

# Muslim identity in Western modernity

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## A Study of Tariq Ramadan's reinterpretation of Islamic jurisdiction

by

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## Summary

The paper analyses how Tariq Ramadan relates to Muslim identity and Western modernity in his reinterpretation of Islamic jurisdiction. Western modernity – based on the principles of subjectivism, relativism, rationalism, and secularism – poses an immediate threat to Muslim faith and identity. Through centuries, traditional Muslim identity has been formalized in Islamic jurisdiction. This makes Muslim identity a very stable and rigid social identity, and consequently hinders adaption to changes in the socio-political context. Tariq Ramadan’s project of reinterpretation is founded in the division of Islamic principles being separable into those that are universal and those that are contextual. The contextualization of the social principles of Islamic jurisdiction brings about the possibility of reforming Muslim identity such that Western Muslims can practise their faith in harmony with their socio-political context.

I perform a textual analysis with the aim of explaining and characterizing Ramadan’s position on the future of Muslim identity in Western modernity. I will analyse to which extent and in which ways Ramadan’s reinterpretation represents a reform of traditional Islamic jurisdiction and traditional Muslim identity. My analysis is based on a methodology of combining aspects of social identity theory (Tajfel & Turner, 1979) (Stryker & Burke, 2000), with the theorization of religion’s response to modernity (Beyer, 1994) (Geoffroy, 2004). The strength of this approach is that it allows me to shed light on how Tariq Ramadan’s response to modernity has implications for Western Muslim identity. I also use a particular strand of discourse analysis to interpret how Ramadan’s written discourse relates to traditional Muslim identity and how his idea of a modern Muslim identity is captured in his writings.

I find that Ramadan’s Discourse – his projection of social identity – is well rooted within traditional Muslim identity. Therefore, Ramadan’s identity formation project should not be seen as a fundamental break with traditional views on Muslim identity. But Ramadan adopts several aspects and ideas of modernity in his Discourse, in practice reforming Muslim identity along the way. Since Muslim identity is formalised in Muslim jurisdiction, Ramadan’s reform of Western Muslim identity takes the form of a reinterpretation of Islamic jurisdiction. His reinterpretation returns to the traditional sources, stripping Islam of its cultural propensities in order to discover the universal principles of Muslim faith and identity. The ‘radical’ part of Ramadan’s reinterpretation is that he explicitly deals with context by introducing social context, ‘Universe’, as a revelatory source of Islamic jurisdiction. Similar to his introduction of a contextual source as a complement to the textual sources of the Quran and the Sunna, he also introduces the concept of Context Scholars, to complement the traditional Textual Scholars. Ramadan’s methodology of reinterpretation should however also be regarded as a continuation of traditional interpretation in that he adopts the interpretive tools rooted in traditional *uṣūl al-fiqh*.

## Summary in Norwegian

Oppgaven er en analyse av hvordan Tariq Ramadan forholder seg til muslimsk identitet og vestlig modernitet i sin refortolkning av islamsk lov. Fordi den moderne vestlige sosiale og politiske konteksten bygger på prinsipper som subjektivisme, relativisme, rasjonalisme, og sekularitet, utgjør den en trussel for tradisjonell muslimsk identitet. Denne tradisjonelle muslimske identiteten har gjennom flere hundre år blitt formalisert i rigide fortolkninger av islamsk lov. Muslimer føler også en sterk tilhørighet til sin religiøse identitet fordi den bygger på en oppfatning av objektive og universale sannheter. Fordi deres rigide religiøse identitet går dårlig overens med den moderne vestlige sosiale og politiske konteksten gjennomgår vestlige muslimer en identitetskrise. Ramadans prosjekt går ut på å refortolke islamsk lov med utgangspunkt i at universale religiøse prinsipper bør tilpasses den konteksten den troende beveger seg i. Dermed bidrar Ramadan til å forme muslimsk identitet på en slik måte at vestlige muslimer kan praktisere sin tro i harmoni med samfunnet rundt seg.

Jeg forklarer og teoretiserer Ramadans refortolkningsprosjekt gjennom en metodologi basert på en kombinasjon av sosial identitetsteori og religionssosiologiske teorier for hvordan religion forholder seg til moderniteten. Denne kombinasjonen er nyttig fordi den både kan brukes til å forklare hvordan religion som sosial identitet forholder seg til samfunnet rundt seg og endringer i kontekst generelt, og til å beskrive det spesifikke møtet mellom religion og modernitet fra en innfallsvinkel som kan forklare hvordan dette kan føre til en identitetskrise. Oppgaven er basert på kvalitativ tekstanalyse, og jeg benytter diskursanalyse til å analysere hvordan Ramadans diskurs projiserer en muslimsk identitet samtidig som han engasjerer seg i den filosofiske debatten om vestlig modernitet.

I min analyse av Ramadans refortolkning finner jeg at hans metodologi må forstås som en fortsettelse av tradisjonell metodologi, og at den dermed viderefører aspekter av tradisjonell muslimsk identitet. Samtidig innebærer Ramadans refortolkning en radikal reform av metodologien for å utlede islamsk lov. Denne reformeringen innfører kontekstuell fleksibilitet som et helt sentralt element av islamsk lov: Ramadan innfører kontekst som en åpenbaring og kilde til islamsk lovgivning og sidestiller den med de skriftlige åpenbarte kildene Koranen og Sunna. I videreføringen av dette argumenterer han også for at fortolkningen av islamsk lov bør skje i samråd mellom tradisjonelle islamske skriftlærde og vestlige akademiske eksperter som innehar kunnskap om vestlig samfunnsliv og kontekst. Den kontekstuelle fleksibiliteten i Ramadans metodologi gjør det mulig for vestlige muslimer å følge det vestlige samfunnets krav til spesifikke måter å oppføre seg på samtidig som de kan leve og praktisere sin tro i samsvar med de universale prinsippene som gir mening til deres religiøse identitet.

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## 1. Introduction

Muslim social identity, as other religious social identities, is unique in its basis in a system of 'objective' and 'eternal' guiding beliefs (Ysseldyk, Matheson, & Anisman, 2010). Religious identity is a particularly powerful and rigid social identity because of the followers' perception of their identity being built around an objective and unchangeable truth (Kinnvall, 2004) (Wellman & Tokuno, 2004). Social identities operate within a broader socio-political context. Theories of religion and modernity have postulated that traditional religious identities are intricately bound to the socio-political context they were formed in and contributed to shaping (Beyer, 1994). The identity of being Muslim is firmly embedded within the wider socio-political context of Middle Eastern Islamic countries. The essence of being Muslim has over centuries been formalized in Islamic jurisdiction.

Globalization means that some Muslims will inevitably find themselves operating within a foreign socio-political context. Some theories of religion's response to modernity have postulated that this 'relativization' of context will lead to a crisis of identity for the religious followers who find their religious identity at odds with the broader socio-political context (Beyer, 1994). I focus on the identity crisis of Western Muslims, who find their traditional Muslim identities incompatible with the modern Western socio-political context. Western modernity – and its inherent subjectivism, relativism, rationalism, and secularism – poses an immediate threat to any religious social identity. The strength and rigidity of religion as a social identity, which is normally a sense of unwavering stability to the religious followers, becomes a hindrance to adapting one's religious identity to the modern socio-political context.

Islam's response to modernity is contingent on the contemporary religious leadership of Muslim scholars. The leaders who operate within the relevant Western socio-political context have the potential to bridge traditional Muslim identity and Western modernity through providing "contextual flexibility" and "contemporary relevance" to what it means to be a Muslim (Ysseldyk, Matheson, & Anisman, 2010). The common denominator of Muslim religious leader's response to modernity has been a return to the Islamic sources, the Quran and the Sunna (Voll, 1983). But this return to the sources has taken both purist fundamentalists forms and reformatory responses that argue for a contextual reinterpretation of Muslim jurisdiction. Among the reformist responses, Tariq Ramadan has perhaps been the most outspoken voice on the need for contextual reinterpretation. Ramadan

has written a series of books in which he argues for a reformation of modern Muslim identity based on reinterpreting Islamic sources in light of a modern, Western context.

While Ramadan was born into one of the most important traditionalist Muslim families, Ramadan received his education in the West. He explicitly deals with modernity in his writings, and argues that Muslim identity must adapt to it. Ramadan's key adaptation is that he argues that Islamic jurisdiction is context specific, and needs to be interpreted with this in mind. Ramadan proposes the introduction of context in his reinterpretation of Islamic jurisdiction. In addition to the Quran and the Sunna, Ramadan adds the Universe as a third revelation. This Universe is described by Ramadan as the social contexts of Muslims. Accordingly, Muslims must reinterpret Islamic jurisdiction not only in light of the Quran and the Sunna, but in light of their context. Ramadan's reinterpretations form a project of reforming Muslim identity in a way that will allow Western Muslims to integrate into their socio-political context. Ramadan argues that Muslims should not only integrate into the Western societies, but also have an "obligation" to participate and use their Muslim religious identity as a positive influence. In this way, Ramadan also enters into the conversation on what Habermas (1987) termed 'the philosophical discourse of modernity'.

Because Ramadan combines traditional Muslim identity and modernity, his call for reinterpretation is controversial. His Muslim critics say that he is a reformist gone too far, that his reinterpretation is unfounded in the Islamic juridical sources, the Quran and the Sunna. In the West on the other hand, Ramadan is often accused of using an ambiguous language, preaching fundamentalist values hidden in a Western language of reform.

The aim of this essay is to explain and characterize Ramadan's position on the future of Muslim identity in Western modernity. I will analyse to which extent and in which ways Ramadan's reinterpretation represents a reform of traditional Islamic jurisdiction and traditional Muslim identity.

My analysis is based on a methodology of combining aspects of social identity theory (Tajfel & Turner, 1979) (Stryker & Burke, 2000), with the theorization of religion's response to modernity (Beyer, 1994) (Geoffroy, 2004). The strength of this approach is that it allows me to shed light on

how Tariq Ramadan's response to modernity has implications for Western Muslim identity. By relating my study to the emerging theory on religious trends in modernity I have the tools to characterize and classify Ramadan's religious position and response to modernity in this theoretical framework. My combined approach of viewing the response of religion as a social identity in the meeting with modernity is to the best of my knowledge a novel approach.

I rely on a textual analysis<sup>1</sup>, and have chosen the two books I consider most descriptive of Ramadan's reinterpretation and identity formation project – *Western Muslims and the Future of Islam* (2004) and *Radical Reform: Islamic Ethics and Liberation* (2009) – as my primary sources. In my section on the primary sources, I will use a particular strand of discourse analysis (Gee, 2005) that focuses on how discourse can be studied to analyse the underlying social identity that is projected through the written text. I make use of this theory to interpret how Ramadan's written discourse relates to traditional Muslim identity and how his idea of a modern Muslim identity is captured in Ramadan's writings. I will also look at how Ramadan's writings can be seen as a contribution to the on-going discourse of modernity as defined by Habermas (1987).

The remainder of this paper proceeds as follows. Section 2 is a brief introduction to Tariq Ramadan and a summarization of the main theme of his literary output. Section 3 describes the methodology I make use of in my paper: Social identity theory and theories of religion's response to modernity. Section 4 describes my primary sources in closer detail and my reason for choosing them. This section includes a short summary of the discourse analysis I make use of, before I go on to first identify the intended audience of the primary sources and then use the discourse analysis to study Ramadan's identity formation project as implicit in his discourse. Section 5 contains a detailed mapping out of Ramadan's reinterpretation of Islamic jurisdiction and the ways in which it constitutes a contextual reform as compared to traditional Islamic jurisdiction. In the 6<sup>th</sup> and final section, I summarize my main findings and discuss how they can be used to conclude on Ramadan's religious position in response to modernity and the extent and ways in which his reinterpretation and identity formation project can be seen as reformatory.

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<sup>1</sup> I use Ijmes Transliteration System to transliterate Arabic words. Ijmes Transliteration System is a phonemic system of transliteration. A more detailed description of this system can be found in appendix A. Some Arabic words, like the Quran and the Sunna, I choose not to transliterate. When I use quotations, I use the same transliteration (or lack of transliteration) as used in the quote's source. Therefore, the quotations' transliteration differs somewhat from my own transliterations.



## 2. Tariq Ramadan – a Western Muslim

Tariq Ramadan in many ways embodies the meeting of traditional Islam with Western modernity. He studied Islam at Al-Azhar, and is tightly linked to the Islamic political movement through his family. Ramadan is the grandson of Hassan al-Banna, who founded the Muslim Brotherhood in 1928. Ramadan's father, Sa'id Ramadan, was also a member of the Muslim Brotherhood. For his membership, he was expelled from Egypt by Nasser. Sa'id Ramadan founded the charity and missionary group World Islamic League in Saudi Arabia, before moving to Geneva where he founded the Islamic Center of Geneva, a community centre, think tank, and mosque. This centre is now run by Tariq Ramadan's brother, imam Hani Ramadan. Hani Ramadan is a traditionalist who has been described as a "radical bogeyman à la bin Laden or Khomeini" (March, 2007, p. 399). Tariq Ramadan takes great pride of, and often writes about, his strong ties to both traditional political Islam and the Muslim Brotherhood<sup>2</sup>.

In addition, to studying Islam, Ramadan is well versed in Western philosophy and culture. He studied philosophy and French literature at Master's level and has also written a PhD dissertation on Friedrich Nietzsche. Ramadan has studied Islam from the viewpoint of a Western educational institution and holds a PhD in Arabic and Islamic studies from the University of Geneva. His current academic positions are as HH Sheikh Hamad Bin Khalifa al Thani Professor of Contemporary Islamic studies, at St. Antony's College at the University of Oxford, and as director of the Research Centre for Islamic Legislation and Ethics (CILE), in Doha, Qatar. As a Western scholar, well acquainted with the ideas of modernity, Ramadan adopts the view that traditional Muslim identity should adapt to aspects of Western modernity.

Ramadan is not the only Muslim scholar with modern views on the subject of Islam in the West. Nonetheless, he has obtained a position of importance and interest in the study of Islam in Europe<sup>3</sup>. One reason is because: Ramadan gives himself off as a Westerner. Not only because of his clothing, "smooth talk and gentleman's beard" (Alibhai-Brown, 2005), but also his use of symbols, and how he participates in discussions and debates. Still, he is a Muslim who endeavours to live as a Muslim in a

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<sup>2</sup> According to Mehran Kamrava, editor of *The New Voices of Islam – Reforming Politics and Modernity – A Reader* (2006).

<sup>3</sup> Time magazine voted him one of the hundred most influential people of this century

modern world. This has led “Many in the US and Europe [to] suspect he is a fanatic in academic garb” (Alibhai-Brown, 2005).

Andrew F. March, a scholar of political science currently working as associate professor at Yale University, points to the ambiguity so central to the understanding of Ramadan, characterizing him as an heir to political Islam who uses a Western scholarly language to promote his ideas of traditional Islam’s compatibility with a Western context (March, 2007). This ambiguity makes Ramadan a controversial figure. The US refuses to give him a visa, due to Ramadan’s donations to two charities, the Committee for Charity and Support for the Palestinians (CBSP) (or *Comité de Bienfaisance et de Secours aux Palestiniens*), and the *Association de Secours Palestinien*. These charities are, according to the United States Department of the Treasury, terrorist organizations because of their alleged link to Hamas (Ramadan, The Washington Post, 2006). In 2009, Ramadan was dismissed from his scientific position at Erasmus University in Rotterdam, because of his “irreconcilable” position as a chair on *Islam & Life* on Iran’s Press TV (Sterling, 2009) (swissinfo.ch, 2009).

## **2.1 Ramadan’s focus on Muslims and modernity**

Ramadan is highly productive writing books and articles, and also runs his own webpage<sup>4</sup> where he comments on contemporary topics and debates. His literary output extends from popular science, internet articles on current issues, and scientific works, to more apologetic writings. In this section, I will summarize the writings by Ramadan and how they have been perceived by other scholars.

Ramadan switches between different literary genres in order to reach different audiences. In most cases, he discusses the problem of Muslims encountering modernity and how this problem might be met. Ramadan’s writings have focused on two main themes: reform of Islam, and Islam’s place in Western societies (Kamrava, 2006, p. 25). The aim of his writings has been “to present Muslims with a set of analytical and reasoning tools, (...) inherent in their religious values and traditions, in order to deal successfully with the challenges of modernity (...) This line of reasoning is informed both implicitly and explicitly by the assumption that there is no inherent clash between the values of Islam and those that underlie Western civilization” (Kamrava, 2006, p. 65). Ramadan argues that Western Muslims can be Western and Muslim at the same time, and that they need to actively participate in

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<sup>4</sup> [www.tariqramadan.com](http://www.tariqramadan.com)

Western societies. He stresses the need for Muslims to be “faithful to their constitutional systems, yet insists that this can be done without adopting a diluted, “liberal Islam” in matters of social and personal morality” (March, 2007, p. 399).

The reason Ramadan concludes that Western Muslims can be Western and Muslim at the same time is because of his argument of a contextual reinterpretation of Islamic jurisdiction. His interpretation of Islamic sacred texts, *ijtihad*, has a strong focus on a present day context. By doing so, it removes the cultural and ethnic practices from the faith (Karim, 2009). Ramadan is concerned with finding Islam’s universal message, a universality that enables Muslims living in different contexts to practise their faith in harmony with the broader socio-political context they operate in. Ramadan encourages all Muslims to practise their own reading and reinterpretation of the Islamic sacred texts in light of their own social context. Thus, Ramadan “propagates individual piety rather than blind-faith mass following” (Karim, 2009, p. iv). Contextual reinterpretation allows youth to integrate into their Western context and at the same time practise Islam without the cultural traditions tied to it. Because of his reformism, some journalists have nicknamed Ramadan the “Muslim Martin Luther”.

However, Ramadan’s writings are not unequivocally reformist. According to March, Ramadan firmly roots himself within a “conservative Islamic legal and theological tradition” while at the same time he “reveals a familiarity with the language and long-term concerns of political liberalism” (March, 2007, p. 400). Instead of the “Muslim Martin Luther”, March proposes the term “Muslim John Locke”, in that Ramadan is a “...thinker who would use religious and scriptural arguments to formulate a doctrine of religious tolerance and secular government” (March, 2007, p. 400).

Ramadan’s dual identity of being both Western and Muslim has led some to conclude that there is an inherent ambiguity in his writings. Because he is both reformist and roots his reinterpretation within traditional Islamic jurisdiction, Ramadan has been accused of speaking with two tongues. Some, like the French feminist and journalist Caroline Fourest, argue that Ramadan simply dresses up traditionalist Muslim identity in a Western language or discourse. In her book, *Brother Tariq: the doublespeak of Tariq Ramadan* (2008), Fourest criticizes Ramadan and his ambiguous political and religious project of enhancing fundamentalist Islam. As her title implicitly suggests, she describes Ramadan’s teachings as a continuation of the programme of the Muslim Brotherhood, and argues that he does not really adopt a critical perspective with regard to the heritage of his grandfather, al-

Banna (Fourest, 2008). In *What I Believe* (2010), Ramadan explicitly addresses this critique by stating that his alleged “doublespeak” is not to misguide different audiences and to hide his true aim, but rather a pedagogy used to reach different audiences with what he claims is an unambiguous message. He argues that his use of different rhetoric is legitimate because the underlying message stays the same.

### **3. Religion and modernity**

#### **3.1 Social identity**

Religion is, among other things, a social identity. Identity is internal; “consisting of internalized meanings and expectations” (Stryker & Burke, 2000, p. 289). A social identity affects how people and groups identify themselves in relation to others, based on what they have in common. It affects how you view the world, and can therefore also affect your behaviour. Social identity is also external, because it is a framework for socializing and affects how you interact with the social context you operate in. People who share a social identity often feel a sense of uniqueness and affiliation to their common social identity. This feeling can provide comfort and a sense of self-esteem (Baumeister & Leary, 1995) (Haslam, Jetten, Postmes, & Haslam, 2009). Together, the people who feel a sense of belonging to a particular social identity constitute a social group. This categorization of identity, leads to division between those social identities that people feel part of (the in-group) and those that they do not feel part of (the out-group) (Ysseldyk, Matheson, & Anisman, 2010). When social identities are threatened, this might lead to a feeling of “us” and “them”.

Social identity is shaped by social context and structures. The relationship between identity and social context can be analysed using social identity theory with roots back to Tajfel and Turner (1979). This theory is concerned with “how social structures affect the structure of self and how structure of the self influences social behavior” (Stryker & Burke, 2000, p. 285). In this aspect it is important to define what social structures consist of. First of all, we have society with interactions, “differentiated yet organized” (Stryker & Burke, 2000, p. 285). Society is “embedded in an array of groups, organizations, communities, and institutions, and intersected by crosscutting boundaries of class, ethnicity, age, gender, religion, and other variables” (Stryker & Burke, 2000, p. 285). This crosscutting means that religion will overlap with other social identities. Often, religion overlaps with political conservatism, another social identity that is in conflict with the changing social context of modernity. As people will have many, often conflicting, social identities, there will inevitably be competition between different identities as to which exerts the most influence on how one sees the world (Stryker, 2000). However, often one identity will dominate others (Deaux, 1996). Even though an individual can have multiple social identities, within that individual’s self-perception one identity might be the most prominent one (Ysseldyk, Matheson, & Anisman, 2010).

When one social identity assumes prominence over the others, this identity has more salience. One person has more than one identity in his inner personality register. Different identities are invoked in different settings and contexts. The identity that is invoked in most contexts is the identity with highest prominence, and accordingly highest salience. This means that some identities are more probable than others to be invoked in a variety of situations. The salience of a social identity is affected by your commitment to the social identity in question. “Commitment refers to the degree to which persons’ relationships to others in their networks depend on possessing a particular identity and role; commitment is measurable by the costs of losing meaningful relations to others, should the identity be forgone” (Stryker & Burke, 2000, p. 286).

Identity salience is believed to be quite stable over time and different situations. This is shown by Stryker and Serpe (1987) who studied students’ acquiring new networks upon entering university. They did this by joining organizations “that provide opportunities to behave in accord with highly salient identities held before entrance” (Stryker & Burke, 2000, p. 286). When the students managed to join these organizations, their identity salience remained stable. Change in their identities’ salience only occurred when initiation into these organizations failed. This shows that in order for identities to be verified, they need to be accepted by others. The force of identities’ salience depends on this verification. If a social identity is confirmed by other members of the group, this will lead to a reinforcement of the identity’s salience, but if it is not confirmed the salience will diminish.

Not only does social structure affect identities; “some research is beginning to show how social structures depend on the functioning of identities” (Stryker & Burke, 2000, p. 290). When different identities are gathered in a group-setting and they verify each other’s different identities, their commitment to each other increases. This results in the creation of a new social structure. Because of the pure power of numbers, social groups – especially those with a well-defined and salient identity – have a better chance than single individuals to accomplish socio-political change (Haslam, Jetten, Postmes, & Haslam, 2009). One example is how the suffragettes – united by their common social identity – changed the socio-political context of Great Britain, most notably by winning women’s right to vote.

### **3.1.1 Religion as a social identity**

Religion is a particularly powerful social identity because it is based on a system of guiding beliefs (Ysseldyk, Matheson, & Anisman, 2010). These guiding beliefs are fundamental to how believers interpret their experiences into meaning (Park, 2007). The reason these belief systems function as a social identity is because of the importance of relevant group membership to self-concept (Ysseldyk, Matheson, & Anisman, 2010). Religious identity affects how the followers view the world, and how they interact with the social context they operate in. Members of a religious group feel an eternal sense of uniqueness, affiliation, and belonging to the religious group. In addition to sharing common beliefs, their religious membership is essential to their self-concept. This creates strong bonds between followers of a common faith (Cameron, 2004).

The uniqueness of religion makes it a social identity that for many exceeds the importance and salience of other social identities (Kinnvall, 2004) (Verkuyten & Yildiz, 2007). The moral authority religion holds over its followers is undisputable (Wellman & Tokuno, 2004): Religion not only deals with what is “sacred”, it is also unique because it offers answers to the “ultimate issues in life” (Pargament, 1997, p. 25). As a result, religion is an extremely salient social identity that heavily influences the worldview of the followers. As mentioned, social identities are typically very stable, and this is even more so for religion. Belonging to a religious group provides a feeling of consistent stability and “solid ground” (Kinnvall, 2004).

When a religious faith comes under pressure from the surrounding social context, its members often feel a stronger connection to the social identity of their common religious group: “...religious identity may be especially important when an individual’s sense of safety and security has been undermined (Freeman, 2003) (Muldoon, Trew, Todd, Rougier, & McLaughlin, 2007)” (Ysseldyk, Matheson, & Anisman, 2010, p. 61). Threats to the social identity of religious adherence have a strong effect on followers, because membership in a religious group has an “eternal” aspect and because members feel a belonging not just to other followers but also to the belief systems that are inherent to religion as a social identity (Kinnvall, 2004) (Verkuyten & Yildiz, 2007) (Wellman & Tokuno, 2004). In a sense, religious followers feel that their entire worldview and sense of meaning are under threat. When the traditional identity of being a religious follower is incompatible with, and unaccepted by, the social context they operate in, this might lead to a crisis of identity.

### **3.2 Modernity and the Western socio-political context**

Modernity is a term which designates a change in culture from the old to the new, it "...identifies an openness and a commitment to the new as opposed to the old" (Wilson, 2004, p. 6109). Modernity as a concept is not only relative to time, but also relative to place: Modernity means different things in different places at different times. The concept of modernity is ambiguous and has been interpreted in different ways. Eisenstadt (2000) introduces the concept of multiple modernities, spun out of the understanding that the best way to understand the modern world is "to see it as a story of continual constitution and reconstitution of a multiplicity of cultural programs" (Eisenstadt, 2000, p. 2). The concept of multiple modernities contradicts the old view of modernity as put forward by scholars such as Durkheim and Marx. They saw the cultural process of modernization as a homogenous process, which meant that it would take the same form throughout the world. Today however, it has become clear that modernization shows itself in different manners and results in different outcomes.

The ongoing reconstructions of modernity often transcend the boundaries of the nation-state (Eisenstadt, 2000). The multiple modernities are different in expression but imitate each other in their modern dynamics and interpretation, and their penchant for tradition. According to Eisenstadt, movements that arise in non-Western societies are often united in their anti-modern perceptions and anti-Western themes. This interpretation is discarded by Geoffroy (2004), who finds this to be a simplification of reality. Nonetheless, Geoffroy takes the theory of multiple modernities as a possible first step towards a "possible theorization of globalization" (Geoffroy, 2004, p. 36). It makes clear that there are many possible understandings of modernity, not only the "Western patterns of modernity" (Eisenstadt, 2000, p. 3). Eisenstadt's concept enriches our understanding of modernity, and calls to our attention that in a globalized world there might be many modernities interacting. However, in this paper I focus on Islam and Muslim identity in the context of Western modernity.

Generally, Western modernity is seen as starting in the 18th Century with the Enlightenment, with thinkers like Descartes and Voltaire who focused on "cognitive rationality, moral autonomy, and social political self-determination" (Dallmayr, 1987, p. 682). A key aspect of modernity is the process of rationalization and the resulting "formal separation of subject and object" (Tremlett, 2009, p. 14). Within the liberalism of modernity, the individual is seen as a rational actor. The subjectivity of modernity and its consequent focus on human rational reason is contingent on "the freeing of reason from tradition and religion" (Tremlett, 2009, p. 14). This attempt to liberate society from the



influence of religion is another key aspect of modernity, namely secularization. The liberation of reason is linked to values inherent in modernity such as individual liberty and freedom.

Within sociology, modernity is seen not only as a “certain set of attitudes towards the world”, but also as a socio-political context comprised of “a complex of economic institutions” and “a certain range of political institutions” (Giddens, 1998, p. 94). Especially important are the socio-political structures of democracy and the nation-state. Whether you agree with the definition of modernity as a social context or not, it is certainly true that the current Western socio-political structures – such as democracy and the nation-state – are intricately linked to the values inherent in the notion of modernity. The European liberal context is based on the following general political terms: The freedom of expression, long term commitment to political democratic institutions, political and social solidarity with others, and diversity and ethical pluralism in liberal societies (March, 2007). These form the fundamental political and social context of Western Muslims, and Islam’s meeting with modernity depends on the response to them. It is important to note that the concept of political liberalism “allows for a wide range of disagreement on moral matters” and so it does not insist on “Muslim assimilation into all aspects of liberal culture” (March, 2007, p. 403). This shows that the Western political and social context is flexible, but only to a certain extent.

In *The Philosophical Discourse of Modernity* (1987), Jürgen Habermas defines Western modernity not as doctrine or as a socio-political context, but rather as an on-going discourse or conversation. In his view, modernity is a way of thinking and speaking about the world. The world view of modernity is based on the values described above. But both within and outside the conversation of modernity there have been plenty of critical voices. Within the discourse of modernity, Hegel (1999) entered his concerns on how the subjectivism of modernity leads to an alienation of “spirit”. Hegel argued that human reason should be complemented by spiritual meaning. Hegel is not opposed to modernity. His aim is rather to change the philosophical discourse of modernity. Importantly, Hegel realized that to change the discourse and affect the meaning of modernity, he had to move within the boundaries of modernity’s discourse based on subjective arguments and critical reason. Other critics of modernity have rather dismissed the notion of modernity altogether, and adopted a different discourse. In the language of religious discourse, modernity and subjectivist human reason leads to “alienation” and “dehumanization”, which results in a “desacralized world” (Tremlett, 2009, p. 12). According to phenomenologists like Mircea Eliade, religion counteracts the alienation of modernity because the sacred provides meaning (Tremlett, 2009, p. 42).

### **3.3 Religious identity in the context of modernity**

Religion and modernity exist concomitantly. Religion cannot remain unaffected by modernity: It has to relate to modernity in one way or another. This encounter results in many different religious responses. Some scholars believed that religion would vanish in the context of our present modernity. Today we can see that this is not the case: Religion still presides in the modern world. There are many reasons for this. One is because religions have tended to adapt to important features of modernity. Another reason is the inherent division within modernity that tends to "...undervalue the role of symbols and the subconscious" (Wilson, 2004, p. 6109). The continued presence of religion in modernity is evidence that the social identity and "sacrality" of religion is vital to religious believers.

According to Peter Beyer (1994) and his theory of globalization, traditional religions are embedded in the socio-political context of the culture they originate in. According to Beyer, the globalization of modernity will inevitably lead to religious traditions being placed in unfamiliar social contexts. This "serious challenge of relativized context" will result in "significant crisis" within those religious traditions that deal in "absolutes" (Beyer, 1994, p. 9). According to Beyer, there are two fundamental responses to this crisis. The "conservative" response insists that adaptation or change of religious identity is neither necessary nor wanted, but that change can be accepted as long as no fundamental values of the religious beliefs are altered. The "conservative" response is therefore fundamentally opposed to adaptation to modernity, but willing to cloak itself in a number of non-important minor changes. The other response Beyer terms "liberal" because of its willingness to "reorient a religious tradition towards the global whole and away from the particular culture with which that tradition identified itself in the past" (Beyer, 1994, p. 10). The peculiarity of this response is that it sees the relativism of modernity and its openness to change as a "prime warrant" for the continued authenticity of the religious identity (Beyer, 1994). Beyer postulates that modernity will lead to a privatization of religion, and that the external aspects of religious identity, like rituals and prayer, will only be used to gain socio-political influence.

Martin Geoffroy (2004) criticizes Beyer's simplification of religions' response to modernity and globalization. Geoffroy argues that Beyer's theory does not take into account the level of complexity that defines religion as a social phenomenon and identity (Geoffroy, 2004, p. 35). In an attempt to

nuance the theoretical methodology on religions' response to modernity, Geoffroy classifies the response into four typologies. This typology of four religious positions towards modern society functions as a tool to describe and summarize the religious reality. The four religious positions are the Conservative Position, Pluralist Position, Intransigent Position, and Relativist Position. Geoffroy stresses that these positions are not the reality, but a "theoretical tool to analyze empirical facts" (Geoffroy, 2004, p. 38). They are also not closed, meaning that a position can share several traits with another position. Whereas the Conservative and Pluralist positions "tend to be politically closer to the nation-state because it usually has a more institutional form", the Relativist and Intransigent Position "will have a tendency to distance itself from the state because of the "social movement religion" or the "sect" form it usually takes, which makes them less likely to compromise with institutions" (Geoffroy, 2004, p. 37). According to Geoffroy, this form of religious positions as social movements or institutions originate in the "religious position it adopts toward secular society" (Geoffroy, 2004, p. 37). The Intransigent Position is recognized by its rejection of secular society, and this religious position has seen several extremist religious groups rise since the 1960s. Geoffroy argues that while they are "ideologically premodern" they also "practice their own selective brand of modernity" (Geoffroy, 2004, p. 39). The Relativist Position is similar to the Intransigent Position in its "social movement" form, although it is situated on the other side of the typology. Another common aspect is the disbelief in modernity. Where it differs from the Intransigent Position, is that where the "intransigent religious position puts limits and constraints, the relativist seeks to eliminate them all" (Geoffroy, 2004, p. 44). Geoffroy argues that the Relativist Position is closely connected to postmodernist ideals: "individualism, the creation of a personal truth, unlimited choice of values and beliefs, a new vision of tradition, anti-institutionalism, and the primacy of experience" (Geoffroy, 2004, p. 44). The Conservative and the Pluralist Positions are relatively moderate. The Conservative Position does not oppose modernity or globality as such, but aims to integrate the two in their institutionalized religious project. The Conservative Position will also "try to slow down pluralism's progress in society by seeking more control over public and religious institutions. They will use democratic political and economic institutions to get their conservative message through more efficiently" (Geoffroy, 2004, p. 41). The Pluralist Position, on the other hand, prefers to maintain membership in "one major religious tradition as a cultural anchor, while maintaining an open interfaith dialogue with "other" religions". (...) it is difficult to talk about any single religious truth because of the desire to recognize the richness of the diversity of religious cultures from around the world" (Geoffroy, 2004, pp. 42-43).

### **3.3.1 Muslim identity in the modern Western socio-political context**

The core aspect of Muslim social identity has over millennia been formalized in rites, symbols, and maybe most importantly in an Islamic jurisdiction. The social identity of being a Muslim is also captured in the social language, the discourse, of fellow believers. Traditionally, the formalizations of Muslim social identity have been embedded in the traditional Middle Eastern or Arabic social context, or culture. Muslim social identity in this way has been accepted and verified by the overarching social and political structures. However, Western Muslims today operate in a different socio-political context; that of Western modernity. Western modernity, with its focus on secularism and human reason and logic, does not readily verify the social identity expressed by Muslims. Threats to religion as a social identity are common in our current socio-political climate (Wellman & Tokuno, 2004).

Beyer postulated that the rigidity of religious social identity leads to an identity crisis when the religious identity is placed within a different socio-political context than that it was formed in, and participated in shaping. Young Western Muslims face difficulties aligning their Muslim identities with the modern social context they live in. Haina Karim (2009) argues that these youth fall between two cultures; their household's culture, a microcosm of their parent's homeland, and the culture of the Western society in which they live. To cope with two different cultures at once, they need an identity that enables them to live in both cultures. The problem however is that "Islam as it is literally practiced or interpreted by its adherents may not readily allow them to assimilate into non-Muslim societies" (Karim, 2009, p. iii). The response to the identity crisis of Western Muslims might well be that the salience of their Muslim identity increases. Fischer, Greitemeyer, and Kastenmüller (2007) showed that in Germany, Muslims identified themselves more with their religious group than Christians did. Ysseldyk, Matheson, and Anisman (2009c), showed that this is also true in the case of Canada. Both studies show that Muslims in diaspora in a country with a modern Western socio-political context have the highest awareness of religious identity within that country. Studies have shown that followers of minority religion might express higher levels of religious identification (see for example Branscombe, Schmitt, and Harvey, (1999)).

A key aspect of social identities and how they react to changes in the social context is the leadership structure of the social group (Ysseldyk, Matheson, & Anisman, 2010). The structure of leadership within religious groups differs from that of other social groups. Within Islam, the Prophet Muhammad is the human individual who holds the primary authority over Muslims. Christ holds a

similar position within Christianity. As both Muhammad and Christ are historical persons not alive today, they have no personal identity, but embody the social identity of the religious group (Reicher, Haslam, & Hopkins, 2005). The unchanging nature of Muhammad as the figurehead of Muslim identity strengthens the stability of Muslim social identity. Indeed, traditional Islamic jurisdiction has been focused on formalizing rules for how Muslims should live their lives based on the Muslim social identity as portrayed and communicated by Muhammad. This formalization has made the Muslim social identity – what it means to be a Muslim – a stable and rigid concept.

Modernity is partly about openness to change, and accepting that the modern social context is a changing environment. The strength and stability of Muslim social identity creates resistance to the adaptation to changes in social contexts. This is a typical trait of most traditional religions. But within the leadership structure of religion, there exists a “secondary layer” of religious leaders that interprets and promotes the social identity of the religious group (Ysseldyk, Matheson, & Anisman, 2010, p. 66). These religious leaders necessarily operate within the socio-political context of their time and place. They consequently often provide “contextual flexibility” and “contemporary relevance” to the social identity of religious groups (Ysseldyk, Matheson, & Anisman, 2010, p. 66). The different strands of Muslim religious leaders have meant that Islam has taken different directions in reaction to modernity. These can broadly be classified into a fundamentalist and a reformist response, corresponding somewhat to the terms “conservative” and “liberal” introduced by Beyer. One peculiar common denominator of the responses is that they focus on a return to the traditional sources of Islam, the Quran and the Sunna (Voll, 1983, p. 33).

Fundamentalist Muslims oppose Western modernization. The religious identity crisis of modernity is met by a strengthening of the salience of traditional Muslim identity, and their response is to defend the traditional perception of Muslim identity against the values of Western modernity. Modern fundamentalist Islamic discourse is characterized by a particular Muslim identity of Wahhabism (Haddad, 1982, p. 83). Wahhabism sees the impact of Western modernity as degenerative to Muslim identity. Their response is to disregard reformist Islamic reinterpretations and purify Muslim identity by returning directly to the traditional sources of Islam, the Quran and the Sunna. One Muslim religious leader who has been an outspoken opponent of contextual flexibility of Muslim identity as

formalized in Islamic jurisdiction is the hugely influential Yusuf al-Qaradawi<sup>5</sup>: “Islam is the last and final word of Allah (...) It therefore came with a general law suitable for all times and places, and for the whole of humanity” (Qaradawi, 1994, p. 192).

Reformist responses among Muslim leaders have called for a contemporary relevance to what it means to be a Muslim. Like the fundamentalist responses, Muslim reformers also return to traditional sources of Islam, the Quran and the Sunna. But unlike fundamentalists, reformist Muslim religious leaders argue that one should reread the traditional sources with a focus on how they should be interpreted in light of the present social context. Reformist Muslim leaders’ call for a contextual re-identification of Muslim identity does however vary to a large degree. Some call for a “...tactical integration into European societies today but with the express ambition to Islamize them in one form or another in the future” (March, 2007, p. 404). Among Muslim religious leaders and thinkers, Tariq Ramadan is the most outspoken proponent of contextual flexibility. March interprets Ramadan’s “main political views as fully supportive of a liberal political order” (March, 2007, p. 412), and argues that the burden is on those who want to prove otherwise. Ramadan’s main focus has been on how Western Muslim identity can adapt and relate to its social context of Western modernity. Ramadan wants to unite Muslim faith with Western principles of democracy, equality, and pluralism. In his writings, he discusses different topics relevant for an integration of Islam into the West. In order for an integration to take place, he argues that Muslims need to reinterpret Islamic legal principles in light of a Western context. To practise such a reinterpretation, Muslims have to obtain knowledge of both cultures, and assume both a Muslim and modern identity. Ramadan’s reinterpretation of Islamic law is all about identity formation; redefining what it means to be a Muslim in the modern Western world.

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<sup>5</sup> I find the thought of comparing Qaradawi’s understanding of Muslim identity to that of Ramadan’s in more detail most interesting. I am however prohibited from doing so by the scope of my analysis.

## 4. Primary sources and Ramadan's discourse

### 4.1 Primary sources

The primary sources to this study are *Western Muslims and the Future of Islam* (2004) and *Radical Reform – Islamic Ethics and Liberation* (2009). They are distinctly set within a scholarly genre. I have chosen them because they capture Ramadan's endeavour to define a common Western Muslim identity, which is the theme of focus in this study. In them, Ramadan rejects the idea that Muslim identity must be defined in opposition to Western modernity. He sees Islam as adaptable to every context, even modern, Western societies. But this adaptation can only happen through a riddance of cultural and ethnic propensities, which historically have been an intrinsic part of Muslim identity. Western Muslims need to find the universal Islamic principles that are adaptable to a modern, Western context. Both books capture Ramadan's endeavour to reform Muslim identity in the light of a modern, Western context. They are both concerned with a rereading of the traditional Muslim juridical sources, the Quran and the Sunna. Together, they offer a reformed vision of Muslim identity in Western modernity based on what Ramadan himself defines as a "radical" reinterpretation of Islamic jurisdiction. The "radicalness" of his project is his view that socio-political context and contextualization should play a key role in reinterpreting what it means to be Muslim.

Although Ramadan started his project of reinterpretation and identity formation in *To Be a European Muslim: A Study of the Islamic Sources in the Light of the European Context* (1997), I have chosen not to include this book among my primary sources because of the scope of this paper and because I find that my two chosen sources more neatly captures Ramadan's ideas as he currently defines them. Another textual source to Ramadan's reinterpretation and identity formation is *Islam, the West and the Challenges of Modernity: Which Project for Which Modernity* (2000). Because this book mainly deals with the issue of Muslim identity and modernity in societies with a Muslim majority, I have chosen not to include it in my primary sources.

According to his publisher<sup>6</sup>, *Western Muslims and the Future of Islam* established Ramadan as one of Islam's most important reformist voices as well as a leading Western scholar. The book deals with the question of what it means to be a Western Muslim. Ramadan's answer is a reshaping of Islam into

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<sup>6</sup> Oxford University Press online:

<http://www.oup.com/us/catalog/general/subject/ReligionTheology/ReligionPolitics/?view=usa&ci=9780195183566>

one that is rooted in the principles of Islam but also in harmony with the modern Western socio-political context. The central element of this reshaping of Muslim identity is a reinterpretation of Islamic sources in light of a modern Western context. According to Ramadan, his understanding of what he sees as universal Islamic principles can help Muslims integrate into the modern Western context. His aim is to “understand the universality of the message of Islam and to highlight the means we are given to help [Muslims] live in our own time, in the West, with respect for ourselves and for others” (Ramadan, 2004, p. 3). Ramadan wants to deepen his reflection on the Islamic sources and bring them up to date with the socio-political reality of the West. He takes inspiration from local dynamics in Muslim association groups. *Western Muslims and the Future of Islam* identifies Ramadan as a Muslim thinker dedicated to a true reform of Muslim identity (Alibhai-Brown, 2005).

Ramadan first suggested a rereading of the Islamic sources in *To Be a European Muslim: A Study of the Islamic Sources in the Light of the European Context* (1997). He was then approached by his readers asking how this was to be taken into practice. *Western Muslims and the Future of Islam* is in some ways his response to this question of practicality. Ramadan’s reinterpretation has practical implications for what it means to be a Muslim. He stresses that faith is not a rigid rule book, but “an inseparable companion with whom you constantly converse”, as one fellow Muslim scholar has interpreted Ramadan’s writings (Alibhai-Brown, 2005). In the second part of *Western Muslims and the Future of Islam*, Ramadan focuses on the practical application of his reflections in Western society, but argues that his theory of reinterpretation is meant as a first step. As such, he does not offer practical solutions. Nonetheless, he does enter into a few cases of relevance to Muslim adaptation to Western social structures. These are spirituality and emotions, reform of Islamic education, social commitment and political participation, economic resistance, interreligious dialogue, and the cultural alternative. These are not meant as rigid solutions, but guidelines to how Ramadan imagines his reinterpretation in practice. In short, he argues that Western Muslims should participate fully in the socio-political context of the West.

*Radical Reform – Islamic Ethics and Liberation* (2009) is addressed particularly to Western Muslim groups<sup>7</sup>. In this book, Ramadan reiterates his call for reform of Muslim identity, and builds on his

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<sup>7</sup> According to his publisher online:

<http://www.oup.com/us/catalog/general/subject/ReligionTheology/Islam/?ci=9780195331714&view=usa>



previous reinterpretations. The book deals with the nature and scope of his project of reforming Muslim identity. Ramadan rejects the opinion of those who have argued that his reform is a betrayal of Muslim identity. He says that his reinterpretation, like previous Islamic reformations, is grounded in Islam's textual sources and traditional Muslim intellectual discourse. However, traditional methodologies of reinterpretation has proved insufficient to the fundamental Muslim identity crisis, because challenges in modern society are too complex and "globalization is so unsettling" (Ramadan, 2009, p. 3). The "radicalness" of Ramadan's reform is that he questions not only the production of *fiqh*; "but also its fundamentals, its sources, and the mother science (*usûl al-fiqh*)" (Ramadan, 2009, p. 2). This book further develops Ramadan's radical discourse of reinterpretation by interrogating the historically established sources, reinventing the tools of reinterpretation, and questioning the traditional authority of knowledge possessed by the Islamic textual scholars (*'ulamā'*)<sup>8</sup>.

Controversially, in *Radical Reform – Islamic Ethics and Liberation* Ramadan seems to open the doors of reinterpretation to non-Muslim scholars and also call for the equal engagement of ordinary Western Muslims. The purpose is to address contemporary challenges by including a contextual element in Islamic jurisdiction and the definition of what it means to be a Muslim. Because he wants a contextual reinterpretation, Ramadan does not focus too much on putting forward concrete practical solutions. Rather, he understands his own purpose as putting forward a set of tools and a way of thinking that can be used to realign Muslim identity with various socio-political conditions. As an illustration however, he ends the book with a final section that deals with specific case studies.

Both *Western Muslims and the Future of Islam* and *Radical Reform – Islamic Ethics and Liberation* were published in the U.S. by Oxford University Press. Oxford University Press is a department of the University of Oxford, but it has publishing branches all over the world. It is the largest university press in the world. The publisher has a long history in printing scholarly and religious works. In terms of quality and outreach, Oxford University press is ranked among the highest quality publishers in the world. In an assessment by political science librarians in 2000, Oxford University Press was ranked first in terms of quality (Lewis, 2000). The publisher was uniformly respected among those participating in the assessment. Oxford University Press was also the most well-known publisher among the librarians asked in the assessment.

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<sup>8</sup> According to his publisher online:

<http://www.oup.com/us/catalog/general/subject/ReligionTheology/Islam/?ci=9780195331714&view=usa>

## 4.2 Discourse analysis and interpretation of textual sources

As my primary sources of analysis are textual, they consist of both content and style. The content is the details of Ramadan's reinterpretation of Islamic jurisdiction. In section 5, I will analyse the content of my primary sources by investigating Ramadan's reinterpretation, comparing it to the traditional *uṣūl al-fiqh*, and shed light on the consequences of Ramadan's reinterpretation for the formation of Muslim identity. However, the textual style and language of my primary sources can be used to examine the nature of Ramadan's Muslim identity formation, and the manner in which he relates and contextualizes traditional Muslim identity to a modern Western socio-political context and the discourse of modernity.

To investigate the projection and formation of social identity in Ramadan's writings, I use the methodology of discourse analysis, as found in James Paul Gee's *An Introduction to Discourse Analysis – Theory and Method* (2005). Gee (1948 - ) is a researcher in psycholinguistics and discourse analysis, among other things. I have chosen this particular strand of discourse methodology because Gee's discourse analysis introduces tools of inquiry that help us understand, interpret, and recognize different identities.

Gee introduces the important term "Discourse" with a capital "D". Discourse captures the "socially recognizable identity" that is projected through language (Gee, 2005, p. 21). Every individual belonging to a social group displays this generally accepted group identity, and in consistency and interaction with each other they together negotiate the accepted identity, proving their group formation and belonging. In some circumstances, a person's different Discourses may conflict with each other, especially when different social groups expect different identities from the person. This conflict may also find place in the person's own mind (Gee, 2005). Ramadan's Discourses may conflict because he on the one hand relates to a traditional Muslim identity while he on the other hand relates to Western modernity. The identity frame or Discourse is constantly widened and changed to contain different aspects. Still it has certain features that remain the same throughout history in order for the Discourse to be regarded as the same in different times. When a Discourse is changed to contain different aspects, the identity that extends beyond the original concepts needs to be "different enough from what has gone before, but still recognizable, it can simultaneously change and transform Discourses" (Gee, 2005, p. 27). Discourses can even be changed through combining aspects of different Discourses if your attempt to combine these Discourses "gets enacted and recognized enough, by enough people", resulting in "not multiple strands of multiple Discourses

interwoven, but a single Discourse whose hybridity may ultimately be forgotten” (Gee, 2005, p. 30). Gee’s discourse analysis provides a methodology to investigate Ramadan’s attempt to reform Western Muslim identity by looking at how the Discourse of his textual sources relate to the Discourses of traditional Muslim identity and modernity.

Gee recognizes three different ways of relating your own Discourse to existing Discourses of different social identities. The first is to use the “social language” of the social identity in question. Gee explains “social languages” as “different styles or varieties of language” used by people for different purposes in order to “enact and recognize different identities in different settings” (Gee, 2005, p. 20). Different social languages are used to project different social identities. Within the social group, this identity is recognized and the members of the group all re-confirm this identity through their own social language. Hence, adherents of a certain version of a social language accept the social identity projected by the writer, if his language is seen as belonging to this specific social language. The writer can therefore use a social language in order to reach a specific audience and to make a connection with this audience. The different social languages used can conflict with each other if they are used in wrong settings, or if the speaker tries to reach different audiences through the use of one social language. In the case of Tariq Ramadan, he must therefore use different social languages to reach Western Muslims and fellow members of the community of Western scholars. If the writer uses different social languages in one and the same setting, this might leave the adherents confused as to the social identity of the writer.

The second way in which language can relate to existing Discourses is through “intertextuality”. This refers to the instances where our words or written text relate to other words or texts that other people have said or written (Gee, 2005). Cross-referencing to words and texts that are already accepted within the social group and therefore embodies the social identity of the group will associate your own writing with this particular group. Intertextuality is a way in which the meaning that is interpreted into your text will be based on the pre-suppositions that might stem from the meaning interpreted into the texts you are cross-referencing.

The third and final way is to relate words or text(s) to “themes, debates, or motifs that have been the focus of much talk and writing in some social group with which we are familiar or in our society as a whole” (Gee, 2005, p. 21). These discussions around certain themes, debates and motifs are what

Gee calls “Conversations” with a capital “C”. Which Conversations a language relates to is interpreted by the adherer. This implies that the person interpreting your language needs to have knowledge of these themes of focus. Referring to internal issues is an effective way of addressing your words to a certain group and to relate your own Discourse to the social identity of the group you are addressing.

### **4.3 Ramadan’s intended audience**

An important question about primary sources is who they address. Ramadan’s language and textual cross-references can be used to infer which social groups and communities he wishes to reach with his writings. The tools provided by Gee’s theory of discourse analysis are social language, intertextuality, and Conversations. When you address a certain group, you will use the social language adopted by that particular group. By using a social language understood by the audience, and which they identify themselves with, the speaker obtains a certain degree of confidentiality. The technicality of a social language can make a discourse inaccessible to social groups who do not possess the knowledge to make sense of it. You can reach out to a social group by cross-referencing to other texts that are well-known and accepted by the group, and by joining in the ongoing Conversations within the group. As Ramadan is both a Muslim religious voice and a Western scholar his intended audience is not clear *a priori*.

One important observation to note is that *Western Muslims and the Future of Islam* was originally published in French, while *Radical Reform – Islamic Ethics and Liberation* was published in English. The simple fact that neither was published in Arabic indicates that they are not addressed to the Arab (or Middle Eastern) Muslim community. Since Islamic religious interpretation is intricately linked with the use of Arabic language, I argue that the two books are not primarily intended for traditional Islamic scholars. The books are intended for a Western audience, be it Western Muslims or non-Muslim Western scholars.

From the outset, Ramadan seems to address *Western Muslims and the Future of Islam* to the community of Muslim believers. As mentioned, he claims it to be a response to Muslim readers who has approached him with questions about this work. Ramadan explains that “many readers were surprised and challenged by the approach to the Islamic textual sources (the Qur’an and the Sunna) that I was proposing, and by the propositions I was trying to articulate with regard to rereading our sources” (Ramadan, 2004, p. 3). In this quote, Ramadan implicitly defines some of his readers as

Muslim. He establishes a dialogue with them by using first person plural in the possessive when referring to the Islamic textual sources as “our sources”. The fact that *Western Muslims and the Future of Islam* is a continuation of his previous work implies a continuation in the relation between Ramadan and his Muslim readers. Ramadan’s response gives the impression of Ramadan and his readers being involved in a common project: to interpret and practise how to be a Western Muslim.

Part of the social language adopted in *Western Muslims and the Future of Islam* reveals that it is intended for a special group of Muslims, those who live in the West and have difficulties aligning their religious identity with modernity. In *Western Muslims and the Future of Islam*, Ramadan quotes Paulo Coelho’s *The Alchemist* on the return to one’s inner self and God in the context of “exile” and “ordeals”. These words are part of a social language used by Western Muslims experiencing the alienating identity crisis of modernity. Ramadan consoles them by saying that this feeling of destitution does not lead them away from their faith. Rather, “exile” and “ordeals” lead Muslims towards “home” and peace: “The peace of recognition, the peace of submission (*salam al-islam*), is, deep down, a liberation” (Ramadan, 2004, p. vii). Ramadan establishes the premise of the book as being written by a Muslim to his fellow Western Muslim believers.

As *Radical Reform – Islamic Ethics and Liberation* is a continuation of Ramadan’s project of reinterpretation and identity formation, it is also addressed to Western Muslims. However, in this book Ramadan goes deeper into the methodology behind Islamic law, *uṣūl al-fiqh*, and questions the contemporary authority of the traditional interpreters of the textual sources, *the ‘ulamā*. Because of the technicality of the social language in *Radical Reform – Islamic Ethics and Liberation*, I argue that this book to a larger extent is addressed to fellow Muslim religious scholars. He speaks of complicated Islamic legal issues, a discussion that mainly Islamic scholars are initiated into. Ramadan argues that readers without the technical knowledge of Islamic jurisdiction who are more interested in practical applications can skip right to the case studies at the end of the book. He does however hold a hope that they “...may then decide to read the theoretical part at a later time” (Ramadan, 2009, p. 7).

Even if both primary sources primarily address Western Muslims, they also enter into a more academic discourse with fellow Western scholars of religion and philosophy. This is shown partly by the fact that both primary sources have a lot of intertextuality with use of Western scholarly textual

sources. One example is Ramadan's cross-reference to non-Muslim scholars such as Mircea Eliade in *Western Muslims and the Future of Islam* (Ramadan, 2004, p. 16), and Umberto Eco in *Radical Reform – Islamic Ethics and Liberation* (Ramadan, 2009, p. 196). Ramadan also joins in Conversations with a number of Western intellectuals, like the French historian Dominique Avron (Ramadan, 2004) and professors in economics, Serge Latouche (Ramadan, 2004), and Muhammad Yunus (Ramadan, 2009). Ramadan builds on Latouche's criticism of the Muslim communities who seem unwilling to reform their faith. By doing so, Ramadan is implicitly entering into, and accepting the premises of, a modern Western Discourse. The social language of the primary sources is intellectual and scholarly. This technicality of it makes it clear that the primary sources form part of a Conversation with fellow scholars, and religious scholars, both Muslim and non-Muslim. Ramadan introduces a Western, intellectual style of language into the Muslim sphere.

*Western Muslims and the Future of Islam* and *Radical Reform – Islamic Ethics and Liberation* must together be seen as both an attempt to lead fellow Western Muslims in an identity formation project, and as a contribution to the Western 'philosophical discourse' on modernity in that Ramadan joins a Conversation with fellow Western scholars. Some passages are directed towards fellow Muslims, whilst others are meant for Western intellectuals. These references are sometimes explicitly mentioned, but most often they are implicit textual references. Ramadan's heterogenic audience forces him to use different social languages in his texts. This plural focus is the root of the perceived ambiguity of Ramadan's texts and the reason for the accusations of him putting forward a language of doublespeak.

#### **4.4 Ramadan's Discourse and identity formation**

In this section, I will use discourse analysis to shed light on how Ramadan – in my primary sources – tries to align Muslim identity with modernity. Ramadan's Discourse will reveal the extent to which he projects and relates to a traditional Muslim identity. This is because social identity is communicated through the language we utter or write. Projecting an identity also consists of other components, such as action, values, and interaction. When trying to identify a certain Discourse and interpret its characteristics, I engage in what Gee calls "recognition work" (Gee, 2005, p. 29). As Ramadan's project is about relating Muslim identity to the modern Western context, I will also evaluate the extent to which Ramadan engages in the Discourse of modernity. I will show that Ramadan is not merely incorporating aspects of modernity into the Muslim Discourse, but also raising his voice and opinions within a wider Western Conversation on modernity. Finally, I will discuss to which extent

Ramadan is embarking on a social identity formation project, shaping Muslim identity in the social context of Western modernity. Theoretically, this is possible because the identity frame or Discourse is constantly widened and changed to contain different aspects (Gee, 2005). However, in order for the Discourse to be regarded as the same, certain features of the Discourse must remain the same throughout. Ramadan's engagement in both the Discourse of Islam and that of modernity might result in a creation of a new and more modern Discourse on what it means to be a Muslim in the West today.

Ramadan's Discourse reveals that he sees himself and the larger community of Western Muslims as distinctly rooted within a traditional Muslim identity. Even though his social language is influenced by Western scholarly language, the way he writes about Islam and Muslim faith throughout his studies shows that he clearly identifies himself as Muslim. His Muslim identity is firmly rooted within an Islamic frame in that he writes that Islam lies at the very heart of human nature. One passage that illustrates this social language devoted to Islamic faith is the following: "Such is the most beautiful and the most difficult lesson of Islam: you find God only by rediscovering your own nature, and the essence of your nature is the only thing that can free you from its appearance" (Ramadan, 2004, p. vii).

However, the main way in which Ramadan through his writings project a Muslim identity is through intertextuality. Ramadan firmly roots his project of reinterpretation in a traditional Muslim discourse through his references to traditional Islamic legal context. He makes a point of emphasizing how his reinterpretation is well grounded in the Islamic legal framework. He does this in order to prove to his fellow believers that this is not a different form of Islam, and that all Islamic tendencies are ultimately the same; despite different expressions they rely on the same primary sources (Ramadan, 2004, p. 23).

To emphasize his reinterpretation's belonging within the Muslim tradition, Ramadan engages in Conversations with both traditional Muslim scholars, such as al-Shāfiī, and contemporary ones, such as the Egyptian imam Yūsuf al-Qaradāwī. Ramadan argues that even a traditional scholar like al-Shāfiī agrees with him in the contextualization of Muslim legal interpretations: "as is shown by the example of al-Shafii, who modified some of his legal judgements after travelling from Baghdad to Cairo" (Ramadan, 2004, p. 50). Ramadan establishes a positive relation to al-Qaradāwī by agreeing

with him on a certain issue: “Yusuf al-Qaradawi rightly recalls, (...) that everything found in the Qur’an and the Sunna is, in itself, in harmony with “the good of humankind” in general” (Ramadan, 2004, p. 42). Ramadan, who is considered too radical by some Muslims, includes this reference in order to establish ties with a traditional Muslim social identity. In *Radical Reform – Islamic Ethics and Liberation* Ramadan continues, and extends this Conversation by naming other contemporary Islamic scholars that he feels agree with him, such as Mohammad Hashim Kamali, Muhammad ‘Abīd al-Jabīrī, and Ahmad al-Raysūnī (Ramadan, 2009, pp. 134-135).

As mentioned, Ramadan uses a particular social language of Western modernity both with regards to the formulization of his arguments and in writing the primary sources in Western languages – French and English. Throughout both books, Ramadan bases most of his arguments and ideas on rational arguments, reasoning and logic. This is the single most important aspect of the ‘philosophical discourse of modernity’, as noted by Habermas (1987). The very nature of Ramadan’s social language implies that he does not reject Western modernity and its implicated world-view and way of communicating. Ramadan is willing to engage in Conversation with the Discourse of modernity, and, as Hegel, he realizes that only by operating within the boundaries of this philosophical discourse will he be accepted as a legitimate voice on the nature and future of modernity. According to Ramadan, Muslims are fully adequate members of their respective Western countries, and should participate in and contribute to the Discourse of modernity: “Muslims have the means to enter into this debate on an equal footing, and they should do so” (Ramadan, 2004, p. 33).

Ramadan’s point of entry in the Discourse of modernity is the familiar debate of how modernity’s relativism and focus on subjectivist reason leads to a lack of deeper meaning in life. Ramadan argues that the ‘dehumanization’ and ‘alienation’ of modernity makes human beings return to their most natural state; the longing for God. Ramadan further argues that the Discourse of modernity has interpreted this return to one’s inner self in meeting with suffering as a confirmation of the idea of God as a refuge and consolation of the suffering; “a reassuring invention” (Ramadan, 2004, p. viii). Ramadan argues that this conclusion is wrong because the Discourse of modernity describes human beings from a rationalizing point of view that is lacking in its understanding of ‘sacred’ objective meaning. Modernity has created a “new world order” that has forgotten “the Creator” and depends on “almost exclusively economic” form of logic and rationalization (Ramadan, 2004, p. 73).



Ramadan stresses that Muslim Discourse has a moral authority on the issue of meaning because it deals with the “sacred”. It is based on universal principles rather than relativism. Considering the subjectivist Discourse of modernity, Ramadan argues that its focus on relativism leads reason to “getting bogged down in the contradictions and incoherencies of the absolute relativity of everything” (Ramadan, 2004, p. 32). Islam on the other hand “asserts, in the midst of postmodernism, that all is not relative, that there does indeed exist a universal, for it is a God, an only God, who has revealed timeless principles” (Ramadan, 2004, p. 32). Ramadan agrees with the main thought of modernity in that reason should play an important part in how we make sense of the world, but argues that a Discourse built around the central principles of Islam in fact has better qualifications to promote “reason” than the West. Ramadan likens his voice in the Discourse of modernity to that of the phenomenologist and religious scholar Mircea Eliade<sup>9</sup>, who – according to Ramadan – held an “insight” in his affirmation of religions playing “a part in the structure of human consciousness” (Ramadan, 2004, p. 16). In this way, Ramadan uses intertextuality to connect himself with other critical voices within the Conversation of modernity. Ramadan stresses that Western Muslims should participate in the Conversation of modernity because they have “an essential duty and a demanding responsibility”, to enrich the social context of the West by offering industrialized societies faith and religious reason (Ramadan, 2004, p. 77).

In essence, Ramadan accepts to develop his ideas within the Discourse of modernity based on rational arguments and reason, but argues that the Universality of Islam is a more ‘reasonable’ starting point on which to infer the meaning of life. Ramadan’s Discourse is firmly rooted in traditional Muslim Discourse, but at the same time enters in Conversation with the Discourse of Modernity. In this way, Ramadan’s Discourse both resembles and separates itself from the traditional Muslim Discourse. The similarity of his Discourse makes it recognizable to other Muslims and is therefore accepted among many Muslims as part of Muslim identity. Ramadan’s Discourse at the same time projects a Muslim identity willingly adapted to modernity. The question is whether this change should be recognized as merely a movement within traditional Muslim Discourse or as the formation of a new and modern Muslim Discourse and identity.

Some Muslims have found Ramadan’s Discourse to separate itself too much from the traditional view of what it means to be a Muslim. Ramadan refers to one of his lectures in the United Kingdom,

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<sup>9</sup> Eliade’s phenomenological approach is controversial among contemporary scholars of religion.

where a Muslim approached him stating that his theory of reinterpretation of Islamic law was “offensive” (Ramadan, 2004, p. 5). Ramadan is aware that his Discourse might divide him from some fellow believers, and in an attempt to include all Muslims in his definition of Muslim identity, he devotes a whole section to Muslim sceptics, where he argues that the universal principles of Islam allow Muslims to live their faith in the West. Ramadan aims to decrease the gap between himself and more sceptical Muslims who sees his ideas as too radical. But at the same time, Ramadan’s Discourse distances him from fundamentalist Muslims by using a Western social language with negative connotations to describing them as holding on to a “bipolar and simplistic vision” of the West being anti-Islamic (Ramadan, 2004, p. 5). Ramadan’s Discourse separates itself from the most traditional Muslim Discourse’s sharp division between Muslim identity and modernity.

Ramadan’s Discourse still posits Muslim identity and faith as something unique and positive. He writes that Muslims “should not submit to their environment, but, on the contrary, once their position is secure, they should be a positive influence within it” (Ramadan, 2004, p. 73). Ramadan’s mixture of Muslim and modern Discourses reflects his view that Muslim identity should not be subordinate to the overarching Discourse and socio-political structures of modernity. He sees the West as attempting to assimilate different cultural and ethnic groups into the Western ideal: “With globalization at hand, the fear is that the West – helped by an intangible Westernization of the world – will engage in a “dialogical monologue” or an “interactive monologue” with civilizations different only in name but so denatured or so exotic that their members are reduced, (...) to discussing their survival and not the richness of their otherness” (Ramadan, 2004, p. 33). These are severe accusations of the West. I argue that they originate in Ramadan’s disappointment over how “the idea of *Sharia* calls up all the darkest images of Islam” in the West (Ramadan, 2004, p. 31), and to such an extent that “many Muslim intellectuals do not dare even to refer to the concept for fear of frightening people or arousing suspicion” (Ramadan, 2004, p. 31). Hence, these Muslim intellectuals choose to assimilate into the West instead of studying the *Sharīa*, “this central notion in the Islamic universe of reference” (Ramadan, 2004, p. 31). Ramadan’s Discourse is built around the notion that Western Muslims should build their Muslim identity on the universal principles of Islamic jurisdiction as Ramadan sees them. The Muslim identity of Ramadan’s Discourse is modern only in the sense that the universal principles of what it means to be Muslim should be contextualised to the Western ideals of modernity.

Ramadan's Discourse projects a Muslim identity adapted to modernity, but it also reveals his intent of using this adapted version to engage in Conversations with the Discourse of modernity with the aim of possibly changing the Western socio-political context. Instead of preaching about principles of seclusion, Ramadan stresses that the integration of Muslims into Western contexts should be based on "an authentic dialogue, as between equals, with all our fellow-citizens with respect for the identical universality of our respective values, willingly open to mutual enrichment and eventually to becoming true partners in action" (Ramadan, 2004, p. 5).

The mere fact that Ramadan is seen as ambiguous and using 'doublespeak' both by Muslims and Western scholars reveal that his attempt to form a modern Western Muslim identity has not been universally accepted within the two different Discourses. Some Western critics view his Discourse as entrenched within traditional Muslim identity, while some Muslims view it as too modern and removed from the Muslim Discourse. Based on my personal interpretation and "recognition work", I categorize Ramadan's Discourse as both a continuation of traditional Muslim Discourse, and a truly reformist attempt in engaging in a Conversation with the Discourse of modernity. Ramadan recognizes that in the modern West this Conversation must be based on the social language of modernity. The reformed modern Muslim identity projected through Ramadan's hybrid Discourse is an example of how contemporary religious leaders might go about in contextualising and applying contemporary meaning to the social identity of religion. The next section on Ramadan's reinterpretation of Islamic sources will provide a detailed description on how Ramadan attempts to reform Muslim identity by contextualising Islamic jurisdiction.

## 5. The contextualisation in Ramadan's reinterpretation

### 5.1 Muslim identity in traditional Islamic jurisdiction

Traditional Islamic identity is formalised through juridical principles in Islamic law. Islamic jurisdiction defines what it means to be a Muslim, including specifying explicit ways in which Muslims should behave. The juridical principles have been arrived at through the use of specific methods to extract law out of the Quran and the Sunna. These two revelations are the legal sources on how to behave as a Muslim, according to both Allah's rulings and Muhammad's ideal example. *Uṣūl al-fiqh* is the concern with the sources behind Islamic law, *Sharī'a*; these sources' order of priority; and which methods can be used to deduce juridical principles from these sources (Kamali, 2003). In summary, *uṣūl al-fiqh* is the methodology of Islamic jurisdiction and legal interpretation. The traditional legal authority lies with the '*ulamā*' who have a monopoly on the practice of *uṣūl al-fiqh*. They formulate the juridical principles that guide Muslims on how to live their lives according to the Islamic legal sources, the Quran and the Sunna.

Much of Islamic jurisdiction was formalized in the early age of Islam (8<sup>th</sup> and 9<sup>th</sup> century CE). During this period, the '*ulamā*' split into the four different Islamic legal schools. These schools are named after their earliest juridical authorities, Abū Ḥanīfa, Mālik, al-Shāfiī, and Ibn Ḥanbal. The schools have a consensus on major legal issues, but differ on specific questions, leaving the major difference to be geographic (Vikør, 2003). The fall of the caliphate towards the end of the 10<sup>th</sup> century CE caused a disruption in political power. Because of this disruption, the '*ulamā*' no longer trusted the implementation of the *Sharī'a* to the political power (Vikør, 2003). After this, the '*ulamā*' not only formulated the *Sharī'a*, but also implemented it. To consolidate their legal power, the '*ulamā*' in each legal school traced their lines of legal authority back to earlier '*ulamā*' in the 8<sup>th</sup> and 9<sup>th</sup> century CE. This further embedded Islamic jurisdiction in historical context in the late formative period of Islam.

The *Sharī'a* practiced in Muslim countries today originates in the legal process described above. The practice is rigid and not open to reinterpretation. The legal rulings of the present day '*ulamā*' need to refer back to legal principles arrived at by '*ulamā*' in the 8th, 9th, and 10th century. Some '*ulamā*' even argue that because of the distance between the present day context and the historical context in which the revelations came, the door to interpretation, *bāb al-ijtihād*, is closed. As an empirical concept, *bāb al-ijtihād* is quite confusing in that the evidence supporting this idea is ambiguous. Some Muslim writers in the thirteenth century argued that the doors to *ijtihād* were closed due to

lack of knowledge among Islamic scholars. This meant that they were unqualified to make legal rulings. Because earlier Muslim scholars were closer in proximity to the Prophet and his revelations, one could not change the rulings they had already made. This view is criticized by later Muslim scholars. The idea that *bāb al-ijtihād* is closed has never been autocratic among *'ulamā'*, and according to Vikør (2003), this idea has never been fully implemented. Even so, the mere existence and use of the concept of *bāb al-ijtihād* serves to exemplify that the contextual roots of Islamic jurisdiction is seen as far away from our contemporary world. Traditional Muslim identity fitted well within this early context, but is less compatible with Western modernity. Ramadan argues that traditional *uṣūl al-fiqh* is not adapted to a modern, Western context: "a study of the debates taking place between the ulama shows that there is quite a gap between the classical concepts and the current state of affairs (*al-waqi*)" (Ramadan, 2004, p. 67).

Modernity threatens the stability of traditional Muslim identity. Traditional Muslim identity has until recently been set in a Muslim dominated context, and as such has not had to deal with modernity. Since imperialism, Islam has been confronted by Western modernity, and its ideals of socialism, nationalism, and women's rights (Kandiyoti, 2009). The traditional *uṣūl al-fiqh* is not suited to adapt Muslim identity to the modern Western context. Therefore, Western Muslims end up in conflict between their belief and modern society. Ramadan's project is to define a new Muslim identity adapted to modernity and the Western liberal context. This "modernized" Muslim identity can only be obtained by questioning "classical categorizations and methodologies" to enable a reconciliation of "the contemporary Muslim understanding with the universality of its message and the complexity of contemporary challenges" (Ramadan, 2009, p. 7). This constitutes a contextual reformation of traditional *uṣūl al-fiqh*.

Ramadan understands *Sharī'a* as not only "the idea of "establishing rules"", but more fundamentally "the path that leads to the spring" (Ramadan, 2004, p. 31). According to Ramadan, *Sharī'a* guides Muslims to a normative religious practice. It is the road to the religious goal, and shows Muslims how to be and act in order to remain Muslim. Even though it is intrinsically bound to traditional Muslim identity, Ramadan's interpretation of *Sharī'a* results in a social identity that is in line with both Western social structures and Islamic ideals. Ramadan is a contemporary Muslim religious leader who claims to have the solution to solving the identity crisis of Western Muslims.

## 5.2 Context as a source of Islamic jurisdiction

Ramadan takes a very direct approach to incorporating contextual relevance into Islamic jurisdiction. He defines the traditional Islamic sources of jurisdiction, the Quran and the Sunna, as one source of revelation, “the written Book (*al-Kitab al-mastur*)” (Ramadan, 2004, p. 14). Ramadan then introduces context as a second source of revelation<sup>10</sup>: “the Book that is spread out (*al-Kitab al-manshur* – the universe)” (Ramadan, 2004, p. 14). Ramadan’s idea that context, which he terms ‘Universe’, is a revelation is vital to his methodology of reinterpretation: “Awareness that the Universe is in fact a Revelation that must be respected, read, understood, and protected should reform our minds and our attitudes” (Ramadan, 2009, p. 234). Ramadan argues that the introduction of context as a revelatory source reaffirms the nature of Islamic principles: “the importance of the Book of the Universe, as well as the reform of law methodology I have suggested, should be enough to convince us of the importance of the Creation and of nature in the Islamic Universe of reference” (Ramadan, 2009, p. 233). By reading the two Books in light of each other, reality will be read into the revelations, and Islam will adapt to a modern, Western context with all its ideals. Ramadan’s addition of Universe as the second revelation to *Sharī’a*, differs from traditional *‘ulamā* who do not include Universe, or context, as a revelation. The addition of Universe to the revelatory sources is controversial, and one of the most radical components of Ramadan’s identity project.

When describing the two different revelations, Ramadan writes: “With the turning of the pages and the passage of time, it takes shape and allows us better to find an order in divine commandments, human characteristics, and the meaning of the effort toward bringing about harmony and justice, which is required of humankind” (Ramadan, 2004, p. 14). Whereas “the turning of the pages” refers to the Written Book, “the passage of time” refers to *al-Kitāb al-manshūr*. In this passage, Ramadan points to the dynamic connection between the two Books. They complement each other, because to understand one you need to understand the other: “This mirror reading of the two Books, of the two Revelations, requires us to think through the higher objectives of Islam’s message in a new, more rigorous, specialized and necessarily dynamic manner” (Ramadan, 2009, p. 316). This highlights Ramadan’s concern of reinterpreting the legal sources in light of a modern, Western context. Allah’s written revelation, the Written Book, was set in time, and cannot be understood and made to count in another era without a contextual concern. This contextual concern is to be found in *al-Kitāb al-*

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<sup>10</sup> Whereas Ramadan describes the Universe as the second source of revelation, and the Quran and the Sunna as the first revelation, traditional Islam defines the Quran and the Sunna as the first and second revelation. In this study, I use Ramadan’s definition, and consequently refer the Quran and the Sunna as the first source of revelation, and Ramadan’s introduction of Universe as the second source of revelation.

*manshūr*: “all of us are required to return to ourselves and to rediscover the original breath, to revive it and confirm it. In order for this to be achieved, the Creator has made available to human beings two kinds of Revelation. One is spread out before us in space – the whole universe. The other stands out in history at points in time” (Ramadan, 2004, p. 17). Whereas the contextual Revelation is there at all times, the Written Book has been revealed at points in time, where the last revelation was to Muhammad. The Written Book is coloured by its time of revelation, and hence the context, *al-Kitāb al-manshūr*, needs to be taken into account in order to adapt the Written Book to a modern era. By adding Universe as a second source of revelation, Ramadan makes context an intrinsic part of legal interpretation. There is hardly a more explicit way of incorporating contextual relevance into the interpretation of Islamic jurisdiction than by including it as a revelatory source.

For Western Muslims, the contextual concern is found in their local Western social context. This implies that Muslims living in different Western societies will encounter different realities, and their reinterpretations will vary according to these different local contexts. Ramadan stresses that different local variations of Islam are all rooted in one Islam, and “beyond the diversity of their national cultures, the essence of their faith, their identity, their being in the world, is the same” (Ramadan, 2004, p. 9). To arrive at this universality, Ramadan’s reinterpretation is a combination of using the classical principles of jurisdiction and examining the “relationship between human knowledge (religion, philosophy, the experimental and human sciences, etc.) and applied ethics” (Ramadan, 2009, p. 4). This inclusion of other aspects than the traditional Islamic sources in Islamic jurisdiction is revolutionary within the field of Islamic legal thought. Hence, Muslims share a religious identity which originates in the essence of their faith, but on a more local level this identity will be expressed in different ways and have variations adapted to different contexts. This universal Muslim identity is grounded in adherence to fundamental principles, but allows for local transformation “clothed in Islamic principles” (Ramadan, 2004, p. 9).

Ramadan argues that the universal principles of Islam can be made clear by comparing the textual source of revelation to the contextual source of revelation: “First, our relationship to the texts and to the Universe must be revisited: we are faced with two Revelations that need to be read and understood in parallel” (Ramadan, 2009, p. 315). Human reason is needed in this process: “human reason finds itself between two books, each of which, as an object of study, determines and imposes specific methodologies” (Ramadan, 2004, p. 60). The methodology in question is to use the principles of *‘thābit*, “unchangeable”, and *‘mutaghayyir*, “subject to change” (Ramadan, 2004, p. 9) (Ramadan,

2009, pp. 17-18). There are some Islamic principles which are not subject to change. These are the universal principles which unite all Muslims. Other principles are subject to change, and it is these principles which can be interpreted in correspondence with their contextual, local variations. Ramadan sees different interpretations from the same textual sources as necessary and inevitable. Therefore *ijmā'*, consensus, is not as important as in traditional Islam.

The aim of Ramadan's identity project and theory of reinterpretation is to adapt a Muslim identity to a modern, Western context, and practice a reinterpretation of the Islamic legal sources in light of this modern context. The context is changeable and heterogeneous, in that contexts differ in different times and places. When reinterpreting the *Shari'a*, the context needs to be taken into account so that the Muslim identity can be connected to the context's social structure. The Universe, defined by Ramadan as the social context or society; *al-wāqī'*, is the fundamental theme behind Ramadan's theory of reinterpretation. His understanding of Universe as the contextual concern goes hand in hand with his theory of reinterpretation in the light of context. Ramadan stresses that Muslims must, through their Muslim identity, be part of their context's social structure. Muslims must engage in their context "among other human beings, and put his energy into this constant dialectical movement between the essential principles determined by Revelation and actual circumstances" (Ramadan, 2004, p. 37).

With his reinterpretation of Islamic legal principles and inclusion of the contextual revelation, the Universe, Ramadan enables a formation of a Western Muslim identity. This identity is rooted in classical Islamic principles and adapted to a Western modern context. It is an alternative approach in facing a modern context where "classical methodologies and their instruments are reaching their limits as they stumble across contemporary challenges and questionings" (Ramadan, 2009, pp. 135-136). This is, according to Ramadan, not so much a reform of Islam as it is a reform of the contemporary world: "what matters is to know what Muslims (...) can contribute, without dogmatism and in collaboration with other traditions, to the ethical reform of the contemporary world" (Ramadan, 2009, p. 148).

### **5.2.1 Which parts of Muslim identity are open to Ramadan's contextualization?**

Ramadan's theory of reinterpretation enables Western Muslims to live in accordance with both their faith and Western values. But to engage in this reinterpretation in light of a modern context,



Western Muslims need first to identify which Islamic principles are open to a contextualisation. According to Ramadan, there are principles that are open to contextualisation, *mutaghayyir*, and principles that are in themselves universal, and therefore not open to contextualisation, *thābit* (Ramadan, 2004, p. 9). Typical universal principles include internal values and ethical principles: “faith in the Only One, the shared origin and destiny of humanity, the demand for truth and justice, essential diversity and its consequent necessary respect, the constant presence of adversity and deceit, the duty to resist and reform” (Ramadan, 2004, p. 21). Ramadan also includes rituals and prayer among the universal principles of Islam.

On the other hand, Ramadan stresses that almost all principles dealing with social matters, *al-mu‘āmalāt*, are *mutaghayyir* and open for contextual reinterpretation (Ramadan, 2004, p. 21). The specificity of the principles of *al-mu‘āmalāt* are better understood when keeping in mind that the revelation was revealed to the Prophet over a period of twenty-three years, and can be precisely dated according to their contextual origin. Ramadan argues that the historical time of revelation limit the universality of these principles as they are “expressed in pronouncements affected by circumstance, open to evolution, accessible to reason in a historical setting” (Ramadan, 2004, p. 21). Ramadan stresses that Muhammad, and therefore the revelations, were affected by time and place. Ramadan encourages a human derivation of *al-mu‘āmalāt*’s absolute and relative meaning. This derivation will retrieve these principles’ universality, and enable an adaption of them to a modern context: “applied Islamic ethics must take into account not only the texts’ explicit norms and prohibitions but more systematically the requirements of contexts and of human, social, and scientific environments” (Ramadan, 2009, p. 316). With an interpretation like this, one can derive the ruling’s cause, and discover whether this ruling is transmittable to similar situations in different contexts. In Islamic legal practice this process of analogy is called *qiyās*. This ‘analogical reasoning’, where the text’s explicit legal focus is expanded to also count for general cases, is one way of practicing *ijtihād*. This is done through identifying the effective cause, *‘illa*, behind a text’s specific meaning, *aṣl*. If both the text’s specific meaning, *aṣl*, and the general case, *far*, share *‘illa*; “effective cause”, they will accordingly also share the principle of prohibition, *ḥukm* (Vikør, 2003, pp. 61-62). The original prohibition is then expanded to count for general cases. *Qiyās* is one of the main tools of the traditional methodology of *uṣūl al-fiqh*. Ramadan’s argument that some principles of Islamic jurisdiction are open to contextual reinterpretation is therefore not entirely reformatory when compared to traditional practice.

### 5.3 Ramadan's tools of reinterpretation

Ramadan stresses that his reinterpretation is “anchored in the Islamic tradition and amplified from within it: in this sense it is both deeply classical and radically new” (Ramadan, 2004, p. 3). Ramadan extracts tools from traditional Islamic *uṣūl al-fiqh* to use in his reinterpretation. By using these traditional tools, Ramadan roots his reinterpretation within traditional Islam because he wants his modern reformation to be a continuation of traditional Muslim identity. From traditional *uṣūl al-fiqh*, Ramadan chooses the tools that are connected with context and human reasoning. He tweaks the meaning of them in order to use them as tools of contextualization. His three chosen, and altered, tools are *ijtihād*, *maṣlaḥa*, and *fatwa*. Together, they “provide a way of making a connection between universal principles and social realities that change with the passage of time and cultures” (Ramadan, 2004, p. 37).

Ramadan argues that the legal process leading to concrete Islamic juridical principles is the result of human deductions: *Sharī'a*, “deduced and constructed a posteriori, is the work of human intellect” (Ramadan, 2004, p. 34). This view of *Sharī'a* is actually well founded in the literal translation of *ijtihād*: “struggle”, which implicates that a personal struggle and intellectual activity is needed, as noted by Vikør (2003, pp. 59-60). Ramadan stresses that the interpreter needs to put “all his energy into formulating his own judgement” (Ramadan, 2004, p. 43). This human aspect of *ijtihād* makes it an essential tool for Ramadan to meet modernity, and adapt traditional Muslim identity to a modern, Western context. *Ijtihād*'s method uses reason, which is an important aspect of modernity. *Ijtihād* “includes all the instruments used to form judgements through human reasoning and personal effort” (Ramadan, 2004, p. 45). As such, Ramadan engages in a traditional Muslim practice which is in conformity with modern ideals. Ramadan understands *ijtihād* to be Muslims' most important tool in adapting to modernity. It “fulfil[s] the universal vocation of Islam, through a constant dynamic of adaptation in response to the time and the context” (Ramadan, 2004, p. 48).

However, there are limits to the extent to which Ramadan sees *ijtihād* as a tool to contextualize Islamic jurisdiction. Ramadan agrees with traditional Muslim scholars in that *ijtihād* should only be used when the textual sources are unclear: “Hashim Kamali quite rightly recalls the general principle (about which the ulama are unanimous), according to which there can be no *ijtihād* when an explicit text exists in the sources” (Ramadan, 2004, p. 43). When a clear text already exists, *ijtihād* cannot be practiced. But, in a modern Western context, Muslims are bound to encounter situations where the

Islamic sources will prove insufficient. It is in these cases that Ramadan urges Western Muslims to embark on a reinterpretation of Islamic sources in order to be able to live in accordance with Islam in the West. *Ijtihād* is a solution when the sources are silent.

The use of *ijtihād* to provide rulings in new contexts is not new to traditional *uṣūl al-fiqh*. Ramadan points to the fact that *ijtihād* “has been used to justify all kinds of new judgements” (Ramadan, 2004, p. 43). ‘*ulamā*’ use *ijtihād* on the Islamic sources and end up with a legal decision through *ijmā*, consensus. In principle this use of *ijtihād* should be flexible because *ijmā* could be questioned at a later stage, and even abrogated by a new *ijmā* (Ramadan, 2004, p. 45). In practice, however, ‘*ulamā*’ have a rigid definition of *ijmā* as set and firm. A legal decision made by *ijmā* cannot be abrogated by another *ijmā* given at a later stage. In fact, even a text from the Quran or the Sunna cannot abrogate a given *ijmā*. *ijmā*, at once it is established, is eternal (Vikør, 2003, pp. 88-89). Therefore, Ramadan’s perception of *ijtihād* provides more contextual flexibility than the traditional perception does.

In addition to *ijtihād*, Ramadan proposes that *maṣlaḥa* is a fundamental tool to a reinterpretation of *Sharīa*. *Maṣlaḥa*, “that which is beneficial”, is derived from *istiṣlah*, “to seek the good”, in verb form X, from the root ṣ l ḥ. Ramadan grounds his use of *maṣlaḥa* with a reference to imam Mālik, who “In his legal research, (...) used the example of the Companions – who formulated numerous legal decisions in the light of the common good while respecting the corpus of the source – to justify the fact that “to seek the good” (*istiṣlah*) is one of the fundamentals of the *Sharia* and so is part of it (Ramadan, 2004, p. 38). In a further reference to traditional Islamic scholars, Ramadan uses the wording of Abu Hamid al-Ghazali to describe how he perceives *maṣlaḥa*: “In its essential meaning, *al-maṣlaḥa* is a term which means to seek something beneficial [*manfaa*] or avoid something harmful [*madarra*]. (...) What we mean by *maṣlaḥa* is the preservation of the objective [*maqasid*] of the Law [*shar*], which consists in five things: the protection of religion, life, intellect, lineage, and property” (al-Ghazali, 1970, pp. 286-287).

The traditional ‘*ulamā*’ disagreed on the use of *maṣlaḥa* and whether it was actually needed. Ramadan discusses how ‘*ulamā*’s different positions on *maṣlaḥa* rely on a classification of *maṣlaḥa* into three different types, based on their proximity to the Islamic sources (Ramadan, 2004, p. 40). *Maṣlaḥa* ‘*mutabara*’, meaning “accredited”, is when *maṣlaḥa* is based on textual evidence. ‘*Mulgha*’, “discredited”, occurs when *maṣlaḥa* contradicts an undisputed text, and hence it cannot be

considered legitimate. *'Mursala'*, meaning “undetermined”, occurs when no text is available and the *maṣlaḥa* is neither rejected nor confirmed by the Sunna or the Quran. According to Ramadan, this third form of *maṣlaḥa* gives *'ulamā'* room “to use their own analysis and personal reasoning in order to formulate a legal decision in the light of the historical and geographical context” (Ramadan, 2004, p. 40). Accordingly, *maṣlaḥa 'mursala'* fits well with Ramadan’s reinterpretation of the legal sources in light of a modern, Western context where no text exists in the Quran or the Sunna. Similar to *ijtihād*, *maṣlaḥa 'mursala'* makes traditional Islam compatible with modernity; reason and rationality.

The concept of *maṣlaḥa*, and especially *maṣlaḥa 'mursala'*, is in line with Ramadan’s theory of reinterpretation in that it offers the interpreter room for reason and adaption to a historical and temporal context. *Maṣlaḥa* also offers solutions in accordance with *uṣūl al-fiqh* in matters occurring as a result of a modern Western context, where actual legal principles cannot be found in the Islamic sources. In these instances, the interpreter can use *maṣlaḥa 'mursala'* to end up with a legal formulation neither rejected nor confirmed by either the Quran or the Sunna. Some of the more traditionally oriented *ulamā'* do however not view *maṣlaḥa 'mursala'* as a legitimate tool of reinterpretation. This is according to Ramadan due to their “fear (...) that such a notion, with such broad scope, might then allow the ulama to formulate regulations without reference to the Qur’an and the Sunna on the basis of exclusively rational and completely free reasoning” (Ramadan, 2004, p. 40). Therefore, this principle that Ramadan finds to be a meeting point between traditional Islam and modernity, is by some *'ulamā'* regarded as free human deductions without reference to the legal sources. But Ramadan argues that *maṣlaḥa* is deeply rooted in Islam: “To seek for the good (*maslaha*) of man, in this life and the next, is the very essence of Islamic commandments and prohibitions” (Ramadan, 2004, p. 42).

*Maṣlaḥa 'mursala'* has been regarded as a contextualizing tool also within traditional *uṣūl al-fiqh*. *Maṣlaḥa*’s philosophical meaning in regards to the *Sharī'a* is defined by al-Shāṭibī (d. 1388) from Granada. Al-Shāṭibī distinguished between *'ibādāt*, principles that cannot be changed, and *mu'āmalāt*, human relations subject to change. Whereas the first are principles concerning human’s relation to Allah, and hence not subject to change, the latter are laws of Allah based on the common good, and as such needs adaption to the ever changing context and social structures (Vikør, 2003, pp. 72-73). *Maṣlaḥa* here enters the picture through principles of *mu'āmalāt*. Muslims’ context and social structures change, and hence rules for *mu'āmalāt* cannot be static. They have to change according to society. Therefore Ramadan’s use of *maṣlaḥa* finds resonance in traditional *uṣūl al-fiqh*.

The third and final tool in Ramadan's reinterpretation is *fatwā*. Ramadan's perception of *fatwā* is not significantly different from that of traditional *uṣūl al-fiqh*. There are three different forms of *fatwā*: 1) The private *fatwās*, which often focus on *ibādāt*, which is the relation between Allah and humans, mainly concerning rituals, 2) The political *fatwās*, which are similar to private ones in that they only concern one person, in this case a political actor asking the *muftī* for advice, and 3) The juridical *fatwās*, the most common form of *fatwā*, which is issued in lawsuits (Vikør, 2003, pp. 138-139). *Fatwā* is applied by a *mujtahid* or *muftī* in two different ways. The first is when the scholar can find an unequivocal answer from a text in the Quran or the Sunna. The *fatwā* then "consists of a quotation and a restatement of the authoritative proof" (Ramadan, 2004, p. 49). The second appears when a text from the Quran or the Sunna is absent or open to interpretation. In these cases, the "*mufti* must give a specific response in the light of both the objectives of the *Sharī'a* and the situation of the questioner" (Ramadan, 2004, p. 49). Due to the personal form of a *fatwā*, it is seldom transferable. This is "because it is a legal judgement pronounced (in the light of the sources, of the *maslaha*, and of the context) in response to a clear question arising from a precise context" (Ramadan, 2004, p. 49).

Ramadan's use of *fatwā* is a way to combine traditional elements of Muslim identity with the socio-political context of modernity. He stresses that a *fatwā* must be founded in the Islamic sources, and the specific contextual situation in which it was revealed needs to be taken into consideration. Accordingly, *muftīs* and *mujtahids* must do their uttermost to reach good *fatwās* based on the context in which the question was put forward (Ramadan, 2004, p. 49). Just like *ijtihād* and *maṣlaḥa* then, *fatwā* is line with Ramadan's theory of reinterpretation in light of the modern, Western context. By using *fatwā*, Muslim identity can be brought into accordance with modern, Western social structures.

Through the use of *ijtihād*, *maṣlaḥa*, and *fatwā*, Ramadan incorporates every main classical Islamic juridical tool into his theory of reinterpretation. Therefore his methodology of reinterpretation should be seen as a continuation of Islamic traditional jurisdiction. But Ramadan's reinterpretation also departs from traditional *uṣūl al-fiqh*. He takes some juridical tools out of their traditional context, while he emphasizes other tools that are marginal in traditional *uṣūl al-fiqh*. The contextual focus in Ramadan's methodology of reinterpretation might sometimes lead to conflicting

interpretations. A *fatwās'* contextual concern leads to multiple differing *fatwās* on the same legal issues. This is also the case of *ijtihād*, because the human deduction behind it may lead to conflicting interpretations based on the same principles. According to Ramadan, this does not oppose the idea of Islam as one: "the *fatawa*, with all their diversity, and sometimes contradiction, still remain Islamic and authoritative" (Ramadan, 2004, p. 50). Different contexts and social structures demand different interpretations. Ramadan's perception of conflicting interpretations is that the universal principles of Islam will take different shapes in different contexts, and that this does not represent a problem.

Ramadan cannot promise that the three juridical tools of *maṣlaḥa*, *ijtihād*, and *fatwā* will solve everything for Western Muslims, but he proposes it as a solution on where to begin. He states that "A study shows that they present a significant amount of leeway for proposing new readings of the sources, finding new responses or thinking of innovative models of social and even economic organization" (Ramadan, 2004, p. 37). In order for Western Muslims to use these tools, they must first and foremost set out to discover what is "Islamic" in Western societies, namely that which is not opposed to Islamic ideals of ethics and prohibitions. Western Muslims can adopt these features as their own. Secondly, Western Muslims must turn to the features not accepted by Islam, and appropriate the three tools on these features. *Maṣlaḥa* is used "in order to delineate from within the West the limits of the public good" (Ramadan, 2004, p. 54). *Ijtihād* and *fatwā* are used "to identify the margins available for maneuver between the situations in which we are free to act in accordance with our conscience and the more rare situations where we must find possible legal adaptations" (Ramadan, 2004, p. 54). Accordingly, Western Muslims are able to live in accordance with Western societies' legal systems as long as these legal systems do not directly violate Islamic juridical principles.

## 5.4 Context scholars

In the section above I discussed how Ramadan adapts the classical tools of *uṣūl al-fiqh* so that they provide a source of contextualization in the reinterpretation of Islamic jurisdiction. Ramadan argues that the lack of contextual flexibility in the definition of Muslim identity is not so much down to the lack of suitable legal tools as it is due to the inability or unwillingness of the traditional *'ulamā'* to provide contemporary Western relevance to Muslim identity. "It is Muslim thinking that is stalled these days: the tools are available, and the work to be done is the double task of reading the sources and interpreting the world" (Ramadan, 2004, p. 37). In *Radical Reform – Islamic Ethics and Liberation*

(2009), Ramadan explicitly criticizes the *'ulamā'*'s monopoly, and argues that Islam needs a more holistic approach. His introduction of Universe as a second revelatory source to *Sharī'a* threatens the *'ulamā'*'s authority on legal interpretation: In addition to the knowledge required to 'reading the sources', Ramadan's methodology of reinterpretation requires contextual knowledge to 'interpret the world'. In the opinion of Ramadan, the *'ulamā'* have too little knowledge about the complexities of this social context, something which has "resulted in a situation of extreme discrepancy between the fields of knowledge" (Ramadan, 2009, p. 126).

Ramadan's solution to this "extreme discrepancy" is arguably the most radical part of his reinterpretation. He introduces the idea of Context Scholars, or *'ulamā' al-wāqī'*, as opposed to the traditional *'ulamā'* which he terms Text Scholars. *'ulamā' al-wāqī'* are specialists, regardless of their religious affiliation, who are specialized in different fields of science. The inclusion of non-Muslims among the *'ulamā'* is a revolutionary and unprecedented idea within Islamic legal thought. It is a consequence of Ramadan's wish that a modern Muslim identity should be based on a fusion of Western and Islamic knowledge. He stresses that *fatwās* can only be made if the traditional *'ulamā'* collaborate with *'ulamā' al-wāqī'*, because their scientific methods and contextual knowledge provides a way of forming the best possible rules for Muslim identity in the context of Western modernity (Ramadan, 2009, p. 130). According to Ramadan the inclusion of Universe as a second revelation, and a widening of *'ulamā'* to also include *'ulamā' al-wāqī'* "enables us to suggest a more elaborate set of ethical results (...) and an original (horizontal and vertical) categorization of higher objectives"<sup>11</sup> (Ramadan, 2009, p. 5).

Regarding the details of the selection of *'ulamā' al-wāqī'* and the nature of their cooperation with the traditional *'ulamā'*, Ramadan notes that "those specialists (scientists or experts) with the best mastery of contemporary scientific knowledge within their specialities and the research techniques related to them must be integrated into the circles of text scholars during their debates and deliberations to formulate legal rulings, the *fatāwā* about specific issues" (Ramadan, 2009, p. 130). These scholars, *'ulamā' al-wāqī'*, are experts on the "extratextual" sources, and do not have to be Muslim (Ramadan, 2009). They are specialized in their scientific fields, and it is necessary that they are included among *'ulamā'* at an equal level, with "equal proficiency and legitimacy" (Ramadan,

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<sup>11</sup> These higher objectives are religion, life, the intellect, progeny, wealth, and according to some, dignity (Ramadan, 2009, p. 323).

2009, p. 132). Hence, Ramadan envisions contemporary Western scholars as members of ethical committees, consisting of both '*ulamā' al-wāqī'* and '*ulamā' al-nusūs*, Text Scholars, together contributing to a reinterpretation of Islamic sources on an equal level (Ramadan, 2009). These ethical committees are as such both modern and Islamic in that '*ulamā' al-wāqī'* do not have to be Muslim. Still they contribute to Muslim ethics in light of a contemporary modern world. Ramadan is concerned with rooting his reinterpretation both within a Muslim and Western tradition.

Ramadan's reinterpretation deprives the '*ulamā'* of their traditional monopoly on legal interpretation and decentralizes legal authority in giving all Western Muslims the responsibility to discover the principles that are "unchangeable (*thabit*) from what is subject to change (*mutaghayyir*)" (Ramadan, 2004, p. 9). Western Muslims need to establish knowledge of their societies and its sciences, and make reinterpretations of classical principles based on this (Ramadan, 2004). This legal empowerment to all Muslims is a sign of a democratic process, where regular lay Muslims are given the powers to interpret the Islamic sources themselves: "All Muslims are invited first of all to this study, this initiation, this self-knowledge" (Ramadan, 2004, p. 224). There is no restrictive definition regarding the formal Islamic legal education of these Muslims except that they are required to have a prior knowledge of *uṣūl al-fiqh*. Ramadan (2009, p. 6) "call[s] for a general awakening and a critical evaluation of all consciences and all skills", including "those of ordinary Muslims". The way in which Ramadan empowers each individual Western Muslim to perform his own personal interpretation of what it means to be a Muslim reveals that the tag "Muslim Martin Luther" is not too inappropriate.

But, Ramadan adds that until knowledge of traditional legal sources and Western sciences is obtained, Western Muslims must cooperate with their Eastern fellow believers and traditional '*ulamā'* (Ramadan, 2004, p. 6). Consequently, Western Muslims are dependent on classical *uṣūl al-fiqh* when encountering what is explicitly forbidden by Islamic classical specialists or in the Islamic sources. Ramadan offers a diplomatic approach in his identity project: He opens up for a democratic reinterpretation, but limits it by demanding in-depth knowledge of both *uṣūl al-fiqh* and the Western social context before a reinterpretation can be practiced. In addition, Ramadan writes of the interpreter as a scholar or a specialist: "It goes without saying that such work requires that the interpreter, the scholar (especially the specialist), not only be equipped with religious knowledge, but also that he have the ability to transfer these teachings into a new context, in a new era" (Ramadan, 2004, p. 22). Ramadan limits the decentralization of legal authority by stating that the interpreter needs to hold seven listed qualities in order to practice *ijtihād*. These seven qualities are a knowledge



of 1) Arabic, in order to read and understand the Quran and the Sunna, 2) the sciences of the Quran and the *ḥadīth*, 3) the objectives of the *Sharīa*, 4) questions on which there was *ijmā'*, 5) the principal of *qiyās*, “analogical reasoning”, 6) the historical, social, and political context of the *mujtahid*, and 7) “Recognition of his own competence, honesty, reliability, and uprightness” (Ramadan, 2004, p. 47).

Ramadan does not see gender as a restricting factor in determining who have the right to engage in the legal process of *ijtihād*. This is shown by his implicit mentioning of a *mujtahid*<sup>12</sup>'s gender: “the ability of the *mujtahid* (...) to extrapolate and formulate his or her own judgements” (Ramadan, 2004, p. 46). Ramadan’s use of “his or her” shows his opinion that there is principally nothing wrong with women participating in the practice of reinterpretation.

## 5.5 Ramadan’s reinterpretation in practice

Ramadan has been criticised for not “committing himself to various concrete positions” (Siddiqui, 2009). Ramadan foresees this criticism in one of his own writings: “It might also be objected that I do not always put forward concrete solutions to the various issues raised” (Ramadan, 2009, p. 5). Ramadan specifies that his reinterpretation offers a general solution on where to begin rather than answers to specific questions on how to behave as a Muslim in the modern West. “The objective here is not to provide answers to each of the questions raised” (Ramadan, 2009, p. 5). Ramadan offers the tools and methods to an Islamic reinterpretation “meant to enable European (and Western) Muslims to respond to the issues and challenges of their presence in secularized societies where religious reference plays a secondary role in public life” (Ramadan, 2009, p. 2). It is an approach that “offers a framework that does not claim to be definitive but that in effect imposes a critical revision of classical methodologies and typologies” (Ramadan, 2009, p. 5).

Still, in both *Western Muslims and the Future of Islam* (2004) and *Radical Reform – Islamic Ethics and Liberation* (2009) Ramadan deals with specific case studies of how his reinterpretation of Islamic jurisdiction might present itself within different social domains. He chooses to deal with six different social domains in each book. In *Western Muslims and the Future of Islam* (2004), Ramadan proposes the social domains of: 1) spirituality and emotions, 2) a reform of Islamic education, 3) social

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<sup>12</sup> A *mujtahid* is an interpreter who engages in the legal process of *ijtihād*.

commitment and political participation, 4) economic resistance, 5) interreligious dialogue, and 6) the cultural alternative. Some of these domains partly overlap with Ramadan's focus in *Radical Reform – Islamic Ethics and Liberation* (2009): 1) Islamic ethics and medical science, 2) culture and the arts, 3) women: traditions and liberation, 4) ecology and economy, 5) society, education and power, and 6) ethics and Universals. Ramadan argues that there is no specific reason why he chose the particular domains he writes about: it was “an arbitrary choice, which moreover did not allow for exhaustive study” (Ramadan, 2009, p. 6). I will not discuss Ramadan's position on all the domains mentioned above. I have chosen to focus on the ones I find to most reflect the intersection between traditional values of Muslim identity and the values of the modernity embedded in the Western socio-political context: Medicine and ethics; Education; Economy; Women's rights and place within society; and Social commitment.

### 5.5.1 Medicine and ethics

Ramadan states that human health is an intrinsic part of Islam. He refers to an extract from Surah 41:44: “Unto all who have attained to faith, this [divine writ] is a guidance and a source of health” (Asad, 1980, p. 736). Ramadan states that health has always been a concern for *'ulamā'* and that some were even considered experts in the field in their time: “From chapters explaining the conditions and goals of ritual purification (*at-tahârah*) to others dealing with bodily care or illnesses, in virtually every page *fuqahâ'*<sup>13</sup> – some of whom were also considered medical specialists in their own time – refer to what would today be called “medical ethics” (Ramadan, 2009, p. 159). In this way, Ramadan roots his discussion of Islamic medical ethics in traditional Islam. He also argues that contemporary Islamic thought on medical ethics is an example of a successful fusion of modern sciences with traditional Islam. He refers to the case of the first “International Conference on Islamic Medicine” held in Kuwait, in 1981. During this conference, Muslim physicians and *fuqahā'* issued a document called “the Code of Islamic Medical Ethics”. According to Ramadan, what is so special about this document is the “initial reference to the Creator [which] places the document within the Islamic Universe of reference” (Ramadan, 2009, p. 162).

Ramadan puts forward three medical issues of much debate and concern in the Muslim ethical debate today: Contraception and abortion, euthanasia and organ transplantation, and finally, AIDS.

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<sup>13</sup> Faqīh, fuqahā': Translated by Ramadan as “one who understands deeply”, and it generally refers to the Islamic jurist who “masters the sciences of law and jurisprudence” (Ramadan, 2009, p. 362).

Of these, I will discuss the debate on contraception and abortion, as this is the most widespread medical issue in the West of the three. It is also a topic that has been highly controversial among other religions. It is a prime example of the sort of identity crisis that might arise when the 'sacred' notion of human life embedded in Muslim identity intersects with important values of modernity like individual freedom of choice. In *Radical Reform – Islamic Ethics and Liberation*, Ramadan develops his viewpoint on contraception and abortion by referring to the position of other Muslim scholars.

An early conclusion on contraception within Islamic jurisdiction was that “any attempt to stop this natural process determined by God should be forbidden (*harâm*) or at least strongly objected to (*makrûh*)” (Ramadan, 2009, p. 168). Ramadan argues that contemporary *‘ulamā* have different opinions on this issue. Whereas some *‘ulamā* relied on other interpretations of certain texts, that “left room for a less rigid attitude about this issue” (Ramadan, 2009, p. 168), other scholars from the *salafî* trend “continue to oppose all contraceptive methods except in case of extreme necessity” (Ramadan, 2009, p. 168). Ramadan’s own view is that contraception is a necessary evil that should be evaluated against the need to prevent the spread of sexually transmittable diseases like HIV. He finds that Muslims have to ask themselves the ethical question: “must (...) providing condoms be banned in the name of Islamic principles, (...) or must controlled distribution of (...) condoms be officially organized, thus choosing the lesser of two evils” (Ramadan, 2009, p. 180). Ramadan clearly ends up on the latter, and accordingly in line with modern, liberal views on the issue.

Regarding abortion, the general principle in Islamic jurisdiction is that abortion is illegal in that “abortion amounts to disposing of a human being’s life and is therefore forbidden unless the mother’s life is at risk” (Ramadan, 2009, p. 171). Nonetheless, this principle is not rigid. Some *‘ulamā* have referred to a *hadîth* reported by al-Bukhārî and Muslim which allows for abortion during the first hundred and twenty days (Ramadan, 2009, p. 172). Ramadan repeats this *hadîth*: “The conception of each one of you in his mother’s womb is accomplished in forty days, then he becomes a clinging clot (*‘alaqah*) for the same time, then a lump of flesh (*mudghah*) for the same time. Then an angel is sent to blow life spirit (*ar-rûh*) into him” (Ramadan, 2009, pp. 171-172). Following this *hadîth*, human beings do not have souls during the first hundred and twenty days of pregnancy.

Ramadan himself finds that “abortion is a very serious matter and its excessive use is very real today, especially when abortion is considered as merely another method of contraception” (Ramadan,

2009, p. 172). Nonetheless, he stresses that committees of *fuqahā*, together with physicians, allowed abortion after rape, in instances of “irreversible physical and mental deficiencies” (Ramadan, 2009, p. 172), and “in cases of involuntary or accidental pregnancies” (Ramadan, 2009, p. 172). After all, in the end it is physicians, not *‘ulamā*, who have the last word: “through their expertise, [they] say how and at what point, (...) objectives and ethics could be lost, betrayed, or transgressed on” (Ramadan, 2009, p. 173). In his discussion on abortion and contraception, Ramadan implicitly sheds light on Islam’s meeting with modern values. He also touches upon the modern ideal of gender equality, when he refers to some scholars “especially from the Hanafī school, [who] admitted very early on that the decision [of abortion] primarily concerned the woman and that she could resort to abortion without her husband’s consent” (Ramadan, 2009, p. 173).

### 5.5.2 Education

Education is a social domain in which Ramadan feels that Muslims should adapt to modernity’s value of critical reasoning and rational arguments. According to Ramadan, science in the Muslim world has been backward, and as such Islam needs to confront the human sciences and establish a sustainable relationship between them. Ramadan argues that Islam has suffered from a lack of interaction with sciences since the Renaissance because the *‘ulamā* thought they had to choose between the norms of religion and hard science, and thus chose religion (Ramadan, 2004). As a result, Muslims no longer know how to connect Islam with the experimental or human sciences. Ramadan wants Muslims to adopt the positives of scientific reason and knowledge as he himself has done.

Ramadan does however also believe that Western scientific thought would benefit from a dialogue with Islamic values because: “religion’s ethical teachings give science a dignified finality without perverting its implementation or impeding its advances” (Ramadan, 2004, p. 56). Ramadan wants to connect sciences to Islamic ethics and personal intellect, but not in favour of Islamizing Western sciences. This is because scientific method, “like all the elements that make up the human being, (...) are “Islamic” *by nature*” (Ramadan, 2004, p. 60). The result is that Ramadan does not see Western sciences or scientific methods as harmful to Islam because all aspects of human beings come from the universal nature of Islam. In order for Muslims to feel comfortable with science, Ramadan proposes faith to be brought into the field of science through ethics: “it is the union of controlled scientific method and applied ethics that makes people faithful to the source at the heart of the various fields of knowledge” (Ramadan, 2004, p. 60). Ramadan aims to show that sciences are Islamic by nature.

Ramadan argues that the educational systems in Muslim majority countries are in crisis. A reform is needed because “any opening or democratization project is bound to fail if populations are kept illiterate or functionally illiterate, or if their education is based on the lack of critical thinking, on reinforcing social divides” (Ramadan, 2009, p. 278). This democratization project also involves opening up to education for women. Ramadan finds women’s access to education essential in the strife for democratization, especially when “one knows that women’s education more than anything else plays a regulating role in the management of families, family planning, social development, and the evolution of mind-sets in general” (Ramadan, 2009, p. 230). In this way, Ramadan introduces Western principles of democracy and equality in his argumentation against traditional Muslim societies’ social structures. He argues that an Islamic education in the West needs to include these modern, Western principles in order to bring the Muslim identity into accordance with the ideals of “*personal development, welfare, developing critical thinking, creativity, solidarity, and the knowledge and respect of others*” (Ramadan, 2009, p. 279).

Ramadan’s proposed solution is not to provide Muslim children with a secular Western education, but to create a system of Islamic education in the West that teaches Western Muslims the principles of Islam but also the scientific method and reason of Western modernity. By developing a Western educational system where Islam can be taught, one avoids the alternative Islamic educations which, according to him, are subject to “ritual technicalities” without spirituality, and adopt “a dualistic and Manichean approach based on “us” as opposed to “them”” (Ramadan, 2004, p. 127). The Western public school system takes another approach which Ramadan finds pleasing: it “teaches children to express themselves, give their opinions, and articulate their doubts and hopes” (Ramadan, 2004, p. 127). This focus on human reason and intellect are Western values brought into a traditional Islamic sphere.

Ramadan’s proposal of setting up an Islamic programme of education in the West is essential to his reinterpretation of the Islamic sources in light of Western modernity. This programme of education needs to be “respectful of traditions and progressive – in short, a “reformist Islam” that follows the guidance of the Prophetic tradition (...) that told us to renew our reading of it in history” (Ramadan, 2004, p. 109). As mentioned, he does not see alternative Islamic educations as sufficient in this religious education: he states that “some schools continue to serve up an education that pushes

children toward the development of two contradictory personalities” (Ramadan, 2004, p. 132). This results in a conflict of different displayed Discourses (Gee, 2005), and in a disruption of identity salience (Stryker & Burke, 2000).

Ramadan’s preferred educational alternative is to complement the already existing Western educational system with the universal principles of Islam. It is an initiative “to build the framework of a *complementary*, not *parallel*, educational approach and (...) to concentrate on establishing connections as active as possible between the education provided in the West and the overall philosophy of the Islamic message” (Ramadan, 2004, p. 134). Ramadan speaks of a social integration resulting in cultural exchange. This idea is in line with the modern ideal of pluralism. In practice, this means that parents need to take active part in following their children’s education. This can be done by proposing curriculums that can contest “some of the information provided about other civilizations as they are presented in most Western educational programs” (Ramadan, 2004, p. 135). In this way, Muslim parents could gain in-depth knowledge of one of the essential foundations of Western modernity by engaging in dialogue with Western educational institutions. Since modernity builds on subjective reason one needs to be educated in order to participate in modern societies.

### 5.5.3 Economy

The economic principles of Western capitalism are one aspect of modernity that Ramadan sees as incompatible with Islamic ethics. Ramadan finds that the West’s focus on “soulless consumerism” (Ramadan, 2009, p. 243) needs to be met with “rejecting interest – *ribâ*, imposing a purifying social tax – *zakât*, [and] risk sharing – *mushâraakah*” (Ramadan, 2009, p. 242). Ramadan agrees with the *‘ulamâ* on this issue, who have always been almost unanimous in prohibiting “any rate of interest and any form of usury” (Ramadan, 2004, p. 185). In 2004, he argued that the world opinion was beginning to see a danger in regards to the world economic order (Ramadan, 2004, p. 188). In Ramadan’s opinion, both political authorities’ violation of Islamic principles, and the instance of transactions, “undermines the foundations of Muslim identity” (Ramadan, 2004, p. 100). Nonetheless, he stresses that he does not want to turn his back on “efficiency and profitability (...) but rather to associate ethical conscience with economic action” (Ramadan, 2009, pp. 243-244).

However, Ramadan also uses the social domain of economy to argue in favour of a dialogue between Muslim and non-Muslim Westerners. The relation between Muslims and non-Islamic societies are

traditionally defined through the binary terminology of *dār al-ḥarb* and *dār al-islām*. Ramadan finds these terms “as much simplistic as reductionist” (Ramadan, 2004, p. 68), and he stresses how they are the result of human composition, not the Quran or the Sunna. They are terms meant for another era, and were useful in order to frame a certain historical context. Ramadan finds that in the area of economics the old terms of *dār al-ḥarb* and *dār al-islām* collapse: “When economic practices were restricted to the local or national level and when they gave priority to respect for the legal codes of nation states, distinction on the basis of geographical areas was legitimate. None of this now holds true, but we continue to hear ulama making distinctions between the “two worlds”” (Ramadan, 2004, p. 175). Ramadan argues that they are terms meant for another era, and were useful in order to frame a certain historical context (Ramadan, 2004, p. 69). Today however, these terms are outdated. Instead, Ramadan refers to Faysal al-Mawlawi who introduces the term of *dār al-dawa* (al-Mawlawi, 1987), “abode of invitation to God”, which refers to the Prophet and first Muslims’ period in Mecca before the Hijra.

#### **5.5.4 Women’s rights and role in society**

When entering into a discussion on the role of Western Muslim women, Ramadan aims to separate what he sees as part of a universal Muslim identity and what he sees as remnants of the historical cultural context that Muslims traditionally operated in. He refers to how this involves stepping into “age-old cultural and social heritages that remain deeply ingrained and highly sensitive” (Ramadan, 2009, p. 207). Ramadan distances practices today regarding Muslim women’s rights and role from religion and Islam, and pinpoints the practices as culturally founded. He sees the debate as not between Muslims and modernity, but rather as between two different socio-political contexts: The traditional Middle-East and the modern West: “between a Universe of submission and another holding the promise of freedom” (Ramadan, 2009, p. 208). By distancing the often suppressed role of women in Muslim majority societies from the universal principles of Muslim identity, Ramadan enables Western Muslims to adapt to the modern Western ideals of equality and freedom.

Even if he agrees to Western principles of women’s rights, Ramadan argues that Western Muslims should not adopt the Western feminist ideas, that they cannot be “assimilated with categories introduced by women and feminists in Western societies” (Ramadan, 2009, p. 208). Ramadan distances himself from types of feminism which he calls “ideologically extremes” (Ramadan, 2009, p. 340). But he also refers to Simone de Beauvoir with whom he agrees in that “What matters, as in Simone de Beauvoir’s long study, *The Second Sex*, is the analysis of the logic and representations that

must be criticized” (Ramadan, 2009, p. 340). With this reference, Ramadan diminishes his critique of feminism by emphasizing his support of de Beauvoir, who was in the forefront of the feminist movement in the West. He legitimizes his critique and puts his Muslim identity in line with gender equality.

Along the other end of the dimension, Ramadan rejects the Western cultural conception of women as “sex object[s]” (Ramadan, 2009, p. 218). The focus on women as subjects, which “grants women the means to be free” (Ramadan, 2009, p. 219), and ‘women’s being’ itself, which “determines the essence of womanhood in its dignity” (Ramadan, 2009, p. 219), is the essence of how Ramadan views a reform of the status of Western Muslim women. This implies fighting discrimination, but also to change society in accordance with women’s questions about themselves and “ask societies about the quest for meaning, their welfare, and the freedom of their being” (Ramadan, 2009, p. 219). Ramadan makes gender equality not only a case for women to fight, but places the task on society as a whole. This can, however, also be seen as diminishing women’s control of the evolvement of this issue.

Women’s dressing is one of the specific women’s issues discussed by Ramadan. On this case, Ramadan puts emphasis on Muslim clothing’s essential expression, namely modesty. He argues that “debates have reduced the meaning of modesty itself in the order of means and ends” (Ramadan, 2009, p. 219). In this respect, dress “must be part of a much more fundamental approach integrating the meaning of spiritual, psychological, and intellectual modesty along with modesty in dress” (Ramadan, 2009, p. 219). By distancing himself from what he sees as cultural propensities on the one hand, and Western’s focus on women as objects on the other, Ramadan legitimizes his own Islamic take on this. It is the ethical way, where women are not seen as objects, as he argues is the case in the West, but as free “subjects”. It is, according to Ramadan, a project where one “must start by questioning goals and not only representations” (Ramadan, 2009, p. 220). Ramadan is, however, not quite clear on this issue. At one point he stresses that women “must struggle against 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 bodies fit into a size six dress” (Ramadan, 2009, p. 221). In another instance, Ramadan stresses that Muslims should not aim to dress exactly like the Prophet did. Rather, they should follow Islamic principles of “decency, cleanliness, simplicity, aesthetics, and modesty” (Ramadan, 2004, p. 36).



Ramadan points out two specific cases in which the status of Muslim women needs to be reformed. The first is that they should be allowed the same access to the mosque as men. Despite some *ahādith* stating that women should pray at home, Ramadan stresses that “the bulk of Islam’s message as well as the Prophet’s practice suffice to show that the mosque’s space must be absolutely open to women” (Ramadan, 2009, p. 222). Today, women do not always have the same access as men to the mosque, and they are forced to pray in separate rooms. Ramadan argues that this is not good practice, and that steps towards change ought to be taken (Ramadan, 2009). Nonetheless, Ramadan finds this change to be secondary in that the essential change is “to allow women equal access to a place of worship that is clean, well-kept, and equipped with the sound system equal to that of the men’s facility” (Ramadan, 2009, p. 222). Ramadan’s modern view, inspired by ideas of equal rights of participation between both genders, can also be seen as a way of confirming the Muslim identity of Western Muslim women.

The other specific case in which Ramadan argues for a change is the role of Muslim women within the family. He expresses a concern of what he sees as a discrepancy between Islamic principles of women’s roles and duties within the family, and a reality of family crises, divorce, violence, etc (Ramadan, 2009, p. 224). According to Ramadan, *fuqahā* often agree on Muslim “male deviations” (Ramadan, 2009, p. 226), such as “the defensive, formalist discourse that is heard today about the meaning of marriage in Islam: (...) marriage is presented as a duty, (...) which, by uniting believers, should be sufficient to guarantee a union’s success” (Ramadan, 2009, p. 225). Ramadan sees this male domination as a misuse of religion, a religion whose essence originally lies in women liberation (Ramadan, 2009, p. 228). This is an example of how Ramadan approaches Islamic sources and legal principles with a rereading and legal reinterpretation in light of modern values and social structures. The result is a quest for female liberation from within traditional Islam, a liberation that is rooted in this religion’s own sources. Ramadan does however agree that some *fuqahā* today avoid the question of gender equality, and sometimes even oppose women’s rights (Ramadan, 2009, p. 226). As a result, women themselves must become involved in the debate (Ramadan, 2009, p. 221), and take active part in *fuqahā* legal councils in order to “speak out on those questions of rights, justice, and equality” (Ramadan, 2009, p. 220).

While promoting the need for change of women’s role within the family, Ramadan also stresses that the “desire for liberty and rights, for men as well as for women, cannot mean forgetting one’s individual, familial, and social responsibilities” (Ramadan, 2004, p. 143). On this subject Ramadan

expresses an ambiguity in which his essential meaning is hard to get to. He likens the rights and responsibilities of women to that of men, and concurrently he can state that women's rights cannot come in the way of family obligations. It is not suppression, exactly because he puts men in the same situation. The reason may be that Ramadan does not want to come off as working against women's liberation. It is accordingly, another form of freedom and liberation for Muslim women, as compared to "the classical model of the "liberated Western woman"" (Ramadan, 2004, p. 142). In this instance, Ramadan expresses the need for understanding from the West: "People in the West would do well to respect this other way of freedom" (Ramadan, 2004, p. 142).

In summary, Ramadan draws a dualistic picture of women's representation in today's societies as either tied down by culture or being seen as objects by the West's, where his own response is an alternative to these representations. He is both traditional and progressive in his response to different practical cases of Muslim women in a modern, Western world. He establishes his view within traditional Islam, by referring to traditional legal principles that support his position. Nevertheless, he does not hesitate to oppose traditional *'ulamā'* in their response to Muslim women's position: "It is surprising (...) to find *fuqahā'* and thinkers who are so ready to promote *ijtihād* and social and political reform literally come to a deadlock when the issue of women in Muslim-majority countries and in other Muslim communities is brought up" (Ramadan, 2009, p. 227). Ramadan opposes them by, among others, promoting love marriages and equality through dialogue between the spouses (Ramadan, 2009, p. 226). He also opposes gender discrimination in job market, with an emphasis on the right to equal payment (Ramadan, 2009, p. 220).

#### **5.5.5 Social commitment**

Regarding social commitment, and Muslim allegiance to Western societies, Ramadan asks the rhetorical question: "do they consider themselves first Muslims or Westerners?" (Ramadan, 2004, p. 93). Ramadan stresses that Muslim identity answers the question of "why", whilst a national identity answers "how". A Muslim identity, according to Ramadan, responds "to the question of being" (Ramadan, 2004, p. 93). National identity, on the other hand, "as an element of identity, it organizes, both from within 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" (Ramadan, 2004, p. 93). In order to become active participants in a Western country, Western Muslims must also conform to "how" by abiding to its national laws. According to Ramadan, there should be no conflict between the "how" of Muslims' participation in the West, and the "why" of their allegiance to Muslim faith "as long as Muslims carry

out their commitment to be active in conformity with the law and that they are not required to shed any part of their identity” (Ramadan, 2004, p. 84). This duplex ideal depends on mutual respect and agreement.

Ramadan states that Muslims have four different levels of social commitment or relation. The first level is family relations, especially between child and parents. Ramadan states that being a good child is an essential part of Muslim identity, but that one should not place commitment to one’s parents before one’s commitment to Allah: “To serve one’s parents and be good to them is the best way of being good before God” but “one should not disobey God in order to please one’s parents” (Ramadan, 2004, p. 87).

On the second level, Muslims have a commitment to the “community of faith”, based on the common religious practice, with the prayer as the single most important of these (Ramadan, 2004). The third level is also a commitment to Muslims as a social group. But while the second level is a commitment to your local social group of Muslims, the third level is a commitment to the global community of Muslims, the *umma*. Ramadan stresses that “To be Muslim, anywhere in the world, means feeling and developing this sense of belonging to the *umma* as if one were an organ in an enormous body” (Ramadan, 2004, p. 90). Therefore, Ramadan argues that Muslims should have a strong social commitment to both the local and global Muslim causes. There is however also room for a social commitment to non-Muslims within Ramadan’s framework. The communal feeling towards fellow Muslims should not encompass support for the injustice of other members. Muslims cannot accept injustice from fellow-believers even though they feel a sense of belonging to them: “On the contrary, in the name of their religion and as members of the *umma* they should stop it and even oppose it” (Ramadan, 2004, p. 90).

On the fourth level Ramadan places Muslims’ social commitment to the socio-political framework in which they operate. Ramadan suggests that the relation between the “how” of the social context and the “why” of the Muslim identity should be negotiated in unilateral contracts. These unilateral social contracts are a practical suggestion from Ramadan on how to reconcile Muslim identity with the modern Western socio-political context. Because Ramadan’s four levels of social commitment are ranked from top to bottom according to their degree of loyalty and justice, the placement of unilateral social contracts at the highest level reveals that the feeling of belonging to the *umma*

should not conflict with Muslims' belonging in the West. Through this specific interpretation of Islamic jurisdiction, and its relation to the socio-political Western context, Ramadan decreases the apparent opposition between national belonging and religious identity.

Ramadan argues that unilateral social contracts are legally binding, and that Muslims have to commit to them, even if the authorities entering into the agreement are corrupt. Ramadan emphasizes the importance for Muslims of not breaking these contracts: "if one of its points seems to go against the rights of Muslims (...) it must be discussed and negotiated, for Muslims do not have the right to break a treaty unilaterally" (Ramadan, 2004, pp. 92-93). The legal aspect here is important. The status of Western and Islamic legal principles are juxtaposed and considered equally important. According to Ramadan; "to apply the *Sharia* for Muslim citizens or residents in the West means explicitly to respect the legal and constitutional framework of the country of which they are citizens" (Ramadan, 2004, p. 95). This idea is controversial in that it breaks from more radical Muslims' view of Western Muslims never having to adhere to a law that allows alcohol and similar things forbidden by Islam. In Ramadan's view however, this argument is not relevant because Western Muslims are not forced to drink alcohol in the West, and therefore they are not forced to act against Islamic prohibitions (Ramadan, 2004). As long as Muslims are able to live according to Islamic principles in a Western country, Ramadan stresses that Western Muslims have to follow their Western country's jurisdiction.

However, Ramadan does not argue that Western Muslims' social commitment to the Western countries they live in should exceed their commitment to the universal principles of Islam and Muslim identity. If the Western socio-political context violates Islamic principles, this "how" has the potential of making Western Muslims act against their conscience of "why". In these cases, Ramadan argues that Muslim jurists should make solutions that allow Western Muslims to keep both to their Islamic principles of faith and roles as citizens. Western Muslims should in these instances also be able to refer to a so-called "conscience clause". Ramadan introduces this term as a solution in two different instances: When Western Muslims are subject to "unjust war", meaning a war that has control or power as sole goals or wars where Muslims are forced to kill fellow believers, and transactions, *ribā* (Ramadan, 2004, pp. 96-101). If the Western authorities violate Islamic principles and ethics, the contract is broken and Muslims are free to act against the authorities or political leader. Ramadan stresses, that Muslims in these cases "have the right, and the duty, to abandon him and to take power from him within the framework of the legislation in force" (Ramadan, 2004, p. 94).

When interpreting Ramadan's arguments, it is unclear whether or not Western Muslims' primary social commitment should be towards their Muslim faith or their Western nation. The unilateral social contracts should receive the highest level of commitment, but these contracts are a negotiation between Muslim identity and Western socio-political context. Ramadan argues that the inherent potential conflicts embodied in the unilateral social contracts should be negotiated through dialogue between Western Muslims and their fellow non-Muslim citizens (Ramadan, 2004) (Ramadan, 2009). Ramadan urges Western Muslims to participate in their societies so that they can become an active part of the social and political spheres, and share their cultural differences in dialogue with their fellow citizens, and engage in pluralism (Ramadan, 2009) (Ramadan, 2004). This participation leads Western Muslims to become an intrinsic part of Western social structures, and concurrently it makes modern and Western ideals an intrinsic part of their Muslim identity. Nonetheless, the religious aspect is ubiquitous in Ramadan's approach to Western social structures. In order for Muslims to live in the West, their religious belief has to be accepted, and this implies "thinking through the common legislation of societies with permanent concern for protecting the *dignity* of people, their *beliefs* (...), but also the exercise of their practices and the expression of their ethics within the public sphere" (Ramadan, 2009, p. 269).

## 6. Summary and conclusion

As we have seen, Western modernity is a context that threatens traditional Muslim identity. The difficulties of adapting religion as a social identity to changes in the socio-political context have led to an identity crisis of Western Muslims. Tariq Ramadan has, through his writings on the need for a contextual reinterpretation, tried to provide contemporary relevance to Muslim identity; in effect embarking on a project of forming a modern Muslim identity. His role as a Muslim religious leader (among others) makes his religious response to modernity, and view of what it means to be a Muslim in the modern world, an important voice with implications for the wider community of Western Muslims. In as much, a study of Ramadan's response to modernity is partly a study of what might become a broader response among Western Muslims; shedding light on the future of Muslim identity in the context of Western modernity.

I find that Ramadan's Discourse – his projection of social identity – is well rooted within traditional Muslim identity. Therefore, Ramadan's identity formation project should not be seen as a fundamental break with traditional views on Muslim identity. But Ramadan adopts several aspects and ideas of modernity in his Discourse, in practice reforming Muslim identity along the way. Ramadan seems content to enter into the debate on the future of Muslim identity in the context of modernity within the boundaries set by the Discourse of modernity. He adopts a modern social language in which he bases his ideas and proposals on rational arguments and logical lines of reason. In this way, my chosen primary sources – *Western Muslims and the Future of Islam* and *Radical Reform: Islamic Ethics and Liberation* – can be seen as contributions to the on-going discourse or conversation on the meaning of modernity, as defined by Habermas (1987). Ramadan places himself in line with a historical critique of Western modernity as 'de-sacralised' and deprived of a sense of meaning.

Since Muslim identity is formalised in Muslim jurisdiction, Ramadan's reform of Western Muslim identity takes the form of a reinterpretation of Islamic jurisdiction. His reinterpretation returns to the traditional sources, stripping Islam of its cultural propensities in order to discover the universal principles of Muslim faith and identity. Ramadan's reinterpretation separates Islamic jurisdiction into universal principles and principles that must be adapted to the surrounding socio-political context. This contextualization of the rules for what it means to be a Muslim is in itself not a novel approach within Islamic legal thought. The 'radical' part of Ramadan's reinterpretation is that he explicitly

deals with context by introducing social context, 'Universe', as a revelatory source of Islamic jurisdiction. Ramadan's methodology of reinterpretation should however be regarded as a continuation of traditional interpretation in that he adopts the interpretive tools of *maṣlaḥa*, *ijtihād*, and *fatwā* that are rooted in traditional *uṣūl al-fiqh*. Ramadan argues that *ijtihād* should be based on the simultaneous interpretation of both the traditional textual sources and the contextual source he introduces.

Ramadan's focus on both textual and contextual sources to Islamic jurisdiction leads him to another 'radical' conclusion. He deprives the '*ulamā*' of their monopoly on Islamic jurisdiction and argues that contextual knowledge should play an important part of the human reasoning needed for a reinterpretation of the revelatory sources and the formalisation of Islamic jurisdiction and principles for Muslim identity. Similar to his introduction of a contextual source as a complement to the textual sources of the Quran and the Sunna, he also introduces the concept of Context Scholars, '*ulamā al-wāqī*', to complement the traditional '*ulamā*', the Textual Scholars. Ramadan's idea that even Western non-Muslim academic scholars could participate in *ijtihād* is a revolutionary and highly controversial idea within *uṣūl al-fiqh*.

Ramadan in some ways decentralizes the authority of Muslim legal interpretation so that each individual Muslim must herself figure out how she can live her Muslim identity and practise her faith in harmony with her socio-political context. According to Ramadan, his theory of reinterpretation is more a methodology or set of guidelines on how to contextualize the principles of Islam rather than a rigid answer on how this should be done in each specific social or political context – that task he leaves to specialists and *fuqahā*' (Ramadan, 2009, p. 158). He does however share some reflections on how his methodology of reinterpretation might operate within concrete social domains. His case studies show that he is both open to Muslim identity adopting parts of Western modernity such as an educational system based on systematic scientific reasoning and women's rights. But he also rejects certain structures of modernity such as the economic system of capitalism. When it comes to whether Western Muslims should have a higher degree of commitment towards their Muslim identity or the Western country they live in, he remains ambiguous. He argues that potential conflicts between their commitments should be negotiated through the use of unilateral social contracts and that Western Muslims must actively seek a dialogue with other members of society based on mutual respect.

Ramadan's reinterpretation is well in line with Beyer's (1994) argument that some religious responses to modernity see the 'relativization' of context as "prime warrant" for the continued authenticity of religion. Ramadan uses modernity and globalization as an argument for the need to divide Islamic juridical principles into those that are universal and those that are contextual. This contextualization allows him to get to what he perceives as the universal and objective principles of Muslim faith and identity. According to Beyer's (1994) dualistic division of religious responses, Ramadan's reinterpretation and identity formation project should be viewed as a 'liberal' response in its willingness to "reorient a religious tradition towards the global whole and away from the particular culture with which that tradition identified itself in the past" (Beyer, 1994, p. 10). As Beyer's classification of religion's response to modernity into only a 'conservative' and a 'liberal' category is somewhat crude, I will now turn to explain and characterize Ramadan's religious position within Geoffroy's more detailed theory on religion's response to modernity.

Because both the Relativist and the Intransigent Positions share the common typical trait of a disbelief in modernity, Ramadan cannot be said to belong to either of them. Ramadan's project of reinterpretation and identity formation can therefore not be said to be an extremist response according to Geoffroy's theory on religious positions. The two remaining positions, The Conservative Position and the Pluralist Position are relatively moderate. They are "able and willing to live inside the dominant social frame of mind of their society" (Geoffroy, 2004, p. 41). These positions fit well with Ramadan's theory of reinterpretation in a Western context: "These two positions create a precarious balance that enables religious diversity to exist in a democratic society. The delicate balance between a mild religious defence of the status quo and a moderate ecumenical style of tolerance" (Geoffroy, 2004, p. 41). These ethical ideals are all present in Ramadan's writings.

Ramadan's view that Western Muslims should, and indeed have an obligation, to participate and contribute to what Geoffroy terms the "dominant social frame of mind" fits well with the Conservative Position. He is a moderate Muslim who does not oppose modernity, but aims to integrate it into his reinterpretation of Islam: "Religious conservatism is a moderate form of religion because it does not oppose *de facto* modernity or globality but seeks to integrate both in the project of an institutional religion" (Geoffroy, 2004, p. 41). Ramadan's method to reach his aim is through a Muslim contribution to Western socio-political structures. This is also in line with Geoffroy's



description of the Conservative Position: “the conservatives will try to slow down pluralism’s progress in society by seeking more control over public and religious institutions. They will use democratic political and economic institutions to get their conservative message through more efficiently” (Geoffroy, 2004, p. 41). Although Ramadan does not try to “slow down pluralism’s progress”, but rather defends pluralism and emphasizes its importance in society, I argue that Geoffroy’s definition of the Conservative Position is a useful categorization of Ramadan’s project of reinterpretation and identity formation.

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## A. Appendix

### IJMES TRANSLITERATION SYSTEM FOR ARABIC, PERSIAN, AND TURKISH

#### CONSONANTS

A = Arabic, P = Persian, OT = Ottoman Turkish, MT = Modern Turkish

	A	P	OT	MT		A	P	OT	MT		A	P	OT	MT
ك	ḳ	ḳ	ḳ	—	ك	z	z	z	z	ك	k	k or ğ	k or ħ	k or n
ب	b	b	b	b or p	ج	—	zh	j	j				or y	or y
پ	—	p	p	p	س	s	s	s	s				or ğ	or ğ
ت	t	t	t	t	ش	sh	sh	ş	ş	ك	—	ğ	ğ	ğ
ث	th	ṯ	ṯ	s	س	s	s	s	s	ل	l	l	l	l
ج	j	j	c	c	د	d	z	z	z	م	m	m	m	m
چ	—	ch	ç	ç	ط	t	t	t	t	ن	n	n	n	n
ح	h	h	h	h	ظ	z	z	z	z	ه	h	h	h <sup>1</sup>	h <sup>1</sup>
خ	kh	kh	h	h	ع	c	c	c	—	و	w	v or u	v	v
د	d	d	d	d	غ	gh	gh	g or ğ	g or ğ	ي	y	y	y	y
ذ	dh	ḏ	ḏ	z	ف	f	f	f	f	ا	a <sup>2</sup>			
ر	r	r	r	r	ق	q	q	k	k	آ	ʾ <sup>3</sup>			

<sup>1</sup> When h is not final. <sup>2</sup> In construct state: al. <sup>3</sup> For the article, al- and -l-.

#### VOWELS

	ARABIC AND PERSIAN		OTTOMAN AND MODERN TURKISH	
<i>Long</i>	ا	ā	ā	words of Arabic and Persian origin only
or	و	ū	ū	
	ي	ī	ī	
<i>Doubled</i>	آ	īyy (final form ī)	iy (final form ī)	
	أ	uww (final form ū)	uvv	
<i>Diphthongs</i>	أ	au or aw	ev	
	آ	ai or ay	ey	
<i>Short</i>	ا	a	a or e	
	و	u	u or ū / o or ō	
	ي	i	i or ī	

For Ottoman Turkish, authors may either transliterate or use the modern Turkish orthography.