be relative, changing, and in constant mutation), which is characteristic of Ramadan's thinking (Ramadan, 2004). The argument presented here is that one should not have to replicate historical implementations of Islamic principles when there is evidence that they cannot adequately and effectively serve the potential functionality of such principles in the contemporary context. Thus, while eternal principles such as modesty, decency, justice, equality, human rights, and liberty have remained unchangeable in the course of Islamic history, the particular forms in which they manifested in the context of the model city of Medina do not necessarily have to be calcified and transposed "as such" into the modern context (Ramadan, 2004).

Putting aside the binaries of **"**explicit and ambiguous" and "mutable and immutable", it is clear that the potential of a purpose-based reading of the Qur'an may stretch far beyond the traditionally-capped contours of Islamic thinking. However, the prudence predominantly shown by al-Qaradawi and Ramadan in not tampering with the

explicit and mutable injunctions of the Qur'an and Sunna shows that the notion of latitude in terms of human creativity and reason is, in practice, more "limited" than "emancipatory". The rationale behind this limit can be deduced from al-Qaradawi's portrayal of man as a weak entity and of God as the ultimate decider of "Truth", and from Ramadan's understanding of the "regulating" aspect of his ethical reference discussed in the previous chapter. This brings to light the line between Divine prerogative and human reason in Islam. The Islamic notion of complete submission to God as the lone sovereign is, above all else, the extended reflection of the monotheistic message (*tawhīd*) in the Qur'an. Islam defines this as *fitra* - man's intuition that recognizes the Oneness of God, which is encapsulated in the Muslim pronouncement of faith (*shahāda*): There is no God but Allah, Muhammad is the Messenger of Allah. The three delineated categories of *tawhīd* in Islamic theology – *tawhīd al-rubūbiyyah* (oneness of Allah's Lordship), *tawhīd al-uluhiyyah* (oneness of worship), and *tawhīd al-asmā' was-sifāt* (oneness of the names, qualities, attributes of Allah) - together converge to signify 'both the commitment to worship and serve God alone and also the taking to heart His injunction' (Neusner et. al., 2002, p.93). The Qur'an clarifies man's subjugation to God at many points, most illustrative of which for this context is perhaps the verse that reads: 'O mankind! Ye are the poor in your relation to Allah. And Allah! He is the Absolute, the Owner of Praise'[35].

Extending the preceding notion of man's subjugation to God, Islam teaches that man is created internally weak, and is consequently in need of the Creator's guidance. Much emphasis on this notion of weakness is placed on the natural vulnerability of man's heart to many vices; the Qur'an makes ample references to many "diseases of the

---

[35] (Qur'an, 35:15; translation by Pickthall)

heart", describing man as susceptibly hasty[36], unjust and ignorant[37], ungrateful[38], parsimonious[39], disputatious[40], rebellious and complacent[41], and desperate when in poverty and sickness but boastful in wealth and health[42] among many others. The Text then warns that the Devil[43] capitalizes on such weaknesses, and that his temptations are a test of man's faith. This is the premise on which al-Qaradawi bases his perception of those who commit Islamic moral prohibitions as slaves to their lusts. He further writes: '… the Muslim is not entirely his own master; he is also an asset to his religion and his Ummah (the Muslim Nation), and his life, health, wealth, and all that Allah has bestowed upon him are a trust with him which he is not permitted to diminish' (al-Qaradawi, 2003b, p.65). Accordingly, "true" belief in Islam is linked to the purity and steadfastness of the heart; Prophet Muhammad was reported as saying: '… Beware! There is a piece of flesh in the body if it becomes good (reformed) the whole body becomes good but if it gets spoilt the whole body gets spoilt and that is the heart'[44]. The Qur'an also alludes to this in the verse: 'Among them are some who give ear unto thee (Muhammad) till, when they go forth from thy presence they say unto those who have

---

[36] 'Man is ever hasty' (Qur'an, 17:11)

[37] "But man [undertook to] bear it. Indeed, he was unjust and ignorant." (Qur'an, 33:72)

[38] "Indeed man, to his Lord, is ungrateful." (Qur'an, 100: 6); "Indeed, mankind is [generally] most unjust and ungrateful." (Qur'an, 14:34)

[39] "Say: 'If you possessed the depositories of the mercy of my Lord, then you would withhold out of fear of spending.' And ever has man been stingy." (Qur'an, 17:100)

[40] "But man has ever been, most of anything, [prone to] dispute." (Qur'an, 18: 54)

[41] "No! [But] indeed, man transgresses because he sees himself sufficient (Qur'an, 96:6-7)

[42] 'And if we cause man to taste some mercy from Us and afterward withdraw it from him, lo! he is despairing, thankless' (Qur'an, 11:9); And if We cause him to taste grace after some misfortune that had befallen him, he saith: The ills have gone from me. Lo! he is exultant, boastful' (Qur'an, 11:10); Man tireth not of praying for good, and if ill toucheth him, then he is disheartened, desperate (17:83)

[43] 'And surely I will lead them astray, and surely I will arouse desires in them, and surely I will command them and they will cut the cattle' ears, and surely I will command them and they will change Allah's creation. Whoso chooseth Satan for a patron instead of Allah is verily a loser and his loss is manifest. He promiseth them and stirreth up desires in them, and Satan promiseth them only to beguile' (Qur'an, 4:119-120)

[44] Sahih al-Bukhari, Vol. 1, Book 2, Hadith 50

175

been given knowledge: What was that he said just now? Those are they whose hearts Allah hath sealed, and they follow their own lusts'[45].

Nevertheless, man's inclination towards these "diseases of the heart" also shows that man is bestowed with free will[46] and a conscience that is able to instinctively distinguish the "right" from the "wrong"[47], subsequently rendering him accountable for his own deeds[48]. Although Islam teaches that the span of one's life and the time of their death are predetermined, their actions are dictated by their own free will and steered by their own intellect and reason. Arguably, any interception from God in this case would defeat the purpose behind the notion of free will. This specific understanding of "freedom" resonates with Ramadan's position on homosexuality (which presumably applies to his views on many other explicit Islamic prohibitions) discussed in Chapter 6.2.3, but appears to clash with al-Qaradawi's previously-mentioned belief that Muslims do not "own" themselves. In addition to confirming mankind as God's best creation[49], the Qur'an places considerable importance in the use of human intellect, particularly in the search for truth in the legitimacy of God and His word. Evidently, a vast majority of Muslims believe that the first Divine message revealed to Muhammad was the term *iqra'* (read or recite), and that the many commandments in the Qur'an that urge believers to learn, fathom, reflect, and ponder sanction the important role of human reason and creativity. This idea is central to Ramadan's writings, and a contributory

---

[45] (Qur'an, 47:16; translation by Pickthall)

[46] 'Lo! We have shown him the way, whether he be grateful or disbelieving' (Qur'an, 76:3; translation by Pickthall)

[47] And inspired it [human soul] (with conscience of) what is wrong for it and (what is) right for it (Qur'an, 91:8; translation by Pickthall)

[48] Obey Allah and obey the messenger. But if ye turn away, then (it is) for him (to do) only that wherewith he hath been charged, and for you (to do) only that wherewith ye have been charged. If ye obey him, ye will go aright. But the messenger hath no other charge than to convey (the message) plainly.

[49] 'Verily we have honoured the Children of Adam. We carry them on the land and the sea, and have made provision of good things for them, and have preferred them above many of those whom We created with a marked preferment' (Qur'an, 17:70; translation by Pickthall)

176

factor for his passion in fighting for the use of intellect and reason in the reading of the Revelation, as discussed in Chapter 5.3. However, it should also be pointed out that Ramadan himself believes that '… God alone decides what is right and what is wrong…' (Ramadan, 1999, p.69).

Notwithstanding the preceding argument, it must be stated that the Qur'an also makes ample references to highlight the inherent limit of human intellect. It may be argued that scriptural commandments that refer to man's inability to understand, such as those which contain the phrases 'if only they could know' and 'if only they could understand', exist to accentuate the presence of "truth" that the human intellect is incapable of grasping, and that which only the Revelation can establish. Herein lies the relevance the concept of trust in Allah (*tawakkul*), as expressed in the Qur'anic verse '*And when you have decided, then rely upon Allah. Indeed, Allah loves those who rely [upon Him]*' (Qur'an, 3:159) and the following Prophetic saying: '*People will keep asking questions until they come to asking: "Allah created the universe, but who created Allah?" Whoever has thoughts like this should simply declare: "I believe in Allah." Seek Allah's help and desist from such thoughts*' (Sahih Muslim, 134).

What has been discussed so far in this chapter may readily accentuate the complexity of deducting and particularizing the esoteric divine Revelation to a specific context, given humankind's predilection for intellectual diversity. Therefore, the idea of adopting Divine Revelation "as is" (while neglecting its multivalent nature) in order to deal with problematic situations such as social unrest, political instability, poverty, destitution, homicide, terrorism, and the like may seem highly impractical. At this point, what can be learned from al-Qaradawi's and Ramadan's approaches is that the exercise of man's intellectual faculties appears to be limited effectively to only as much as

177

"permitted" within the parameters prescribed by, on the one hand, the sources of Sharia, and on the other, methodological antecedents in the traditional Islamic legal system. The discussion on the three binary conceptual pairs shows that there is no randomness to the scholars' choices; on the contrary, there is a pre-determined guide to which they carefully follow in their interpretation of Islamic principles. Sharia, then, exhibits a contrariety of natures (or at least in the way it is portrayed by al-Qaradawi and Ramadan): It is both liberating and restricting in accordance with the areas in which each of the two approaches of emulation (*taqlīd*) and human reasoning (*ijtihād*) is allowed to predominate. Ramadan himself recognizes that 'the path of Islam is both easy and demanding' (Ramadan, 1999, p.70). Furthermore, it is clear that the discordance between religious and secular approaches to the organization of life and society - the former represented by al-Qaradawi and Ramadan – should not be seen as merely a problem that occurs on the veneer of tangible legal and cultural differences between Islam and the secular West, but more fundamentally, as a systemic crisis that is deeply rooted in the intrinsic functioning of their epistemic philosophies.

CHAPTER 7

STRENGTHS AND WEAKNESSES OF AL-QARADAWI'S AND RAMADAN'S

POSITIONS

7.1   The Theology of al-Qaradawi

7.1.1   Strengths

The discussions in the previous main chapters demonstrate that al-Qaradawi's conception of a moderate European Islam is essentially an import from the Muslim world, but that which comes with as many lenient concessions as the scholar deems inevitably necessary in order to make it practicable in the least for Muslim minorities with the subsequent hope of preserving their Islamic identity from "erosion" by the prevailing cultural norms of modern society. Consistent with this model, the scholar appears to bring to his reformist thinking a pre-defined image of "the ideal Muslim" – one who balances their religious commitment and national identity, keeping to the sound teachings of the former and maintaining a deep sense of the latter. Although al-Qaradawi's approach here may not seem particularly revolutionary, it presents itself as a pivotal advantage in several ways as the discussion in this section will show.

The first main point of al-Qaradawi's innovative reformulations is his recognition of the importance of contextual factors in the reading of the Islamic Revelation, which is contrary to the more orthodox Wahhabist tendency to adhere exclusively to the literal dictations of the Qur'an and Sunna. The most salient feature of this approach lies in the scholar's consistency in balancing and preserving the integrity of both the Islamic Revelation and the context. By attenuating hardship in religious matters through the concessions provided by *fiqh al-aqalliyyat*, yet ensuring a relatively

179

close configuration between his "reformed" Islam and the more conservative Islam in the Muslim world, al-Qaradawi avoids tampering with the basic sine qua non of the religion (e.g., the five pillars of Islam, the six pillars of Muslim faith, and the most fundamental Islamic prohibitions) that has traditionally been accepted as "unalterable" in the Muslim tradition, and that which binds Muslims together irrespective of contextual differences. One of the examples used in Chapter 5 to show this particular tendency on the scholar's part is his attempt at allowing the concession of *jama'* prayers (combined prayers) outside its classically-established conditions of applicability – a marked deviation from Muslim conventions - while maintaining that the five daily Muslim prayers are, nevertheless, mandatory. In addition to his tendency to use the Quran, Sunna, and opinions of classical jurists in a coherent and logical way, al-Qaradawi shows vigilance in the use of *ijtihād*, modifying rulings only in exceptional cases and always with recourse to scriptural evidence or classical juristic opinions while maintaining unfaltering aversion to what Muslims generally consider as amoral behaviors. It can be argued that, for any traditional-thinking Muslim in the West who sees an absolute necessity in balancing the values of immutability and flexibility in the interpretation of religious tenets, al-Qaradawi's propositional model of Islam, with its strategic mixture of traditions and innovations, may arguably serve as the most realizable means of aligning their religious practice with the evolving realities of life, unperturbed in their faithful commitment to both religion and the ideals of citizenship, aside from reducing the former to only a nominal identity. Following this, the scholar's "moderate" Islam, rather than being seen simply as a "scaled-down" version of Islam in the Muslim world, may be perceived as one that is truly sensitive to the "plight" of

Muslim minorities and reflective of the spirit of flexibility, universality, and adaptability that Muslims so often ascribe to the Islamic Revelation.

The second key aspect of al-Qaradawi's approach is his acute sensitivity to the complexities underlying the minority status of Muslims in the West. Through his notion of "balance" that is embedded within his understanding of "moderation", as discussed in Chapter 4, the scholar attempts at providing Muslim minorities with an ideal concept of identity negotiation in the midst of what appear to be discombobulating internal subjectivities that are integral to their respective ethnic and national affiliations. In the pursuit of "differentness" (in the sense of not becoming too culturally indistinguishable from the wider social group, as defined by the scholar), which is important in any context that recognizes diversity and pluralism, as opposed to homogeneity, Muslims may perhaps see in the unchanging aspects of al-Qaradawi's "balanced" Islam a means for enhancing their self-perception of uniqueness and defining themselves in terms of their peculiar religious beliefs with limited reference to others. This coincides with the reportedly-increasing trend of Western Muslims reaffirming their religious identity (most identifiably through Muslim dress codes among other symbols) and asserting their rights as rightful citizens, which is often suggested to be more an expression of self-empowerment than that of anti-Western sentiments (Ramadan, 2004). Although this idea of latching on to a sense of "differentness" may seem counter-intuitive when considering the fact that it is these very unique aspects of Islam that constitute the centerpiece of the debate between its compatibility and incompatibility in the West (e.g., veiling, Muslim code of animal slaughtering, and aversion to homosexuality), al-Qaradawi's image of the "balanced" Western Muslim, as highlighted previously, is

inferably far more in line with positive integrationist ideals as opposed to either assimilationist or isolationist tendencies - or at least so in theory.

The third essential element of al-Qaradawi's approach is his designation of every single Muslim as a *da'ie* (preacher) and a role model, as discussed in Chapter 4.2, accords them a way through which they can feel positively useful, needed, and purposeful as opposed to feeling autogenously "second-class" and uncertain of their own worth; this can be crucial in combating the much-hyped defeatist sentiment supposedly engulfing many Muslim minorities. Despite the criticism by Ramadan that adaptive *fiqh* traps Muslims in a perpetual state of acquiescence and powerless minority, al-Qaradawi's adaptive approach, particularly by recommending that Muslims solidify a peaceful and thriving cultural "ghetto" and gradually occupy important positions in society, may be viewed contrarily as a positive attempt at emancipating and emboldening them to become a "model minority". Touching on Muslims as a group, al-Qaradawi uses his concept of *da'wa* further to raise awareness of the importance of unity as a response to the reality that Muslims in the West are as diverse, or rather disjointed, in terms of *madhhab* affiliation and culture as Muslims in the Muslim world; it is presumable that the existing rivalry, which apparently borders on antagonism, between various ideological groups in the Muslim world (e.g., Sunni, Shia, Salafi, Wahhabi, Sufi, Barelvi, and *Ahl al-hadith*) may also persist in the West, albeit much less militant and politicized. In al-Qaradawi's none-*madhhab*-confined Islam (with the exception of his noted disinclination for some aspects of Shiite Islam), Muslims may possibly find a common ground, however infinitesimal this may be, on which they can connect while retaining "negligible" differences that do not necessarily result in one pronouncing the other *kafir*.

Additionally, al-Qaradawi's intra-Muslim *da'wa* strikes right at the less-publicized (though not less important) issue of Muslim confusion between religion and culture; this is the fourth paramount factor of the scholar's approach. While the difficulty to ascertain where the former ends and where the latter begins should be acknowledged given their complex interweaving in the course of Muslim history, the scholar often shows his despair at the tendency of some segments of Muslims to confuse specific practices such as female circumcision, tribal allegiance, and honor-killing as religious prescriptions or religiously-sanctioned cultural norms. His main theoretical contribution to this problem is his call on Muslim minorities to seek proper education in Islam and on governments in the Muslim world to support the former by helping found and fund Islamic institutions in the West; it is, however, unclear as to what al-Qaradawi means by "proper education" beyond the presumption that it should be devoid of misleading cultural biases. As of the present time, many Islamic institutions in the West, which have proliferated since the 70s, are funded by governments in the Muslim world, though it should also be noted that many of these are reported to be media for Islamist and extremist agendas.

The fifth important attribute of al-Qaradawi's approach, however far-fetched this may seem, is his intention to create a centralized authority (in the hands of "moderate" scholars) for overseeing Muslim affairs worldwide, which may help to remedy the fragmentation of Muslim thinking and subsequently avoid the phenomenon of Google *'ulamā*, wherein over-zealous Muslim youth rely merely on questionable digital sources to justify extremist or blatantly-deviant ideologies beyond the parameters of the more general conventions in the Muslim world as well as those of modern sensibilities. Supposedly, the rationale behind this approach is not principally to deprive

the individual Muslim of their right to interpret Islam; rather, it is to prevent the dissemination and burgeoning of spurious verdicts that may encourage the erosion of the unalterable foundation of Islam and the growth of violent, militant Jihadist Islam, in keeping with al-Qaradawi's public detestation of the two extremes of liberalism and religious extremism.

The sixth commendable characteristic of the scholar's approach is his principle of placing meticulous emphasis on short-term goals (e.g., intra-Muslim cultural peace, thriving Muslim ghetto, model minority, pro-Islamic and pro-Muslim West, and preservation of religious identity) while keeping long-term goals (e.g., re-establishment of *'ulamā* as a source of religious reference, consolidation of the Muslim umma, and Islamization of the universe) on the back burner. Rather than forcing onto Muslims the inordinate pressure of abstruse raisons d'être that seem far removed from the reality of the world's globalized and pluralistic landscape (e.g., Islamization of the West), al-Qaradawi concerns himself with, first and foremost, the preservation of Muslims' Islamic identity and the promotion of their welfare. Accordingly, it is clear that his adaptive approach does not skirt beyond the boundaries of intra-Muslim concerns (with the exception of his philosophical ambition of Islamization); by solving Muslim problems through unobtrusive adaptation to the context (such as his verdict that Muslim women who live in a society where veiling is forbidden in public buildings should abide by the rule wherever it is in force), as opposed to making demands for the context to comply with Muslim needs, al-Qaradawi's avoidance from infringing on the status quo of the wider context is particularly favorable in the current situation where there is a perceptibly-increasing level of anti-Muslim rhetoric in the political arena. However, there is, of course, a limit to how much the scholar can compromise. As shown in

Chapter 5.2.1 and Chapter 6.4, his belief that *ijtihād* should not go as far as contradicting the explicit rulings of the Revelation, and that submission to God entails surrendering one's "selfish" needs to His wisdom and will marks the boundary line between "co-operating" and "over-compromising" in his thinking.

Taking all the preceding points into consideration, one could argue from a general point of view that what ultimately helps al-Qaradawi's thinking is the transparency of his views. By his lucid, detailed, and systematic way of putting forth his arguments and verdicts, notwithstanding their "shock" or "controversial" value, the scholar eases his followers and readers into understanding, first, the complex jurisprudential processes in which classical jurists and scholars reached their particular verdicts on specific problems, and second, his own interaction with the classical Muslim literature, his personal jurisprudential methodology, and his resulting opinions. Correspondingly, the scholar's answers to questions asked by Muslims in the West (as featured in his book *Fiqh of Muslim Minorities: Contentious Issues & Recommended Solutions*) and Muslims in general are often long and descriptive, yet neither long-winded nor rambling. Furthermore, as observed by Hassan (2013), al-Qaradawi, in his effort to balance the integrity of the Text and that of the context, often avoids using the two authoritative ends of the Islamic judgment spectrum - *wājib* (obligatory) and *ḥarām* (unlawful) – in his arguments and resorts instead to "hedging" language, such as arguing that a certain verdict is "permissible", "not a must", "advisable", and the like. It may be safe to postulate that al-Qaradawi's methodology and oratory idiosyncrasies seem to lend themselves to providing flexibility for Muslims who wish to "customize" their experience by choosing whether to abide by traditional Muslim conventions or adopt his "lighter" recommendations in time of necessity.

7.1.2   Weaknesses

It is perhaps deducible from the expositions in the preceding main chapters that the notion of reconciling traditional Muslim thinking and modern sensibilities - a connotation commonly attached to the concept of European Islam – does not technically come within the underlying objectives of al-Qaradawi's thinking on his "moderate" Islam. Rather, the scholar makes it clear that the traditional Muslim understanding of ethical concepts such as equality, universality, and freedom is intrinsically different from (and superior to) that of secular humanism (which the scholar often generalizes as "the West"), and that one of the aims of *da'wa* is to persuade the West through the power of "word and pen" into accepting Islamic principles as they are understood by Muslims in general. Thus, many of his ideas show the perpetuation of classical idealist perspectives on socio-cultural factors that are arguably susceptible to evolution over time (e.g., gender roles, power dynamics within the family structure, diversity of beliefs, moral norms, and models of egalitarianism), rendering some of his recommendations incompatible with the ideals of secular society and inconsistent with the growing global push for Muslims to rescind some of the classical Muslim prohibitions in support of a more "progressive" Islam.

To begin with, the first main weakness of al-Qaradawi's position is the discrepancy between his religio-cultural conceptualization of the ideal Muslim woman, as discussed in Chapter 6.3.1, and the lived experiences of Muslim women in the West as well as the emerging wave of female empowerment across the globe. In the context of the West, the scholar's approach overlooks the rise of competent and educated Muslim and formerly-Muslim women who have now taken a stand against what they believe to be a perpetual androcentric chain of oppressions against women, and are

186

seeking to reclaim their rights to interpret the Qur'an and Sunna from a wide range of feminist perspectives, each with their own particular ideology, methodology, and interests. Al-Qaradawi's pigeonholing of women into specific nurturing roles and restricting them to a life within the boundaries of a particular culture will struggle to hold its own within the modernizing Western-Muslim thinking, given the fact that the cultural fabric of the West itself is bound up with efforts to realize women's empowerment and gender equality and thus naturally supportive of liberating feminist Muslim ideologies.

In addition to leaving out the collective voice of feminists, al-Qaradawi's approach excludes a growing band of (self-claimed) progressive Muslims and former-Muslims who, in the name of human rights, have opened a debate on sexual orientation, seeking to repeal "homophobic" and "transgender-phobic" attitudes that are thought to be rampant in Muslim-majority countries; this is the second flaw of his position. There is an increasing number of support groups, which are often known by the acronym LGBT (Lesbian, Gay, Bisexual, and Transgender), across the world, for Muslims who believe that they are discriminated against for their "unconventional" sexual preferences and lifestyles. While al-Qaradawi is unconditionally dismissive of the notion of non-heterosexual union, the opposing debate is much more nuanced; for example, the arguments made by Irshad Manji and Scott Kugle (the former, despite admitting that God may consider her homosexuality a sin, argues that only He can subsequently make a judgment, while the latter suggests that Islam does not unequivocally condemn homosexuality in the sense of "love" between men) present two rather different takes on the issue of homosexuality in Islam, between which are various lines of thinking that do not agree with al-Qaradawi's position. If one were to go strictly by the scholar's

definition of a 'balanced' Muslim, those who believe in the possibility of being both Muslim and homosexual would presumably be excluded from the fold of Islam. The scholar's approach, therefore, does not allow space for alternative voices. By extension, many of his prescriptions do not seem to include any mechanisms by which the traditional teachings of Islam can be applied (as opposed to being abandoned or asserted) in new circumstances.

The third shortcoming of al-Qaradawi's approach is his contradistinctive classification of Islam and non-Islam, as pointed out in Chapter 4.4, which may risk encouraging parochial thinking and feelings of superiority among those who literally perceive the scholar's specific position here as a binding Islamic precept. Despite the scholar's attempts at neutralizing any inter-religious hostility by emphasizing the values of peace and amiability between divergent religions and ideologies, his narrow understanding of "Islam" and "non-Islam", in addition to his Islamist ideas, may not cease to prevent Muslims, particularly those who adopt a literalist approach, from seeing non-Muslims as "the misguided other" needing to be "corrected". While it is not clear how he interprets the much-discussed Qur'anic vision of pluralism[50] in the context of the West, the way in which he presents his Islamist hopes seems to suggest that such concept of diversity is far from being the center of his reformist thinking.

---

[50] The common argument by modernist Muslim scholars that Islam espouses diversity tends to be constructed around the following Qur'anic verses: *"O mankind, indeed We have created you from male and female and made you peoples and tribes that you may know one another. Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is Knowing and Acquainted"* (Qur'an, 49:13; *"And if your Lord had willed, He could have made mankind one community; but they will not cease to differ"* (Qur'an, 11:118).

As the fourth limitation of al-Qaradawi's approach, his internal *da'wa* raises an incompatibility issue with the ideals of the assimilationist and multiculturalist models of social integration in Europe. Although the scholar discourages the existence of Muslim sub-cultures that behave in ways that contradict national values, his recommendation that Muslims preserve their "Muslim ghetto" (an "assimilation-proof", yet "non-isolationist" Muslim quarter in which Muslims can retain their "uniqueness"), as discussed in Chapter 4, is devoid of clarity as to the elusive line between "unique" practices and those that are "contradictory" to national values. The scholar's well-meaning intention to preserve the religious identity (and the concomitant general Muslim beliefs) of Muslim minorities may backfire in a way that further reinforces dangerous isolationist attitudes and feelings of remote "differentness".

The fifth inadequacy of al-Qaradawi's approach is his intention to re-establish the authority of *'ulamā* as a sole reference for Muslims worldwide. It is possible to identity several problems here. First, in reference to the scholar's emphasis that only "moderate" scholars may constitute this specific board of *'ulamā*, he does not take into consideration the lack of clarity in the definition of "moderate" and the varying "progressive" tendencies within the "moderate" spectrum. Second, the scholar's portrayal of this board of *'ulamā* seems to convey the impression that it will necessarily deprive other Muslim ideological orientations from contributing to the adjudication of Muslim affairs. Third, by claiming sole authority to represent and speak for the myriad Muslim groups within and beyond the Muslim world, the existence of this board of *'ulamā* may exacerbate the long-standing intra-Muslim disunity and defeat the scholar's own intention to unite and consolidate the Muslim *umma*.

Finally, the sixth questionable facet of al-Qaradawi's approach concerns the long-term sustainability and efficacy of his adaptive *fiqh al-aqalliyyat*. Notwithstanding the unobtrusive manner in which the *fiqh* helps Muslims maintain their beliefs in the Western context, al-Qaradawi's non-assertive stance in the adaptation process may dangerously lead to Muslims lapsing into finding false comfort in the perpetual cycle of adapting and being forced into yielding to the (sometimes) excessive demands of contextual and situational realities, as noted by Ramadan (2009). As modernity advances and patterns of sensibilities continue to shift, the adaptive *fiqh* may possibly be challenged by bigger, unprecedented obstacles that push it beyond its limits (as set artificially by its jurists), while the scholar's vision of the success of his "one-world" *'ulamā* organization has yet to show its fruits.

7.2   The Theology of Tariq Ramadan

7.2.1   Strengths

It is clear from the discussions in the main chapters that Ramadan's rhetoric reveals a balanced model of thinking that combines close sensitivity to the complex reality of Muslim minorities' subjective experience of identity negotiation and sharp attentiveness to the evolving pluralistic context of the West. Although this may not be of significant surprise given the scholar's personal background as a European of Muslim faith, it is his "native" perceptiveness that adds much cogency to his approach of investing more into the underlying psychological problems of Muslim integration than the more conspicuous theological *fiqh* issues that al-Qaradawi mainly focuses on. It should be noted, however, that, given the existence of points of convergence between

Ramadan's and al-Qaradawi's approach, some of the advantages of the former's position, as will be seen in this section, parallel those of the latter.

The first favorable aspect of Ramadan's approach is his insistence in doing justice to many of the essential Muslim conventions that appear to be universal in the Muslim world (e.g., the five pillars of Islam and the six articles of faith). Through his formulation of *shahāda*, the Swiss thinker keeps close to the prevailing traditionalist trend of weaving together "faith" and "practice" as an essential dual element of Muslim identity, albeit at the possible risk of excluding Muslims who see some or all of "the five pillars of Islam" as merely insignificant ritualistic expressions of faith[51]. This duality complements his definition of the "authentic" Muslim identity as one that is neither dissolved in nor isolated from the Western environment[52], which is reminiscent of al-Qaradawi's notion of "balance" discussed in Chapter 4.2, wherein Muslims strike a balance between engaging with society and preserving the integrity of Islam (however complicated this may be in practice). Ramadan's use of *shahāda* here also resembles al-Qaradawi's use of intra- and extra-*da'wa* as a strategic means to drum into the consciousness of Muslims the responsibility of reflecting both an inward and an outward expression of religious commitment, fusing them in such a way that one seems insufficient without the other. What makes Ramadan's approach appear slightly different (and consequently advantageous), however, is his avoidance of categorically freezing out "non-practicing" Muslims from relating to their religious identity in spite of his firm belief in the significance of religious practice. Thus, the scholar's position

---

[51] Irshad Manji, for example, confesses, in an interview with Dirk Verhofstadt, that she does not pray in the conventional way due to her conviction that it is nothing more than an insignificant ritual, and refuses to perform the Muslim pilgrimage until Jews and Christians have been permitted to enter the sacred precincts of Mecca. However, she fasts during the month of Ramadan because she believes that it allows her to develop character, discipline, and empathy with the impoverished.

[52] This is mentioned in Chapter 4.3 on page 75.

seems to appeal to a wide range of different kinds of Muslims in terms of commitment to the ritualistic dimension of Islam.

The second promising element of Ramadan's approach is his rhetorical attempt at annulling the traditionalist Muslim perspective that religious identity and secular national identity are incompatible with one another. Through his thesis of the divine-intended symbiosis between the Revelation and the universe and his subsequent restructuring of both these elements into mutually-complementing systems that can be used to formulate a coherent Islamic way of life, which is discussed in Chapter 5.3.1, Ramadan not only introduces sufficient flexibility into the traditional definition of Muslim identity that allows it to cope with the constant reconstruction of national identity, but also reorients Muslim thinking to accept that there is no inherent, irreversible conflict in being both a national of a secular European country and a sincere practicing follower of Islam. This, by extension, allows the scholar to reshape Western-Muslim perception of the European context, redefining the space as, first, a generally non-hostile home that lends itself to the rights and needs of Muslims to practice their faith, and second, an "area of responsibility", in which it is religiously-incumbent upon Muslims to do justice to the message of Islam by way of participating in society, respecting the value of diversity, and personally exemplifying the teaching of Islam. Furthermore, by approaching this issue from a religious point of view, Ramadan has a conveniently artful, and potentially propitious, way of rewiring Muslim minorities' thinking to, first, see the process of finding a genuine sense of national belonging that is grounded in shared values as an "Islamic" duty, and second, embrace the positive aspects of the secular society that can help develop a coherent image of "European-Muslim" identity.

In correspondence with his position on "Muslim responsibility", and this is the third positive feature of the scholar's modernist orientation, the scholar takes a critical attitude towards the commonly-cited intra-Muslim problems of minority mentality, sectarianism, isolationism, and identity confusion in negotiating ethnic, religious, and national characteristics. Many of his ideas and recommendations, though more rhetorical than direct, tend to come across as a "reality check" for Western Muslims, particularly those who wallow in a defeatist frame of mind and attribute socio-economic and political problems (many of which supposedly stem from within themselves) to the inadequacies of the European models of integration. Thus, instead of pinning all the blame of the Islam-West conflict on the socio-political configuration of the secular West, Ramadan appears to give a fair-minded analysis of the dynamics of said conflict, calling on Muslims to "own their part" in the issue and make necessary internal amendments, in addition to criticizing the inconsistencies of European integration policies, particularly those of the French Laïcité.

Ramadan's recommendation above that Muslims rectify their own shortcomings goes together with his decision to place significantly more emphasis on "role-modeling" than "verbal preaching" as a means for Muslim minorities to convey the message of Islam (as mentioned in Chapter 4.3), which is the fourth strength of his approach. In correlation with his general disagreement with the idea of "Islamizing" the West and his long-standing emphasis on the reformation of the Muslim psyche rather than that of Islam, Ramadan places on Muslims the responsibility to conduct the process of disseminating the message of Islam primarily from within their own selves. Approaching the Muslim duty of proselytization this way is conducive to the socio-political context of the West in two important ways. It is possible to perceive, first, that

the idea of behaviorally exemplifying the principles of Islam, particularly those that do not contradict national values, is in tune with the Western principle of "freedom" in its general sense, wherein people from all walks of life are free, within the remit of the law, to embody and express in the public sphere their peculiar individualities that reflect their personal beliefs. Subsequently, and this is similar to what has been pointed out in Chapter 4.2 about al-Qaradawi's approach, it dovetails with the idealistic notion of "model minority", wherein Muslims are encouraged to show the positive aspects of their religion through their behaviors and attitudes, which may help counter the growing misperception of Islam and concurrently rectify the previously-mentioned defeatist and divisive intra-Muslim attitudes.

Besides the advantages that come with Ramadan's approach to the question of Western-Muslim identity through his use of *shahāda*, several more arise from his transformative model of reform (as discussed in Chapter 5.3)**,** particularly in relation to the development of Islam in the modern world. One of the most important breakthroughs in Ramadan's transformative reform, which makes the fifth crucial component of his overall approach, is his proposal for the equal division of authority on the formulation of human ethics between the *'ulamā* of Islam and experts of the natural and human sciences. Controversial though it may be to suggest this, many of the classical Muslim dictations in the social dimension of *Sharia* have shown to be inconsistent with natural modern contextual changes. Coupled with the reality that the prevailing perspective on the search of education and knowledge centers mainly on the pursuit of depth in a very narrow field of study, the multi- and interdisciplinary nature of contemporary problems facing society naturally necessitates a corresponding multifaceted approach that can only be attained through collaboration between experts

of the related fields, as Ramadan rightfully notes. This alliance may prevent, on the one hand, the dictatorial prescription of rulings at the expense of Muslims' wellbeing and rights (in addition to reducing Western Muslims' dependency on the *'ulamā* in the Muslim world), and on the other hand, the freewheeling pursuit of the luxuries of modernity at the expense of their essential religious beliefs.

Furthermore, what stands out as a favorable advantage in Ramadan's willingness to include the contributions from experts other than the *'ulamā* of Islam is his principle of "respect", which is the sixth significant quality of his approach. Instead of lingering over the issue of "the conflict of interests", the scholar tries to channel the energy of the debate into the search for points of similarities, on which the diverse groups of society can supposedly build a cohesive and peaceful means of co-existence (this also appears to be a disadvantage in some other ways, as will be discussed in the next section)**.** In addition to his non-divisive definition of Islam and non-Islam, Ramadan adopts a soft, yet persuasive, rhetoric that adds credibility to his attempt at neutralizing the excesses of exceptionalist Islamism and giving way for conciliatory attitudes to unite the different communities and sectors of society together into creating a new "We". It is presumable that it is this principle of respect that inspires his acknowledgment of alternative (Muslim and non-Muslim) ways of thinking; while resolute in his personal aversion to some specific modern norms that fall under the banner of explicit Islamic prohibitions, Ramadan presses on the importance of Muslims espousing the notion of "respect" and setting themselves free from the propensity to pass prejudicial judgment on "non-Muslim" ways of life. In making this point, he argues against the monopoly that the literalist *'ulamā* traditionally hold on the interpretation of the Revelation, and supports diverse readings of the Text (e.g., feminist and humanist interpretations) that

can allow Islam to continuously progress as opposed to being made static. It should be stated, however, that the scholar may or may not agree completely with other alternative ideas (e.g., his refusal to give explicit comments on specific feminist positions, as highlighted in Chapter 6.3.2). Nevertheless, in a way that is most pertinent to the reality of life of Muslim minorities in the West, Ramadan's openness here may allow various aspects of Muslims' experience to simultaneously evolve in pace with natural socio-cultural changes, in comparison to al-Qaradawi's use of *fiqh al-aqalliyyat* that focuses specifically on the development of Muslim *fiqh*.

In addition to Ramadan's use of *shahāda* and his transformative model of reform (as discussed in Chapter 4 and 5 respectively), the prudence that he shows in his approaches to the issue of *ḥudūd* and women (as discussed in Chapter 6.2.3 and 6.3.2), which makes the seventh and the final critical attribute of his approach, parallels al-Qaradawi's cautiousness in not tampering with Islamic rulings that have (or may have) sound textual and practical evidence in the Qur'an and Sunna. This is clear in Ramadan's seemingly evasive position; he demands the "suspension" of *ḥudūd* to avoid injustice, but does not explicitly state that it should be abolished; he suggests that it is "better" for competent female scholars to focus more on improving other aspects of their lives (e.g., education and career) than fighting for the right to lead a congregational mixed-gender prayer, but does not clearly say that it is impermissible for them to do so; he argues that wearing the veil should not be legally imposed upon women because it is an act of faith that can only be done in sincerity, but he maintains that it is, nevertheless, an "obligation"; he reminds Muslims in the West that polygamy should be absolutely avoided in countries where it is prohibited by the law, but avoids recommending that it is not applicable in the modern world; he believes that it is important for Muslims to

"respectfully disagree" with homosexuals, but does not clarify that homosexuality is condoned by Islam. Although this may well testify to the criticism of "doublespeak" leveled at the scholar (this will also be discussed as a disadvantage in the next section), his approach here may play a crucial part in steering clear from making a serious polemic statement to the Muslim world that even the essential aspects of Islam, which already constitute a small segment of the religion, are no exception to reform.

7.2.2   Weaknesses

While Ramadan's "uncontextualized" ethical monotheism, as suggestively reflected in the very basic nature of his definition of "Islam" (which is discussed in Chapter 4.3), should be commended for its theoretical conduciveness to weaving together all existing faiths and ideologies into a cohesive whole to achieve unity of purpose, the scholar's general and flexible approach compels one to ruminate on the dangers of taking it too far to the point of undermining intangible individual characteristics that may well be critical to the coherency of one's perception of their self-image, and of looking too far into the future to the point of overemphasizing its objective at the expense of the clarity and consistency of its measures. Accordingly, the most essential element of Ramadan's approach that lends itself to critical enquiry and skepticism is the double-edged nature of its laxity; it is so conveniently liberal as to allow room for the incorporation of contributions from diverse sources beyond the traditional confines of Muslim theology, yet so inherently unclear as to leave critical questions about its purpose, validity, and viability. This vagueness, as will be shown in this section, manifests itself in all the three theoretical dimensions of his approach discussed in the main chapters (i.e., *shahāda* in Chapter 4.3, transformation reform in

197

Chapter 5.3, and his views on selected key issues at the heart of the Islam-West conflict in Chapter 6.2.3 and 6.3.2), leaving his position, in some ways, arguably fraught with inconsistencies.

Ramadan's rhetoric, to begin with, can be difficult to follow at times, owing largely to his preference to discuss tangible issues from a conceptual and philosophical standpoint in a highly-tautological manner (given his most foremost background as a philosopher as opposed to a jurist, despite reportedly and perceptibly possessing the skills of the latter) and his tendency to hedge his personal views on contentious problems (considering his belief in the pointlessness in dwelling on cultural and legal differences as opposed to commonalities). For the particular group of his followers who expect to be offered categorical and concrete ideas, such as those provided by al-Qaradawi (regardless of their viability), Ramadan's approach may come across as substantially periphrastic. For example, while his plea for a moratorium on *ḥudūd* shows his sensitivity to both modern sensibilities (by making a reference to the notion of "justice" in a general manner) and Muslim conventional sentiments (by refraining from explicitly calling for its abolishment due to Muslims' universal belief in its textual and practical evidence in the Qur'an and Sunna), it remains unclear as to what his true position may be on the "eventual" status of the penal code, particularly in the hypothetical case where all its stringent conditions are fulfilled. Similarly, his avoidance of explicitly forbidding a qualified woman from leading a mixed-gender congregational prayer (considering his long-standing efforts to protect and advance women's rights on the one hand, and his unwavering commitment to the immutability of worship matters on the other) leaves one questioning whether there is a clear-cut formula - aside from the binary "worship" and "social" spheres that appear to leave some issues hanging in

between, as discussed in Chapter 6.4 - on which the scholar bases his vacillation between complying with and deviating from "tradition".

Ramadan's effort to shift the focus of Muslim and Western political discourse from "differences" to "commonalities", albeit apparently backed by a minor segment of academics, seems to continuously fall off the mainstream political interest radar. Although one cannot deny the potential of achieving social unity and stability through embracing commonalities shared by diverse groups in society, or at least theoretically, this approach remains, at best, a palliative strategy. As the Western political discourse on Islam's place in Europe seems to be centered largely on the more conspicuous conflict between Islamic legal rulings and modern norms, as shown in the introduction to Chapter 6, the idea of overlooking "differences" is akin to circumventing the substance of the debate, which may dangerously encourage an overabundance of delusive rhetoric and conceptual perspectives and prolong (or even increase) the intensity of the conflict. The reality of this problem may also spill over into the interfaith context. Rabbi Eric Yoffie makes a compelling argument against the inefficacy and banality of interfaith dialogue that puts too much emphasis on conflict-avoiding rhetorical routine, which comprises oft-repeated sentiments of mutuality and tolerance at the expense of making an effort to truly understand the differentness of "the others" (Yoffie, 2011). The renowned Jewish figure defines a meaningful dialogue as one that allows its different groups of participants to focus on religious differences (in order to comprehend the fundamental elements that make them different), share their unique religious passions (which allows them to subsequently identify the exact points within their belief systems that can and cannot be bridged), and acknowledge - in all honesty - the exceptionalism of their own beliefs (so as to enable them to explain the

reasons of their thinking ways unapologetically and be receptive to the reaction of others) (Yoffie, 2011). Although these three conditions may well come as "unspoken" characteristics of Ramadan's understanding of "dialogue", they certainly do not stand out in his portrayal of his "true cultural and religious pluralism" (as discussed in Chapter 4.4), which is observably rooted in the affirmation of mutuality and commonality.

Another concern that can be flagged up is the scholar's notion of "neutrality", in relation to the claimed divergence between the Muslim responsibility of enjoining "good" and forbidding "evil" and the cultural prevalence of social norms held by many Muslims as sinful and immoral. It is supposed that being neutral allows Muslims living in a shared secular environment to put themselves in the position of "disagreeing but respecting" others' differences, which Ramadan sees as the most liberal position a "faithful" Muslim can adopt, in response to their inability to legally enforce Islamic prohibitions in society. One can note that there is considerable vagueness in the idea of "disagreeing but respecting"; its interpretation may range from refraining oneself from expressing disapproval of others' choices to refraining oneself from preventing others (by any other means but verbal) their rights to govern themselves as they see fit, but either of which is "against" the essence of Ramadan's *shahāda* (and al-Qaradawi's *dawa*) in a technical sense. Although Muslims are not "legally" obliged to accept that which is against their beliefs, there is a discreet (or rather explicit in the case of France) cultural expectation for them to take an unequivocally positive view on the humanistic values that underpin mainstream secular norms. Therefore, while Muslims are not required by the law to embrace norms such as same-sex marriages, they may be, nevertheless, culturally pressured into espousing the values of "self-empowerment" and

"individual autonomy" in the name of societal participation. The point to make here is that Ramadan's approach seems to lack a determinate answer as to how Muslims can negotiate between maintaining their unique inner beliefs and being "culturally" supportive of the values of modern society.

From Ramadan's notion of "neutrality" discussed above, one can further deduce the problem of "compartmentalizing" Islam through the contextualization of Muslim psyche and attitude to "non-Muslim" norms, which may cause a precarious fragmentation of the symbolic unity of the Muslim *umma.* It can be noted that there is a discernible cultural tendency in many Muslim-majority countries (though not necessarily implying that this is exclusive to them) to hold strong sentiments about their most common beliefs, so much so that this appears to have almost become a "normative" feature that ties their diversity together. These common sentiments, then, tend be subliminally used by the more traditional Muslim factions as a standard (however subjective) against which one's "Muslimness" is measured; accordingly, the idea of a Muslim being '"tolerant" or "neutral" of evil, notwithstanding their context, may potentially give rise to the idea of an "impaired" loyalty to Islam. Although it is melodramatic to hastily suggest that this may cause a serious intra-Western-Muslim and inter-Muslim point of contention, neglecting its probability may arguably be more costly in the long run than taking it into consideration in advance.

7.3   Discussion

The discussions on *da'wa* and *shahāda* in Chapter 4, the adaptive and transformative models of reform in Chapter 5, the scholars' approaches to moral and gender issues in Chapter 6, and the strengths and weaknesses of their positions in the

first two sections of this chapter all impart significant information on how both al-Qaradawi and Ramadan exhibit an unwavering conviction in the transcendent and universally-pertinent nature of Islam, but diverge in what they believe to be the exact feature of the religion that embodies such nature. On the one hand, al-Qaradawi's tendency to transpose Islam onto the West suggests that the scholar places great importance on the religion's traditional, classical form (albeit with modifications to certain classically-established rulings); the implication here is that it is this very form that presents the transcendent aspect of Islam - hence, the belief that it is necessary for Islam to supplant other systems of thought and faith. On the other hand, Ramadan's emphasis on the universality of Islamic principles that transcends any historical contextual dependencies and allows such principles to be molded into any given context highlights the scholar's belief that it is, in addition to monotheism, the higher objectives of Islam (which are amenable to interpretation) underpinning the religion's traditional, classical form that represents its transcendent characteristic. This main difference is what makes the two approaches not wholly compatible with one another.

Having argued so, both al-Qaradawi and Ramadan strive to construct a form of European Islam that seamlessly balances the foundations of the religion and the ideals of pluralistic society (although it seems clear that, in the former scholar's case, "adaptation" is merely a temporary means for Islamization). The two scholars oscillate wildly between maintaining the continuity of classical Muslim perspectives and traditions and coping with the shifting spectrum of modern sensibilities, but beyond the core defining aspects of Islam, they show willingness in "deviating" from normative Muslim theological standards, even at the cost of severe criticisms by orthodox scholars, for the purpose of blending traditional Muslim religious beliefs into life in the

modern, secular context (in the case of al-Qaradawi's adaptive approach) and tapping into the potential of Islam's universal message and pluralistic vision (in the case of Ramadan's transformative approach). Despite the shortcomings of their positions (as discussed in Chapter 7.1.2 and 7.2.2), both their models of European Islam have the basic components and potential to make way for a more defined path for cultural and ideological trends of Muslims in the West to progress towards a more positive orientation. Thus, it is necessary to examine how both scholars help set the boundaries of a form of European Islam that is both true to the Islamic tradition and suited to the practicalities of life in the West.

To start with, while it is clear that both al-Qaradawi and Ramadan bring to their reformist thinking a combined use of *taqlīd* (unconditional imitation) and *ijtihād* (independent reasoning), it should be pointed out that the bases on which they build their approaches to these two positions are not identical. Al-Qaradawi appears to be more inclined to the side of *taqlīd* than *ijtihād*, aspiring to keep most of the laws and traditions of Islam as they are believed to have been laid down by Prophet Muhammad and observed by his companions and their subsequent generations, and resorting to reformist thinking only when extreme necessity demands so (although, in such case, he exercises *ijtihād* rather unhesitatingly and radically). Ramadan, on the other hand, takes a more formulaic approach, keeping strictly to *taqlīd* in matters that involve Muslim worship and explicit Islamic tenets (which constitute a smaller, yet most indispensable portion of the religion) and applying liberal thinking copiously and proactively in all other areas of life. Al-Qaradawi's recognition of the hardship that Muslim minorities may genuinely face of adjusting many of their religious beliefs to life in the West and of its possible ensuing repercussion on the solidity of their religious identity seems

sufficient to impel him to regard exceptional contextual factors as grounds for radical modification of rulings, enabling many of the essential Muslim beliefs blend unobtrusively into the Western context. Meanwhile, Ramadan's belief that the passive nature of the adaptive reformist approach falls short of fulfilling the potential of Islam as a positive resource for empowering Muslim minorities and building a cohesive, peaceful, and well-integrated society serves as a factor that motivates the scholar to expand the scope of *ijtihād* beyond the confines of *fiqh* issues. Thus, in an opposite manner, al-Qaradawi's adaptive approach seems largely uninhibited by the systematic "worship-social" formula to which Ramadan adheres (as evidenced by the Qatari scholar's concessional recommendations on worship issues presented in Chapter 5.2.2), whereas the latter's transformative thinking is hardly restrained by the law of necessity with which the former complies.

Narrowing the focus down to al-Qaradawi's approach, it can be argued that the adaptive nature of the scholar's *fiqh al-aqalliyyat* successfully protects the integrity of the foundations of Islam and respects the configurations of life in Europe, despite the criticism that it yields acquiescently to the context and modifies the traditional manners in which certain Muslim rituals are practiced. First, many of the scholar's recommendations are saturated with a significant level of changeability, given the dependency of his adaptive *fiqh* on the dynamism of the environment in which Muslims minorities live. This is to argue, albeit hypothetically, that, should the socio-political conditions of the environment in which the Muslims live shift to work in the favor of their rights and needs, the concessions proposed by al-Qaradawi will cease to remain valid due to the absence of the necessity to maintain leniency. What is of significance here is the fact that the scholar's approach steers clear from making permanent changes

to classical Islamic *fiqh* and risking presenting a means for Muslim minorities to exploit concessional rulings in habit (which are some of the main concerns of the critics of *fiqh al-aqalliyyat,* as discussed in Chapter 5.4). The focus in the idea of adapting to the context should, then, shift from the problem of Muslim thinking being stagnant, as often argued by Ramadan, to the advantage of providing temporary concessions that can be resorted to as a last recourse. Second, the straightforward and self-effacing way in which *fiqh al-aqalliyyat* assists Muslim minorities seems to show respect for the personal boundaries in which religious practice occurs, and for all external aspects of the diverse European environment; it highlights, even if indirectly, that being committed to most Islamic obligations neither contradicts nor harms the wider society in any clear way, perhaps with the exception of the veil issue in some European countries that follow a strict interpretation of secularism (although al-Qaradawi has responded to this issue by recommending that Muslim women abide by the legal decision of the state). On the flip side, many Western countries have been supportive of the essential socio-religious needs of Muslims in general, such as allowing the construction of mosques and institutions and recognizing Muslim holidays and festivals. Despite the skepticisms surrounding the value of *fiqh al-aqalliyyat*, it must be argued that it is vital that Western-Muslim scholars and Muslim minorities recognize it as deserving of further development alongside the European model of Islam if sustaining the wholeness of the soul and character of Islam is to remain part of the objective of ensuring the wellbeing and positive integration of Muslims in the West.

Shifting the focus to Ramadan's reformist thinking, the scholar's solution to creating a psychological position that allows Muslim minorities to support pluralism and find comfort in being both European and Muslim is to re-frame their faith in a

personal context, the core idea being that "internalizing" Islamic beliefs requires understanding that faith is a matter of one's personal relationship with God, and that only He can ultimately judge its soundness. Much of Ramadan's message about being a "respectful" Muslim in a shared environment, beyond simply trying to apply Islamic teachings to the Western context for personal purposes, revolves around the practice of expressing one's personal religious beliefs outwardly with sensitivity to the personalized boundaries within which they occur; to believe in the comprehensiveness of Islam as a personal commitment, for example, does not give one the authority to impose it on others, just as refraining from non-Islamic norms does not give them the license to expect others to abide by their personal beliefs. A large portion of Ramadan's use of *ijtihād* manifests in his calibration of human values such as justice, respect, and equality through the prism of the Qur'anic vision of pluralism; he does this by highlighting the basis and natural existence of these values in the Islamic tradition while emphasizing the inimicality of literalist theological thinking to their progressive interpretation. In this sense, it is likely that the scholar perceives his radical opinions not as a "deviation" in its negative sense, but rather as a "reorientation" to the "intended" Islamic way of life. One can argue, then, that the key to progress appears to lie in the coherent interaction between the inner Muslim belief system (which should operate strictly within one's personal psychological boundaries) and its outer manifestation (which necessarily affects, involves, and concerns all aspects of the shared outer context). Based on Ramadan's rhetoric of "balance", this notion of "respect" should also apply vice versa; thus, to not believe in homosexuality on a personal level, for example, should not be condemned as a sign of isolation or bigotry, with which he often find himself associated.

206

In addition, Ramadan's "personalization" approach ties with his argument that any act of faith in Islam should not be imposed on Muslims because there is simply no "faith" without sincerity in action and purpose. His opinion of "meaningless faith" here deserves to be taken into consideration, seeing that there is apparently a tendency (though not suggesting that this is common) to overemphasize the importance of attaching the binary status of *ḥalāl* and *ḥarām* to Islam, so much so that it prevents one from moving past the limiting paradigm of observing religious obligations solely for gaining rewards and avoiding punishments in the Hereafter at the expense of fulfilling spiritual connection to the Creator. It is this idea that Muslims should be free and secure in practicing their faith that serves as the grounds on which the scholar bases his conviction that most of the legal and political systems in Europe do not restrict Muslim rights to express their beliefs. In keeping true to his belief in the pluralistic vision of Islam, the scholar does not shy from explicating the fallacy in the one-sided Islamist intention of converting the West into an "Islamic" space, which, again, represents the "pluralism-friendly" nature of his model of Islam.

By studying al-Qaradawi's unhesitating use of *ijtihād* in his *fiqh al-aqalliyyat* and Ramadan's tenacity in rejecting extreme religious literalism, one can easily infer the implicit (yet no less real) message within their rhetoric of the importance of recognizing the fallibility of any scholarly attempt, including their own, at dictating the specific, absolute criteria of "truth" through personal interpretations of the Qur'an and Sunna. In the case of al-Qaradawi's approach, this message is conveyed mainly by the non-imposing nature of his religious prescriptions, although it may well be unintended on his part, considering the fact that it is readily belied by his disapproval of liberal Muslim voices and thinking. In the case of Ramadan's approach, this message corresponds to

his acknowledgment of the importance of diversity in Muslim thinking irrespective of the "non-standard" nature of alternative ideologies. Nevertheless, the notion of man's fallibility here is consistent with the universal Muslim belief (though this may not be exclusive to the Islamic tradition) that God is the ultimate judge of mankind, and that man's well-intended effort to prescribe the way to "truth" is consequently subject to His judgment (as discussed in Chapter 6.4) – hence, the common use of the traditional Arabic expression of *wallāhu a'lam* (God only knows) by Muslim scholars, including al-Qaradawi, when handing down a decree based on *ijtihād*. Given the impossibility of knowing the "ultimate" truth, it becomes crucial to support the necessity of privatizing one's perception of "right" and "truth" (as opposed to imposing it on others) as a prerequisite for living "respectfully" in a shared environment. Theoretically, at least, such open and dynamic nature of al-Qaradawi's and Ramadan's thinking may allow their models of European Islam to keep shifting in line with the constantly changing cultural landscape of the modern world.

In addition to their balanced use of *taqlīd* and *ijtihād*, al-Qaradawi's and Ramadan's portrayals of integrationist ideals, through their concepts of *da'wa* and *shahāda*, convey the message that securing national cohesion is as important as maintaining the bond of the Muslim *umma*. By rejecting the two extremes of isolation and assimilation and the prevalence of deviating (non-Islamic) cultural norms within Muslim societies, and emphasizing the responsibilities that come with the citizenship status that Muslim minorities hold, both scholars manage to formulate a pertinent notion of "balanced loyalty" for reconciling religious identity with citizenship in a nation state, although they take different approaches to its specifics. Al-Qaradawi maintains that both religious identity and national allegiance are separate entities, and that the former

208

should have priority over the latter, but encourages Muslim minorities to, nevertheless, maintain a positive, contributory social presence and a strong integrationist attitude towards the state and wider society. Ramadan sidesteps altogether the position of having to assign greater priority to either religious identity or nationality and chooses instead to portray both as complementary underlying systems that work together to create a coherent multifaceted identity in spite of the fact that they cater to essentially different emphases (the former centers on the philosophical question of "being" and the latter focuses on the question of "spatial belonging"). In the case of conflict between religious beliefs and national values and laws (as shown throughout Chapter 6), al-Qaradawi, while urging Muslims to remain resolute in their commitment to the former, tries to make compromises to comply with the latter (to a certain extent), such as his advice that Muslim women who live in a state where veiling is prohibited in public institutions should abide by the civil law (as highlighted in Chapter 6.2.2). It seems probable that al-Qaradawi defines "religious beliefs" within a narrow frame, encompassing only explicit precepts that Muslims generally consider "uncompromisable" (e.g., the illegality of homosexuality), as evidenced by his unyielding approaches to some of the issues presented in Chapter 6.2.2 and 6.3.1. Meanwhile, for Ramadan, to respond positively to the ideals of "integration" is itself part of living the "Muslim" life in the West; the Swiss thinker rejects the notion that Muslims cannot be "European" and, similar to al-Qaradawi, attempts at achieving an equilibrium that is sensitive to the unique characteristics of Muslim minorities' multidimensional identities, which he believes allows a seamless process of identity negotiation.

Beyond the intangible matters of creed, both scholars make a valiant effort to balance standing up for the fundamental defining markers of Islam that identify one as

"Muslim" and revisiting classical Muslim perspectives in order to ensure that their ideas and recommendations are aligned safely with both the Islamic tradition and modern human rights. Special consideration has to be given to the feasibility of combining the positive components of the scholars' approaches into a single model of European Islam – one that makes use of al-Qaradawi's unobtrusive, adaptive jurisprudential methodology for dealing with *fiqh* issues, and, at the same time, is based on Ramadan's interpretation of the principles of respect and universalism for engineering a peaceful co-existence between different members of society, who, while remaining unique in their own right, are united by a common general purpose. Although the connotation of Islamization within al-Qaradawi's *da'wa* may hint at the struggle for one-sided Muslim dominance, the scholar's emphasis on the use of intellectual persuasion (as opposed to militant violence) to convey the message of Islam seems to bode well for Europe's largely-positive approach and capacity for intercultural and interfaith dialogue. Ramadan's focus on behavioral preaching (through his formulation of *shahāda* discussed in Chapter 4.3) fits neatly into this picture – the prospect of conveying the message of Islam mainly through exemplification (rather than verbal preaching) is likely to be encouraging and practical to Muslims and non-forceful to the wider society. In addition, his focus on the psychological problems of Muslim minority status helps bring clarity to the underlying setbacks to the progress of Muslim integration and thinking and incite a positive and proactive attitude towards self-reformation. The combination of al-Qaradawi's adaptive *fiqh* and Ramadan's acknowledgment of the positive aspects of European society allows a space for Muslim minorities to find an increasing sense of ease in belonging to more than one association. Above all, both scholars manage to show that what is urgently needed for the future of European Islam

is not a "Westernized" Islam or its thorough reformation, but rather a renewed understanding of its objectives combined with a pluralistic Muslim perspective - their approaches largely acknowledge the idea that such form of understanding can only occur by way of producing "fresh interpretations of the religion without destroying its original soul, spirit, and character" (Bakar, 2009, p.72).

CHAPTER 8

CONCLUSION

8.1   Introduction

As described in the introductory chapter of the thesis, this study is designed to examine and provide a critical response to al-Qaradawi's and Ramadan's conceptualizations of European Islam and reform. The first three chapters in the thesis introduce the theoretical background, historical context, purpose, significance, scope, and methodology of the study as well as provide a brief biography of Yusuf al-Qaradawi and Tariq Ramadan (Chapter 1 - *Introduction*, Chapter 2 - *Islam and Muslims in Postwar Europe*, and Chapter 3 - *Yusuf al-Qaradawi and Tariq Ramadan*), while the succeeding three chapters enquire into the scholars' formulations of European-Muslim identity and the role of Muslims in Europe, their conceptual and methodological approaches to reform with regard to *fiqh* and ethics, and their views on Islamic criminal law and women's rights in Islam (Chapter 4 - *Da'wa and Shahāda*, Chapter 5 - *Adaptive Reform and Transformative Reform*, and Chapter 6 - *Sharia in Europe: The Question of Incompatibility*). Taking these points further, Chapter 7 expounds the strengths and weaknesses of the scholars' positions and discusses the ways in which they help set the boundaries of a "balanced" form of European Islam as well as the problems they face in doing so, while this conclusion chapter reviews the main findings in all the four chapters that precede it and presents concluding statements on the basis of the overall study and implications of the work for future research.

8.2   Summary of Arguments and Findings

8.2.1   *Da'wa* and *Shahāda*

Chapter 4 explores al-Qaradawi's and Ramadan's efforts through the concepts of *da'wa* and *shahāda* respectively in delineating the ways in which Muslim minorities can fuse religious allegiance with national belonging. Following the deconstruction of these two concepts, the study finds that there are various points of convergence and divergence between the scholars' thinking; the latter, however, are more numerous and substantial than the former, creating a sharp contrast and a distinct sense of individuality between the scholars' thinking.

To begin with, the study shows that, while there appears to be no practical difference between al-Qaradawi's *da'wa* and Ramadan's *shahāda* in their emphases on intra-Muslim responsibilities[53], their choices are driven by different motivations. It is argued that al-Qaradawi seemingly portrays Muslim minorities as "victims" trapped in an undesirable position (i.e., living in the West), whereas Ramadan insists that they are "at home" by virtue of the fact that they have access to the right to worship in freedom. The two scholars hold different evaluations of European society (and its values); al-Qaradawi perceives it as one that, albeit blessed with advanced technology and wealth of opportunities, is rife with decadence, hedonism, materialism, arrogance, and godlessness, while Ramadan (with seeming reluctance to be overly critical) regards it as one that "seems to have forgotten God", but which laudably upholds human rights and freedom of religion and belief (a boon to its Muslim population). Their evaluations here are in line with their understandings of the relationship between religious identity

---

[53] E.g., the maintenance and strengthening of Muslim commitment to Islamic morality and piety, the abandonment of "non-Islamic" cultural norms that violate the principles of Islam, the overturning of the negative image of Islam in the West, and the formation of an intra-Muslim bond via Islam as a common denominator in combating sectarianism.

and national belonging; al-Qaradawi views the former type of affiliation as the more dominant of the two, while Ramadan portrays them as being complementary to one another. The study further demonstrates that al-Qaradawi's and Ramadan's definition of the ideal Muslim response to integration as being both participatory in society and resolute in standing up for their "differentness" reveals that they similarly strive to keep to the "middle-ground" in their reformist theologies. In addressing the problems that impede Muslim integration in the West, al-Qaradawi tapers his rhetoric to the issue of Islamophobia and the general trend of irreligiousness in the region, while Ramadan, albeit not denying the concerns highlighted by al-Qaradawi, devotes much of his writing to the issues of low self-esteem and pessimistic assumptions that come wrapped within the minority status.

Another significant difference between the scholars' use of *da'wa* and *shahāda* highlighted in the study is their positions on the role of preaching in Islam. It is explained that al-Qaradawi's assignment of Muslim minorities as "agents of Islamic proselytization" is imbued with the scholar's Islamist fervor, while Ramadan's designation of them as "bearers of the Islamic testimony" is woven into the thinker's conceptualization of Islamic pluralism. The former's belief in the "Divine-intended" mission to Islamize the West through the power of intellectual persuasion and socio-political influence runs in conflict with the latter's conviction that the Islamic duty to convey the message of Islam does not transcend beyond simply making the Islamic message known by non-Muslims. Thus, while al-Qaradawi appears to want to impose Islamic values wherever possible, Ramadan seems to want to import Islamic values into European public life. Nevertheless, both scholars are determined to inculcate a God-loving and God-fearing sense into the European consciousness.

214

Based on the aforementioned key findings, the study concludes Chapter 4 with three important arguments regarding the scholars' positions. First, despite their differing rhetorical emphases, both scholars manage to find a way to invoke a sense of citizen empowerment in Muslim minorities by interlacing their ideas on integration with Islamic principles. Second, al-Qaradawi's Islamist vision allows the suggestion that the scholar follows a dualistic thinking that creates a rigid, though not noticeably hostile, partition between Islam and "the Other", while Ramadan's "uncontextualized monotheism" is based on a universalist demand for social cohesion that is driven by common values and norms with seemingly-limited reference to religious and cultural differences between Muslims and the wider community in Europe. Third, al-Qaradawi's *da'wa* - in its "Islamization" sense – disregards the pluralistic and secular reality of the European context and risks tapping into the fears and skepticism surrounding the theory of "Eurabia", while Ramadan's *shahāda* – in its sense of achieving universality through stripping Islam down to its basic monotheistic message and humanistic teachings and roping other religious and secular ideologies into this "bare" version – seems too general that it risks eclipsing indelible religious and cultural differences into the background and subsequently dragooning Muslims into yielding credibility to other secular frames of reference.

8.2.2   Adaptive Reform and Transformative Reform

Chapter 5 probes into al-Qaradawi's adaptive *fiqh al-aqalliyyat* and Ramadan's transformative "ethical reference", examining their conceptual origins and methodological frameworks in the attempt to determine where they are similar and different and tease out their problems and contributions. The study learns that the two

215

models of reform differ in some superficial aspects of their reformist thinking, but operate upon similar fundamental Islamic principles in an implicit way.

Chapter 5.2 illustrates that al-Qaradawi sees *fiqh al-aqalliyyat* as a means for helping Muslim minorities avoid drifting into religious attrition due to the hardship of maintaining some of their beliefs by offering them the most lenient of solutions, to encourage them to be cognizant of their rights and duties as citizens, and to improve the odds of Islamic proselytization. Despite the scholar's significant use of *ijtihād* and its accompanying methods, he remains close to the general teachings of the Qur'an and Sunna. Chapter 5.3 clarifies that Ramadan's ethical reference, on the other hand, is intended as a universal guide that addresses existing and anticipates potential challenges that prevent society and its members as a whole from progressing towards the realization of common ethical values[54]. The scholar requires the *'ulamā* to consider both the Revelation and the Universe as a dual source of law and ethics, to collaborate with scientists from all fields in the elaboration of ethical principles, and to hold a two-fold specialization - one in the study of Islam and the other in that of the sciences. The study further notes that al-Qaradawi's *fiqh* operates in the narrow context of personal space and is, thus, unobtrusive to the wider community, while Ramadan's ethical reference is expansive and intent on transforming the order of society, which requires drawing on contributions from every one of its group members.

The afore-mentioned difference, however, is united by a similar methodology. As expressed in the study, both al-Qaradawi and Ramadan, through their use of *ijtihād*, elevate the context to the same level as the Revelation as a source of legislation. However, similar to what has been discovered in Chapter 4 on *da'wa* and *shahāda*, this

---

[54] e.g., justice, solidarity, freedom, equality, and peace-building

particular approach is triggered by different motivations in the scholars' individual approaches. It is observed that al-Qaradawi applies *ijtihād* and its concomitant principles[55] in a cautious (albeit flexible) manner, while Ramadan appears intent on getting more out of *ijtihād* by using it to ruminate beyond the confines of the traditionalist Muslim thinking; some of the outcomes of the Swiss thinker's transformative thinking, such as his collection of the objectives of Sharia, do not appear as distinctively "Islamic" as he insists, although this dovetails with the particular notion of universality that he embeds in his *shahāda*. Despite this difference in motivation, the study suggests that the scholars' approaches are, nevertheless, similarly based on the principle of *maqāṣīd*; while al-Qaradawi's approach is driven by the need to protect Muslim minorities' adherence to religion, Ramadan's approach can be pegged to the general need to protect one's "wellbeing".

Taking into account these findings, the study raises several points, some of which echo the arguments made in the preceding section. First, there is no clear formula on which al-Qaradawi bases his determination of issues as invoking the principle of necessity and requiring the application of *ijtihād*. Given his cautiousness in using reason in his *fiqh al-aqalliyyat*, it does not seem reasonable to pin the scholar's use of *ijtihād* to the assumption that the principle of necessity always prevails where the Islamic tradition is silent. Second, Ramadan's portrayal of the Revelation and the Universe as being complementary to one another is identical to the manner in which he defines the relationship between religious identity and citizenship in the concept of *shahāda*. This notion of "divine-intended interaction" between different elements of the West-Muslim experience appears to be characteristic of his thinking.

---

[55] e.g., necessity makes the unlawful lawful, and the principle of lesser evil.

8.2.3   Sharia in Europe: The Question of Incompatibility

Chapter 6 digs into al-Qaradawi's and Ramadan's approaches to several issues within the overarching themes of criminal law and women's rights in Islam in order to determine the manners in which and the extent to which the scholars use their reformist thinking to align challenged Muslim beliefs with the conventions of human rights in Europe. The study unfolds that both scholars present a balance of traditional and reformist tendencies, keeping close to the prevailing thinking in the Muslim world in some cases and exhibiting willingness to make compromises in others. Additionally, Ramadan, in particular, exhibits many instances of ambiguity.

Several similarities between al-Qaradawi's and Ramadan's approaches are noted in the study with regard to the issues of *ḥudūd* and morality**.** First, neither scholar contests the scriptural bases of most of the penalties associated with the penal code*.* Second, they both call for the suspension of *ḥudūd* in the Muslim world, but remain adamant that Muslims should always refrain from adopting "non-Islamic" modern norms[56] regardless of spatial context. Third, both agree that *ḥudūd* should be seen as more of a deterrent than punishment, and that lack of evidence to support any criminal charge under its provisions must constitute grounds for acquittal. Fourth, both scholars call for the use of *ijtihād* in determining the terms and boundaries of *ḥudūd*. Beyond these four general similarities, the scholars differ rather starkly. Al-Qaradawi is clear in his position that "the laws of Allah" are absolute and must be established eventually, while Ramadan creates ambiguity in his rhetoric, showing neither condemnation nor support for the penal code's application in general. As for the issue of Islamic morality, al-Qaradawi presses on the importance of Muslims being opposed, although not

---

[56] e.g., freedom to abandon religion or embrace a new one, homosexuality, alcohol consumption, and pre- and extra-marital sexual affairs.

218

necessarily in a hostile manner, to non-Islamic norms for religious and health reasons and uses the Qur'an and Sunna to justify his position, while Ramadan follows a common humanist thinking in recommending Muslims frame their opposition to such norms within their personal space and to respect others' choices.

On the subject of women's rights in Islam, particularly in the context of the issues chosen for discussion, the study brings to light the fact that al-Qaradawi shows a greater tendency than Ramadan to perpetuate classical Muslim perspectives[57], although both scholars equally do not reject the idea of veiling as an obligation, polygamy as a concession, and male repudiation of the wife as an authorized procedure for effecting divorce under strict conditions, and refuse to consent to the notion that a Muslim woman can lead a congregational mixed-gender prayer. It is indicated that what makes Ramadan's approach different from al-Qaradawi is his preference to speak of women and men as being equal before God, and to call on the former to realize their power and right in making their voices heard in any decision-making process[58]. Having showed this difference, the study states that both al-Qaradawi and Ramadan are willing to make compromises, such as the former's recommendation that Muslim women in the West abandon their obligation of veiling when left with no choice and the latter's call on Muslim men in the West to steer clear from polygamy in respect of the law in which they live.

Based on these findings, the study remarks that both al-Qaradawi and Ramadan limit their use of *ijtihād* in dealing with the discussed issues despite their usual support for critical reasoning. The two scholars abide by the classical bifurcation of Islamic

---

[57] e.g., emphasizing women's "propensity" for nurturing and attributing men's "privileges" in Islam to their "natural" ability and responsibility as head and provider of the family

[58] e.g., a woman should be allowed to decide on her own whether or not to wear a veil, and to add a clause in her marriage contract that guarantees her right to monogamy.

rulings into the "mutable" and the "immutable" – many of the norms in the West associated with the constitutionally-guaranteed principle of freedom of choice fall within the second category, leading to their prohibitions in Islam being perceived as "unchanging". The study goes further to reason that the scholars' positions reflect a two-sided representation of Sharia and the human; first, Sharia is a liberating, yet limiting force, and second, the human is God's best creation by virtue of their intellect, yet is limited intellectually, weak, and prone to erring. These two representations seem to serve the purpose of confirming the Muslim belief that God's laws, as interpreted by human beings, are absolute, and that reason alone is inadequate to determine what is good and bad for humankind. It is concluded in the chapter that the difference between Muslim thinking and modern sensibilities in the context of the issues discussed seems to be driven simply by a difference in values - the virtue of "self-restraint" in Islam, and that of "self-determination" in the secular modern society. It should be noted, however, that the findings in this chapter are plausible only insofar as the particular few issues chosen for discussion are concerned.

8.2.4   Strengths and Weaknesses of al-Qaradawi's and Ramadan's Positions

Chapter 7 takes a panoramic look at the findings made in the main chapters that precede it and identifies the strengths and weaknesses of al-Qaradawi's and Ramadan's ideas, recommendations, and overall thinking on European Islam and reform. The study deduces that the reasoning of al-Qaradawi and that of Ramadan are preponderantly similar in terms of strengths, but entirely different in terms of weaknesses. On the one hand, the similarities in their strengths appear to give them an equal edge in terms of cogency and practicality, while their few differences only serve to further accentuate

their respective qualities. On the other hand, the differences in their weaknesses disclose the considerable extent to which they project their own worldviews, fears, expectations, and hopes – all, no doubt, shaped by their cultural, social, and educational backgrounds - onto their readings of the Islamic tradition.

Despite the similarities in their pragmatic, yet cautious interpretations of the Islamic revelation and their attempts at rectifying rejectionistic, ethnocentric, and divisive Intra-Islamic sectarian attitudes among Muslim minorities, the study points out that each of the scholars' positions appears to sway towards either side of the "Islam-West" pendulum; al-Qaradawi's rhetoric seems to be more "Muslim-centric"[59] than that of Ramadan, whereas the latter stands out as being more "European-friendly"[60] than the former. It is mentioned in Chapter 7 that, in the context of their strengths, the scholars' unique proclivities here - al-Qaradawi prioritizing the wellbeing of Muslims and Ramadan emphasizing the good of the common society as a whole - are merits unique to each of their approaches. The study cautions, however, that the strengths of al-Qaradawi's thinking are counterpoised mainly by the Islamist sentimentality that he embeds within his ideas and recommendations, while those of Ramadan are undermined by the oblique nature of his propositions and his seemingly-meandering rhetoric.

The study ends the chapter by making several arguments regarding the scholars' overall approaches. First, they use *ijtihād* unhesitatingly to deal with issues that do not involve the core aspects of Islam; al-Qaradawi, however, has applied *ijtihād* even in matters of worship due to his adherence to the principle of necessity. Second, the use of

---

[59] e.g., his version of Islam that allows Muslims to hang on to their "differentness" whilst engaging carefully with society, his effort to centralize Muslim authority amidst the disunity in the Muslim world, his focus on short-term goals of adapting and creating *fiqh* solutions only where and when they are needed, and the unobtrusiveness of his *fiqh al-aqalliyyat* that is applicable to Muslims only.

[60] e.g., his focus on intra-Muslim problems, his general acceptance of Europe as "home", his effort to bring into line religious identity and nationality, his call on *'ulamā* and scientists to collaborate, his message of universalism, and his principle of respect.

ijtihād in al-Qaradawi's *fiqh al-aqalliyyat* plays a significant role in helping Muslims feel at ease adapting their beliefs to the realities of the European context and adopting a positive integrationist outlook overall, while the principles of universality and respect to which Ramadan adhere add realism and sensibility to the notion of co-existing peacefully in a shared environment. Third, both scholars acknowledge the importance of attaining social cohesion in the wider society. Finally, similar to what has been emphasized in every each of the preceding sections, both scholars appear to strive to balance standing up for the fundamental defining markers of Islam that identify one as "Muslim" and revisiting classical Muslim perspectives, notwithstanding the problems that they face in their efforts to achieve this.

8.2.5   Concluding Statements

Based on the findings made in the main chapters, and in reflection of the objectives and questions that guide this study, three concluding points can be put forward concerning al-Qaradawi's and Ramadan's thinking, the feasibility of reform in Islam, and the present and future of Islam in the West.

First, it can be gathered that the theologies of al-Qaradawi and Ramadan, albeit consisting of a few overlapping features whose resemblance is obscured by only rhetorical decorations, are distinctive enough to be considered different and unique in their own right. While the similarities[61] in their approaches boil down to their intention to keep to the "equilibrium path" in their reformist thinking, their unique

---

[61] e.g., the "balanced" nature of Western-Muslim identity, the centrality of *maqāṣīd* in their adaptive and transformative models of reform, and their traditionalist perspectives on the conflict between Sharia and human rights.

particularities[62] can be ascribed to their respective cultural backgrounds and intellectual proclivities; first, al-Qaradawi is principally a jurist with decades of experience and in-depth expertise in a wide range of Islamic sciences, while Ramadan is mainly a philosopher grounded in the study of Western philosophy with considerable knowledge of classical Islamic scholarship; second; al-Qaradawi was born and is domiciled in a Muslim-majority environment in the Middle East, while Ramadan was born and raised in the pluralistic setting of Europe; third, al-Qaradawi's Islamist thinking is plausibly a product of his idealization of Hasan al-Banna (who rejected all notions of Western influences), while Ramadan is professedly impartial to the late figure's thinking despite their blood relation. It is likely that the coalescing of all these factors is the major contributor to the scholars' ideological differences.

Second, it is evident that some of the conflicts shown between the prevailing Muslim understanding of morality and ethics and the secular understanding of human rights are irreconcilable in al-Qaradawi's and Ramadan's thinking. However, it is also obvious that it is not the intention of the scholars to find a way to liberalize Islam to the same degree as the conventional human rights thinking in Europe and the West as a whole; the "middle" position in which they situate themselves, thus, can never be considered as a perfect balance between two sides - it is subject to being perceived as "a little too traditional" or "a little too liberal" depending on how and by whom it is seen, which Ramadan himself repeatedly admits in his own work, and which al-Qaradawi often finds himself criticized for. For the purpose of addressing the question of adapting Islam to the modern context and that of being Muslim in the modern world, however, the positive aspects of al-Qaradawi's and Ramadan's thinking seem to provide the

---

[62] e.g, on the one hand, al-Qaradawi's Islamist vision, his focus on *fiqh*, and his unambiguous rhetoric, and on the other, Ramadan's message of pluralism, his devotion to ethics, and his nuanced rhetoric.

closest means to "reconciliation", especially when compared to the Wahhabist or liberal trends that stick to either side of the dichotomy.

Third, the findings established in the main chapters prove that Islam has the means to be accommodated, for the most part, to new situations, but whether this can be done in a manner that does not fuel the embers of the existing intra-Muslim disunity depends on the direction in which the prevailing Muslim thinking is oriented. The compromises that al-Qaradawi and Ramadan make in their reformist approaches play the most vital part in helping them reconstruct their models of Islam to better fit the modern context. Where they differ, the scholars are equally able to show that their ideas and recommendations have bases, whether explicit or extracted, and whether legitimate or questionable, in the Islamic tradition, and that each of their readings has an edge over the other in different ways; while al-Qaradawi's position presents itself as the better solution to Muslim problems in the context of *fiqh* and theology, that of Ramadan stands out as the more pertinent choice for Muslim issues in the context of social integration and cohesion. Various components within their thinking can be taken as building blocks that can be assembled into a more functional model that is devoid of the inconsistencies and problems identified in the main chapters and summarized in the previous sections. However, the weaknesses of their positions (al-Qaradawi's Islamist ideas and Ramadan's unclear propositions) and the reality that some Muslim beliefs are believed to be "uncompromisable", are, and will continue to be, a major concern as to the feasibility of the enculturation of Islam in European society. While it seems clear that the notion of "Europeanizing" Islam (in the sense of making Islam European "in essence") does not have a place in either of the scholars' thinking, Ramadan's approach shows willingness to participate in debate with other systems of thought and belief

224

regarding ethics and values, which is contrary to al-Qaradawi's long-term vision of instituting a rigid social Islamic structure in Europe. Having suggested so, the gradual shift towards "assimilationist" policies that can be discerned generally in the contemporary European political discourse will likely lead to the scholars' conceptualizations of European Islam being perceived, nevertheless, as leaving a lot to be desired.

To project further into the future and speculate the impending trends of Muslim integration and thinking in the West based solely on the findings of this research, and especially without considering the progress made by socio-scientific and ethnographic studies of the real lived experiences of the target Muslim minorities, is a complicated task that comes with the risk of making prejudicial and/or ambitious predictions and losing touch with reality. However, it may be safe to suggest in the least that the positions that al-Qaradawi and Ramadan find themselves in, the roles that they play as two of the most influential Muslim "reformers" in the modern world, and the propositional models of reform and Muslim thinking that they promulgate will remain relevant for as long as Muslims continue to face challenges in dispensing with a hermeneutics that reads the Revelation from the prism of cultural displacement and moral absolutism. The positive facets of their propositions provide a sound blueprint for the future of European Islam.

8.3   Suggestions on Future Research

The scope for what remains to be studied in this under-researched area of theological study is large and only limited by one's creativity. The limitations of this thesis already point to various gaps in the existing literature that should be addressed in

future research studies. While the three themes that have been used in this study are key aspects of al-Qaradawi's and Ramadan's ideas, they represent only a few highlights in the bigger scheme of their complex and sophisticated theologies. The use of various other dimensions of their thinking (e.g., al-Qaradawi's "*fiqh* of balance", "*fiqh* of priorities", and "fiqh of citizenship", and Ramadan's theory of "The Seven Cs") scattered throughout books and speeches in their native languages (Arabic and French) may expand on the current findings or even evoke different results that can bring further transparency and fairness to the scholars' theologies. On the specific issue of women's rights in Islam, engaging with a more substantial volume of "Islamic-feminist" and "Islamic-humanist" interpretations may significantly help in showing the contrast between the various streams of "balanced" Western-Muslim reformist thinking in order to examine further the question of whether, and how, Islam can be accommodated to the modern context. Finally, all these new bases for analysis may help bring further theoretical and practical contributions to the theological discussion on European Islam and reform and complement the findings made in the socio-scientific and ethnographic studies on Muslims minorities' experiences in the West.

BIBLIOGRAPHY

Aarøe, L., 2012. Does Tolerance of Religion in the Public Space Depend on the Salience of the Manifestation of Religious Group Membership? *Political Behavior*, **34** (4): 585-606.

Abbas, T. ed., 2007. *Islamic Political Radicalism: A European Perspective*. Edinburgh: Edinburgh University Press.

Abou, E. F. K., 2006. *Islamic Law and Muslim Minorities: The Juristic Discourse on Muslim Minorities from 8th to 17th Century CE/2nd to 11th Hijrah*. Singapore: Islamic Religious Council of Singapore.

Ahsan, M., 2008. *The Holy Quran vs Muslims of 21st century*. Kuala Lumpur, Malaysia: A.S. Noordeen.

Akbarzadeh, S. and Roose, J. M., 2001. Muslims, Multiculturalism and the Question of the Silent Majority. *Journal of Muslim Minority Affairs*, **31**(3): 309-325.

Al-Alwānī, T. J. and Al-Shaikh-Ali, A. S., 1993. *The Ethics of Disagreement in Islam*. Herndon, Virginia: International Institute of Islamic Thought.

Al-Alwani, T. J., 2003. *Towards a Fiqh for Minorities*. Herndon, VA: International Institute of Islamic Thought.

Al-Alwani, T. J., 2005. *Issues in Contemporary Islamic Thought*. London: International Institute of Islamic Thought.

Al-Alwani, T. J., 2012. *Fiqh of the Muslim Minorities*. [online] Available at: http://islamicstudies.islammessage.com/Article.aspx?aid=579 [Accessed 11 January 2013]

Al-Attas, M. N., 1978. *Islam and Secularism*. Kuala Lumpur: Muslim Youth Movement of Malaysia.

Ansari, M. F. R., 1973. *The Qur'anic Foundations and Structure of Muslim Society*. Karachi, Pakistan: World Federation of Islamic Missions, Islamic Centre.

Anthony, A., 2009. *How One Book Ignited a Culture War*. [online] Available at: http://www.theguardian.com/books/2009/jan/11/salman-rushdie-satanic-verses [Accessed 13 June 2013]

Archick, K., Belkin, P., Blanchard, C. M., Ek, C. and Mix, D.E., 2011. *Muslims in Europe Promoting Integration and Countering Extremism.* [online] Available at: http://fas.org/sgp/crs/row/RL33166.pdf [Accessed: 18 February 2012]

Arkoun, M., 1994. *Rethinking Islam: Common Questions, Uncommon Answers*. Boulder, Colorado: Westview Press.

Bakar, O., 2009. *Islam and the Challenge of Diversity and Pluralism: Must Islam Reform Itself?*. [online] Available at: http://www.iais.org.my/icr/index.php/icr/article/download/246/239 [Accessed 13 June 2014]

Balqaziz, A. I., 2009. *The State in Contemporary Islamic Thought: A Historical Survey of the Major Muslim Political Thinkers of the Modern Era*. London: I.B. Tauris.

Batur, A. L., 2012. The Mythology of the Veil in Europe: A Brief History of a Debate. *Comparative Studies of South Asia, Africa, and the Middle East*, **32**(1): 156-168.

Baum, G., 2009. *The Theology of Tariq Ramadan: A Catholic Perspective.* Notre Dame, Indiana: University of Notre Dame Press.

BBC On This Day, 1989. *1989: Ayatollah Sentences Author to Death.* [online] Available at: http://news.bbc.co.uk/onthisday/hi/dates/stories/February/14/newsid_2541

000/2541149.stm [Accessed 3 January 2013]

BBC, 2012. *Obituary: Toulouse Gunman Mohamed Merah*. [online] Available at: http://www.bbc.co.uk/news/world-europe-17456541 [Accessed 4 December 2012]

Bectovic, S., 2011. Studying Muslims and Constructing Islamic Identity. *Ethnic and Racial Studies*, **34**(7): 1120-1133.

Berger, M., 2013. *Applying Sharia in the West: Facts, Fears and the Future of Islamic Rules on Family Relations in the West*. Leiden, the Netherlands: Leiden University Press.

Bhutto, B., 2008. *Reconciliation: Islam, Democracy, and the West*. New York: Harper.

Bonino, S., 2012. Policing Strategies against Islamic Terrorism in the UK after 9/11: The Socio-political Realities for British Muslims. *Journal of Muslim Minority Affairs,* **32**(1): 5-31.

Bravo López, F., 2010. Towards a Definition of Islamophobia: Approximations of the Early Twentieth Century. *Ethnic and Racial Studies*, **34**(4): 556-573.

Brown, K. E. and Saeed, T., 2014. Radicalization and Counter-Radicalization at British Universities: Muslim Encounters and Alternatives. *Ethnic and Racial Studies*, DOI: 10.1080/01419870.2014.911343

Büchler, A., 2012. Islamic Family Law in Europe? From Dichotomies to Discourse – or: Beyond Cultural and Religious Identity in Family Law. *International Journal of Law in Context*, **8** (2): 196-210

Butt, R. and Radnofsky, L., 2008. *Gordon Brown Backs Archbishop in Sharia Law Row*. [online] Available at: http://www.theguardian.com/world/2008/feb/11/religion.islam [Accessed 27 June 2012]

Caeiro, A., 2011. *Fiqh al-Aqalliyyat.* [online] Available at: http://www.oxfordbibliographies.com/view/document/obo-9780195390155/obo-9780195390155-0027.xml [Accessed 4 April 2013]

Caeiro, A. & al-Saify, M., 2009. Qaradawi in Europe, Europe in Qaradawi? The Global Mufti's European Politics. In: B. Gräf & J. Skovgaard-Petersen, eds. 2009. *Global Mufti: The Phenomenon of Yusuf al-Qaradawi.* New York: Columbia University Press. pp.109-148.

Caldwell, C., 2010. *Reflections on the Revolution in Europe: Can Europe be the Same with Different People in it?* London: Penguin Books.

Carle, R., 2011. Tariq Ramadan and the Quest for a Moderate Islam. *Society*, **48**(1): 58-69.

Carol, S. and Koopmans, R., 2013. Dynamics of Contestation over Islamic Religious Rights in Western Europe. *Ethnicities*, **13**(2): 165-190.

Cesari, J., 2003. Muslim Minorities in Europe: The Silent Revolution. In: J. Esposito and F. Burgat, eds. 2003. *Modernizing Islam: Religion in the Public Sphere in the Middle East and in Europe*. New Brunswick, NJ: Rutgers University Press. pp.36-51.

Cesari, J., 2004. *When Islam and Democracy Meet: Muslims in Europe and in the United States*. New York: Palgrave Macmillan.

Cesari, J., 2012. Securitization of Islam in Europe. *Die Welt Des Islams, 52*(3-4): 430-449.

Ciftci, S., 2012. Islamophobia and Threat Perceptions: Explaining Anti-Muslim Sentiment in the West. *Journal of Muslim Minority Affairs*, **32**(3): 1-17.

Cinalli, M. and Giugni, M., 2013. Public Discourses about Muslims and Islam in Europe*, Ethnicities*, **13**(2): 131-146.

Colombo, V., 2013. Political Islam and Islam in Politics in Europe. *European View*, **12**(1): 143-152.

Coulson, N. J., 1964. *A History of Islamic Law*. Edinburgh: University Press.

Cox, C., Marks, J., 2003. *The 'West', Islam and Islamism: Is Ideological Islam Compatible with Liberal Democracy?* London, UK: Civitas, Institute for the Study of Civil Society.

Dessing, N. M., Jeldtoft, N., Nielsen, J. S. and Woodhead, L., 2013. *Everyday Lived Islam in Europe*. Aldershot, UK: Ashgate.

Doi, A. R. I., 1984. *Sharī'ah: The Islamic law*. London, United Kingdom: Taha Publishers.

Doyle, N. J., 2013. Islam, Depoliticization and the European Crisis of Democratic Legitimacy. *Politics, Religion & Ideology*, **14**(2): 265-283.

Doyle, N. J., and Ahmad, I., 2013. Islamophobia, European Modernity and Contemporary Illiberalism. *Politics, Religion & Ideology*, **14**(2): 167-172.

Dunbar, M., 2008. *Brother Tariq: The Doublespeak of Tariq Ramadan.* [online] Available at: http://www.dissentmagazine.org/wp-content/files_mf/1389801823d14 Dunbar1.pdf [Accessed 26 February 2014]

Eckert, S. and Chadha, K., 2013. Muslim Bloggers in Germany: An Emerging Counterpublic. *Media Culture Society*, **35**: 926-942.

Edmunds, J., 2012. The Limits of Post-national Citizenship: European Muslims, Human rights and the Hijab. *Ethnic and Racial Studies*, **35**(7): 1181-1199.

Edmunds, J., 2012. The 'New' Barbarians: Governmentality, Securitization and Islam in Western Europe. *Contemporary Islam*, **6**(1): 67-84.

Edmunds, J., 2013. Human Rights, Islam and the Failure of Cosmopolitanism. *Ethnicities*, **13**(6): 671-688.

Eikmeier, D., 2007. *Qutbism: An Ideology of Islamic-Fascism.* [online] Available at: http://strategicstudiesinstitute.army.mil/pubs/parameters/articles /07spring /eikmeier.pdf [Accessed 14 August 2013]

Ekerwald, H., 2011. Islamophobia by Chris Allen reviewed in *Ethnic and Racial Studies*, **34**(10): 1775-1776.

Esposito, J., 2010. *The Future of Islam*. New York: Oxford University Press.

European Court of Human Rights, 2004. *Annual Report 2003*. [online] Available at: http://www.echr.coe.int/Documents/Annual_report_2003_ENG.pdf [Accessed 18 March 2013]

Evans, C., 2006. The Islamic Scarf in the European Court of Human Rights. *The Melbourne Journal of International Law*, **7**: 52-73.

Evans, T., 2011. The Limits of Tolerance: Islam as Counter-hegemony? *Review of International Studies*, **37**(4): 1751-1773.

Fadil, N., 2013. Performing the Salat [Islamic Prayers] at Work: Secular and Pious Muslims Negotiating the Contours of the Public in Belgium. *Ethnicities*, **13**(6): 729-750.

Al-Faruqi, I., 1992. *Al-Tawhid: Its Implementation for Thought and Life*. Herndon, VA: The International Institute of Islamic Thought.

Fishman, S., 2006. *Fiqh al-Aqalliyyat: A Legal Theory for Muslim Minorities.* [online] Available at: https://hudson.org/content/researchattachments/attachment/1148/20061018_monographfishman2.pdf [Accessed 21 May 2013]

Foner, N., Bertossi, C. and Bowen, J. R., 2011. Islamic Adaptations to Western Europe and North America. American Behavioral Scientist, **55**(12): 1601-1615.

Fourest, C., 2007. *Brother Tariq: The Doublespeak of Tariq Ramadan*. New York: Encounter Books.

Fradkin, H., Haqqani, H. and Brown, E. B. eds., 2008. *Current Trends in Islamist Ideology: Volume 6.* [online]. Available at: http://www.hudson.org/content/researchattachments/attachment/1339/20080314_current_trends_volume6.pdf [Accessed 10 November 2011]

Garner, S., 2012. A Moral Economy of Whiteness: Behaviours, Belonging and Britishness. *Ethnicities*, **12**(4): 445-464.

Geaves, R., 2005. Negotiating British Citizenship and Muslim Identity. In: T. Abbas, ed. 2005. *Muslim Britain: Communities Under Pressure*. London: Zed Books, pp.66-77.

Geoghegan, T., 2011. *Census: How religious is the UK?*. [online] Available at: http://www.bbc.co.uk/news/magazine-12507319 [Accessed 15 March 2012]

Gerber, H., 1999. *Islamic Law and Culture 1600-1840*. Leiden: E.J. Brill.

Ghumman, S., and Ryan, A. M., 2013. Not Welcome Here: Discrimination towards Women who Wear the Muslim Headscarf. *Human Relations*, **66**(5): 671-698.

Goldberg, A., 2002. Islam in Germany. In: S.T. Hunter and S. Serfaty, eds. 2002. *Islam: Europe's Second Religion*. Washington: Centre for Strategic and International Studies. pp.29-50.

Göle, N., 2012. Decentering Europe, Recentering Islam. *New Literary History*, **43**(4): 665-685.

Gräf, B. and Skovgaard-Petersen, J. eds., 2009. *Global Mufti: The Phenomenon of Yūsuf al-Qaraḍāwi.* New York: Columbia University Press.

Greene, R. A., 2011. *World Muslim Population Doubling, Report Projects.* [online] Available at: http://religion.blogs.cnn.com/2011/01/27/world-muslim-population-doubling-report-projects/comment-page-16/ [Accessed 15 December 2011]

Griffith-Jones, R. ed., 2013. *Islam and English Law: Rights, Responsibilities, and the Place of Shari'a.* Cambridge, UK: Cambridge University Press.

Güveli, A. and Platt, L., 2011. Understanding the Religious Behaviour of Muslims in the Netherlands and the UK. *Sociology*, **45**(6): 1008-1027.

Hans, D., 2013. Humanism: A Tradition Common to Both Islam and Europe. *Filozofija i Društvo*, **24**(1): 293-310.

Hansen, R., 2011. The Two Faces of Liberalism: Islam in Contemporary Europe. *Journal of Ethnic and Migration Studies*, **37**(6): 881-897.

Haritaworn, J. 2012. Women's Rights, Gay Rights and Anti-Muslim Racism in Europe: Introduction. *European Journal of Women's Studies*, **19**: 73-78.

Harrison, F. 2008. *Alcohol Fatwa Sparks Controversy***.** [online] Available at: http://news.bbc.co.uk/1/hi/world/middle_east/7342425.stm [Accessed 23 January 2013]

Hashemi, N., 2009. *Islam, Secularism, and Liberal Democracy: Toward a Democratic Theory for Muslim Societies*. Oxford: Oxford University Press.

Hassan, S. F., 2013. *Fiqh al-Aqalliyyat: History, Development, and Progress*. New York, USA: Palgrave Macmillan.

Haug, H. S., Mussig, S. and Stichs, A., 2010. *Muslim Life in Germany. A Study Conducted on Behalf of the German Conference on Islam*. Berlin: Federal Office of Migration and Refugees.

Helfont, S., 2009. *Yusuf al-Qaradawi: Islam and Modernity*. Tel Aviv: The Moshe Dayan Center, Tel Aviv University.

Hellyer, H.A., 2009. Muslims of Europe: The 'Other' Europeans. Edinburgh: Edinburgh University Press.

Hirsi, A. A. and Husain, E., 2009. *The West and the Future of Islam: A Debate between Ayaan Hirsi Ali and Ed Husain, 20 November 2007*. London: Centre for Social Cohesion.

Hosseini, S. A. H., 2013. "Political Identity" of Muslim Youth in Western Diaspora: Towards an Integrative Research Agenda. *Journal of Muslim Minority Affairs*, **33**(4): 464-476.

Howson, C. and Sallah, M., 2009. *Europe's Established and Emerging Immigrant Communities: Assimilation, Multiculturalism or Integration*. Stoke on Trent, UK: Trentham Books.

Hunter-Henin, M., 2012. Why the French Don't Like the Burqa: Laïcité, National Identity and Religious Freedom. *International and Comparative Law Quarterly*, **61**(3): 613-639.

Hunter, S. T. and Serfaty, S. eds., 2002. *Islam: Europe's Second Religion.* Westport: Praeger Publishers.

Hussain, D., 2004. Muslim Political Participation in Britain and the 'Europeanisation' of Fiqh. *Die Welt Des Islams,* **44**(3): 376-401.

Jacobsen, D., 2011. *The World's Christians, Who They Are, Where They Are and How They Got There*. Chichester, UK: Wiley-Blackwell.

Jawad, H., 2010. Islam and Democracy in the Twenty-first Century. In: G. Marranci, ed. 2010. *Muslim Societies and the Challenge of Secularization: An Interdisciplinary Approach*. Amsterdam: Springer. pp.65-81.

Jawad, H., 2012. *Towards Building a British Islam: New Muslims' Perspectives.* London; New York: Continuum International.

Jeldtoft, N., 2011. Lived Islam: Religious Identity with 'Non-organized' Muslim Minorities. *Ethnic and Racial Studies*, **34**(7): 1134-1151.

Jenkins, P., 2009. *God's Continent: Christianity, Islam, and Europe's Religious Crisis (The Future of Christianity)*. Oxford, UK: Oxford University Press.

Jensen, T. G., 2011. Context, Focus and New perspectives in the Study of Muslim Religiosity. Ethnic and Racial Studies, **34**(7): 1152-1167.

Joffé, E. G. H., 2013. *Islamist Radicalisation in Europe and the Middle East: Reassessing the Causes of Terrorism*. London: I.B. Tauris.

Joseph, S. and Najmabadi, A., 2005. *Encyclopedia of Women & Islamic Cultures: Family, Law, and Politics*. Vol 2. Leiden; Boston: Brill Academic Pub.

Just, A., Sandovici, M. E. and Listhaug, O., 2014. Islam, Religiosity, and Immigrant Political Action in Western Europe. *Social Science Research*, **43**: 127-144.

Kamali, M. H., 2003. *Principles of Islamic Jurisprudence*. Cambridge, UK: The Islamic Texts Society.

Kamali, M. H., 2008. *Shari'ah Law: An Introduction*. Oxford, UK: Oneworld Publications.

Kamrava, M. ed., 2006. *The New Voices of Islam: Rethinking Politics and Modernity: A Reader*. Berkeley: University of California Press.

Karsh, E., 2007. *Islamic Imperialism: A History*. New Haven, CT: Yale University Press.

Kashyap, R. and Lewis, V. A., 2013. British Muslim Youth and Religious Fundamentalism: A Quantitative Investigation. *Ethnic and Racial Studies*, **36**(12): 2117-2140.

Kaya, A., 2009. *Islam, Migration and Integration*. New York: Palgrave Macmillan.

Kepel, G., 1997. *Allah in the West: Islamic Movements in America and Europe*. Stanford, CA: Stanford University Press.

Khan, A., 2004. *The Fiqh of Minorities: The New Fiqh to Subvert Islam*, London, UK: Khilafah Publications.

Khan, M., 2006. *Two Theories of Ijtihad.* [online] Available at: http://theamericanmuslim.org/tam.php/features/articles/two_theories_of_ijtihad/ [Accessed 19 December 2012]

Köhrsen, J., 2012. How religious is the Public Sphere? A Critical Stance on the Debate about Public Religion and Post-secularity. *Acta Sociologica*, **55**(3): 273-288.

Koomen, M., Tillie, J., van Heelsum, A. and van Stiphout, S., 2013. Discursive Framing and the Reproduction of Integration in the Public Sphere: A Comparative Analysis of France, the United Kingdom, the Netherlands and Germany. *Ethnicities*, **13** (2): 191-208.

Larsson, G., 2010. Yusuf al-Qaradawi and Tariq Ramadan on Secularisation: Differences and Similarities. In: G. Marranci, ed. 2010. *Muslim Societies and the*

Challenge of Secularization: An Interdisciplinary Approach. Amsterdam: Springer. pp.47-63.

Laurence, J., 2012. *The Emancipation of Europe's Muslims: The State's Role in Minority Integration*. Princeton, N.J: Princeton University Press.

Laurence, J., 2013. Islam and Social Democrats: Integrating Europe's Muslim Minorities. *Dissent*, **60**(4): 18-23.

Laurence, J., Ferrara, A., Kaul, V. and Rasmussen, D., 2014. The 21st-century Impact of European Muslim Minorities on 'Official Islam' in the Muslim-majority World. *Philosophy & Social Criticism*, **40**(4-5): 449-458.

Lentin, A. and Titley, G., 2012. The Crisis of 'Multiculturalism' in Europe: Mediated Minarets, Intolerable Subjects. *European Journal of Cultural Studies*, **15**(2), 123-138.

Let the Quran Speak (2009) Women's Rights. TV, Vision TV. 2009 14 March.

Leveau, R. and Hunter, S. T., 2002. Islam in France. In: S.T. Hunter and S. Serfaty, eds. 2002. *Islam: Europe's Second Religion.* Washington: Centre for Strategic and International Studies. pp.3-28.

Lewis, V. A., and Kashyap, R., 2013. Piety in a Secular Society: Migration, Religiosity, and Islam in Britain. *International Migration*, **51**(3): 57-66.

López-bueno, J. M., 2013. A Real-time Example for Muslim Integration in Europe: Melilla, an Unknown Spanish City. Journal of Muslim Minority Affairs, **33**(2): 224-240.

Lynch, F., 2011. Christopher Caldwell, Reflections on the Revolution in Europe: Immigration, Islam, and the West. Society, **48**(1): 95-97.

MacEoin, D., 2009. *Sharia Law or 'One Law for All'?* London, UK: Civitas, Institute for the Study of Civil Society.

Malik, K., 2009. *From Fatwa to Jihad: The Rushdie Affair and Its Legacy*. London: Atlantic Books.

Malik, J., 2013. Integration of Muslim Migrants and the Politics of Dialogue: The Case of Modern Germany. *Journal of Muslim Minority Affairs*, **33**(4): 495-506.

Mansouri, F. and Marotta, V., 2012. *Muslims in the West and the Challenges of Belonging*. Carlton, Victoria: Melbourne University Publishing.

March, A. F., 2007. Reading Tariq Ramadan: Political Liberalism, Islam, and 'Overlapping Consensus'. *Ethics & International Affairs*, **21**(4): 399-413.

Maréchal B., Allievi S., Dassetto F. & Nielsen J. eds., 2003. *Muslims in the Enlarged Europe*: *Religion and Society*. Leiden: Brill.

Marranci, G., 2010. *Muslim Societies and the Challenge of Secularization: An Interdisciplinary Approach*. Dordrecht: Springer.

Masud, M. K., 2005. *Islamic law and Muslim Minorities*. [online] Available at: http://www.wluml.org/node/503 [Accessed 20 January 2013]

Maussen, M., 2005. *Making Muslim Presence Meaningful: Studies on Islam and Mosques in Western Europe*. [online] Available at: http://arsiv.setav.org/ups/dosya/17082.pdf [Accessed 16 July 2012]

Maussen, M., 2012. Pillarization and Islam: Church-state Traditions and Muslim Claims for Recognition in the Netherlands. *Comparative European Politics*, **10**(3): 337-353.

Mavelli, L., 2012. *Europe's Encounter with Islam: The Secular and the Postsecular*. Abingdon: Routledge.

Mavelli, L., 2013. Between Normalisation and Exception: The Securitisation of Islam and the Construction of the Secular Subject. *Millennium - Journal of International Studies*, **41**(2): 159-181.

Mayer, A. E., 1991. *Islam and Human Rights: Tradition and Politics*. Boulder, Colorado: Westview Press.

Meer, N., 2012. Misrecognizing Muslim Consciousness in Europe. Ethnicities, **12**(2): 178-196.

Meister, C. ed., 2010. *Multiple Modernities and Religion*. Oxford, UK: Oxford University Press.

Mende, C., 2009. *Interview with Tariq Ramadan: "We are Europeans"*. [online] Available at: http://en.qantara.de/content/interview-with-tariq-ramadan-we-are-europeans [Accessed 9 May 2014]

Mende, C., 2013. *Debate on European Islam: A Mined Terrain*. [online] Available at: http://en.qantara.de/content/debate-on-european-islam-a-mined-terrain [Accessed 7 March 2014]

MomentMag. 2013. *Why Amina Wadud Led a Mixed-Gender Muslim Prayer*. [online] Available at: https://www.youtube.com/watch?v=E_flQbtI1U4 [Accessed 29 December 2013]

Mossinkoff, M. and Corstanje, C., 2011. From Segments and Lifestyles to Communities-light: Identifying Islamic Sub-cultures in the Netherlands. *Journal of Islamic Marketing*, **2**(2): 154-164.

Murshed, S. M. and Pavan, S., 2009. Identity and Islamic Radicalization in Western Europe. *Civil Wars*, **13**(3): 259-279.

Na'im, A. A. A., 2008. *Islam and the Secular State: Negotiating the Future of Shari'a*. Cambridge, Massachusetts: Harvard University Press.

Norton, A., 2013. *On the Muslim Question*. Princeton: Princeton University Press.

Neusner, J., Chilton, B. D., and Graham, V. A., 2002. *Three Faiths, One God: The Formative Faith and Practice of Judaism, Christianity and Islam*. Leiden: Brill.

Nielsen, J., 1995. *Muslims in Western Europe*. Edinburgh: Edinburgh University Press.

Nielsen, J., 2004. *Muslims in Western Europe*. 3rd ed. Edinburgh: Edinburgh University Press.

Nielsen, J., Akgönül, S., Alibašić, A. and Račius, E. eds., 2012. *Yearbook of Muslims in Europe: Volume 4*. Leiden, the Netherlands: Leiden: Brill.

OnIslam, 2005. *Woman Acting as Imam in Prayer.* [online] Available at: http://www.onislam.net/english/ask-the-scholar/acts-ofworship/prayer/ congregational -prayer/170796.html [Accessed 18 August 2013]

OnIslam, 2006. *Apostasy: Major and Minor.* [online] Available at: http://www.onislam.net/english/shariah/contemporary-issues/islamic-themes/413125.html [Accessed 9 October 2013]

OnIslam, 2007. *Duties of Muslims Living in the West.* [online] Available at: http://www.onislam.net/english/ask-the-scholar/dawah-principles/dawah-to-non-and-new-muslims/175226.html [Accessed 30 January 2012]

OnIslam, 2009. How Islam Views Secularism. [online] Available at: http://www.onislam.net/english/ask-the-scholar/ideologies-movements-and-

religions/175438-how-islam-views-secularism.html?Religions= [Accessed 17 June 2013]

OnIslam, 2010. *Sheikh Qaradawi's First Interview with Onislam.net.* [online] Available at: http://www.onislam.net/english/shariah/contemporary-issues/interviews-reviews-and-events/449388-sheikh-qaradawis-first-interview-with-onislamnet.html?Events= [Accessed 24 March 2013]

OnIslam, 2011. *Islamic Revival: Myth or Fact?*. [online] Available at: http://www.onislam.net/english/?option=com_content&view=article&id=426238&catid=3356&Itemid=7019 [Accessed 12 December 2013]

OnIslam, 2012. *Muslim Minorities and Politics*. [online] Available at: http://www.onislam.net/english/shariah/contemporary-issues/critiques-and-thought/456871-muslim-minorities-and-politics.html?Thought= [Accessed 15 October 2013]

Pace, M. ed., 2011. *Europe, the USA and Political Islam: Strategies for Engagement.* Basingstoke: Palgrave Macmillan.

Parray, T. A. 2011. Muslims of Europe: The "Other" Europeans by Hisham Hellyer reviewed in *Journal of Muslim Minority Affairs*, **31**(2): 293-295.

Parray, T. A., 2012. The Legal Methodology of "Fiqh al-Aqalliyyat" and its Critics: An Analytical Study. *Journal of Muslim Minority Affairs*, **32**(1): 88-107.

Parray, T. A., 2013. Islamic Radicalism and Multicultural Politics: The British Experience by Tahir Abbas reviewed in *Journal of Muslim Minority Affairs*, **33**(2): 314-316.

Paulson, S., 2007. *The Modern Muslim*. [online] Available at: http://www.salon.com/2007/02/20/ramadan_5/ [Accessed 30 May 2013]

Peter, F., 2006. Individualization and Religious Authority in Western European Islam. *Islam and Christian-Muslim Relations*, **17**(1): 105-118.

PEW Research Global Attitudes Project, 2010. *Widespread Support for Banning Full Islamic Veil in Western Europe.* [online] Available at: http://www.pewglobal.org/2010/07/08/widespread-support-for-banning-full-islamic-veil-in-western-europe/ [Accessed 7 July 2011]

PEW Research Global Attitudes Project, 2013. *Global Views on Morality* [online] Available at: http://www.pewglobal.org/2014/04/15/global-morality/ [Accessed 14 July 2014]

PEW Research Religion and Public Life Project, 2011. *The Future of the Global Muslim Population.* [online] Available at: http://www.pewforum.org/2011/01/27/the-future-of-the-global-muslim-population/ [Accessed 28 February 2012]

Phares, W., Vidino, L. and Hamzawy, A., 2011. Political Islam in Europe and the Mediterranean: Three contributions. *European View*, **10**(1): 149-150.

Pisoiu, D., 2013. Coming to Believe "Truths" about Islamist Radicalization in Europe. *Terrorism and Political Violence*, **25**(2): 246-263.

Qaradawi al-, Y., 1992. *Priorities of the Islamic Movement in the Coming Phase.* Cairo, Egypt: Dar al-Nashr for Egyptian Universities.

Qaradawi al-, Y., 1995. *Islamic Awakening: Between Rejection and Extremism.* Herndon, USA: The International Institute of Islamic Thought.

Qaradawi al-, Y., 2003a. Fiqh of Muslim Minorities: Contentious Issues and Recommended Solutions. Cairo, Egypt: Al-Falah Foundation.

Qaradawi al-, Y., 2003b. *The Lawful and the Prohibited in Islam.* London: Al-Birr Foundation.

Ramadan, T., 1999. *To Be a European Muslim: A Study of Islamic Sources in the European Context*. Leicester, UK: Islamic Foundation.

Ramadan, T., 2004. *Western Muslims and the Future of Islam*. Oxford, UK: Oxford University Press.

Ramadan, T., 2009. *Radical Reform Islam and Ethics*. Oxford, UK: Oxford University Press.

Ramadan, T., 2010. *The Quest for Meaning: Developing a Philosophy of Pluralism*. London: Allen Lane.

Rex, J., 2002. Islam in the United Kingdom. In: S.T. Hunter and S. Serfaty, eds. 2002. *Islam: Europe's Second Religion*. Washington: Centre for Strategic and International Studies. pp.51-76.

Röder, A., 2014. Explaining Religious Differences in Immigrants' Gender Role Attitudes: The Changing Impact of Origin Country and Individual Religiosity. *Ethnic and Racial Studies,* 1-19, DOI:10.1080/01419870.2013.854919

Rohe, M., 2009. The Application of Shari'a Law in Europe: Reasons, Scope and Limits. *Recht Van De Islam: Teksten Van Het ... Gehouden Symposium,* **23**: 43-56.

Roy, O., 2004. *Globalised Islam: The Search for a New Ummah*. London: Hurst & Company.

Ryan, L., 2011. Muslim Women Negotiating Collective Stigmatization: 'We're Just Normal People'. *Sociology*, **45**(6): 1045-1060.

Rytter, M. and Pedersen, M. H., 2013. A Decade of Suspicion: Islam and Muslims in Denmark after 9/11. *Ethnic and Racial Studies*, DOI: 10.1080/01419870.2013.821148

Safi, O., 2003. *Progressive Muslims: On Justice, Gender and Pluralism*. Oxford, UK: Oneworld.

Salvatore, A., 2013. Islam and the Quest for a European Secular Identity: From Sovereignty through Solidarity to Immunity. *Politics, Religion & Ideology,* **14**(2): 253-264.

Samir, K., Paolucci, G., Eid, C., Nasry, W. and Castellani, C., 2008. *111 Questions on Islam: Samir Khalil Samir, S.J. on Islam and the West: A Series of Interviews Conducted by Giorgio Paolucci and Camille Eid*. San Francisco: Ignatius Press.

Secrets of Britain's Sharia Councils. (2013) TV. Karen Edwards: BBC Two. United Kingdom.

Shadid, W. A. R. & van Koningsveld, P. S., 1995. *Religious Freedom and the Position of Islam in Western Europe: Opportunities and Obstacles in the Acquisition of Equal Rights*. Kampen, the Netherlands: Kok Pharos.

Sharia and Life. (2011) Al- Ḥudūd fī al-Khiṭāb al-Fiqhi al-Mu'āṣir. TV, al-Jazeera. 2011 14 January.

Shavit, U. and Wiesenbach, F., 2009. Muslim Strategies to Convert Western Christians. *Middle East Quarterly*, **16**(2)**:** 3-14.

Shavit, U., 2012. The Wasaṭī and Salafī Approaches to the Religious Law of Muslim Minorities. *Islamic Law and Society*, **19**(4): 416-457.

Silvestri, S., 2011. Faith Intersections and Muslim Women in the European Microcosm: Notes towards the Study of Non-organized Islam. *Ethnic and Racial Studies*, **34**(7): 1230-1247.

Sinclair, S., 2012. National Identity and the Politics of the 'Headscarf Debate' in Germany. *Culture and Religion*, **13**(1): 19-39.

Stowasser, B. F., 2009. Yusuf al-Qaradawi on Women. In: B, Gräf and J. Skovgaard-Petersen, eds. 2009. *Global Mufti: The Phenomenon of Yusuf al-Qaradawi*. New York: Columbia University Press. pp.181-212.

Suleiman, Y., 2009. *Contextualizing Islam in Britain: Exploratory Perspectives*. Cambridge, UK. Cambridge University Press.

Sunier, T., 2012. Domesticating Islam: Exploring Academic Knowledge Production on Islam and Muslims in European Societies. *Ethnic and Racial Studies*, **37** (6): 1138-1155.

Taha, D. M., 2012. *Fiqh of Minorities and the integration of Muslim minorities in the West*. [online] Available at: http://www.iises.net/wp-content/uploads/Palermo-paper-Dina-Taha.pdf [Accessed 25 December 2012]

Taha, D. M., 2013. Muslim Minorities in the West: Between Fiqh of Minorities and Integration. *Electronic Journal of Islamic and Middle Eastern Law (EJIMEL)*, **1**(1): 1-36

Tatari, E. and Shaykhutdinov, R., 2014. Muslims and Minority Politics in Great Britain. *Journal of Muslim Minority Affairs*, **34**(1): 22-44.

Tayeb el-, F., 2012. 'Gays Who Cannot Properly be Gay': Queer Muslims in the Neoliberal European City. *European Journal of Women's Studies*, **19**(1): 79-95.

The Gallup Poll, 2010. *Measuring the State of Muslim-West Relations: Assessing the "New Beginning"*. [online] Available at: http://www.gallup.com/file/poll/144959/MWRelations_2010_report.pdf [Accessed 2 August 2013]

Thompson, S., 2012. Freedom of Expression and Hatred of Religion. *Ethnicities*, **12**(2): 215-232.

Tibi, B., 2001. *Islam between Culture and Politics*. New York, NY: Palgrave.

Tibi, B., 2008. *Political Islam, World Politics and Europe: Democratic Peace and Euro-Islam versus Global Jihad*. Chippenham, UK: Routledge.

Tibi, B., 2009. *Islam's Predicament with Modernity*. New York: Routledge.

Tolan, J. V., Veinstein, G., Laurens, H. and Todd, J. M., 2013. *Europe and the Islamic World: A History*. Princeton, N.J: Princeton University Press.

UN General Assembly, 1948a. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. [online] Available at: http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx [Accessed 17 July 2014]

UN General Assembly, 1948b. *The Universal Declaration of Human Rights*. [online] Available at: http://www.un.org/en/documents/udhr/index.shtml [Accessed 17 July 2014]

UN General Assembly, 1966. International Covenant on Civil and Political Rights. [online] Available at: http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx [Accessed 18 July 2014]

Vanparys, N., Jacobs, D. and Torrekens, C., 2013. The Impact of Dramatic Events on Public Debate Concerning Accommodation of Islam in Europe. *Ethnicities*, **13**(2): 209-228.

Verkuyten, M. and Martinovic, B., 2012. Social Identity Complexity and Immigrants' Attitude toward the Host Nation. *Personality and Social Psychology Bulletin*, **38**(9): 1165-1177.

Vlas, N. and Gherghina, S., 2012. Where Does Religion Meet Democracy? A Comparative Analysis of Attitudes in Europe. *International Political Science Review*, **33**(3): 336-351.

Voll, J., 1983. Renewal and Reform in Islamic History: *Tajdid* and *Islah*. In: J. Esposito, ed. 1983. *Voices of Resurgent Islam*. New York: Oxford University Press. pp: 32-45.

Wani, N. I., 2014. Dialogue between Islam and West. *Journal of Humanities and Social Science, 2(1):* 50-51.

Wadud, A., 1999. *Qur'an and Woman: Rereading the Sacred text from a Woman's Perspective*. New York: Oxford University Press.

Weber, B. M., 2012. Hijab Martyrdom, Headscarf Debates: Rethinking Violence, Secularism, and Islam in Germany. *Comparative Studies of South Asia, Africa and the Middle East*, **32**(1): 102-115.

Weller, P. and Yilmaz, I. eds., 2012. *European Muslims, Civility and Public Life: Perspectives on and from the Gülen Movement*. London; New York: Continuum International Publishing Group.

Wetenschappelijke Raad voor het Regeringsbeleid, 2006. *Dynamism in Islamic Activism: Reference Points for Democratization and Human Rights*. Amsterdam, the Netherlands: Amsterdam University Press.

Wiedl, D., 2009. *Dawa and the Islamist Revival in the West*. [online] Available at: http://www.currenttrends.org/research/detail/dawa-and-the-islamist-revival-in-the-west [Accessed 18 December 2012]

Wike, R., 2014. *Europeans Hold More Liberal Views on Moral Issues.* [online] Available from: http://www.pewresearch.org/fact-tank/2014/04/16/europeans-hold-more-liberal-views-on-moral-issues/ [Accessed 14 July 2014]

Winston, D. ed., 2012. *American Coverage of Immigration, Islam, and Identity in the UK and the Netherlands.* Oxford, UK: Oxford University Press.

Yoffie, E. H., 2011. *Why Interfaith Dialogue Doesn't Work -- And What We Can Do About It.* [online] Available at: http://www.huffingtonpost.com/Rabbi-eric-h-yoffie/why-interfaith-dialogue-d_b_867221.html [Accessed 17 April 2014]

Zaman, M. Q., 2012. *Modern Islamic Thought in a Radical Age: Religious Authority and Internal Criticism.* Cambridge: Cambridge University Press.