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for the study of islam in the modern world

US Army Sergeant steps on a carpet depicting Saddam Hussein as Saladin at the Office of Reconstruction and Humanitarian Assistance (ORHA) based in Baghdad. Saladin is the Kurdish warrior who captured Jerusalem from the Crusaders in 1187.

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The ISIM solicits your response to the ISIM Newsletter. *If you wish to contribute to the* ISIM Newsletter, *style sheets are available on the ISIM website.*

Editorial

DICK DOUWES

The ISIM's five-year formative period is drawing to a close. The institute is nearly functioning at full capacity of academic staff and fellows. Last year an evaluation report was drawn up by Peter Geschiere (Leiden University/University of Amsterdam), Barbara Metcalf (University of California at Davis), and Merle Ricklefs (University of Melbourne) (see www.isim.nl). The reflection upon the ISIM's recent past and ensuing changes were the more crucial because ISIM's first and current Academic Director, Muhammad Khalid Masud, will be retiring in September 2003. His unique expertise that combines a profound and lived knowledge of Islamic law and society with a keen interest in the humanities and social sciences has shaped the ISIM research agenda over the last four years. Much to the benefit of the ISIM he succeeded in attracting the cooperation of leading scholars in the broad field of the study of Muslim societies and cultures. Some of these colleagues pay homage to Khalid Masud in this issue of the ISIM Newsletter (Eickelman, pp. 14–15; Messick, pp. 16–17, and Moosa 30–1). When I told him of these special features Khalid Masud commented jokingly that it is, indeed, preferable to see one's obituaries when still alive! Among the most modest and unassuming international scholars, Khalid Masud's legacy is already evident and the appreciation of his scholarship and intellectual acuity is not limited to Western academia. Last April he was awarded the Iqbal Award in Pakistan for his book Iqbal's Reconstruction of Ijtihad.

With his retirement the ISIM loses not only a great scholar, but also a true Muslim intellectual who shows great concern for social, political, and moral dynamics within Muslim societies and communities, including those in Europe. Much of his work is also aimed at stimulating an open and critical discourse among Muslims and connecting intellectual debates with developments at the grassroots level. In particular his observation that today too much sacredness is attached to the past (see his interview with Tayob, pp. 18–19) demonstrates this concern. It accentuates his use of the past – not to reconstruct it but to historicize the great Islamic tradition and its openness to change. In this spirit are Khalid Masud's writings on the fourteenth-century scholar al-Shatibi, which are among his most influential scholarly output.

Masud's scholarship being unique, the ISIM was of course obliged to open itself to a different profile for a successor. In its search, the ISIM relied on the joint commitment of the ISIM Chairs. Contrary to the first years, when Khalid Masud and Martin van Bruinessen were the only ISIM Chairs, with the appointments of Annelies Moors in 2001 and Abdulkader Tayob in 2002 the ISIM has gained the critical mass needed to enhance its research capacity.

Asef Bayat, the ISIM Academic Director and ISIM Chair at Leiden University from September 2003 onwards (see p. 5), has followed a somewhat different, if not reverse, trajectory of academic interests to that of Khalid Masud: Bayat started his research on the working classes, later moving to issues concerning faith. Nonetheless, both share the lived experience of dramatic change in their home countries and prolonged exile.

One of the changes that followed from the evaluation of the ISIM was the dissolution of its twin advisory committees: the International Advisory Committee and the Academic Committee. Instead, a new and single Advisory Committee is presently in formation. In particular the input of the Academic Committee has been vital in the success of the ISIM in establishing itself internationally within a short span of time, also because several of its members have been actively engaged in ISIM activities and are among the contributors to the ISIM Newsletter, this issue being no exception.

After eleven issues published in tabloid style, the ISIM Newsletter – as well as the ISIM Website – has been revamped. Some of the functions of the Newsletter have been transferred to the website, such as the international agenda of conferences and workshops, as the Internet offers a more up to date and interactive instrument. The website has more than this to offer (see p. 11). The aim is to create a greater interaction between the Newsletter and the website. Back issues of the ISIM Newsletter are available on the site (www.isim.nl) and they will also be published on cd-rom. As in the past, we invite your comments and suggestions.

LETTER TO THE EDITOR

Dear Editor,

■ *When the ISIM Newsletter 11 opens its first page with a colossal howler, there must be something deeply wrong with the author, the editorial office, or both. Stefano Allievi, in the bold-faced introduction to his leading article on 'Converts and the Making of European Islam', which is also the first paragraph of the Newsletter, calls attention to three people: Jonny Walker, 'labelled "Jonny the Taliban"'; José Padilla, 'loaded with explosives'; and John Allen Williams, 'the serial killer'. So far so good. The reader's attention is awakened. And then comes the final sentence of that little paragraph: 'These three tales have nothing in common, apart from the fact that all three protagonists are converts to Islam.'*

The reader wonders: Nothing else in common? What about a pathological obsession with violence? Do the author and ISIM wish to strengthen and further spread the idea that Islam and violence are the same? Or does it go without saying?

FRITS STAAL

Frits Staal, University of California at Berkeley
http://philosophy.berkeley.edu/staal/

■ *If Frits Staal had read my entire article instead of relying on his bad suspicion, he might have understood that a careful distinction between Islam and violence is indeed made in my work, none of which is intended in the sense as indicated by Staal. In the article, I was simply affirming that these three tales of converts – to quote from the article – '…deeply affected the American imagery and brought about a re-awakening, or even the discovery of an interest in the Islam of converts, which until recently with few exceptions was mainly considered to be a phenomenon limited to the black Muslims movement of Elijah Muhammad and nowadays of Louis Farrakhan (of whom John Allen had been a follower), and consequently almost thought of as an "ethnic" oddity'. Of course, Staal is free to find what* he *likes to find, however astounding his findings may be.*

STEFANO ALLIEVI

NEW FELLOWS

The ISIM welcomes the following new fellows:

Ph.D. Fellows

– **Chuzaifah, M.A.:**
'Indonesian Migrant Domestic Workers in the Gulf: Transnational Relations, the Dynamics of Religion, and the Construction of Identities'

– **Miriam Gazza, M.A.:**
'Raï Music in Holland:
A Question of Identity, Islam, and Gender'

Post-doctoral Fellows

– **Dr Marloes Janson:**
'Appropriating Islam: Finoos (Islamic Bards) as Brokers between Global Islam and Local Culture in The Gambia (West Africa)'

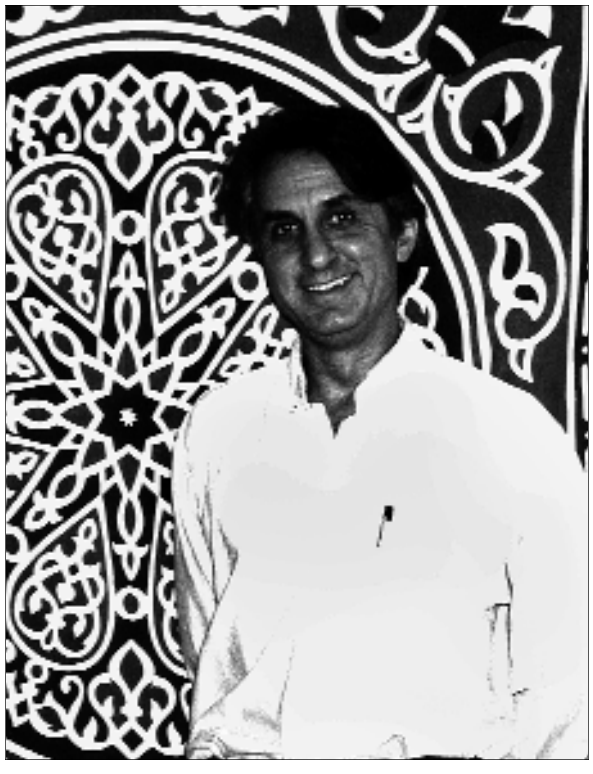
– **Dr Frank Peter:**
'Religious Authorities in French Islam:
A Case Study of "Imams" in the Union of Islamic Organizations in France (UOIF)'

Visiting Fellow

– **Dr Saba Mahmood**
University of Chicago

Asef Bayat
New ISIM Academic Director

Asef Bayat grew up in Iran in a rural Azeri-Turkish migrant community located in the central province. For the sake of schooling his family moved to Tehran in the 1960s where he attended an Islamic school followed by a government high school and then college, earning a bachelor's degree in political science. As a rural immigrant living in an urban environment and cognizant of the burgeoning political dissent in Iran, he developed a keen interest in social and political issues from an early age. He was involved in student politics from the early 1970s and participated in the Iranian Revolution, in the course of which he left Iran for England to pursue graduate studies at the University of Kent. He obtained his Ph.D. degree in sociology and politics in the Interdisciplinary Studies Programme in 1984. The following year he was a post-doctoral fellow at the Center for Middle Eastern Studies at the University of California, Berkeley. His desire to return to the Middle East, learn Arabic, and experience life in a country other than Iran took him to Egypt, to the American University in Cairo, where he has been teaching since 1986. In that period he also served as visiting professor at the University of California (Berkeley), Columbia University, and the University of Oxford.



Asef Bayat joins the ISIM as Academic Director and the ISIM Chair at Leiden University from the American University in Cairo, Egypt, where he worked as professor of sociology and Middle East Studies. He brings to the ISIM and Leiden his vast experience in the study of contemporary Muslim societies from socio-historical and political perspectives, with social movements and social change as his central focus. Bayat's own life trajectories, educational background, professional experience, research interests, and international connections complement the scholarly areas, approach, and objectives that the ISIM pursues.

With Iran, England, the United States, and Egypt as vantage points, and with linguistic competency in Persian, Azeri Turkish, and Arabic, Asef Bayat has been uniquely positioned to engage in empirical comparative research on contemporary Muslim societies that draw on and make a contribution to contemporary social theory. For his Ph.D. he studied popular mobilization during Iran's Islamic revolution and was the first and only student to conduct field research in factories and neighbourhoods during the turbulent revolutionary years. This study, *Workers and Revolution in Iran*, was published in London in 1987. Attempting to locate the Iranian experience in the broader, largely non-Muslim, developing world, he later conducted a comparative study by examining similar experiences in a number of such areas. The result was a volume entitled *Work, Politics and Power (*London and New York, 1991).

A witness to the profound social and political changes unleashed in both Iran (under the Islamic state) and Egypt (through its powerful Islamist movement), Bayat's work took a new direction. He documents broader social transformations in Iran in the book *Street Politics: Poor People's Movements in Iran* (New York, 1998), which draws partially on his own life experience and examines the particular politics of the urban poor, the *mustaz'afin*, from the 1970s through the post-revolutionary years until 1992. Theoretically, the book breaks new ground in social movement theory by offering a fresh conceptual framework ('quiet encroachment of the ordinary') to understand poor peoples' movements in the global South.

As he has become more familiar with society and politics of Egypt and acquainted with other parts of the Middle East, Bayat's research has taken on a more comparative regional dynamic. In his latest, forthcoming, book *Post-Islamism: Socio-religious Movements and Political Change in the Middle East* Bayat traces socio-religious movements in the Muslim Middle East with a particular focus on Iran and Egypt in the past thirty years. This historical-sociological study examines the transformation of political Islam into both a 'post-Islamist polity' (a project and movement that adheres to an inclusive religiosity) and a 'post-Islamist piety' (a fragmented trend of individualized piousness). Here, Bayat pays particular attention to the major agents of change – social movements of the intellectuals, the youth, students, women, and the poor – who attempt to articulate new visions of society and politics under the regimes of power that owe their legitimacy to identifying with Islamic orthodoxy. At the same time, a comparison of Iran and Egypt allows for an examination of the logic behind both the vitality and stagnation in religious thought in distinctly Muslim communities, and helps explore how socio-religious movements are able to animate, or impede, democratic transformation in the contemporary Muslim world and how they may influence the dynamics of transnational Islamist movements.

Meanwhile, Bayat continues to pursue his ongoing interests in diverse social issues pertinent to the Middle East including urbanization, social development, and the youth. He plans to expand his inquiry into the cultural politics of Muslim youth from the perspective of social movements and social change in the Muslim societies. Bayat is emphatic that scholarly inquiry includes rigorous attention to both the production of empirical knowledge and theoretical elaborations. Bayat hopes that this double engagement will serve to de-marginalize and 'normalize' the study of Muslim societies. His extensive involvement in international research networks and cooperation with scholars within and beyond the Middle East – in Sub-Saharan Africa, Southern Asia, Latin America, Europe, and North America – represent an attempt to engage questions of importance to Muslim societies with those of the non-Muslim world.

As ISIM Academic Director, Bayat will continue with and extend the ISIM's commitment to interdisciplinary and comparative research, as well as international and national outreach, by building on his vast international experience and his conviction of the need to integrate the comparative advantages of both the social sciences and humanities. His chair at Leiden's Department of Languages and Civilizations of the Islamic Middle East is particularly relevant to his commitment to such interdisciplinary engagement.

The Production of Islamic Knowledge in Western Europe

MARTIN VAN BRUINESSEN

'The Production of Islamic Knowledge in Western Europe', one of the twelve parallel workshops at the Fourth Mediterranean Social and Political Research Meeting of the Robert Schuman Centre, European University Institute's Mediterranean Program (Florence, 19–23 March 2003), was devoted to the theme of ISIM's research project under the same name (see www.isim.nl). The workshop, directed by Martin van Bruinessen and Stefano Allievi, brought together a group of mostly young scholars presently engaged in research on various aspects of religious knowledge and authority.

Eleven papers were presented at the workshop 'The Production of Islamic Knowledge in Western Europe', most of which were based on new and ongoing research. The topics discussed may be roughly classed as follows: mosque and ethno-religious association, religious counsel and fatwa, and Muslim intellectuals.

The mosque and ethno-religious association

Amiraux's paper focused on the mosque in the Rue d'Alger in Paris, which under the leadership of the remarkable Larbi Kechat has become a major centre of intellectual debate and of encounter between Muslims and non-Muslims, in a didactic setting. The mosque also engages in social counselling and contributes to practical as well as discursive knowledge of Islamic norms. Amer spoke on the Minhajul Qur'an movement in the Netherlands and Denmark, a distinct subgroup within the Barelvi movement that is gaining much influence among the younger Muslims of Pakistani background and that appears to appeal to non-Pakistani Muslims, especially the youth, as well. Along with the shift from Urdu or Panjabi to European languages, the youth movement is developing discourses and practices that are significantly different from those of the first generation and that take explicit account of the European context. Thielmann described how in a small town in Germany with a heterogeneous but predominantly Turkish Muslim population and a number of competing mosques, the increasing importance of German as a common language facilitated a shift from 'national' (c.q. Turkish) identity to ideological preference as the dominant factor in mosque affiliation.

Religious counsel and fatwa

If a distinct European Islam is developing, fatwas for Muslims in Europe are an obvious source for the study of this process, the questions (*istifta*) being perhaps even more significant than the authoritative answers. The concept of *fiqh al-aqalliyyat*, the theory of religious obligations for Muslims in a minority situation (cf. M. Khalid Masud's article in *ISIM Newsletter* 11), has rapidly gained popularity over the past few years. The institution most directly associated with it, the European Council for Fatwa and Research (Caeiro's paper, see also p. 26–7) appears to be establishing itself as a leading, although by no means uncontested, authority. An increasing number of websites offer online fatwa services for Muslims in Europe. Mariani presented his analysis of such sites and his encounter with one of the ulama behind them, the UK-based radical Omar Bakri. The discussions further touched upon the more spontaneous television and telephone fatwas and the interesting case of social counselling at a Paris mosque, where social and psychological support comes with advice on proper Muslim comportment – a sort of fatwa-giving without reference to *fiqh*.

Muslim intellectuals

Whereas the ulama – from the mosque imam to such internationally prominent scholars as Yusuf Qaradawi – may claim privileged access to religious knowledge, Muslim intellectuals, who usually depart from disciplines other than fiqh, have also made important contributions to Islamic discourses. Two papers discussed relatively neglected groups of such Muslim intellectuals: the mostly converted perennialist Sufis of the Maryami tradition, whose esotericism has also some appeal to highly educated, born Muslims in Europe (Sedgwick), and the French intellectuals of Muslim background such as Mohammad Arkoun, who are more visible in the secular French public sphere than in Muslim media (Mas). The latter may be rejected as spokespersons for Islam by many committed Muslims, but their influence on secular-minded Muslims should not be under-estimated.

Martin van Bruinessen is the ISIM Chair at Utrecht University.

PAPERS PRESENTED

- **Martin van Bruinessen *(ISIM)*:** *'Making and Unmaking Muslim Religious Authority in Western Europe'*
- **Stefano Allievi *(University of Padua: Italy):*** *'Islamic Voices, European Ears. Exploring the Gap between the Production of Islamic Knowledge and its Perception'*
- **J rn Thielmann *(University of Mainz: Germany):*** *'Challenged Positions, Shifting Authorities: Muslim Communities in a Small Town in Southwest Germany'*
- **Val rie Amiraux *(CNRS: Amiens, France):*** *'Competence and Authority in the Muslim Community and Beyond: A Case Study in Paris'*
- **Mohammed Amer *(ISIM):*** *'Emerging European Islam: The Case of the Minhajul Qur'an in the Netherlands'*
- **Alexandre Caeiro *(EHESS: Paris):*** *'The European Council for Fatwa and Research'*
- **Ermete Mariani *(Universit Lumi re Lyon: France):*** *'Fatwa on-line: Proposition pour une méthode de lecture'*
- **Mark Sedgwick *(American University of Cairo: Egypt):*** *'The Renaissance Returns to Europe by Way of Tehran: Traditionalism and the Localization of Islam'*
- **Ruth Mas *(University of Toronto)*:** *'Producing "Islam" in French: The Discourse of Muslim Intellectuals in the French Press'*
- **Nadia Fadil *(Catholic University of Leuven: Belgium):*** *'European Islam: An Individualized Religiosity? About Islamic Religiosity and its Relationship to Islamic Knowledge'*
- **Johan Geets and Christiane Timmerman *(University of Antwerp: Belgium):*** *'The Significance of Islamic Knowledge for Highly Educated Muslims in Belgium'*

The papers will be posted at the European University Institute's website: www.iue.it/RSCAS/Research/Mediterranean/mspr2003

PHOTO: STUDIO PORTFOLIO, 2003

A scene from the workshop.

Inaugural Lecture
Muslim Cultural Politics

ANNELIES MOORS

Annelies Moors holds the ISIM Chair at the University of Amsterdam for the social science study of contemporary Muslim societies. On 13 March 2003, she delivered her inaugural lecture entitled '"Muslim Cultural Politics": What's Islam Got To Do With It?' In this lecture she presented the research programme 'Muslim Cultural Politics', which she has initiated at the ISIM, and briefly summarized the results of some ongoing research projects.

'Muslim cultural politics' is shorthand for the politics of culture that Muslims engage in and consider in some sense as related to Islam or Muslim culture. This programme investigates emerging forms of culture production and performances with a focus on how particular notions, practices, and participants become authoritative while others are increasingly marginalized. Family dynamics and gender have turned out to be particularly productive as a prism to work through, both because the family and gender have strong symbolic salience and because starting from the family and gender further broadens the notions of 'the political'. It shifts the attention from politics at the level of the state to the daily-lived micro-politics of family relations and the ways in which the family is symbolically and materially employed in politics.

Central to the various research projects included in this programme is an investigation of the links between public debates and everyday life. Such a turn to the everyday is an argument for inclusiveness, connecting the public to the private in terms of how these spheres are constitutive of each other, overlap, and intertwine. Rather than seeing daily practices of ordinary people as engaged in flexible and fluid performances and creative productions versus participants in public debates as employing essentialist notions of Islam, the programme investigates the various and possibly competing notions of Islam and Muslim culture employed in public debates as well as in everyday life. Currently, projects are dealing with three fields of investigation: family law debates and the everyday, the body politics of representation, and the cultural politics of migrant domestic labour.

Family law and gold jewellery

If conventional accounts of Muslim family law have often concentrated on an analysis of texts, this programme focuses on public debates about family law and investigates people's engagements with legal institutions. Public debates in the 1990s often entailed the involvement of a greater variety of participants and publics, including not only religious authorities and state officials, but also women's organizations, the Islamists, and human rights NGOs.

Turning to other forms of engagement with the legal system, women's strategies with respect to the dower have been studied. A substantial part of the dower – the sum of money the groom has to pay the bride and that is to remain her own property – is usually spent on gold jewellery. Different categories of women do not only hold different points of view about the dower, but also engage in different practices with respect to buying and wearing gold jewellery. If, in public debates about family law reform, secularists and Islamists hold opposing points of view with respect to the dower and gold jewellery, lines of demarcation do not follow those of party politics but rather tie in with those of class, status, and lifestyle.

Covered dress and fashion

Not only wearing gold but also wearing particular styles of dress can be seen as part and parcel of Muslim cultural politics – in this case, the body politics of representation. Whereas both gold and clothing function as a way of making a statement in the public sphere, they occupy different positions in the field of cultural politics. In the case of gold jewellery women employ a quintessentially Islamic institution, the dower, and are backed by both the legal system and public opinion if they claim their rights; gold jewellery is not only a medium to construct a certain identity, but also a major source of economic security. In the case of covered dress, key concepts are not so much rights and sacrifices, but rather religious obligations and fashion, external appearance and inner states of being, and notions of individual and collective responsibility – all issues that are addressed in public debates and that women refer to when discussing their dressing styles. Yet, whereas in public debate dichotomies such as traditional versus modern, culturally authentic versus westernized, and subordinated versus emancipated are commonly employed, women's narratives point to the problems involved in employing such contrast schemes. Many accommodate to the styles of dress appropriate in their social circles, while others go against the mainstream, by either uncovering or covering more strictly. Notions of traditionality or cultural authenticity are quickly subverted when the long-term influences from Istanbul, Europe, or Saudi Arabia, as well as the importance of fashion, are taken into account.

Migrant domestic labour

A third field of research centres on the cultural politics of migrant domestic labour. During the last decades paid domestic labour, often performed by migrant women, has become a growth sector on a global scale. Forms of migrant domestic work can productively be investigated in its relations to 'Muslim cultural politics'. Religious networks and institutions are instrumental in recruitment; overt forms of 'political religion' are very present in public debates; and more covert cultural and religious notions are submerged in normative ideas about the family, labour, and domesticity. If much work on transnational migration has dealt with the engagements of male migrants in transnational political-religious movements, a focus on migrant domestic workers highlights how women take part in, and are objects of, debates about religious-cultural identities, and how they are involved in the embodied expressions of religion that are embedded in the micro-politics of domestic relations.

In short, 'Muslim cultural politics' deals with not only textual, but also embodied and material practices. It includes not only intellectuals and political leaders involved in public debates, but also subaltern women as agents. Addressing such topics as acquiring gold through the dower, covered dress and fashion, and migrant domestic labour demonstrates to what extent the lines between the public and the private are blurred. The subtitle of the inaugural lecture, 'What's Islam Got To Do With It' alludes to the unease some may feel about linking such mundane topics with Islam. Those who do not consider these topics worthy of inquiry may well work with a modernist concept of religion. This programme, in contrast, starts from the perspectives of those relating cultural politics in one way or another to Islam. This is not an argument for returning to an Orientalist perspective that sees Islam *a priori* as an all-encompassing system that determines people's lives, but for including an actor's point of view and for a thorough contextualization of cultural practices and their politics.

Annelies Moors is ISIM Chair at the University of Amsterdam.

The inaugural lecture will be published by the University of Amsterdam.

Islam, Authority, and Leadership

NATHAL M. DESSING

The ISIM and Felix Meritis (European Centre for Arts and Sciences, Amsterdam) organized a series of lectures and debates on 'Islam, Authority, and Leadership' in 2002 and 2003. The series, consisting of five meetings, dealt with the presence of Muslim intellectuals in the media, views on how to live a Muslim life in Europe, the principle of separation of church and state, the position of Muslim women in the Netherlands, and Dutch integration policy.

The first meeting in the series of lectures and debates 'Islam, Authority, and Leadership', entitled 'Would the Muslim Intellectual Please Stand Up!', discussed the presence or perhaps absence of Dutch Muslim intellectuals in the wider public debate on issues such as health, education, and the environment. Nathal Dessing, the first speaker, argued that whereas Muslim voices can be heard in the Dutch national debate on multicultural society, these voices represent only specific sections of the 'Muslim' community in the Netherlands. Particularly those who take a secularist, integrationist, and individualistic viewpoint, such as the lawyer Afshin Ellian and the writer Hafid Bouazza, take part in the debate and are well received in the Dutch media. However, for a more balanced picture of Islam and Muslims in the Netherlands, a broader variety of people should become involved in the public debate, from Islamist to atheist, from imam to secularist. Haci Karacaer and Saoud Khadje agreed, but added that after the 11 September 2001 attacks and ensuing controversies concerning some Muslims in the Dutch press, Muslims have become cautious in expressing their opinion in public and prefer to engage in discussions within the Muslim community. Fouad Laroui argued against the tendency of labelling someone a 'Muslim' on the basis of his or her name, whereas the person concerned might take a wholly secularist position.

Lonely planet guide

Tariq Ramadan and Abdulkader Tayob addressed the following questions in the second meeting, 'A Lonely Planet Guide for Muslims': What are authoritative sources for religious knowledge and how should they be used? What or whom should Muslims in Europe consult to learn more about Islam? Should they approach an imam or interpret the sources themselves? Tariq Ramadan argued that Muslims in Europe do not know how to handle authority: they lack experience in managing diversity. He emphasized the importance of an intra-Muslim dialogue, of religious independence, and of building an authoritative voice by educating people with both religious and contextual knowledge. No single person can embody these two aspects, and therefore religious bodies including experts in both fields, such as the European Council for Fatwa and Research, should be established. Abdulkader Tayob pointed to the historicity of Islam and the diversity of Muslim practice. He stressed that everyone has the right to say what kind of Muslims he or she is.

Nathal M. Dessing conducts research on Islam in Europe and is ISIM education coordinator.

PROGRAMME

- **'Would the Muslim Intellectual Please Stand Up!' (20 June 2002)**
  Speakers: Nathal Dessing (ISIM), Haci Karacaer (director, Milli Görüş, the Netherlands), Saoud Khadje (Dar al-Ilm, Institute for Islam Studies), and Fouad Laroui (researcher and writer). Moderator: Ab Cherribi (entrepreneur).
- **'A Lonely Planet Guide for Muslims' (19 September 2002)**
  Speakers: Tariq Ramadan (College of Geneva and Fribourg University, Switzerland) and Abdulkader Tayob (ISIM Chair, University of Nijmegen).
  Moderator: Peter van der Veer (ISIM co-director).
- **'Your Constitution is Not Mine!' (10 October 2002)**
  Speakers: Famile Arslan (lawyer), Sadik Harchaoui (public prosecutor), and Marc Hertogh (associate professor of socio-legal studies, University of Tilburg).
  Moderator: Steve Austen (permanent fellow of Felix Meritis, cultural entrepreneur, publicist, and consultant).
- **'The Rib of the Man' (7 November 2002)**
  Speakers: Gijs von der Fuhr (Amsterdam Centre for Foreigners), Seyma Halici (women's group, Milli Görüş), and Fenna Ulichki (Moroccan Women's Association in the Netherlands).
  Moderator: Steve Austen (see above).
- **Concluding Meeting (27 January 2003)**
  Speakers: Roger van Boxtel (Minister of Urban Policy and Integration of Ethnic Minorities, the Netherlands, from 1998 to 2002), Famile Arslan (lawyer), Haci Karacaer (director, Milli Görüş, the Netherlands), Abdulkader Tayob (ISIM Chair, University of Nijmegen), and Fenna Ulichki (Moroccan Women's Association in the Netherlands).
  Moderator: Steve Austen (see above).

Your constitution is not mine

In the third meeting, all speakers agreed that the idea of the constitutional state and the principle of the separation of church and state are multivocal concepts. Marc Hertogh, for example, argued that discussions about the constitutional state are often normative discussions, in which one group defines the constitutional state for another group, whereas they should be open discussions concerning people's ideas about the constitutional state. The constitutional state is, according to this line of thought, a contested concept. Integration policy should therefore concentrate on managing diversity through dialogue, instead of assuming uniformity. The dominant discourses in many Western European countries present Muslims as being opposed to the principle of the separation of church and state, Sadik Harchaoui argued. Muslims' struggle for basic civil rights is thus unjustly identified with rejection of this principle. Harchaoui emphasized that Muslims should try not to solve their problems outside the law of the state, but to incorporate protection against injustice in the existing laws: the state belongs to everyone, and not only to non-Muslims.

Rib of the man

'If only people could show half the solidarity with Muslim women that they have shown with Ayaan Hirsi Ali', Fenna Ulichki sighed in the fourth meeting of the series, 'The Rib of the Man'. Ayaan Hirsi Ali is the Dutch Liberal Party politician who stood up against the oppression of Muslim women by stating that Islam is a hindrance to emancipation. This and other statements about the supposed backwardness of Islam, the perversity of the Prophet, the incidence of forced marriages and marriage with a partner from the country of origin, and domestic violence all confirmed the views of many people in the Netherlands, but Muslims severely criticized her standpoints. Seyma Halici argued that wearing a headscarf and an ankle-length coat does not exclude emancipation and integration in Dutch society.

Concluding meeting

In the concluding meeting, Roger van Boxtel, Minister of Urban Policy and Integration of Ethnic Minorities from 1998 to 2002, emphasized the importance of transparency of policy, of dialogue, of institutional support through a national representative body of Muslims, of able Muslim spokespersons in the media, and of Dutch language proficiency. Integration policy has focused mainly on socio-economic inequalities, but cultural differences between Muslims and the autochthonous population have been neglected. Haci Karacaer said that dialogue is also self-criticism. In his view, Muslims cover up the truth if they differentiate between what Islam is and what Muslims do. Muslims should take people's behaviour as their starting point. Abdulkader Tayob argued that Muslims should welcome controversies, because uncomfortable standpoints can contain solutions to the community's problems: 'you can obtain understanding only through misunderstanding', to use his words.

Anthropology of Islamic Law

MUHAMMAD KHALID MASUD

In collaboration with Utrecht University, Leiden University, and the University of Amsterdam, the ISIM organized a workshop on the anthropology of Islamic law in Leiden from 14 to 15 March 2003. Convened by L on Buskens, Khalid Masud, and Annelies Moors, the workshop brought together a group of scholars working on Islamic law and practice in different parts of the world, in the fields of anthropology, history, and legal scholarship.

The point of departure for the conveners of the workshop 'Anthropology of Islamic Law' was the debate in the field of Islamic law, which centres on the relations between legal discourses produced by Muslim scholars and people's daily lives. Some earlier scholars propagated the point of view that legal texts had a major, if not determining, impact on the lives of the people, whereas others argued that legal texts have been comparatively irrelevant. Simultaneously, attention has also been drawn to the other side of the equation, that is the ways in which local practices have influenced legal discourse. Often these questions have been presented in terms of dichotomies such as universal versus local, text versus action, and theory versus practice. This workshop intended to shift the focus from dichotomies to relations. The aim was to point to the intricacies of these relations and to develop a more subtle approach by situating the discourses and practices of all participants in the field of Islamic law.

In doing so, the workshop envisaged building on the renewed interest in Islamic law witnessed during the last decades among anthropologists and historians. Whereas also during the colonial period those involved in the study of Islamic law had used ethnographic fieldwork in order to gain insight into actual legal practices, these anthropologists and historians have placed the relations between legal discourse and social processes at the centre of debate. They have done so by employing a greater variety of sources (such as court cases, fatwas, narratives) and methodologies (observation, oral history, discourse analysis) and by bringing other questions and new perspectives to the fore (such as those on gender). Their work has also influenced those working on Islamic law from other disciplinary backgrounds.

The conference opened with the inaugural lecture by Annelies Moors at the University of Amsterdam, in which she showed how an anthropological approach to Islamic law that includes the ways in which people deal with legal institutions in their everyday lives is part of her general research programme on Muslim cultural politics (see p. 7).

The papers in the workshop explored four general issues. The first issue pertained to the method of studying the normativity of Islamic law. For Baudouin Dupret, an anthropological approach to Islamic law should be praxiological; Islamic law is found in the practices of Muslims. The researcher should avoid bringing any pre-conceived ideas about what Islamic law should be. The study of normative legal texts and historical traditions is only justified if the actors themselves explicitly refer to them as such. Dupret advocated an actor-oriented approach rooted in ethnomethodology. Several other participants contested this view. John Bowen presented a different approach to the issue of normativity in Islamic law. His focus was on diversity in the intellectual debates, which he characterized as pluralism from several perspectives. The recent debates about Islamic norms among immigrants in France show that we can only understand the plurality of views by taking into account the differences in backgrounds, of local contexts, and in traditions.

A second theme was the focus on legal practice of the courts. The papers by Dupret, Stiles, Dahlgren, Kapteijns, and Rosen represented the varying ethnographic styles in studying the working of the courts. Next to an action-oriented approach focusing on actors and speech acts, attention was paid to a more conceptual approach, linking the courts to culture in general. Erin Stiles compared the working of two judges in Zanzibar, showing the existence of differing personal approaches at one time and place. Dahlgren and Kapteijns both studied the workings of colonial courts in South Yemen, arriving at very differing interpretations.

A third theme was legal writing. Houari Touati analysed the coming into being of the use of writing in legal proceedings and the creation of legal proof in early Islam. Brinkley Messick discussed the keeping of archives and legal papers in contemporary Yemen as an ethnographic phenomenon. Léon Buskens examined the collecting and trading of legal documents in present-day Morocco and the ways these materials become available in decontextualized collections in the West. Ruud Peters reviewed another aspect of legal writing: the codification of Islamic legal norms.

A fourth theme was the ethnography of the legal debate. Both Judy Tucker and Martha Mundy showed how new conceptualizations of legal norms arose out of social conflicts in the 18th and 19th centuries in Egypt and greater Syria. Masud and Bowen both analysed contemporary discussions about Islamic law in Pakistan and France. In Pakistan, a critique of Islamic law in popular poetry recitals, particularly about the sense of obligation, rights of women, and music, attracted the masses and the urban élite alike.

In the final discussion, most participants were hesitant about defining an anthropological approach to Islamic law. For some, ethnography meant nothing more than putting Islamic law in its context. For others, this focus in research was too narrow to include all the important aspects of legal activity. In their view, the people they were studying were much more engaged in conflict resolution and winning conflicts than the application of Islamic norms. Some participants stressed that legal practice should not be narrowed down to the activities of judges and muftis, since other actors and activities also deal with Islamic law. Several participants felt that more attention should be devoted to the role of the processes of state formation and colonial policies in the transformation of contemporary Muslim legal systems.

The conveners are considering the publication of a selection of the papers from the present workshop. They also hope that the debate initiated in this workshop will continue at the forthcoming conference '"What happened?" Telling Stories about Law in Muslim Societies' in October 2003 in Cairo, organized together with CEDEJ and IFAO.

Muhammad Khalid Masud is academic director of the ISIM until September 2003.

PARTICIPANTS

- **John R. Bowen *(Washington University, St. Louis):*** 'Shari'a without Fiqh: The Anthropology of Law without Law? Reflections from France'
- **L on Buskens *(Leiden University/Utrecht University):*** 'Documents without People. Attempts at a Codicological Ethnography of Legal Fragments from Morocco'
- **Susanne Dahlgren *(University of Helsinki):*** 'Court of Practice, Social Context, and Justice to Women: A Case from Aden'
- **Baudouin Dupret *(CNRS/CEDEJ, Cairo):*** 'Accounting for the Causes of Action: A Praxiological Grammar of Causal Concepts in the Egyptian Criminal Law Treatment of Moral Issues'
- **Lidwien Kapteijns *(Wellesley College):*** 'The Government Qadis of Aden: Ethnography in the Aden Archives'
- **Muhammad Khalid Masud *(Leiden University/ISIM):*** 'Popular Criticism of Islamic Law in Panjabi Folk Literature: Abida Parween Recital of Bullhe Shah' (video presentation)
- **Brinkley Messick *(Columbia University, New York):*** 'Reading Shari'a Texts'
- **Martha Mundy *(London School of Economics):*** 'Islamic Law and the Order of State'
- **Ruud Peters *(University of Amsterdam):*** 'Public Justice, Private Justice, and Legal Pluralism: The Westernization of Criminal Law in the Middle East'
- **Lawrence Rosen *(Princeton University):*** 'On the Meaning of Ownership: The Problematic of Property in Moroccan Culture'
- **Erin Stiles *(Columbia University, New York):*** 'Kadhis and Courts: Zanzibaris Islamic Judges between State and Community'
- **Houari Touati *(EHHS, Paris):*** 'Droit musulman et écriture: histoire d'une tension'
- **Judith E. Tucker *(Georgetown University, Washington D.C.):*** 'Tracking the Woman's Divorce: Khul' in Historical Context'

Gender and Conversion to Islam

KARIN VAN NIEUWKERK

There is a growing interest in the role of converts to Islam in Europe and the United States. However, whereas most converts to Islam appear to be women, this fact has been relatively neglected. The ISIM workshop on 'Gender and Conversion to Islam', held from 16 to 17 May 2003 in Nijmegen, the Netherlands, was aimed to readdress this imbalance by focusing on gender and conversion to Islam in the West. Nine scholars from various countries and different disciplines were invited to compare their research material.

The workshop 'Gender and Conversion to Islam' was opened by Abdulkader Tayob (ISIM Chair at the University of Nijmegen) and Willy Jansen (director of the Centre for Women's Studies, University of Nijmegen). The convenor of the workshop, Karin van Nieuwkerk (ISIM) gave an introduction to the theme of the workshop. Yvonne Haddad (Georgetown University) was the first guest speaker. She gave a fascinating outline of the diverse groups active on the Internet and their specific discourses on Islam that are influencing the conversion narratives of female converts. She also offered a historical background to the discourses behind *da'wa* activities and analysed the present constructions of gender that are produced in the conversion narratives.

Gwendolyn Zoharah Simmons (University of Florida) used her own experiences to contextualize conversion to Islam in America amongst African Americans. She particularly focused on the Nation of Islam (NOI). She traced the attraction of the NOI to black-nationalist sensibilities on the part of the converts, which are a product of their exclusion from mainstream American life. She analysed the gender discourse in the NOI and the subordination of women in the organization. Whereas the traditional strength of black women has been overruled, the Scandinavian case, presented by Anne Sofie Roald (University of Malmö), showed the development of a transcultural Islam in which equal gender opportunity is included. She analysed the developments from the late 1990s onwards as the last stage in the development of a Scandinavian Islam and observed a growing acceptance of cultural diversity in the Muslim community on both a global and local scale. She analysed the creolization of practice and discourse. New converts first tend to defend traditional gender systems. However, as they go through various stages in the conversion process, there is a tendency to incorporate Scandinavian ideals of gender relations in the Islamic framework. These new Muslims nonetheless diverge from the majority society in embracing concepts of equity rather than equality.

The comparison of online and offline conversion narratives presented by Karin van Nieuwkerk (ISIM) was aimed at understanding the different discourses that could help to understand why Islam can be attractive for women in the West. Besides the biographical narratives, the ethnic, religious, and gender discourses of new Muslims were analysed. Not only the content but also the different contexts in which the narratives were produced – that is, fieldwork in the Netherlands versus self-written testimonies on the Internet – were compared. Margot Badran (Georgetown University and ISIM) continued with comparative life stories of a small number of female converts from the Netherlands, England, and South Africa. She particularly focused on the Islamic-feminist discourse produced by female converts. Islamic feminism is defined as feminist discourse and practice articulated within an Islamic paradigm and is thus different from notions of gender equity. Islamic feminism derives its understanding from the Qur'an and seeks rights and justice for both men and women. In Badran's research it became clear that converts are particularly important in articulating Islamic feminist discourses.

Haifaa Jawad (University of Birmingham) brought forward the Sufi paradigm. Sufism has been and continues to be an important agent for conversion to Islam. She outlined how the Sufis' emphasis on feminine values pertaining to the family and the feminine element in spiritual life has been crucial in attracting Western women to Islam. Stefano Allievi (University of Padua) discussed the shifting significance of the *haram/halal* frontier. He particularly focused on the *hijab*, an issue that is symbolically important both outside the community of converts and inside the associative milieus. He also suggested to de-Islamize the approach of conversion to Islam. The so-called 'Islamic' discourses pertaining to gender that are attractive to converts are very close to familiar European gender discourses of former generations.

Nicole Bourque (University of Glasgow) added an important dimension to the study of conversion by focusing on discourses and practices of Scottish female converts to Islam. Converting to Islam involves the recreation and renegotiation of religious, national, and gender identity. Yet, the creation of a new Muslim identity also entails the embodiment of this new identity and taking up new bodily practices. After discussing the creating and sustaining of a new identity, the last speaker, Marcia Hermansen (Loyola University, Chicago), addressed the transmission of female Muslim identity in the West. She focused on mothers who converted between 1967 and 1980 and analysed how they raised their daughters as Muslims.

Whereas the case studies revealed the differing patterns and discourses in various countries in Europe and the United States, the focus on gender also allowed for many connections to emerge.

The papers presented and discussed at the workshop will be prepared for publication.

Karin van Nieuwkerk is a post-doctoral fellow at the ISIM.

PAPERS PRESENTED

- **Yvonne Haddad:**
  'The Quest for Peace in Submission: White Women Converts' Journey to Islam'
- **Gwendolyn Zoharah Simmons:**
  'African-American Islam as an Expression of Religious Faith and Black Nationalist Dreams and Hopes'
- **Anne Sofie Roald:**
  'Towards a Scandinavian Islam? A Study on Scandinavian Converts'
- **Karin van Nieuwkerk:**
  'Gender and Conversion to Islam: A Comparison of On-line and Off-line Conversion Narratives'
- **Margot Badran:**
  'Conversion and Feminism. Comparative Life Stories: South Africa, the United Kingdom, and the Netherlands'
- **Haifaa Jawad:**
  'Female Conversion to Islam: the Sufi Paradigm'
- **Stefano Allievi:**
  'The Shifting Significance of the *Haram/Halal* Frontier: Narratives (on Hijab and Other Issues) of Male and Female Converts Compared'
- **Nicole Bourque:**
  'How Deborah became Aisha: The Conversion Process and the Creation of Female Muslim Identity in Scotland'
- **Marcia Hermansen:**
  'Keeping the Faith: Convert Muslim Mothers and the Transmission of Female Muslim Identity in the West'

ISIM Website Relaunched

NEW ON WWW.ISIM.NL

- **The Noticeboard**
- **Online fellowship application forms**
- **Downloadable newsletter issues & paper series**
- **Expanded archive**
- **Information on ISIM fellows**
- **Dated pages**

NOËL LAMBERT

The 26th of March 2003 saw the launch of the redesigned ISIM website. In addition to a fresh visual style, simplified navigation system, dated and printer-friendly pages, many new and expanded features are available. The new sections have been created with a view to the ongoing evolution of the ISIM itself and to increase the site's usefulness as a research resource for all. The primary function of the site is still to provide up-to-date core information about the ISIM and its upcoming events, in an easily accessible format. The major new additions and expanded sections include:

- **The Noticeboard:** This is an entirely new section with comprehensive listings of non-ISIM events related to the study of Islam and Muslim Societies, divided into three sections: academic, art, and other. Users are encouraged to submit and publicise their own events via the online form (subject to approval). We expect that the Noticeboard may expand in the future to include information on grants, fellowships, and vacancies in the field of the study of Islam and Muslim societies.
- **Research and Fellowships:** At-a-glance descriptions and online application forms for ISIM Fellowships can be accessed within this section. Here users can also find individual pages for current ISIM fellows outlining their backgrounds and current research topics. Limited information is also available for ISIM alumni.
- **ISIM Archive:** All major ISIM events in the past are catalogued here with links to programmes, reports, and other related documents as available.
- **Links:** The links section has been updated and re-divided into the following sub-sections for easier browsing: resources, academic links, Muslim links, and country links. This section now provides an index of online resources such as documents, libraries, institutes, organizations, guides, etc., for Islamic Studies and related fields. The former section – Islamic Studies links – has now been absorbed into this general links section. There is also an online form for users to directly submit their own links for inclusion in the links section (subject to approval).
- **ISIM Projects:** This new section currently provides further details for the ISIM Rights at Home project with reports of all the past Sounding Board Meetings.
- **Publications:** All issues of the *ISIM Newsletter* and the ISIM Papers Series are now available online in .pdf format. Using the online forms users can subscribe to the *ISIM Newsletter* mailing list and/or order back issues of the *ISIM Newsletter* as well as hard copies of the ISIM Papers Series.
- **FAQ:** The FAQ section is designed to provide straightforward answers to the most commonly asked questions regarding the ISIM. FAQ contains lists of questions and answers, with links to related sections, about the ISIM and is divided into the following three subsections: general, fellowships, and publications.

We welcome the feedback of our readers. For any questions, comments, or suggestions about the ISIM website please contact the webteam (isimupdate@isim.nl).

ISIM FELLOWSHIPS

The ISIM invites applications and research proposals for its various programmes. Applications from candidates in the social sciences, humanities, and religious studies will be considered. Applicants should be competent in academic English.

The ISIM fellowships and their respective application deadlines are as follows:

– **Ph.D. fellowships**
(1 September 2003 and 1 March 2004)

– **Post-doctoral fellowships**
(1 September 2003 and 1 March 2004)

– **Visiting fellowships**
(1 September 2003 and 1 March 2004)

– **Sabbatical fellowships**
(1 September 2003 and 1 March 2004)

For more information on the various fellowships and for application forms, please consult www.isim.nl.

ISIM EVENTS

Rights at Home Capacity Building Workshop
Organizers: ISIM and Forum for Civil Society
Date: 21 July 2003 – 4 August 2003
Venue: Yemen

Rights at Home Capacity Building Workshop
Organizers: ISIM and Sahiba Sisters Foundation
Date: 7–19 August 2003
Venue: Tanzania

Conference: Sufism and the Modern Urban Middle Class
Organizers: Martin van Bruinessen (ISIM), Dadi Darmadi, Julia Howell, in cooperation with IIAS and Melbourne University
Date: 4–6 September 2003
Venue: Jakarta, Indonesia

Workshop: Textuality, Intertextuality: Interactive Cultural Practices in Judaism and Islam (in the series: Jewish and Islamic Hermeneutics as Cultural Critique)
Organizers: ISIM and Wissenschaftskolleg zu Berlin's Working Group Modernity and Islam
Date: 23–26 October 2003
Venue: Leiden University

Workshop: 'What Happened?' Telling Stories about Law in Muslim Societies
Organizers: Annelies Moors (ISIM) in conjunction with CEDEJ, IFAO, and Utrecht University
Date: October 2003
Venue: Cairo, Egypt

For more information on these and other ISIM Events please consult the ISIM website or contact the ISIM Secretariat:
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www.isim.nl

Rights at Home
Southeast Asia Consultative Meeting

SHARIFA ZURIAH ALJEFFRI
& MARIËTTE VAN BEEK

The ISIM project 'Rights at Home: An Approach to the Internalization of Human Rights in Family Relations in Islamic Communities' convened its third Sounding Board Meeting in Kuala Lumpur, Malaysia, from 15 to 17 January 2003. This meeting was organized in close collaboration with its Malaysian counterparts: the International Movement for a Just World (JUST) and Sisters in Islam (SIS), an NGO committed to promoting the rights of women in the framework of Islam. Earlier sounding boards were convened in Yemen and Tanzania (See *ISIM Newsletter* 10, pg. 4, and 11, pg. 4).

The third Sounding Board Meeting of the ISIM's Rights at Home Project was explicitly meant as a Southeast Asian regional consultative meeting. Forty participants from Indonesia, Malaysia, the Philippines, Singapore, and Thailand attended, including the Malaysian hosts Chandra Muzaffar, president of JUST, Farish Noor, member of JUST, and Zainah Anwar, executive director of SIS. The 'Rights at Home' project team, with its primary consultant Abdullahi an-Na'im (Emory University, Atlanta) and programme coordinator Laila al-Zwaini (ISIM), was joined by Muhammad Khalid Masud (ISIM Academic Director) and Martin van Bruinessen (ISIM Chair at Utrecht University). Cassandra Balchin (Pakistan) and Ebrahim Moosa (USA), members of the Rights at Home Advisory Board, were also present. Following the concept of the first two Sounding Board Meetings in Yemen and Tanzania, the Malaysia meeting brought together representatives from different regions, genders, and professional backgrounds, such as human rights activists, scholars, ulama, social welfare officers, teachers, lawyers, and children's rights advocates, to discuss themes related to Rights at Home from different perspectives, and to jointly explore strategies and activities to promote the positions of Muslim women and children.

PHOTO: ISIM, 2003

Cassandra Balchin, Norani Othman, Zainah Anwar, and Farish Noor at the Sounding Board Meeting.

In the first sessions, presentations by participants from the Southeast Asian region aimed at giving a general impression of the situation of women's and children's rights in their respective countries. Those presentations were enlivened more than once by anecdotes of personal experiences with gender and power relations in the family, at school, at work, and in public areas like the *shari'a* courts. The discussions that followed did not only elaborate on the factors in culture, religion, and upbringing that curtail women's and children's rights in the different Islamic settings. Rather, structures that actually promote them were equally explored. For instance, the organizations that were represented in Kuala Lumpur were considered to be good examples of such promoting structures. This idea was illustrated by their prudent but enduring attempts to make use of theological, jurisprudential, sociological, and political resources to deepen the understanding of human rights in general and to strengthen those of Islamic women and children in particular.

Especially this kind of exploration brought to light some specifics of the region: first, the relatively high level of capacity in advocacy and networking of participants and their organizations, in comparison to many agents of social change in Yemen and Tanzania; second, the experience gained over the years made the Southeast Asian counterparts increasingly aware of the rapidly changing contexts in which they operate. Until some years ago, they were used to working within societies and legal environments that were highly secularized. Accordingly, human rights issues were addressed from a secular perspective too. Now, with the progressing re-Islamization of their states, their formal structures, and legislations, they have to deal increasingly with Islamist currents. The advocacy resources that are needed to pursue their goals within the present Islamic discourse differ from those that were useful in the past. The agents of social change in Indonesia, Malaysia, the Philippines, Singapore, and Thailand urgently look for information about how human rights issues can be effectively dealt with from an Islamic point of view.

Finally, the participants of the Sounding Board Meeting in Malaysia commonly identified a regional action plan in which the provision of adjusted advocacy resources receives particular attention. A regional executive committee, called the Rights at Home Committee for Southeast Asia, comprising volunteers from Malaysia (Sisters in Islam), Indonesia (Ulil Abshar-Abdaila), the Philippines (Yasmin Busran-Lao), Singapore (Mariam Ali), and Thailand (Airin Sa'idi), was formed to spearhead the implementation of this action plan.

One of the actions in the plan that will be taken into the next phase is the development of a website for an Islamic discourse on human rights. The aim of this Rights at Home website is to make easily accessible selected information from a wide range of sources – from articles, training manuals, guides, theory, methodology, position papers, books, and case law to a forum focusing on human rights within a progressive Islamic framework – with particular attention to the rights of women and children. In this way the website will not only provide powerful advocacy resources for community-based organizations, NGOs, grassroots activists, and individuals, but will constitute in itself a way to intensify their networking, lobbying, and mutual aid activities.

Another activity proposed is taking human rights messages right to the homes of Islamic families. Popular media, like television dramas, comics, novels, political literature, and syndicated newspaper columns can be utilized to this end. The host organization in Malaysia, Sisters in Islam, for example, has experience in this field: it published easy-to-read, low budget booklets in question-and-answer format, illustrated with cartoons.

Sharifa Zuriah Aljeffri, member of Sisters in Islam, coordinated the organization of the Sounding Board Meeting in Malaysia. More information about the NGO Sisters in Islam can be found on their website (www.sistersinislam.org.my).

Mariëtte van Beek is administrative coordinator of the Rights at Home Project. More information about the project and the current composition of its project team can be found on the projects section of the ISIM website.

Islamic Law and Muslim Minorities

In recent years, *fiqh al-aqalliyat*, or Islamic law for Muslim minorities, has incited a great deal of interest among Muslim scholars. The growth of *fiqh al-aqalliyat* as a topic of debate is a recognition of the relevance of Islamic law for a considerable number of Muslims living in non-Muslim countries, in particular in the West. It has revealed the complexities that Muslims face in reconstructing such laws in the context of migration and post-migration. Traditional Islamic law lacks provisions for Muslims living permanently in non-Muslim countries. *Fiqhal-aqalliyat* is an attempt to fill this gap and to reconstruct an Islamic legal theory to deal with questions of Islamic law for Muslims living under non-Islamic legal systems.

PHOTO: MARY BAKKER, 2003

Participants at the ISIM Roundtable

WELMOET BOENDER

On 23 May 2003, the ISIM organized a 'farewell seminar' for its academic director Muhammad Khalid Masud on the topic of *fiqh al-aqalliyat*, Islamic law for Muslim minorities. Léon Buskens, chairing the seminar, showed how this theme fitted neatly into Masud's research interests: as an expert in the field of Islamic law, Masud has always been particularly interested in the contemporary interpretation and implementation of Muslim legal traditions. Muslim minorities in the West deal with daily questions on issues such as dietary laws, mixed marriages, divorce, political participation, banking transactions, or the use of credit cards, for which religious legitimization, a normative order, is sought. This happens not only in European countries where Muslims form a minority as a result of migration, but also in Bosnia, where Muslims constitute an indigenous population, as Ahmed Alibasic showed.

Religious authorities within and outside of Europe and international fatwa bodies (comprised of both European and non-European scholars), for example the European Council for Fatwa and Research (ECFR) presided by Yusuf al-Qaradawi, deal with the formal adaptation of *shar'ia* as a *fiqh* for minorities in the West. Here, Masud detected a paradoxical situation, because Muslim jurists cannot think of *fiqh* without an Islamic state, while in Europe *fiqh* is inherently without a state. As Dilwar Hussein said, *fiqh* can be an essential part in the daily life of practising Muslims living in the West, but laws of the nation-states differentiate between what is religious and what is legal. Studying *fiqh al-aqalliyat* then becomes relevant not only from an empirical perspective – people deal with questions which come up in local and national political and social settings, to which fatwas are given – but also as an academic discipline in the general study of law. Mahmood Saifi, who looked at *fiqh al-aqalliyat* on a more theoretical level, called it 'a new area of jurisprudence'. Ihsan Yilmaz discerned a *neo-ijtihad*.

Terminology

The conference started with an exposé by Masud on the meaning of *fiqh al-aqalliyat* and soon it appeared that the participants shared a dose of scepticism regarding the terminology. One reason is, as Sjoerd van Koningsveld explained, that many books on *fiqh al-aqalliyat* are written by Muslim scholars living in the Muslim world, who themselves widely differ in their fatwas. They tend to refer to Muslims in the West 'as if they are an exception, but it does not touch their sacrosanct ideas of Islamic state and society'. Thus, he said, we are dealing with a normative, not a descriptive term. Much of this literature should be seen as apologetic and aimed at demonstrating that Muslim migrants have the tools to remain committed to their faith. Another reason stressed by several participants – most articulated by Nasr Abu Zayd – is that although it is called *fiqh* of minorities, many of the topics are heavily discussed in the Muslim world as well. This brings us to the question of the audience. Participants in the seminar not only looked at the level of the 'production' of *fiqh* by scholars, but also at the level of the 'consumption', as Alexandre Caeiro argued. He stressed that a distinction should be made between 'public fatwas', like from the ECFR, and 'private fatwas'. These 'private' (or local) fatwas allow for more interaction between the mufti and the *mustafti* (who asks for a fatwa), while a fatwa from the ECFR has to reach a wide and diverse audience. Moreover, these fatwas are often the result of long negotiations in order to satisfy the varied views represented in councils.

Authority

The question of authority on a local level appeared to be a difficult matter to evaluate. Van Koningsveld suggested to study *fiqh al-aqalliyat* in three stages: first, an identification of the relevant materials and analysis of their content; second, a comparative analysis of models of different scholars and their publications and ideas; and third, a social and cultural analysis. Lena Larsen disagreed with the proposed sequence, stressing that one should first look at how the needs for religious legitimization emerge, and then trace how *fiqh* is developed by scholars. However, all participants agreed that one should look not only at the macro-, supranational level, but also at the normativity on the local level. Frank Peter, for example, addressed the question of the links between individuals and religious authorities. Matthias Rohe took the constitutional rights of the German legal state as point of departure in which certain questions come up and ask for a normative religious answer.

Maleiha Malik, who acted as respondent of the sessions, concluded that the study of *fiqh al-aqalliyat* should not be a mere adjunct in Europe when dealing with problems that accompany migration, but should be a serious academic discipline because legal theory has to think of the break-off of the nation-state. She pointed to a main analogy in the European context: the development of European Union law. Khalid Masud seems to have succeeded in his call for greater attention to this new emerging field. One of the objectives of the ISIM is the start of a network of scholars working on the subject.

Welmoet Boender is a Ph.D. candidate at the ISIM.

PARTICIPANTS

- **Ahmet Alibasic** *(Faculty of Islamic Studies, Sarajevo)*
- **Nasr Abu Zayd** *(Leiden University/Humanistic University, Utrecht)*
- **Mohammad Amer** *(ISIM)*
- **Abdullahi an-Na'im** *(Emory University, Atlanta)*
- **Welmoet Boender** *(ISIM)*
- **Martin van Bruinessen** *(ISIM/Utrecht University)*
- **L on Buskens** *(Utrecht University/Leiden University)*
- **Alexandre Caeiro** *(EHESS, Paris)*
- **Nathal Dessing** *(ISIM)*
- **Dick Douwes** *(ISIM, seminar convenor)*
- **Dilwar Hussain** *(Islamic Foundation, Leicester)*
- **Sjoerd van Koningsveld** *(Leiden University)*
- **Lena Larsen** *(Oslo University)*
- **Maleiha Malik** *(King's College, University of London)*
- **Muhammad Khalid Masud** *(ISIM/Leiden University)*
- **Frank Peter** *(Freie Universität Berlin)*
- **Ruud Peters** *(University of Amsterdam)*
- **Susan Rutten** *(Universiteit Maastricht)*
- **Mathias Rohe** *(Erlangen University)*
- **Mahmoud Saify** *(Leiden University)*
- **Abdulkader Tayob** *(ISIM/University of Nijmegen)*
- **Tim Winter** *(Cambridge University)*
- **Ihsan Yilmaz** *(SOAS, University of London)*
- **Laila al-Zwaini** *(ISIM)*

Khalid Masud's Multiple Worlds

DALE F. EICKELMAN

Over the last years Dale Eickelman has been in close contact with Muhammad Khalid Masud while at the ISIM. Often, while travelling the globe and changing flights at Amsterdam's international airport, the two would meet over lunch or breakfast. Eickelman paid frequent visits to the ISIM office, also in his capacity as member of the ISIM Academic Committee, and participated in several of its workshops. The friendship between the two scholars dates back to the 1980s. On the occasion of Masud's retirement, the anthropologist reflects on his career and their mutual interests.

Since childhood, Muhammad Khalid Masud has inhabited multiple social and intellectual worlds. Born in 1939 in Ambala, in the Indian Punjab (now called Hariana), his family emigrated in 1947 to Jhang, in the Pakistani Punjab. In a literal sense, the designation *muhajir* encompassed Punjabi-speaking emigrants such as Masud's family, although today the term refers primarily to Urdu-speaking refugees who fled to Pakistan after India's independence.

Masud's early schooling comprised both Islamic and more or less secular state studies. A complementary major influence was his home environment. His father lacked formal schooling, but studied medicine as an adult at Bhopindra Tibbiya College Patiala, Indian Punjab, from where he graduated with a degree of Hadhiq al-Hukama with a clinical and surgical specialization. He was considered a *hakim* and *tabib* for his mastery of Arab-Greek medicine. Although not madrasa-educated, his father studied religious books on his own in Urdu and personally knew many of India's prominent *ulama*. Thus Masud, from his early childhood, became familiar with the milieus of traditional learning. He also memorized parts of the Qur'an and studied Persian and Arabic on his own.

The other major intellectual formation was state-run primary and secondary schooling. Masud studied for part of a year with Ghulam Husayn, the local mufti in Jhang Sadar, but stopped because the mufti was only irregularly available for lessons. Concurrently he taught at the Islamiya high school in Jhang Sadar from 1957 to 1962, later taking his B.A. degree as a private candidate (one who sits for the degree examination without college affiliation or formal classroom experience) from Punjab University, Lahore. Masud's 1962 M.A. thesis from the same university, 'The Attitude of Panjab University Students toward Religion', won a gold medal and also suggested his early interest in social science methods for understanding the contexts of religious ideas and experience.

The learning environment at McGill University's Institute for Islamic Studies provided an almost unique bridging environment between Western- and Islamic-style scholarly traditions. With early support from the Rockefeller Foundation, the Institute's graduate student body was almost equally divided between students from Muslim-majority countries, especially India and Pakistan, and 'the West'. Masud thrived in this environment.

Contextualizing al-Shatibi

Masud's 1973 thesis on Abu Ishaq al-Shatibi's idea of the common good (*al-maslaha*) first appeared as a 1977 book that, once significantly revised and published with a new title in 1995, showed the influence of heavy immersion in Western-style social thought over the intervening years.[1] In his lifetime, al-Shatibi (d. 1388) grappled with significant issues of political, economic, and social change in his native Andalusia. After an eclipse in influence that lasted for hundreds of years, Shatibi's work returned to prominence in the late nineteenth century when Islamic reformers such as Rashid Rida (1865–1935) and Muhammad 'Abduh (1849–1905) made it a major reference point for their own thinking. Shatibi, argues Masud, 'develops the concept of *maslaha* as the basis of rationality and extendibility of Islamic law to changing circumstances, but also presents it as a fundamental principle for the universality and certainty of Islamic law'.[2] Shatibi's most important text was the *Muwafaqa*, neglected by many jurists because readers needed a background knowledge of the political, economic, and social circumstances of the times in which Shatibi lived in order to understand his argument. Without such knowledge, not a normal part of conventional jurisprudence, Shatibi's views on *maslaha* appear 'contradictory, vague or abstract, and hence difficult to follow'.[3]

In Masud's view, Shatibi goes further than many modernist jurists in seeing Islamic law as adaptable in theory as well as practice, with *maslaha* as an independent principle of jurisprudence rather than merely a justification for expediency. Of Shatibi's 40 known legal opinions, 34 deal with cases of 'social change' – Masud's reserved way of referring to the increasingly chaotic political and social conditions of Shatibi's native Andalusia in the fourteenth century. In Masud's view, these concerns prevail equally in the contemporary Muslim majority world. In the *Muwafaqat*, Shatibi endorses flexibility and the use of human reason as elements integral to developing and interpreting Islamic law, the goal of which is to realize the human good, and Masud emphasizes the necessity of placing these opinions in their political and economic contexts in order to make sense of them.[4]

From Shatibi to Shahrur

I have worked closely with Khalid Masud since the early 1980s in planning conferences and editorial projects, but I did not get a concrete understanding of Masud's method of interpreting and analysing texts until March 1996 in Islamabad. Our primary activity was conducting interviews with publishers and distributors, and supervising a survey of bookstores in Islamabad. Our goal was to explore how print media was being used to disseminate new religious ideas and movements and to sustain older ones. In off-hours we read Muhammad Shahrur's second book, *Contemporary Islamic Studies on State and Society*,[5] which applied arguments made in his earlier best-selling *al-Kitab wa-l-Qur'an: Qira'a Mu'asira* (The Book and the Qur'an: A Contemporary Reading) to issues of political and social authority.[6]

We both saw Shahrur as a maverick who offered major interpretive challenges to the world of established religious scholars, and Masud drew strong parallels between Shatibi and Shahrur. Both writers insisted that the interpretation of jurisprudence and tradition in Islam was a continuous process requiring close attention to the contexts in which interpretations were made. Shahrur argued that any act of interpretation involves the author, the text, and the reader or listener. He bluntly argues that in the case of the Qur'an, God is the author so that no one, even at the time of its first revelation, could claim to understand it in its entirety without also claiming to be a partner to God in knowledge. Therefore the reader or listener is obliged to use his or her intellect and knowledge of context to interpret the text. Yet when it comes to the Qur'an and to the interpretation of religious tradition, Shahrur argues that many people fall back on religious authority alone.[7]

Rather than thinking of the sayings and actions of the Prophet's companions and the deliberations of the first jurists as the 'foundations' of Islam, Shahrur argues that Muslims should regard them as the products of human action, subject to error and to interpretation, abandon the authority-oriented view of religious knowledge as fixed and immutable, and replace it with a collective, critical approach in which there is a freedom to argue, interpret, and adapt within the worldview (*wa'i*) and knowledge of a particular time and place.[8] Mutual consultation (*shura*) is integral to proper interpretation, and it is always linked to historical practice: 'Forbidding *shura* is like forbidding prayer.'[9]

Masud sees strong parallels between Shahrur and Shatibi, who argues – although without Shahrur's characteristic directness – that laws,

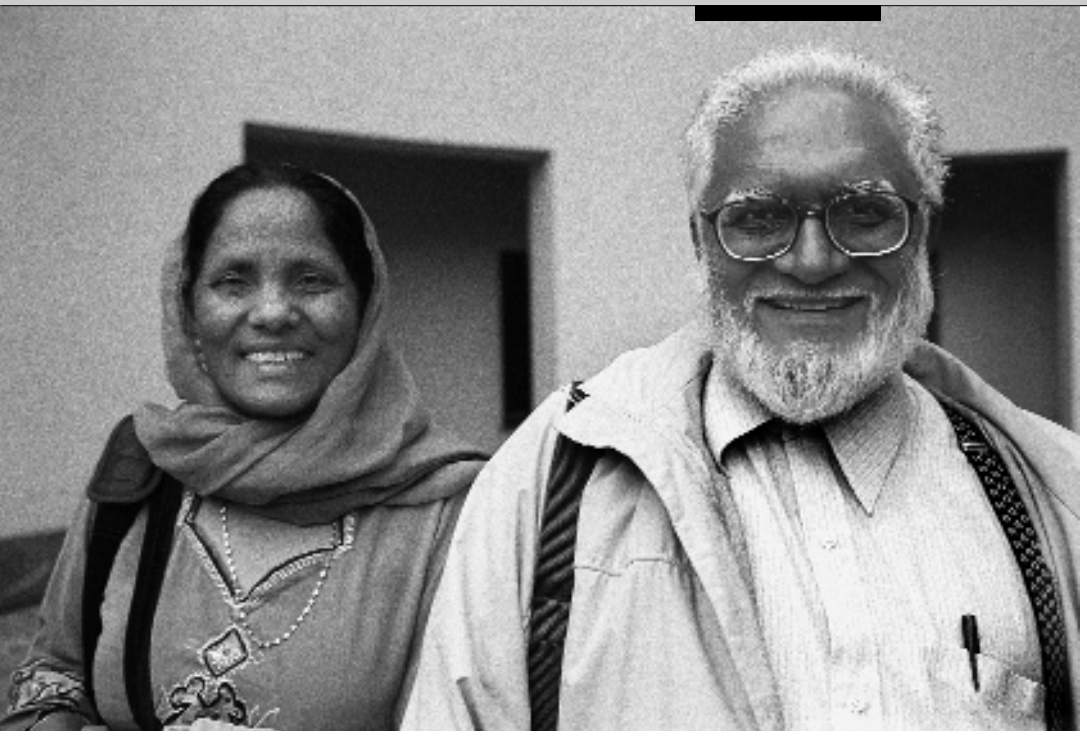

PHOTO: CRAIG SEMETKO, 2001

Khalid and Ashraf Masud at the post-doctoral workshop on 'The Public Sphere and Muslim Identities', Berlin, August 2001.

including the *shari'a*, become embedded only through social habits and customs (*'ada*).[10] I would argue that the importance of understanding the social context of Islamic jurisprudence and tradition is also a major theme running through Masud's own work. Masud never argues as bluntly as Shahrur that Islamic jurisprudence (*fiqh*) is paralysed to the extent that it ignores these changing frameworks. Nor does he directly link the authoritative habits of *fiqh* to political authoritarianism, as does Shahrur. Nonetheless, these central and consistent threads also run through Masud's thought.

In reading Shahrur in Islamabad, Masud intercalated comments on his style – that of a secularly educated civil engineer rather than a traditionally educated Islamic scholar. Each chapter of *Dirasat Islamiya*, like Shahrur's other books, begins with an engineer's draft of the points to be covered, and then meticulously elaborates them.[11] Shahrur's approach also lends itself well to lectures in modern secular universities and audiences. My sense is that Masud was especially sensitive to Shahrur's style because he faced similar challenges in his own career. Masud's 1995 book on Shatibi, like its 1977 predecessor, makes no explicit reference to Western-style social science. But the 1995 argument relating Shatibi's judicial opinions to their social and political contexts is considerably stronger than in the earlier volume, and Masud's later work, including that achieved during his appointment as ISIM Academic Director, explicitly incorporates such approaches.

Masud's scholarship in Leiden

Masud's analytic signature is a combination of authoritative immersion in key Islamic ideas and texts and the judicial use of the concepts in the social sciences. His three decades at the Islamic Research Institute, Islamabad, instilled recognition of the diverse audiences for Islamic studies in Muslim-majority countries – and the political risks inherent in direct expression. This is a negative element of his sensitivity to audience. The positive element has been a consistent one to make texts accessible to audiences from both Islamic studies and the social sciences everywhere.

Masud's characteristic scholarly approach seeks carefully to define terms rather than assume that audiences both in the Muslim-majority world and in the West share the same background scholarly understandings. Consider, for example, the long opening essay to his edited volume on the Tablighi movement, *Travellers in Faith* (2000).[12] It begins with an extended discussion of terms and concepts, including 'transnationalism'. Masud first shows how the concept has been used in social sciences, referring to historical phenomena that preceded the rise of nationalism in the West and generally downplaying the importance of religious movements. Turning specifically to the Muslim world, he indicates how Muslim transnationalism does not necessarily threaten the state or nationalist movements. Likewise, key terms such as 'renewal' (*tajdid*), 'communication' (*tabligh*, from which derives the name of the movement), and 'call' (*da'wa*) are carefully spelled out.

Masud's chosen vehicle of expression in Leiden has been short essays on topical themes, many related to the broad scope of his responsibilities in organizing and encouraging collective research projects and conferences over a wide spectrum of Islamic studies. Thus 'Hadith and Violence' begins with a denotative definition of 'violence' derived from *Webster's New Collegiate Dictionary*, followed by an analysis of the term in a variety of cultural semantic fields. He then turns to a similar analysis of jihad and *fitna* (rebellion or civil war).[13] Whether the subject is naming the 'other' in European and Muslim languages, Sufi views of the *hajj* and Islamic rituals, or minorities in Islamic history, Masud's approach is consistently a careful examination of terms, both in English and in Muslim-majority languages, in order to examine the subject. The anchor is always specific historical texts rather than inferences about the nature of Muslim religious consciousness or Muslim societies.[14] Thus, after reviewing the ambiguities of defining 'minorities' in international law and nation-states, Masud, basing himself on a 1956 analysis and selection of texts by Muhammad Hamidullah, examines four Muslim documents: the seventh-century pact of Medina, defining the rights and obligations of Muslims and Jews; the pact of Najran, defining the status of Christians; Caliph 'Umar's pact of Jerusalem (638); and the pact of Granada signed in 1491 between the last Muslim ruler of Granada and the kings of Aragon and Castille. Masud's addition to Hamidullah's earlier work is to make the significance of these four pacts accessible through close reading to a general audience concerned with the sociology of minorities. A more ambitious essay on pluralism in Islamic moral traditions – Masud uses the plural – provides a framework for understanding the genres through which Islamic ethical traditions have been conveyed and the – perhaps surprising for some – spectrum of past and present thought on issues such as social control, citizenship, issues of life and death, and human sexuality.[15]

In scholarship as in developing ISIM's teaching agenda, Masud's consistent goal has been to find ways of opening Islamic scholarship to new ways of knowing, combining the strengths of the Islamic sciences with contemporary scholarship that uses other methods and techniques. The Netherlands in the last two decades has been a particularly apt locale for Masud's interest in Muslims in Europe and the development of a European Islam,[16] and his contributions over the next few years will add significantly to our understanding of these vital topics.

Dale F. Eickelman, Ralph and Richard Lazarus Professor of Anthropology and Human Relations at Dartmouth College, was a member of ISIM's Academic Committee from 1998 until 2002.

Notes

1. Muhammad Khalid Masud, *Islamic Legal Philosophy* (Islamabad: Islamic Research Institute, 1977); idem., *Shatibi's Philosophy of Islamic Law* (Islamabad: Islamic Research Institute, 1995).
2. Masud, *Shatibi's Philosophy*, p. viii.
3. Ibid., p. 111.
4. Muhammad Khalid Masud, *Muslim Jurists' Quest for the Normative Basis of Shari'a* (Leiden: ISIM, 2001), pp. 8–9.
5. Muhammad Shahrur, *Dirasat Islamiya l-mu'asira fi-l-dawla wa-l-mujtama'a* (Damascus: al-Ahali li-l-tiba'awa-l-nashr, 1994).
6. See Dale F. Eickelman, 'Muhammad Shahrur and the Printed Word', *ISIMNewsletter* 7 (March 2001), p. 7.
7. Shahrur, *Dirasat Islamiya*, p. 30.
8. Ibid., pp. 92, 125–6.
9. Ibid., p. 150.
10. Interview with the author, Islamabad, 8 March 1996.
11. For example, ibid., p. 141.
12. Muhammad Khalid Masud (ed.), *Travellers in Faith: Studies on Tablighi Jama'atas a Transnational Movement for the Renewal ofFaith* (Leiden: Brill, 2000).
13. Muhammad Khalid Masud, '*Hadith* and Violence', *Oriente Moderno*, 21 (n.s.), no. 1 (2002): 5–8.
14. Muhammad Khalid Masud, 'Naming the "Other": Names for Muslims and Europeans in European and Muslim Languages', in *Muslims and the West: Encounter and Dialogue* (Islamabad: Islamic Research Institute, 2001), pp. 123–45; idem., 'Sufi Views of the *Hajj* and Islamic Rituals', *Sufi Illumination* 3, no. 1 (Spring 2002): 1–13; and idem., 'Minorities in Islamic History: An Analytical Study of Four Documents', *Journal for Islamic Studies* 20 (2000): 125–34.
15. Muhammad Khalid Masud, 'The Scope of Pluralism in Islamic Moral Traditions', in *The Many and the One: Religious and Secular Perspectives on Pluralism in the Modern World*, edited by Richard Madsen and Tracey B. Strong (Princeton: Princeton University Press, 2003), pp. 180–91.
16. Muhammad Khalid Masud, 'Islamic Law and Muslim Minorities', *ISIM Newsletter* 11 (December 2002): 17.

Shari'a Scholar

BRINKLEY MESSICK

On the occasion of his stepping down as the first Academic Director of ISIM and ISIM Chair at Leiden University, and to mark his resumption of full-time research, Brinkley Messick honours one of our leading international scholars of the *shari'a*, Muhammad Khalid Masud. Messick has been closely involved in Masud's research programme 'Social Construction of *Shari'a*', most recently in the workshop 'Anthropologies of Islamic Law' **(see pg. 9).**

Muhammad Khalid Masud's training in his chosen field, Islamic Studies, began with higher studies at Punjab University, in Lahore, and was completed with a Ph.D. from McGill University, in Montreal. In addition to his own active research and publication activities, and various other instructional positions in Pakistan and Nigeria, he has served in two key institutional posts that have had an enormous impact on Islamic Studies. The first of these was his membership in the innovative Committee on the Comparative Study of Muslim Societies (Social Science Research Council, New York), the second his inaugural directorship at ISIM.

Muhammad Khalid Masud's best-known work remains his meticulous and foundational study of the legal philosophy of Abu Ishaq al-Shatibi (d. 1388). A Maliki by interpretive school and a resident of Granada, Shatibi sought to analyse the *shari'a* with respect to what he termed its *maqasid,* its doctrinal aims or objectives. To this end Shatibi elaborated upon the concept of *maslaha*, literally, legal 'good' or 'benefit', and in the process he developed a medieval notion of legal dynamism that centuries later would prove central to modern Muslim discussions about the transformation of Islamic law. Masud's work on Shatibi commenced with his 1973 dissertation at McGill under Professor Charles Adams, the basis for his well-known 1977 book, which was revised and enlarged in his 1995 publication, *Shatibi's Philosophy of Islamic Law* (Islamic Research Institute, Islamabad). From the beginning of his career he contributed significantly to the revision of the major conventional Western assumption about Islamic law, namely, that it was immutable.

This work on a key medieval representative in the field of *usul al-fiqh*, or the theory of *shari'a* jurisprudence, was interestingly complemented by Masud's study of the interpretive thought of an important modern figure, Muhammad Iqbal (d. 1938). Initiated in 1977 with a research project assigned to him by the Islamic Research Institute, the project culminated, in 1995, in *Iqbal's Reconstruction of Ijtihad* (Lahore: Iqbal Academy; Islamabad: Islamic Research Institute). Masud's book focuses on Iqbal's lecture on 'The Principle of Movement in Islam', and in particular on Iqbal's 'process of reasoning'. This, it is explained, was 'not based on Greek logic of syllogism but was rather derived from a combination of the Qur'anic mode of exposition and the dialectics of Tasawwuf [mysticism].' 'That method of reasoning', he continues, 'is essentially emotive and intuitive rather than purely rational' (p. 6). Accordingly, 'Iqbal's study is a part of the continuing tradition of Muslim intellectuals' concern over the actual problems of Muslim society', while *ijtihad* (which Iqbal innovatively combined with *ijma*', or consensus) represented for him 'a dynamic principle of Islam and its civilization' (p. 209). Like Shatibi in his period, Iqbal was a model Muslim intellectual whose 'approach enabled him to impart a new life to the basic components of the Islamic culture' (p. 5).

In his book on Iqbal, Masud characterizes his own method as historical, semantic, and contextual (p. 9), and he cites a line from Iqbal as his book's epigram: 'Our duty is carefully to watch the progress of human thought, and to maintain an independent critical attitude towards it.' At the end of his study of Iqbal, Masud brings the discussion up to the late twentieth century as he speaks pointedly about the contemporary Muslim predicament in Pakistan. The problem he sees centres on the aggrandizement of the ulama, Islamic intellectuals, which leads to a 'separation between religion and people, between *ulama* and *ummah*.' He continues to say that '[f]or the future of the Muslim *ummah*, particularly for Pakistan's society, it is imperative that such dangerous trends which lead toward establishing a church in Islam must be discouraged' (p. 210).

Fatwas and muftis

I first came to know Muhammad Khalid Masud in connection with the study of muftis and fatwas. Eventually, we co-edited, with David Powers, *Islamic Legal Interpretation: Muftis and their Fatwas* (Harvard, 1996). His interest in fatwas, however, dated back to his first work as a graduate student, his 1969 M.A. thesis at McGill, which was on nineteenth-century Indian fatwas of the Deoband school. Later, he analysed the fatwas of Shatibi. Fatwas are non-binding opinions issued by jurists in response to questions, and Masud astutely sensed their great significance for the understanding of dynamism in Islamic law and civilization. When he joined the SSRC Committee on the Comparative Study of Muslim Societies, he was in a position to propose and direct the first international conference on this interpretive institution, which was held in Granada in 1990.

A few years earlier, in 1984, Masud published a ground-breaking article on the theoretical culture of the mufti and fatwa-giving, 'Adab al-Mufti: The Muslim Understanding of Values, Characteristics and Role of a Mufti' (in B.D. Metcalf, ed., *Moral Conduct and Authority: The Place of Adab in South Asian Islam*, Berkeley, pp. 124–50).

His stated 'objective' in this article was 'to develop an analytical framework for studying the conceptual system of personal and moral authority among Muslims in South Asia' (p. 124). The somewhat better known *adab al-qadi* treatises and the *adab al-mufti* works Masud introduced us to in this article are specialized meta-literatures about the aims and orientations of the two key Muslim legal interpreters, the *shari'a* court judge and the mufti. In the patterned ideal reticence of a man of knowledge, a mufti 'should speak only when asked, and should give an opinion only in matters that have actually taken place'. He also 'has a right to refuse a fatwa in matters that he considers futile, imaginary or irrelevant' (p. 137). In addressing issues of authority and rank among historical muftis Masud also touches on the interesting phenomenon of apprenticeship (p. 134).

In our 1996 edited volume, in which each of the essays centres on particular fatwas, he contributed 'Apostasy and Judicial Separation in British India' (pp. 193–203). This study was my introduction to Mawlana Ashraf 'Ali Thanawi (1863–1943), the prominent and prolific South Asian Muslim scholar and mufti, whose fatwas are collected in an eighteen-volume work. Masud's overall aim in his choice of two of Thanawi's fatwas, one from 1913 and a revised one on the same topic from 1931, was, once again, to 'observe the process of legal change in Islamic law' (p. 195). The topic was apostasy and its implications for judicial divorce, and the key contextual change in the intervening period was the advent of intensive Christian missionary activity. Apostasy had not been a major issue earlier, but in the absence of other legal remedies, women suddenly began to use the stratagem of conversion to obtain automatic annulments and thus free themselves from difficult marriages. 'Anglo-Muhammadan and Hanafi laws prevailing in India considered the question of motive immaterial' (p.199), but in his revised fatwa Thanawi took motive into consideration, reversing himself to hold that apostasy could not be used as a device to obtain a legal separation. At the same time, however, Thanawi proposed adopting a more liberal Maliki school approach to judicial forms of divorce. This he did 'in a manner that posited a semblance of continuity with the past and that maintained the framework of Islamic law' (p. 203).

Migration and renewal

With an innovative article from 1990, Masud initiated yet another strand of inquiry, this time on Muslim travel: 'The Obligation to Migrate: The Doctrine of Hijra in Islamic Law' (in D.F. Eickelman and J. Piscatori, eds., *Muslim Travellers*, London, pp. 29–49). Although his work on travel began within his familiar paradigms of history and Islamic legal doctrine, it would grow in a dramatic new direction, one that addressed a modern global movement and that transcended the legal frame of reference. The product of this new research was a volume edited by Masud in 2000, *Travellers in Faith: Studies of the Tablighi Jama'at as a Transnational Movement for Faith Renewal* (Leiden: Brill). Like the work on muftis and fatwas, this project emerged from an initiative

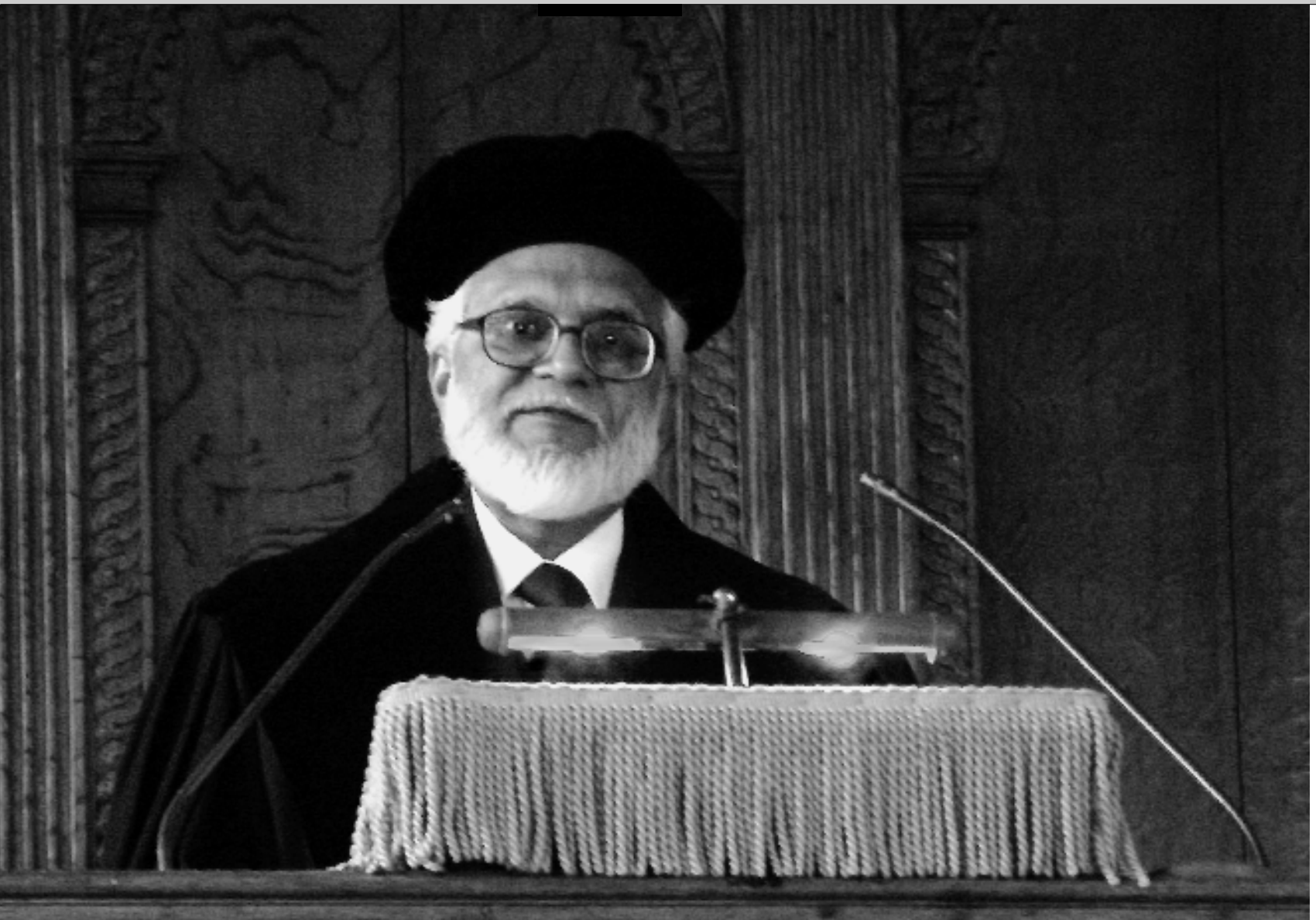

PHOTO: WIM VREEBURG, 2001

Professor Masud at his inaugural lecture, Leiden.

of the SSRC Committee on Comparative Study of Muslim Societies. Masud's contribution to this volume goes far beyond his editor's 'Preface' and his lengthy 'Introduction' and includes both Chapter One, on 'The Growth and Development of the Tablighi Jama'at in India' (pp. 3–43), and Chapter Four, on 'Ideology and Legitimacy' (pp. 79–118). In a series of case studies from the peripheries of this international movement, contributors to this excellent volume examine Tabligh activities in several countries in Europe, and also in Morocco, South Africa, and Canada. Together with contributions by Metcalf and Talib, Masud analyses the advent and the conceptual world of the Tablighis in their South Asian metropole.

Mawlana Thanawi, Masud's mufti of choice, also figures in the story of the rise of the Tablighi movement as some of his ideas were appropriated by its founders. Yet Thanawi saw *tabligh* and *da'wa*, the activities of 'communication' and 'calling' to the faith, as pertaining to the ulama alone, while the Tablighis saw them as the activities of common believers acting collectively, especially in travelling groups. Masud argues that 'the Tablighi Jama'at's stress on faith renewal and Muslim transnationalism reflects specifically South Asian concerns'. This he understands in terms of the fact that 'South Asia's intellectual encounter with the West began earlier than in the Arab world. It sensitized South Asian Muslims, more than others, to the threats to the faith, not only from Hinduism but also from modernity' (p. Lvi).

If one of his principal analytic concerns as an editor of the 1996 fatwa volume was to understand important features of the 'process of reasoning' employed by muftis, another characteristic, but less heralded contribution appears in that book's 'Appendix' (pp. 323–30). Prepared by Masud, this is described as 'a list of fatwas translated and analyzed in this book, classified according to the pattern and order of *al-Fatawa al-Islamiyya* (al-Azhar, 1982)'. One consistent expression of Masud's social scientific interests is an enthusiasm for classification and for the instructive display of such information in charts and tables. Examples of his classificatory impulse are found throughout his writings: in the Shatibi book (p. 102), where a table 'shows, in detail, Shatibi's attitude towards the acceptance of social changes in his fatawa'; in his 'Adab al-Mufti' article (p. 150), where an appendix sets forth the 'scope of fatawa compared with Hadith and Fiqh'; in his chapter in the 1996 fatwa volume (p. 198), where 'the range of subjects covered' by Thanawi's fatwas is shown in numbers and percentages; and in the Tablighi book (p. xxviii), where a chart categorizes ten *da'wa* movements according to such features as country, registration of activities, Sufi connections, educational institutions, and militancy.

As the first ISIM Academic Director Muhammad Khalid Masud's contributions to the promotion of research on Islamic law have been numerous, recently including a conference on the qadi and the *shari'a* court and a workshop on the anthropology of Islamic law. In his inaugural lecture, *Muslim Jurists' Quest for the Normative Basis of Shari'a* (ISIM, 2000), Masud identified 'three major developments in the ongoing debate on *shari'a*' including 'the role of the ulama', 'the issue of equality', with an emphasis on gender, and 'human rights'. We may expect that in his future research he will make further distinctive contribution to such 'developments' in Islamic law. My own hope is that he will analyse the difficult problem of 'custom' in relation to the law, that he will hold to the promise of the last line of his Shatibi book (p. 255) where he refers to 'our next study on Shatibi's concept of '*ada*'.

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The Challenges of Islamic Law and Muslim Societies

ABDULKADER TAYOB

Abdulkader Tayob, ISIM Chair at the University of Nijmegen, talks with Muhammad Khalid Masud about his early career in Islamic studies, his sources of inspiration, his role as a Muslim intellectual, and his experiences in Nigeria and in the Netherlands.

AK: You've been working on many different topics, in many different areas. How would you describe your work as a whole?

MKM: Law has always been with me. I started working at the Islamic Research Institute in Pakistan, which was involved with the legal question. Islamic law, moreover, is a source for all types of questions, whether you are talking about society or human rights or culture.

AK: A theme that I pick up in your writing is the notion of change. How have you dealt with this notion, and more particularly within the context of modernity or modernization?

MKM: When I embarked upon my M.A. in Islamic studies, the questions that we were dealing with, the discussions that we had, always presumed a question of change. I have come to understand change, I think, gradually. In the beginning my own attitude was to be critical. For instance, questions about whether you should learn English or you should go to college, were my life questions which I had to debate when I was young. My father was not keen on my going to college; he wanted me to go to either to Nadwa or to Deoband. When I was at university, I would come home and sometimes mention certain issues. For instance, one question that bothered me at that time was that according to the al-Hidayah, the testimony of non-Muslims may not be accepted. And the authority for that view came from the Qur'anic verse that God is not going to grant authority to non-Muslims over Muslims. The context in the Qur'an was the war of Badr, and I thought that that was not proper evidence. So I mentioned this and my father was so angry that I was critical of al-Hidayah.

AK: Was your father schooled in Islamic law himself?

MKM: No, he had no formal education in Islam. He was a qualified *tabib* (traditional medic), but he never went to a madrasa. During the freedom struggle, he spent months and years in jail with scholars like Mufti Kifayatulla. So staying with them, he knew all these discussions and religious debates.

AK: Do you think there is some special quality of change in modernity?

MKM: Until the 1960s modernity for me meant basically a westernized way of life. And, as a religious student, westernization was connected with the imperial tradition. So freedom meant also freedom from this modernity. Later, I thought of modernity as the challenges that Muslim society was facing. Modernity as I understand it now, as an enlightenment project, did not dawn on me at that time.

AK: What do you think has been the major engine of change? Where does the change come from in the way that it affects Muslims?

MKM: Looking back, my idea was that change was coming from the colonial period, and from Western institutions in power. Only later did I realize that it was a more dynamic process, and that change was coming from within society, within economic practices. As I thought it through, I began to feel that modernity and change were inevitable.

AK: You've mentioned modernity as a form of enlightenment, could you elaborate on this.

MKM: Perhaps I should first categorize myself among the Muslim modernists. Most Muslim modernists, at least in South Asia, were supporting reform and development, more in terms of what the West had brought. And I think that all of these ideas can still be justified. But living in the West, I started thinking that modernity was construed as a project which started with the Enlightenment and that it is basically a Western phenomenon. I think, however, that modernity has come to all cultures, and it has come with a different focus, and different emphases. Not necessarily every culture will go into modernity with the same kind of problems and prospects that the West has experienced. I believe that the eighteenth century was as crucial in Muslim world, especially in the South Asia, as it was in the West. But in the eighteenth century, enlightenment or modernity in South Asia was local and it was coming from within the tradition; it involved a great deal of self-criticism. I don't know what shape it would have taken, but unfortunately colonialism gave it a different character. Getting rid of colonialism, and gaining freedom, meant for a large number of people opposition to all that colonialism had brought. Because of that earlier indigenous modernity, however, many supported the progressive modern values as well. Freedom, democracy, determination of local governments, reason – all these things also have Islamic roots. I don't know if Shah Wali Allah's critical thinking would have led to anything unique, but it was certainly moving away from tradition, towards self-criticism of tradition, and looking for new thought. So that's how the Enlightenment in the West and the Enlightenment in the East – or in the Muslim world – were not basically different, but the goals and the categories that have been associated with the Western projects are now taken for granted.

AK: Can you perhaps tell us something about people who have had a formative influence on your thinking?

MKM: There were so many people that I read and who influenced me. I think in the beginning it was Mawlana Abu al-Kalam Azad that I read with much fascination for a long time. Earlier at home, my father and I were very keen on Abu al-Kalam. Iqbal's thinking too, not so much his poetry, but his lectures have also meant a great deal to me. He was my star. Ahmed Amin (author of *Fajr al-Islam* and *Duha al-Islam*) fascinated me, and led me to read others.

AK: You've lectured in many different countries. Pakistan, Nigeria, North America, and the Netherlands seem to have benefited most from your work. What have been your experiences?

MKM: Nigeria was surprising: I found the students very keen and very responsive when compared with Pakistan. They took much interest; they read everything in the reading list; they asked questions; they went to the library. And the most surprising was that when I was teaching Islamic law, the students who were Christians were more receptive, more brilliant, and asked questions that really interested me. In the United States and the Netherlands, there was a different atmosphere. There they are interested not so much in the general subjects, but in their own research work and there own interests. So their interest can be considered very focused compared to what I found in Nigerian students.

AK: But if you were teaching a course on Islamic law, how would they be more focused?

MKM: Well in the Netherlands, for instance, it was disappointing for me that when teaching in Islamic law two or three students would be interested in the subject itself. Others would be more keen about their marks, what type of exam to expect, and this kind of thing. In Pakistan, too, my experience with students was not stimulating. For instance, I remember in one of my classes, when I was explaining how the pre-Islamic societies in India and Pakistan were relevant for studying Islam,

or how the artefacts or art and painting and all these things are helpful, one student stood up and asked me: 'Islam has forbidden all these things, why are you teaching all this?' I came across this kind of reaction in Pakistan very often.

AK: You started with the Islamic Research Institute, so you were dealing with questions of application. In the Netherlands, did the applied dimension of Islamic law still interest you?

MKM: In a sense, yes. Applied law is still interesting in the Muslim world, but the application of Islamic law becomes interesting in the Western world as well. Muslim communities here may not be in great number, but there is an increasing number who believe in Islamic law in their lives. In the beginning, it was thought that ways could be found to temporarily evade Islamic law. But now an increasing number are asking really how to apply these laws, and are finding that some of the laws are not applicable. They are not simply looking for expedient ways, but in a way they are asking broader and deeper questions about how to apply these laws. And in a way this is also a question that is coming up in the Muslim world.

AK: What do you see as the responsibility of Muslim intellectuals like yourself in the light of recent developments in the resurgence of Islam.

MKM: If the renaissance or self-criticism that had started in the eighteenth century would have continued, it would have been simpler. But the problem now is that, first of all, there is too much sacredness attached to the past. Again and again, Muslims are forced into taking emotional positions. Because of the encounter with colonialism, many Muslim thinkers thought that the first priority was political strength, political control, political power, and military strength. Later, from the 1950s to the 1960s, some thought that political strength was not the only thing. We should have information, freedom, technical knowledge and scientific knowledge. And then again, from the 1990s to the present, the West is showing its strength, and the tide is swinging against the early trend. I think that Muslim intellectuals have to take a very critical stand that military or political strength is not the ideal.

But the second challenge is this: for a long time, during the medieval period, there was a type of built-in hatred against common people – *awamm ka-l-anam*. This is a fictitious dichotomy between the élite and the masses. In the modern period, a greater role is being recognized for common men and women, so the intellectuals should recognize it also. You cannot just sit in your armchair and think about solving things. You should be discussing these things with the people.

AK: Could you perhaps elaborate on this point in the field of Islamic law?

MKM: Although we say that it is a divine law, Islamic law is based on whether it is accepted by the people or not. And acceptability must be built, which means that there should be a communicative process. Scholars cannot just say that this is the law of God that must be applied and obeyed. In the development of Islamic law, this idea was already there. Just to give you an example, in early Islam opinion was very much against social stratification within marriage contracts. And yet in practical terms marriages could not be stable when cultural and social differences were not taken into consideration. So the jurists came to realize that marriages were better founded on a degree of equality in social status, and that the guardians of the parents have a right to refuse their charges to marry people of incompatible social standing. Jurists had realized that for practical reasons, social stratification was difficult to ignore.

In short, if there is a legal question in Islamic law, we simply cannot approach it like a mathematical question and get an answer from the Qur'an and *sunna*. In fact, what I observe is that whenever there is a question there are already solutions. Often there are one, two, three, four solutions that the society has thrown out, and muftis solve the problem by saying which one of these is closer to Islamic teachings. So again it is the common people, society, who are experiencing Islamic law, and experiencing these questions, and who are offering solutions from which to choose.

PHOTO: WIM VREEBURG, 2001

Muhammad Khalid Masud with L.E.H. Vredevoogd, former president of Leiden University and Chair of the ISIM Board.

AK: Has your work taken a turn in recent years, from legal theory to the social construction of *shar'ia*?

MKM: When I started talking about the *maqasid* of *shari'a* or the goals of *shari'a*, there was a very limited response and acceptance. Some people were even opposed to it, because it appeared like something against the Qur'an and *sunna*. But gradually the idea has been taken up in various forms. The idea of the *maqasid* of the *shari'a* is now commonly accepted. Even in *fatawa* one cannot just answer questions by analogical reasoning; one has to look at the philosophy of law and the *maqasid*. But, I feel that there is a need to develop a concept of history of Islamic law. Nowadays, Islamic law is still being disembodied, hovering throughout the past. I think a better understanding of the history of Islamic law shows that it is something that has been developing and changing over time and should continue to develop.

> 'If the renaissance or self-criticism that had started in the eighteenth century would have continued, it would have been simpler. But the problem now is that, first of all, there is too much sacredness attached to the past.'
>
> **MUHAMMAD KHALID MASUD**

AK: Do you have any comments on recent developments in Europe?

MKM: The second and third generations of Muslims living here are now localizing Islam. It may not be substantive enough as yet, but I think it has clearly begun. I noticed a trend in the *fatawa* – the *fiqh al-aqalliyyat* – which started by saying that you cannot treat Muslims living in these countries as diasporic communities. Islamic law here has different interpretations than in the Muslim world. What I think is lacking thus far is the full implication of citizenship. This is realized neither by the host countries nor by the Muslims themselves. For Muslims this would mean a different interpretation of Islam, more dynamic, more active, and one that could contribute to the local civilization, local culture, and make Muslims active participants in European societies. Muslims living here are not to be cut off from the Muslim world but they should in some ways be vanguards of the new world. I think that type of thinking is in the making.

The Unexpected Aftermath of Operation 'Iraqi Freedom'

IBRAHIM AL-MARASHI

As Operation Iraqi Freedom has come to a close, the US has declared victory in achieving its objectives. Given the rapid pace of this campaign, most analysis focused on the course of events, with little academic and often inaccurate assessment of the war and its aftermath in Iraq. Such assessments are crucial when addressing the question of whether Iraq will survive as a viable state, as well as what form it will take. Faulty forecasts about Iraq's future, combined with failing to understand its internal political dynamics could have disastrous effects on both the Iraqi people and the American and UK forces stationed there.

In the US and UK policy analysis circles, 'overnight experts' dominated the airwaves and the discourse on Iraq, which would later influence those government bodies that conducted the war. As a confession, I was also featured prominently in the US and UK media, and believed that my assessments were of more value since I had devoted my academic career to studying Iraq. Yet, even I made many of these failed assessments, due to the fact that I left my native country when I was a child and since most of my views on Iraq where influenced by the Iraqi exile community. Nevertheless, the dearth of public knowledge on Iraq led to many false predictions of how the war would evolve and how the Iraqis would react to the American and British presence once Saddam was removed.

Assessing Iraq's past

These failed forecasts could partially be attributed to American and British academic circles, where the study of Iraq has been neglected, with only a handful of scholars that can be genuinely characterized as experts. The literature on Iraq suffers from a lack of research conducted within the country itself. Simple logistical reasons have led to this deficiency, as archival work and fieldwork in Iraq was nearly impossible. While the literature lacks an internal analysis of how the Iraqi state and society function and operate, several authors have published works on Iraq's internal politics. Prominent among them is Kanan Makiya's work, which gives a detailed background to the emergence and foundation of the Iraqi security apparatus and Baath Party. While his book *The Republic of Fear* is considered the textbook on Iraq's internal politics, Makiya wrote the book while in exile. In the US and UK, Peter Sluglett and Charles Tripp are among the few scholars who have recently written on Iraq, while other known scholars include the Israeli academics, Amazia Baram and Ofra Bengio. All have conducted their research on Iraq from outside of its borders. In fact, the last substantial work based on research in Iraq only covered the period up to the 1958 Revolution in Iraq; the late Hanna Batatu's work is based upon the secret records of the Iraqi monarchy, which were made public after the 1958 Revolution. Nevertheless, the few academic experts were not featured prominently in the media: perhaps out of their own volition; perhaps they were never contacted. In fact, in the US and UK media circles, former military generals dominated the media outlets, demonstrating the media obsession with how Iraq was being destroyed. Little attention, however, was given to how it would be rebuilt.

Much of the literature on Iraq has focused on its eight-year war with Iran or the 1991 Gulf War, primarily devoted to the military aspects of the wars, with no works dealing with the internal Iraqi politics during the conflict. While the literature primarily dealt with the international diplomacy surrounding the invasion and subsequent military conduct of the 1991 Gulf War, there is a general lack of information on the events that took place inside of Kuwait from 2 August 1990 to 16 January 1991. While numerous works have been written on the subject, including military analyses, eyewitness accounts, and journalistic pieces, not one has utilized primary documents produced by the Iraqi state itself during its occupation of Kuwait. In other words, there is a lack of research on how Iraq administered and defended its 'Nineteenth Province'. Understanding such internal Iraqi political dynamics during the Iran-Iraq War or the 1991 Gulf War would have been critical to understanding how the Iraqis would have defended the country in what is really the Third Gulf War. One could argue that research on Iraq's internal dynamics during these two wars could not be conducted due to Iraqi government restrictions. However, since 1999, an often under-utilized electronic archive of four million captured Iraqi state documents from the Iran-Iraq War, as well as 300,000 documents from the 1991 war, has been publicly available.

It is questionable that even the few works on Iraq were properly consulted and analysed by the powers that conducted Operation Iraqi Freedom. These doubts were confirmed when a UK intelligence dossier on Iraq's intelligence agencies, presented to Colin Powell in February 2003, was found to be plagiarized from a historical, academic article I had written on Iraq's intelligence agencies. After this affair, one must ask how familiar the US and UK governments really were with Iraq before they launched this war.

Assessing the war

The neglected study of the internal dynamics of Iraq's domestic politics and security apparatus led to many failed forecasts when US and UK forces went to war against those institutions of the Iraqi state. The American and British media as well as the policy-making 'think tanks' provided many failed assessments of how the war would be fought. Generally, these institutions predicted the Shi'i population in the south would revolt against their Sunni, Tikriti masters, leaving the toughest battle to the 'decapitation' of the regime in Baghdad. On the contrary, the Shi'ites did not revolt, the most pitched battles were in the south, and Baghdad fell relatively easily. It was predicted that Saddam's élite Special Republican Guard and security organizations would fight to the very end to defend the capital; however, the para-military organizations such as Fidayin Saddam, which did not have formal military training, posed the most serious challenge to coalition forces. Finally, Saddam's feared weapons of mass destruction were not deployed against military forces as they approached Baghdad.

The Iraqis were mistakenly classified into two camps: pro-Saddam and anti-Saddam factions, and thus once the pro-Saddam factions were vanquished, the anti-Saddam tendencies in Iraq would rally behind the US. The US forecasts failed to account for the role of Iraqi nationalism and the Iraqi citizens' loyalty in defending the nation opposed to the regime. For example, reports on 25 March 2003 from British military forces stationed around Basra, stated that civilians had revolted against Iraqi government forces. In fact, no revolts occurred in Basra; nor did they occur in most of the Shi'i towns of the south. When the leader of the Supreme Assembly of the Islamic Revolution in Iraq, Ayatullah al-Hakim, was asked about why no Shi'a revolt materialized, he said that '[t]here are a number of reasons why there has not been an uprising, most important of which is that Iraqis perceive the United

States as an occupying rather than a liberating force. The second reason has to do with people's strong sense of nationalism, the painful memories of the war of 1991, and the fear that anyone who rises up against the regime will be crushed.' After the Second Gulf War, in March 1991 an uprising began in Basra and literally spread overnight throughout the south of Iraq. However, the US failed to support this uprising and Iraq's Republican Guard brutally crushed it, leaving many Shi'ites feeling abandoned by the US, and such feelings among the Shi'a were not taken into account.

Assessing Iraq's future

Prior to the invasion of Iraq, many inaccurate assumptions were made such as that Iraqi soldiers would not fight at all, American forces would be greeted as liberators, and Iraqi exiles would be enthusiastically received. Once the war had finished, assessments failed to take into account the almost immediate animosity directed towards the US once Saddam was removed, and what the Iraqis envisioned for their future state. Currently there are numerous, often contradictory, visions for a post-Saddam Iraq, ranging from a US-supported, neo-Baathist Iraq in the guise of a democracy, to a decentralized, federalist Iraq proposed by the exile opposition and Kurdish groups. On the other end of the spectrum, many Iraqis are calling for an Islamic state/theocracy, with disagreement over whether it should be formed on the Iranian model.

As Iraq's Shi'ites mobilize to play a dominant role in Iraq, amply demonstrated by their holy processions in the last week of April, US administration officials admit they underestimated their organizational strength and were unprepared to prevent the rise of an anti-American, Islamic theocracy in the country. A *Washington Post* article stated: 'As the administration plotted to overthrow Hussein's government, U.S. officials said this week, it failed to fully appreciate the force of Shiite aspirations and is now concerned that those sentiments could coalesce into a fundamentalist government. Others were more focused on the overriding goal of defeating Hussein and paid little attention to the dynamics of religion and politics in the region.' The US administration fears that the Iraqi Shi'a would come under the sway of Iranian influence. Were some of these US officials to buy a copy of Yitzhak Nakash's book, they would realize that the Shi'ites' strong sense of Iraqi nationalism and a resistance to the Iranian concept of a single supreme Shi'iteruler (*velayet-e faqih*) would keep the Islamic Republic's influence in check.

The failure to understand Iranian foreign policy, especially in the US, could lead to disastrous consequences for the future of Iraq. Those in the US administration that argue Iran should be denied an influence in Iraq, ignore the centuries-old historical ties between the Iranian Shi'ites and those in Iraq and fail to comprehend the religious significance of the holy sites in Iraq for all Shi'i Muslims. US forces in Iraq cannot change this historical legacy. Additionally, the idea of exporting the Iranian revolution has long expired in Iran's foreign policy, but rather the Iranians are more weary of yet another American satellite state on the other side of its borders.

While the US focuses on alleged Iranian attempts to influence the Shi'a towns of Najaf and Karbala, there are mounting tensions developing in the predominantly Shi'i district of Baghdad known as Saddam City, which has now be renamed Sadr City, in honour of the clerical family that has played a pivotal role for this community. For the most part, US forces have not been deployed here, and the district has been run by armed factions who support the Sadr faction in the growing contention over who will dominate Iraq's Shi'icommunity.

As the American forces are focused on Iran's attempt to influence southern Iraq, they have neglected to maintain a strong presence in the north. Perhaps they have not fully appreciated the historic conflict between the Kurds, Iraqi Turkomans, and Arabs in towns such as Kirkuk and Mosul, and will not see the signs of the potentially dangerous ethnic conflict that is taking shape in this region. The forces of the Kurdish Democratic Party and the Patriotic Union of Kurdistan moved into the northern Iraqi cities of Mosul and the oil-rich Kirkuk, despite Turkish warnings not to do so, arguing this would be the basis for the creation of an independent Kurdish state. Turkish troops have not been deployed in northern Iraq as many analysts predicted, and yet the Kurds have not indicated that they will withdraw completely from these cities.

The failure to understand Iraq's history and politics lead to many miscalculations of how Operation Iraqi Freedom would evolve, and how the Iraqi people would react to US presence. Additional miscalculations could have disastrous results. The US should heed the lesson of the Great Iraqi Revolt of 1920, which united the disparate communities of the Shi'ites, Sunnis, and Kurds in the newly created mandate of Iraq in a common animosity towards the British forces in Iraq. All the ingredients are present for a second Great Iraqi Revolt. The Iraqi nation was created from the ravages of the First World War, launched a nationwide revolt in the 1920s, suffered through the Second World War, underwent revolutions in 1958, 1963 and 1968, dealt with an almost continuous Kurdish rebellion and a mass uprising in March of 1991, and had three disastrous wars with foreign powers. Neither Iraq nor the Americans stationed there need a second Great Revolution.

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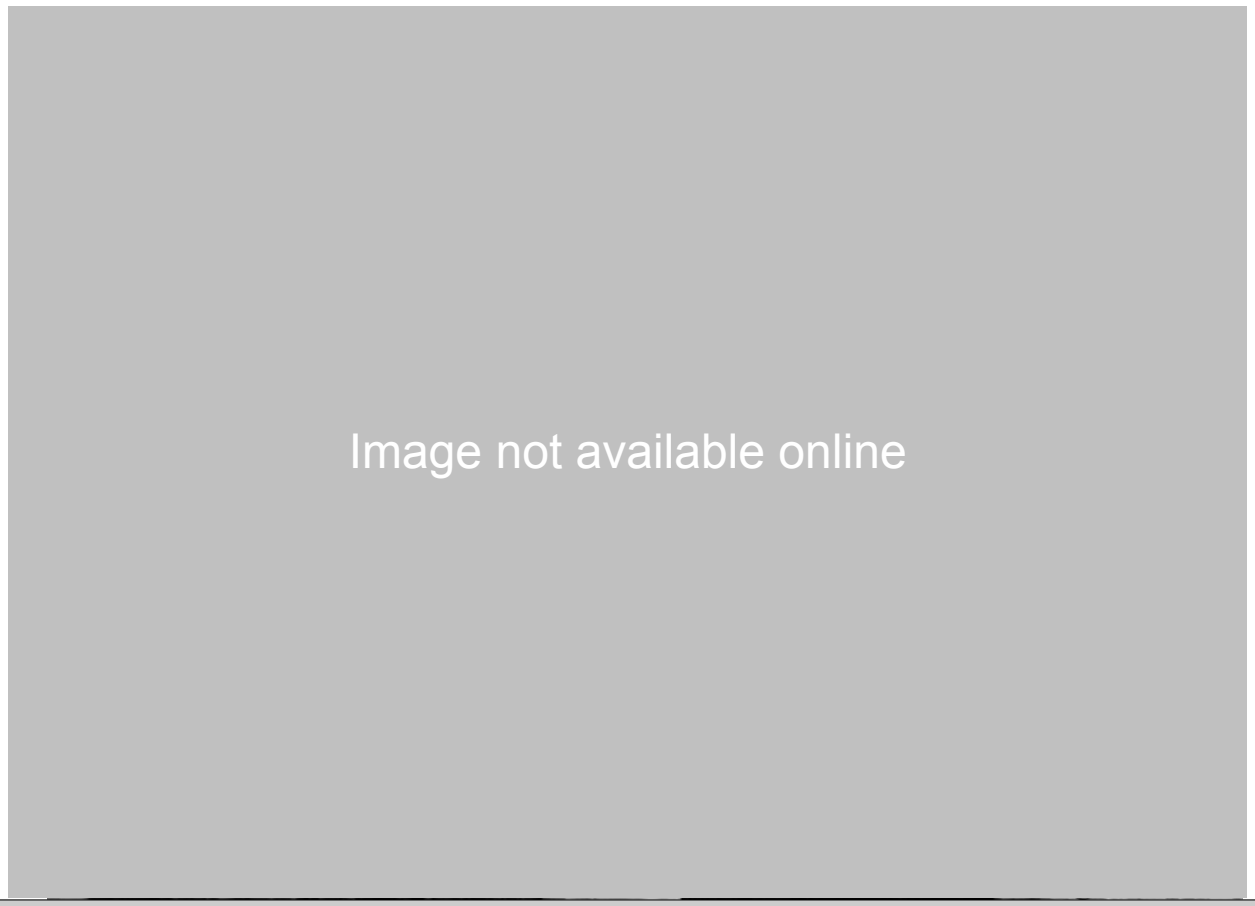

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The Challenge of Post-Taliban Governance

M. NAZIF SHAHRANI

A quarter of a century of wars ending in military triumphs – by the Mujahideen against the Red Army and the Communist regimes; by the Taliban and al-Qaeda against the Mujahideen-Northern Alliance forces; and most recently by the US-led international coalition against the Taliban and al-Qaeda – have proven that achieving victory in the battlefield is easier than translating that victory into desired political objectives. The persistence of political failures following military victories in Afghanistan calls for a reasoned explanation of this major gap between means and ends, and a way out of the painful cycle of violence in the country.

The recent military victory by the US and British forces in Iraq and its immediate aftermath of political chaos and uncertainty in that 'liberated' nation brings an added urgency to addressing the problems of post-conflict governance in these multi-ethnic societies in the region. Explanations for these repeated political failures after military triumphs are both numerous and highly contentious. Suggestions for possible strategies to break out of the ongoing military-political impasse, while not as numerous, have been equally dyspeptic and strongly partisan not only among Afghan leaders and members of the ethnic and regional communities, but also among a growing cadre of international 'experts', as well as an occasional interested American politician. Remarkable, however, in these discourses (especially among Afghans) are two things: an overwhelming convergence of opinions about the objectives for a desirable political outcome in Afghanistan, and conflicting views on how and by what political means to accomplish them. The disagreements on the means and political strategies for realizing the national goals are becoming increasingly sharp, especially among those in Kabul and the powerful regional actors. These divergent centre-periphery political perspectives are informed by significantly different perceptions of national and local interests among the contenders.

Mismatched strategies

The Afghan state, like many other post-colonial states, was constituted on the basis of the old dynastic person-centred model of sovereignty in which the ruler exercised absolute power. The rulers, whether under the monarchy, Daoud's royal republic, the Khalq-Parcham Marxists, or the Mujahideen and Taliban regimes, and currently Chairman Karzai, have all attempted to rule over the country and its inhabitants as subjects rather than citizens. They have done so by relying on the use of force and maintaining/building a strong national army and police, complimented by their power to appoint and dismiss all government officials at will. Such a concentration of power has led to practices of which the outcomes have been nothing but tragic. Some of the more noteworthy of these legacies (earlier addressed in *ISIM Newsletter* 6, pp. 20–1) include the following: pervasive political mistrust between the rulers and their subjects, which has led to the general erosion of trust as a 'social capital' in Afghan society beyond the circles of immediate family, close kin, and ethno-linguistic/sectarian communities; commoditization of loyalties due to corruption, nepotism, and cronyism within a political economy of dependency and patron-client ties; exploitation of Islam (and other convenient ideologies) to preserve self-interest and the privileges of family, tribe, or ethnic group; and political marginalization and alienation of women and the so-called minorities (but also some Pashtun clans and tribes), who were often treated as mere 'internal-colonial' subjects, complemented with some degree of contempt, especially on the part of certain government officials.

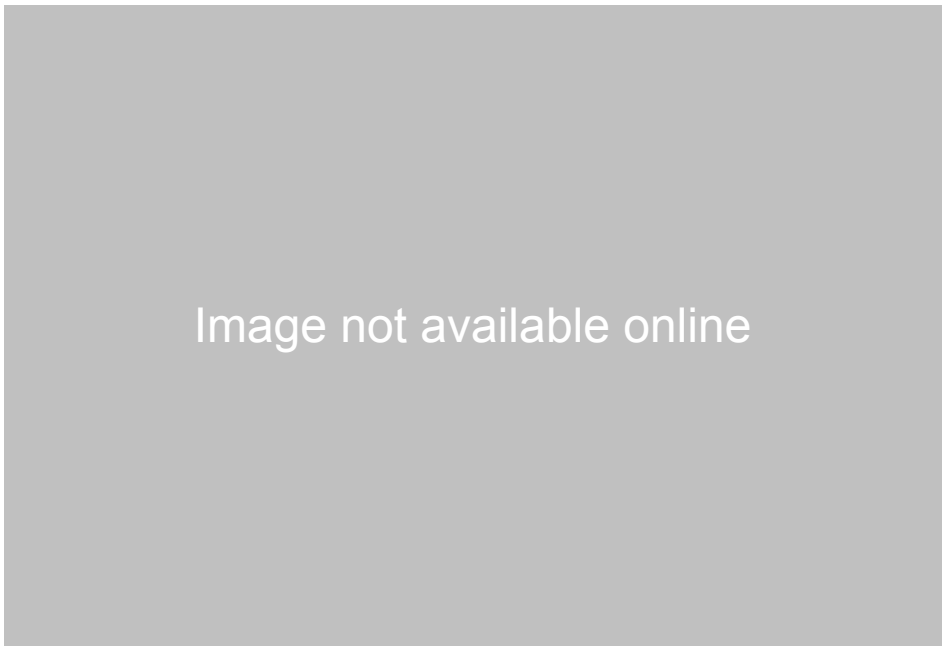
One of the most disastrous consequences of the century of rule from Kabul was the onset of the Marxist coup of 1978, and the subsequent national turmoil that culminated in the rise of the Taliban. This form of tribal-based paternalistic state politics has produced other equally pernicious legacies, which if left unaddressed in the new Constitution could have considerable negative impact on the promises of building democratic governance in the country. Unfortunately, the persistent demands from the leaders of the current Transitional Administration to re-establish the central government rule throughout the country – i.e. by means of building another large and expensive national standing army and police – seem wrongheaded at best, and disastrous at worst. According to a 'Sneak Preview' of the recently completed draft of the Constitution, by Amin Tarzi, in the *RFE/RL Afghanistan Report* (Vol. 2, No. 4, 24 April 2003), the Constitutional Drafting Commission has adopted, with very minor alterations, the 1964 Constitution of Afghanistan and submitted it to Chairman Karzai as the new Draft Constitution of the country for further study and discussions.

Any reasonable solution to the problem of future governance in Afghanistan must address at least three sets of domestic concerns: from the perspective of the war-weary and impoverished masses, especially the internally displaced and the returning refugees; from the perspective of those who hold (or aspire to) power in the capital, Kabul, and wish to expand their control over the rest of the country; and from the perspective of the local and regional leaders and their supporters who wish to retain their autonomy from the centre and ensure a significant stake in the future governance, reconstruction, and development of the country.

For the overwhelming majority of ordinary Afghans, the most pressing problem has been, and will remain, a general sense of physical insecurity in their homes, neighbourhoods, and the national highways and roads in many parts of the country, especially in the eastern and southern regions along the Pakistan borders. In view a recent study by a World Bank team which points to a growing recognition that 'there can be no peace without development and no development without peace' (http://econ.worldbank.org/prr/CivilWarPRR), a way must be found in Afghanistan to break the vicious cycles of violence and poverty. The resolution of the twin problems of peace and development is, however, contingent to a large measure upon the actions of the international community in conjunction with the Afghan leadership, at both the national and local levels.

Since they are currently unable to implement their strong centralized state project militarily, the Transitional Administration in Kabul is feverishly trying to accomplish the re-centralization of the government by financial, administrative, and judicial means through the activities of the powerful Ministries of Finance and Interior, and the Supreme Court. The mechanisms employed so far (with some degree of success) include: the introduction of new banknotes and centralization of the banking institutions, coupled with the demand by the Ministry of Finance (and Chairman Karzai) that all revenues from custom's duties collected at the border ports be forwarded to the central treasury.[2] The Ministry of Finance has been, however, less successful in centralizing control of the flow of international assistance by the donor nations

who prefer to spend their funds through the multitudes of international NGOs operating all across the country with the help of local and regional authorities. The Ministry of Interior and the Supreme Court are trying to accomplish their centralization projects by utilizing the best weapon within the arsenal of person-centred sovereignty-based rule – the appointment of loyal governors, other minor officials, and judges – in those provinces where they can do so. Chairman Karzai's virtual control over the appointments of the nine-member Constitutional Drafting Committee and the thirty-five-member Constitutional Commission may prove to be yet another powerful means for re-enshrinement of the strong centralized state by preventing the consideration or discussion of federalism or some other form of decentralization as alternative forms of governance in the new draft Constitution of Afghanistan. Unfortunately for Afghanistan, the current Transitional Administration's centralization project may prove to be extremely costly, both economically and in socio-political opportunities. Even if successful, such a project will only further aggravate the bedevilling problems of national security as well as the mounting ethnic and regional tensions within the country.



An armed Afghan man watches a wrestling match at Kabul's only stadium.

From subjects to citizens

In order to pave the way for peace and development in Afghanistan, the international community, together with the leaders of the Afghan Transitional Administration, and the local and regional leaders must be willing, at the minimum, to do three things, the first of which is to abandon the assumption that security may be obtained only by means of a large national army and police force. Instead, they ought to start thinking that security is fundamentally a problem of deteriorating trust as a valued social capital in Afghan society. Second, they should be willing to move away from the old and oppressive practices of person-centred sovereignty-based rule over an emasculated body of mistrusting subjects, and to become political managers and civil servants who are governing an empowered community of citizens. And third, they should adhere to and practice the tried and tested principles of community self-governance by means of elections and/or recruitment and hiring of civil servants rather than their appointment and dismissal by the rulers at all levels of government administration.

In the tense environment of a post-9/11 world, and in a war-ravaged and heavily armed Afghan population, it is not surprising that the leaders of the Transitional Administration see security solely in terms of building a strong military and police force to declare war on their real or imagined enemies. Such was also done by the USA after the 9/11 attacks. Even with the enormous firepower of the US Armed Forces, the war on terrorism is far from over, and US military victory remains in doubt, despite declarations to the contrary. More importantly, the 'war on terrorism' has not improved the sense of security for the American citizens at home or abroad. The reason for this lack of progress in winning this war may be the fact that the root causes of terrorism, which are fundamentally political, are utterly ignored or denied.

More than two decades of war and communal strife fuelled by hate and suspicion, not only towards the government but also between various ethnic and tribal communities, has brought the level of general trust within and between communities in Afghanistan to its absolute minimum. Contemplating more war by the central government against those whom they sometimes call the 'warlords' – a verbal weapon crafted by the Pakistani ISI in reference to those who resisted the Taliban conquest of their territories – will only produce more hate and violence. More importantly, the leaders of Afghanistan should take note of the historical fact that a strong national standing army, even when it was maintained at a huge cost, did not only defend the country; it also 'invited' the Soviet invasion of 1979. The creation of the 70,000-strong national army currently contemplated, at even greater financial cost, will be again a source of temptation by the rulers to be used against their own citizens as was done in the past.

However, there is a viable alternative to improve national defence against foreign enemies, as well as to boost internal security while laying important foundations for building communal trust. The verbal weapons of 'warlord' and 'warlord*ism*', so widely used by the media, government officials, some researchers, and most 'experts' on the affairs of the country, should be abandoned. A concerted effort must be made to work with local rural communities to officially form and register community-based national defence units. This does not, however, mean that there is no need for a national army and police or a central government. Rather, it requires diligence in making a systematic assessment of how to re-organize appropriate governing structures in which the roles, powers, and responsibilities of the central, regional, provincial, and local governing bodies are clearly defined and the necessary institutional means (such as the appropriate size of the national army and police force) are made available to exercise their requisite powers and to fulfil their governance obligations. The establishment of such a viable state structure capable of stabilizing the country for national reconciliation and reconstruction requires further wisdom in enshrining the principle of community self-governance through elections and/or recruitment of the civil servants. Adopting community self-governance will be a crucial step toward a fair and equitable treatment of all ethnic, regional, and tribal groups alike. This will be possible only when a properly designed and organized complete census of the country's population is taken and appropriate demographic standards are established for organizing administrative units and electoral constituencies.

The opportunity is here, and the expectations, of both the battered peoples of Afghanistan and a caring and concerned international community, are very high. Are the leaders of Afghanistan ready to embark on a new and alternative political course which could transform the constitutive principles of governance in order to lay the foundation for a gradual and healthier change in the political culture of Afghan society? The Afghan leaders at both the centre and the periphery, the opinion makers at home and abroad, and the international advisors and analysts must steer clear of the sterile debates about federalism, warlord*ism*, and the like. What requires close examination and adoption is a clear set of constitutive governance principles, which could truly help transform the impoverished masses of Afghan subjects into loyal and responsible citizens of their own communities – as well as a peaceful Afghan state. Such a set of democratic governance principles must reject and put an end to the possibility of reverting to the familiar patterns of person-centred politics, and of sovereign rulers with their cadre of kin and cronies holding on to power. It is for the sake of future generations, and in the hope of eliminating from Afghanistan and the world one of the principle political causes of terrorism – the sovereignty-based oppressive militaristic regimes in multi-ethnic states – that the leaders of Afghanistan must display the requisite wisdom and diligence to enshrine the right set of governance principles in the new Constitution of Afghanistan. To do otherwise will mean the loss of a truly golden opportunity for the people of Afghanistan, the region, and the world.

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CFCM
A French Touch?

VALÉRIE AMIRAUX

France is the second country in Western Europe, after Belgium in 1998 (see *ISIM Newsletter* 2, p. 26), to have elected a representative Muslim council. The formation of the Conseil Français du Culte Musulman (CFCM) was carefully controlled by the Ministry of Interior and despite the substantial support it has received for its general purpose of consultation, many have questioned the degree to which the CFCM truly reflects the composition of the Muslim community.

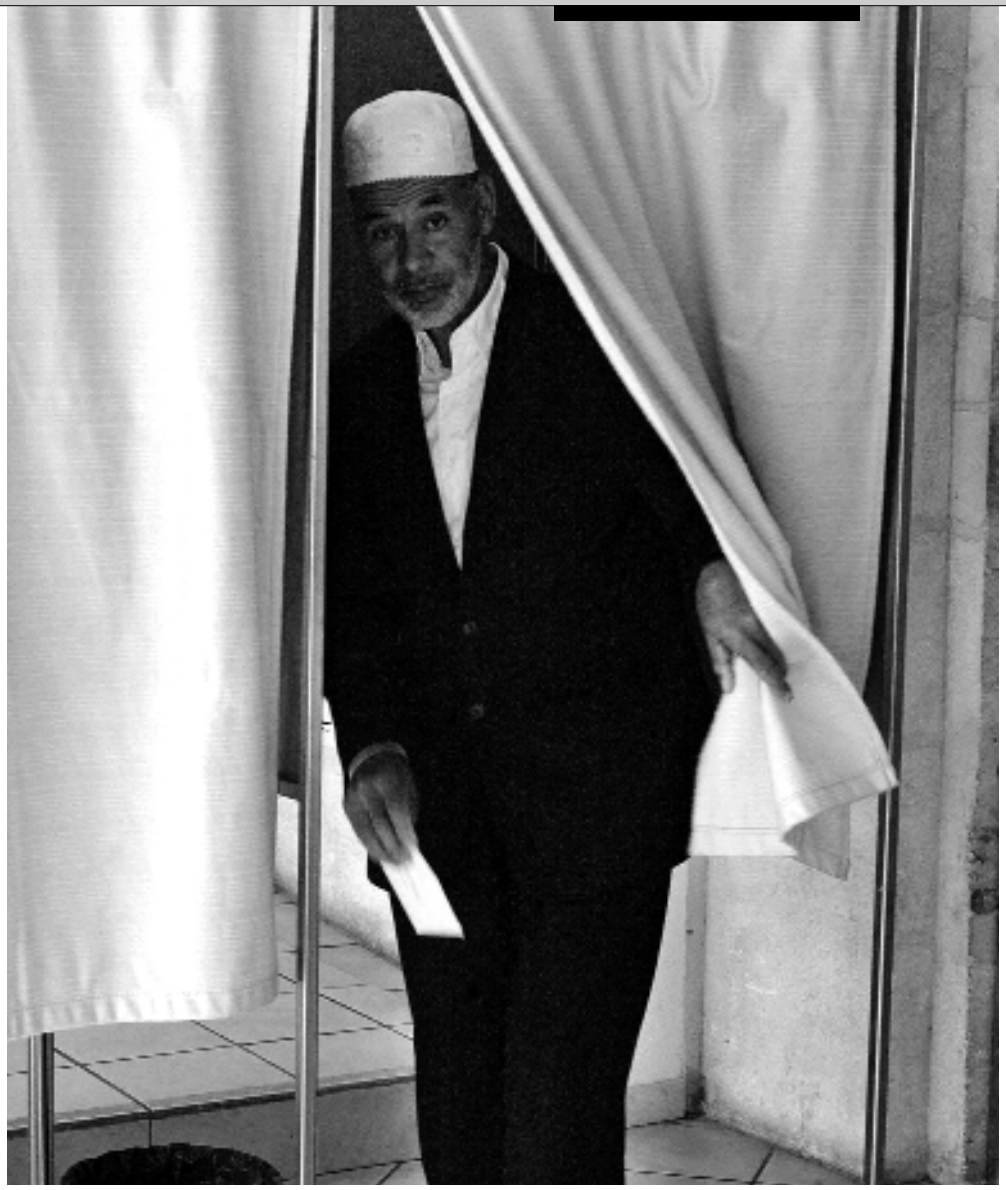
After more than a decade of intense discussions between various Muslim organizations and successive Ministers of Interior, ambassadors, scholars, experts, etc., a representative board for the Muslim worship in France was finally elected in April 2003. Its first general assembly meeting took place in Paris on 3 May 2003. Notwithstanding many critics, the Conseil Français du Culte Musulman (CFCM) constitutes an elected national body in charge of issuing 'principal statements on central religious topics'[1] and embodying the partnership with public authorities, nationally and locally. The CFCM is made of a general assembly and twenty-five regional agencies called the Conseils Régionaux du Culte Musulman (CRCM) in charge of the daily management of the Muslim communities' affairs, in particular relations with the French public administration. This step represents a victory in many ways, although the nature of this victory differs according to the actors that have been committed to the project since its launching by Jean-Pierre Chevènement, former Minister of Interior, in the fall of 1999.

Several Cabinets had long tried to provide a solution to the question of representation of Islam as a worship in the French context. P. Joxe was the first (in 1989) to try to set up a council of reflection on Islam in France, followed by Charles Pasqua and the creation of a council of representation of French Islam and the editing of a charter of the Muslim worship in France. In October 1999, Jean-Pierre Chevènement followed up the previous initiatives with a new concept encapsulated in the label of 'Consultation sur l'islam de France-Istichara' with a clear objective of setting up a board of Muslim representatives in charge of working as a partner with the state on religious issues. The notion of 'consultation' appeared from the very beginning as the main legitimating factor guiding the public project of helping Muslims set up a representative institution. It started like a fairytale full of promises, and should have been concluded in May 2002 with the elections of the CFCM. After many rescheduled polls, resignations, and new appointments, the arrival of Nicolas Sarkozy in the government in June 2002 gave a new impetus and accelerated the process, which turned out to be somewhat of a 'forced wedding' that finally ended as a 'marriage of convenience' after the surprising results of the 6 and 13 April elections.

The initial step of the 'Consultation' had been to list the main questions and call for concrete and rapid solutions to certain issues: the creation of denominational organizations as foreseen by title IV of the law of 1905, the creation of new places of worship, and defining the status of the religious staff. On 3 July 2001, a decisive step was taken with the setting up of a framework agreement elaborating on the principles and legal basis that organize the relationship between the public authorities and the Muslim worship. The framework agreement opens with the declaration of loyalty to the Republican fundamental principles and more specifically to the constitutional principles of freedom of conscience. One of the priorities of the Consultation consisted of identifying the most suitable procedures for the designation of the representative board (CFCM). Several Muslim representatives laid down the method for the rapid emergence of an authoritative body for Islam in France. The choice would be made on the 'church basis': the elections would intervene in the places of worship and buildings ruled by declared associations. While it was decided to hold elections, the 4 to 5 million Muslims living in France were not asked to go directly to the polls in April.[2] Instead, they were represented by 4031 delegates stemming from 995 places of worship officially registered as associations, the number of persons representing each place being related to the size of the site. The elected board would then become an association of the July 1901 law type. On the one hand, the Consultation opened real opportunities for dialogue and raised some important issues for the CFCM agenda. On the other hand, it only covers part of the problem and is perceived as a constraint for those associative leaders who feel they have been excluded from the process.

Does the CFCM represent the Muslims?

Since its implementation, the Consultation has been gathering different categories of Muslim representatives. One is made of federative structures such as the Grande Mosquée de Paris (GMP), the Union des Organisations Islamiques de France (UOIF), the Fédération Nationale des Musulmans de France (FNMF), the Tabligh, the Turkish DITIB – also known as the Comité de Coordination des Musulmans Turcs de France (CCMT), and the Fédération Française des Associations Islamiques d'Afrique, des Comores et des Antilles (FFAIACA). Large independent mosques like, among others, the Islamic cultural centre of Evry, al-Islah mosque in Marseille, or the mosque in Mantes-La-Jolie constitute another category of participants, to which should be added the so-called 'qualified personalities', a heterogeneous group of converts, scholars, and experts. The process did not achieve unanimity among Muslims, mostly due to its working methods rather than its initial purpose. A lot of Muslim associative leaders felt 'obliged' to participate in order not to be excluded from important dossiers. Several voices from associative leaders (whether or not participants in the Consultation) have in particular very strongly criticized the participation of associations and federations considered not to be representative of a moderate Islam. This was particularly the case after Sarkozy who, last June and July, met with the leaders of UOIF on a bilateral basis. Soheib Benscheikh, main mufti of Marseille, has been one of the strongest opponents from the inside – having participated in the Consultation for a while – and from the outside. Calling the whole process a 'bureaucratic *mechouia*', he stressed that the French government should get rid of 'this post-colonial approach': 'The Ministry of Interior even called this Consultation *istichara*, with a publication associated to it whose title is in Arabic! But we are in France! It seems like one is looking for "local colour", folklore.'[3] The paternalism charges denouncing the 'neo-colonial' attitude of the government towards the Muslim communities at large have been the most frequent attacks against the entire initiative. The evolution of this process of institutionalization of Islam had also the ambition to solve the problem of the role of the states of origin. On different occasions (questions of the financing of the places of worship, mediation of the King of Morocco in the first 'veiling affair' in 1989), the co-administration of Islam both by the French government and by the states of origin clearly demonstrated the insufficiency of the French policies in this domain. An affair for domestic policy or for foreign affairs, the issue hardly found a proper space on the French political agenda. The Consultation itself still remains highly influenced by a diplomatic management. Indeed, the census forms for the mosques indicating the size and squared metres would have been diffused by the Algerian consulate on behalf of the Paris mosque, the Moroccan consulates having given their support to certain associations.[4]



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Muslim man leaving the voting booth for the CRCM and CFCM elections, 13 April 2003.

The elections of the CFCM are certainly the most 'performative' aspect of the whole project. Chevènement conceived it as a Consultation emphasizing the participative and deliberative components of the representation perspective. The two-round elections have been perceived as a means of legitimizing the institution. The rate of participation was approximately 88.5 per cent. Two points should be made in that respect. First of all the diversity of the trends: there is not a single association that could be considered as a winner that would dominate exclusively the CFCM. The elections have demonstrated the diversity of trends within the French associations of Muslims. The explicit loser of the elections is the Grande Mosquée de Paris, which, despite its representation all over France, gathered only 12 per cent of the national votes. Dalil Boubakeur has, however, been confirmed as president of the CFCM as he was designated to this position last December after a meeting of the COMOR. The two winners of these first elections of the CFCM are the FNMF, with 39 per cent of the votes, and the UOIF, with 27 per cent. Who should sit around the Republic's table? One central aspect of the consultative nature and one of the main results of the elections has been called by certain experts a 'democratization' of Islam.[5] It illustrates in a way the political skills of the various organizations, in particular in terms of tactical moves and construction of alliances that will probably appear as soon as the CRCM are officially organized and identified. Will then the CFCM and the CRCM be able to work jointly and efficiently?

A French touch?

In France, the principle of laicity is based mainly on a denominational definition of religion, meaning that religions exist for the French state through their religious institutions.[6] In many respects, the French institutionalization process of a representative structure is very much similar to what occurs elsewhere in the European Union in terms of public policies dealing with the recognition of Islam as a worship. Muslims are almost everywhere systematically disqualified for their incapacity to provide the state with a unique and unified speaker, preventing thus its institutionalization, its 'churchification'. The meaning of this institutionalization project is, however, not the same from one context to another depending upon the national and local political structures: does it aim at monitoring and regulating (controlling?) the Muslims? The French framework of laicity adds even more complexity: to what extent does the state go beyond its neutrality in actively supporting the creation of a representative body (for example, since June 2002, its direct intervention as a mediator between competing structures running for elections)?

Now that the CFCM is elected, the central question deals with its capacity to provide the Muslim population living in France with the right answers to their multiple questions. In an interview for the Muslim journal *La Medina*, Sarkozy declared shortly after being appointed that '[t]he purpose of the Consultation is to represent Islam of France, not Islam in France',[7] based on what he called the 'reality of the field', explaining thus the dominant role of the regional committees. Until now, these challenges have been resolved thanks to the state having delegated to the local authorities the means and competences for managing religious issues (e.g. Muslim plots in cemeteries or the decision to exclude a veiled student from a public school). The training of imams will be one of the first questions to be answered by the newly elected board. Around 1,000 imams are working in France, 90 per cent of whom are foreigners (often with insufficient levels of French language capacities, unclear status, and dependency on foreign countries, notably Algeria, Morocco, and Turkey): the problem is multi-faceted. It is actually conceived as involving not only the Ministry of Interior and the CFCM but also as an issue covered by the Ministry of Education. It seems that the university (in particular the faculty of Islamic Studies) could be mobilized in shaping the proper format to be adopted in France, something probably along the lines of an intermediary between a pure faculty of theology and a religious seminary.

One week after the second round of the elections, visiting the annual meeting of the UOIF in Le Bourget, Sarkozy was severely booed when he stated that women should be bareheaded when posing for pictures for their national identity cards. The immediate controversy (in particular activated by the media) that followed clearly illustrates the limits of the CFCM both as an institution and as an authority as far as its regulating capacity is concerned. Moreover, if the French state has demonstrated a public commitment to treat Islam equally in comparison with other worships, it seems impossible to solve, in one and the same body, the social issues raised by the visibility of religious signs in the public space.[8] Jean-Pierre Raffarin, French Prime Minister, noted in his discourse in front of the first CFCM General Assembly meeting on 3 May 2003: 'Religion is coming back and it is good news to me.' The veil is certainly going to be, again, a hot and central topic in France for the coming months. But this time, it will open up a discussion that goes far beyond the issue of equality of Islam and other worships and the individual right of a Muslim to be respected as a citizen.

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Notes

1. N. Sarkozy, Interview with *La Medina* 17, September–October 2002, pp. 18–21 (seewww.lamedina.fr).
2. Two structures were in charge of organizing the CFCM, the COMOR (Commission Organization), and the AOE-CFCM (Association for the Organization of the Elections), the latter dedicated to the electoral procedure.
3. *Libération*, 22 October 2001.
4. *Le Monde*, 30 November 2001; *La Croix*, 6 February 2002.
5. See the article by Franck Fregosi in *Libération*, 21 April 2003 (www.liberation.fr).
6. The same path has been followed by Jewish organizations that gave in to the Republican requirements by negotiating its public recognition on the basis of its capacity to create a central authority.
7. *La Medina* 17, September–October 2002, pp. 18–21 (www.lamedina.fr).
8. See Valérie Amiraux's article in *Libération*, 25 April 2003 (www.liberation.fr).

Adjusting Islamic Law to Migration

ALEXANDRE CAEIRO

The European Council for Fatwa and Research (ECFR), created in 1997, is one of the most remarkable initiatives in the developing field of jurisprudence for Muslim minorities living in the West. Unlike the Fiqh Council of North America, established a few years earlier, the ECFR includes scholars from the Middle East, a sign that this particular legal discourse also affects believers in Muslim majority countries. Many of the issues at hand go beyond the state of post-migration. Consequently, the ECFR has to find a balance amongst a variety of views and expectations in Europe and beyond.

Modern migratory movements within religions often raise hopes of a brighter future. Intellectuals in new diasporas like to attribute to themselves the heroic mission of reforming their religion and the world. When Judaism settled in America in the mid-nineteenth century, the emerging Reform movement, initiated in Germany, was at its apogee. Leaders accordingly hoped that the new context would liberate Jews from 'the literal and metaphorical ghettos' of Europe.[1] In European Islam, this has been the case too. Very often, the continent is seen as fertile ground for the conceptualization of a new *ijtihad*. In France, in particular, the theme 'France, une chance de l'islam' dominates the public debate, but the idea finds many echoes in other countries as well.

Soheib Bencheikh, the 'mufti of Marseilles', Dalil Boubakeur, rector of the Mosquée de Paris and now president of the newly established Conseil français du culte musulman, and more recently Tariq Ramadan all share the claim that the Islamic Reform will be thought out here in Europe first and transposed to the Muslim world later. In Britain, the chairman of the Sharia College, Zaki Badawi, thinks the same. For some, this new ground offers an excellent opportunity to rid Islam of its juridical slant, and to free it from its old and inadequate reflexes. For others, it is an opportunity to develop a new Islamic jurisprudence, purified from centuries of corruption and traditions.[2]

PHOTO: ALEXANDRE CAEIRO, 2003

Tenth session of the European Council for Fatwa and Research, Dublin, January 2003.

Embodied in the ideology of the Muslim Brotherhood, which sees Islamic law as evolving, the elaboration of a jurisprudence of minorities (*fiqh al-aqalliyyat*) underscores one such tendency. Promoted by authoritative figures such as Taha J. Alwani,[3] president of the Fiqh Council of North America, and Yusuf Qaradawi,[4] this *fiqh* is nevertheless controversial even among the ulema. For Said Ramadan al-Bouti, it is an effort to split the community, and create *fitna*.[5] According to the members of Hizb-ut-Tahrir, it is an undisguised attempt to change the basics of Islam. Despite repeated claims by Qaradawi that it is 'just another branch', there are signs that this new jurisprudence may yet have an impact far beyond the minority populations. Struggling to integrate the European context into Islamic normativity, scholars engaged in this reflection are forced to search for the elusive distinction between tradition and religion, and risk in turn further destabilizing the edifice of Islamic *fiqh*, already under pressure in the Muslim world.

ECFR

The European Council for Fatwa and Research (ECFR), created in London in 1997 to fill up the authority gap in the West, is an example of an institution that presents itself not as a 'competitor or alternative to the established councils of jurisprudence in the Islamic world', but rather as a complement, aiming to 'contribute to a reflection on the *fiqh* of minorities'.[6] Members define the *fiqh* of minorities as twofold: a re-actualization of old juridical opinions (selective *ijtihad*) and the resolution of the new problems arising from modern societies (new *ijtihad*). In practice, however, the ECFR undermines the authority of muftis in the Muslim world by giving different answers to old queries. The thirty member-strong Council issues rulings to questions that are characterized by eclecticism (*talfiq*), necessity (*darura*), and facility (*taysir*). Five years after its foundation, if the ECFR is still struggling to establish itself as an authority in Europe, it has succeeded in attracting much criticism from the Muslim world. The fatwa issued in 1999 allowing mortgages in certain conditions provoked fervent reactions throughout the Muslim world. Though not new, based on classical sources, and even conservative in regards to some previous rulings,[7] the institutional framework provided by the ECFR disseminated the fatwa and weakened the interdiction stated by numerous imams throughout Europe and supported by prominent ulema abroad. The ruling issued concerned exclusively the West, but the rationalization of the idea that economic need renders licit previously forbidden practices became very controversial within Muslim communities, and the hint that bank interest was not a form of usury (*riba*), discussed in the sessions (though finally dropped from the text of the fatwa), raised concerns.

In 2001, another question raised in Europe gave the Council further world notoriety. In a typical procedure for a Western Muslim, a married woman in Ireland who had just converted to Islam went from one mufti to another asking about the status of her marriage (to a non-Muslim), not understanding why this was problematic with respect to Islamic law. The question arrived at the doorstep of the Council, which after intense debate issued a ruling giving the woman the choice to remain married or to divorce.[8] Importantly, according to the members, this decision was made possible by European *'urf*: since husbands respect their wives in the West, and since women have inalienable rights in these countries, they can remain married to a non-Muslim. In the internal discussions it was also argued that, since the Prophet himself did not remarry his Companions following their conversion, marriage in Islam is not a religious but a civil contract. The implications of this judgment are wide, but in the aftermath of the uproar that followed, notably from al-Azhar, the Council tried to minimize them. In public, all the members remain adamant against the possibility of a marriage between a Muslim woman and a non-Muslim man, and deny any possible repercussions for the Muslim world.[9]

It seems thus that the ECFR is playing a greater role in Islamic jurisprudential debates. In a globalized world, the members are deeply aware of the media impact of a fatwa, and very explicitly take it into consideration.[10] The relations with the other, older councils of *fiqh* in Egypt and Saudi Arabia, mindfully established by the Council from the start, are already under strain.[11] According to one member, the Council is now receiving questions from the Muslim world and, along with that, warnings against issuing fatwas towards the East. In the composition of the ECFR itself, the pressure of the Islamic heartland is making an impact: the number of scholars from the Muslim world, initially conceived

as temporary, then limited by the constitution to one-fourth and later increased to one-third of the total number, is now about to reach 50 per cent: in a deal to appease the muftis of the Muslim countries who had been left out, the leadership of the ECFR has pursued – not without some internal opposition – a policy of inclusion to reduce criticism and give the Council weight, in particular in the Muslim world. For the time being, this policy translates into conservatism in the fatwas, and renders the ECFR somewhat ineffective in dealing with European issues. But led by conservative Muslim figures with credibility both in the Muslim world and in Muslim communities in the West, the *fiqh* of minorities could yet be an opportunity to free Islamic jurisprudence from some of the constraints of the East. This is, for some, its true meaning: the *fiqh* of minorities, Alwani unashamedly concedes, is in fact a 'political concept', aiming at 'clearing the road' and creating a space for reflection in the West based purely on the Qur'an and *sunna*, which he hopes will one day be transposable to the East.[12] Whether the short-circuiting of tradition is possible remains to be proven. The debate, however, is open.

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Notes

1. The influential Rabbi Isaac Mayer Wise went as far as writing a new prayer book, *Minhag America*, aiming to reconcile the diverse European practices and to create a Judaism 'suited to the New World'. See Robinson, *Essential Judaism* (New York: Pocket Books, 2000).
2. For these two perspectives in dialogue, see L. Babès and T. Oubrou, *Loi d'Allah, loi des hommes: liberté, égalité et femmes en islam* (Paris: Albin Michel, 2002).
3. *Fiqh al-Aqalliyyat, Islamiyat al-ma'rifah* (Washington, Spring 2000).
4. *Fiqh al-Aqalliyyat al-Muslimin* (Cairo: Dar al Shuruq, 2001).
5. For an exposition of this and other views, see Khalid Masud, 'Islamic Law and Muslim Minorities', *ISIM Newsletter* 11 (December 2002).
6. European Council for Fatwa and Research, introduction by Yusuf al-Qaradawi to the *First Collection of Fatwas* (Egypt: Islamic Inc. for Publishing & Distribution, n.d.).
7. In 1992, at a *fiqh* seminar held in France, a ruling was issued permitting mortgages as a necessity in Europe and, significantly, in 'poor Muslim countries' too (Darsh, 'Muslim in the West – A Fiqh Seminar in France', manuscript, 1992).
8. The Council was divided: those that were pro-choice, led by Qaradawi, cited similar opinions of Omar Ibn Khattab and Ali Ibn Abi Talib. Those that were against, like the Council's vice president, Faysal Mawlawi, claimed that these opinions have never been followed by the *fuqaha*.
9. In an interview, Yusuf Qaradawi denied the possibility of this judgment being used in the 'completely different' case of Nasr Abu Zaid, divorced from his wife in 1996 after being accused of apostasy by the Egyptian Court of Cassation; a verdict upheld by the Court of Appeals before a last-minute decision nullified the decision.
10. In a subsequent question from Norway on the permissibility of buying an Islamic centre with a mortgage, the Council refrained from issuing a public fatwa altogether, in order to prevent further criticism. See my *La normativité islamique à l'épreuve de l'Occident: le cas du Conseil européen de la fatwa et de la recherche* (Paris: l'Harmattan, forthcoming 2003).
11. In a recent visit to France, the secretary general of the Muslim World League, Abdallah Turki, refrained from commenting directly on the ECFR, but warned that all European fatwas must be 'legal', and offered to answer all questions relating to Muslim minorities through the League's Council on *fiqh*. See 'Interview exclusive du cheikh Abdallah Ben Turki, secrétaire générale de la LIM' (www.oumma.com), 2003.
12. Personal interview, Paris, July 2002.

NOCRIME

Promoting the Non-Exceptionalism of Islam in the West

JOCELYNE CESARI

When studying Muslims in Europe, one cannot escape the relationships of domination that tend to impose a reference framework that permanently places Islam and the West in opposition to one another. For more than any other religion today, the forms of identifying oneself as a Muslim are profoundly influenced by a narrative (active from the local to the international level) that puts into circulation a whole series of images and stereotypes, which make Islam seem religiously, culturally, and politically foreign, strange, and exceptional.

Research on Islam in Europe has not always managed to avoid the snare of exceptionalism. In particular, scholars of Islam and political scientists of the Arab world, as well as certain sociologists and anthropologists, are often criticized for emphasizing the role of Islam itself, as a system of norms and values, in the process of integration of Muslims in Western societies. Such a culturalist approach indeed runs the risk of becoming essentialist and a-historical, a fact that has been underscored by researchers working in the tradition of Edward Said's *Orientalism*.

One way to avoid such a dead end is to take into account the modes of interaction between Muslim groups and different segments of Western societies. This implies refusing to essentialize *both* the minority and the dominant culture, and understanding the social construction of Muslim communities within the dialectic formed between surroundings (secular ideology/nationalism/Islamophobia) and group resources. Such is the approach developed by the Network of Comparative Research on Islam and Muslims in Europe (NOCRIME). NOCRIME is composed of nine scholars from seven countries: France (Valerie Amiraux, Jocelyne Cesari), Germany (Gerdien Jonker), the United Kingdom (Sean Macloughin), the Netherlands (Nico Landman), Sweden (Jonas Otterbeck), Italy (Ottavia Shmidt di Friedberg, Chantal Saint Blancat), and Spain (Gema Martin-Munoz). Although they come from various disciplinary backgrounds – sociology, anthropology, political science, religious studies, and history – they share an interest in research from a grassroots perspective, fluency in interdisciplinary research methods, and privileged connections with major Muslim organizations in their respective countries.

Amongst the relevant dimensions of NOCRIME's research agenda are the following:

– the variety of religious practices and social interactions related to Islamic affiliation;
– internal differentiation within Muslim groups (secular Muslims versus observant believers, gender differences, Sufi religiosity, the case of Islamic converts);
– typologies of interactions with non-Muslims (adaptations to context, what kind of dialogue and with which segments of European societies: religious groups, representatives of social and political institutions, etc.); and
– Muslim organizations, activism, and forms of leadership.

The goal of NOCRIME's approach is to examine the gap between the racialization of national discourses, the meta-discourse on Islam as an enemy, and the diversity and fluid nature of Muslims' attitudes. In other words, studying the way that Muslims respond to a reference framework that has been imposed on them and that is based on a relationship of domination, does not mean that Muslims are prisoners of this framework, nor does it mean that they model themselves according to the identity that has been assigned to them. Although often considered as an 'exceptional case', Muslims are not always such an exception.

For recent publications by members of NOCRIME, see Revue Cemoti*, 'Musulmans d'Europe', no. 33, Paris, September–December 2002.*
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Religion and Modernity
Reflections on a Modern Debate

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The relationship between the phenomena of modernity and religion has exercised scholars in many fields over recent decades. For example, one of the original exponents of the secularization paradigm in the late 1950s and 1960s, sociologist Peter Berger, had, by the end of the millennium, recanted his earlier position saying: 'The big mistake, which I shared with everyone who worked in this area … was to believe that modernity necessarily leads to a decline in religion.' Steve Bruce, sociologist and firm adherent of the secularization thesis, quotes this statement in an article in which he attempts to rescue Berger from the folly of his recantation.[1] While Bruce's view may now be regarded as 'unfashionable'[2] in sociology of religion circles, echoes of the 'modernity–religion' dichotomy are very much present in studies related to modernity, contemporary Islam, and fundamentalism.

Modernist or fundamentalist?

Elsewhere I have argued that a 'modern' conception of the state need not imply discontinuity with the past (as implied by the secularization thesis) when conceived within parameters of a religious tradition.[3] The 1925 case of the Egyptian *'alim* Ali Abd al-Raziq illustrates the point. Abd al-Raziq argued in *Islam and the Roots of Authority* that neither the Qur'an nor the Prophetic tradition supported the view that the Prophet's role was both political and religious; it was, indeed, merely spiritual. Since there was no essentially Islamic form of government and the modern state was conceived of as secular, the spheres of the political and the religious needed to be kept separate in the modern, colonial-dominated states in which Muslims lived. Abd al-Raziq examined and rejected the views of the fourteenth-century philosopher-historian Ibn Khaldun who argued, according to his modern interpreter Muhsin Mahdi, that religion must be politicized – a notion clearly not alien to the Islamic tradition. In other words, Abd al-Raziq examined his own tradition seriously, debated with it, and found it wanting for modern times with regard to the nature of the political. Although his views were vigorously denounced at the time and led to his dismissal from al-Azhar, his argument was the product of a historically evolving, differentiated Islamic tradition. His contemporary opponents, drawing upon the same data of the tradition, claimed that Islamic societies all shared essential elements, which marked their history and moulded the paradigm of their social and political development in the modern world.

It is curious that this latter position is labelled by Western scholars as 'fundamentalist', while that of Abd al-Raziq is called 'modernist'; or that the 'fundamentalist' position is held to be ideological, while Abd al-Raziq's is not when both views are about the disposition and institutional framework of political power. The main point here is that tradition can be employed in various ways, irrespective of differing visions of the past and demands for the present, none of which logically implies a radical break with that past. Expressed in terms of one of the many debates on modernity and tradition (religion), 'detraditionalization', the example of Abd al-Raziq and his rivals would be best described, not in a manner that makes the characteristics of past and present mutually exclusive (and hence discontinuous), but rather as coexisting inasmuch as 'detraditionalizing processes do not occur in isolation from other processes, namely those to do with tradition maintenance and the construction – or reconstruction – of traditional forms of life'.[4] The arguments of Abd al-Raziq and his rivals might then be described as examples of 'modernity-as-tradition' and 'tradition-in-modernity' respectively.

Legal and theological uses

A second, illuminating case is that of the concept of jihad. The distinction between the legal and theological uses of the term is well known. Writing in a theological context, al-Ghazali (d. 1111) called 'true jihad' the struggle against one's inner desires. Ibn Rushd (d. 1198) laid out the jurists' approach to jihad, expounding impartially the contested positions over various points related to the theme of the 'lesser jihad', or fighting 'in the way of God'. For example, one controversy arose over the imam's choices in dealing with captives of war: he could pardon, enslave, kill, or release them either by way of ransom or as a 'protected person' (*dhimmi*) in which case a head tax was imposed; some scholars taught that captives may never be slain, based upon the consensus of the Prophet's companions. Ibn Rushd noted that technical differences of opinion emerged among scholars owing to the apparent contradiction between certain Qur'anic verses, the inconsistent practice of the Prophet, the contradiction between the manifest interpretation of the Qur'an and the Prophet's deeds, or to a general and particular rule in the texts being at variance.

> 'What is seldom acknowledged is that the strident authoritarian voices of contemporary religious fundamentalists have confronted for decades the powerful forces of secular fundamentalism, which have striven to eliminate them.'

The later jurist Ibn Taymiyya (d. 1328) concurs both with the view that captives taken in fighting unbelievers may not be killed, and with the discretion allowed the imam as to their appropriate disposition; he adds, however, that some jurists were of the opinion that the options of releasing captives or ransoming them had been abrogated. In his discussion on jihad, Ibn Taymiyya, in contrast to that of Ibn Rushd,

does not deal with the technicalities of the various viewpoints embedded in the material sources of the law.[5] His priorities lay elsewhere. Perhaps as much moralist as jurist, idealist yet pragmatist, Ibn Taymiyya has been described as one of the most notable scholars of a fourteenth- to fifteenth-century 'revisionist' trend within the developing discourses of the Islamic legal tradition, especially in his views on the closely related themes of violence resulting from fighting against rebels and bandits or from blind obedience to the ruler. He was a revisionist inasmuch as he attempted to deconstruct the traditional discourses on the law of rebellion and to focus upon what he took to be its 'unprincipled and lawless tendencies'. In his view, the traditional law tended 'to simultaneously encourage rebellion and lend support to rulers against rebels regardless of the substantive claims of the rulers or the rebels.'[6] Given the highly unstable times in which he lived and his denunciation of all manner of *fitna*, he stressed 'the imperative of unity among Muslims' and 'the ideal of the state as the protector of order and stability, and guarantor of correct religion or orthodoxy.'[7] He argued further, however, that the individual Muslim should keep his own conscience pure and avoid obeying a ruler's sinful command in a patient, non-violent way. In any course of action, there are costs and benefits, and where they need to be weighed in the balance, that which yields the greater benefit or averts the greater cost should be adopted.[8] Although he discusses in passing both offensive and defensive forms of jihad, his chief preoccupation is with the need to confront recalcitrant Muslim groups (Kharajites and the like) who refuse to abide by certain obligations of the *shari'a* such as payment of *zakat*. Writing from different legal, regional perspectives and historical contexts, Ibn Rushd and Ibn Taymiyya were both engaged in and with a developing, authoritative juristic culture; for each, the past and present formed a continuous reality that nonetheless accommodated differences and changes in emphasis and direction.

Modern authoritarian voices

With the advent of modern times, understood broadly as the past 150 to 200 years where Muslim societies are concerned, a 'new sense of anxiety'[9] becomes apparent in writings on jihad. This reflects the ubiquitous presence of Europe; its physical presence in the form of colonial control of Muslim lands; and its accompanying institutions and ideas and the challenges they posed. To cite one example among many, in the short work by Mahmud Shaltut published in the 1940s before he become Shaykh al-Azhar (1958–1963), the author speaks of 'our days of weakness and decay'. The purpose of his essay was to rectify the popular European idea that Islam had been spread by the sword. Indeed, he notes, the Qur'an had provided instruments to secure peace and eliminate aggression long before the establishment of the modern League of Nations. Moreover, the sacred text provided general principles that could constitute a handbook for the ethical conduct of warfare ranking alongside similar modern works.[10] It is true that, with the exception of the principle of abrogation, he is less concerned (in the vein of Ibn Taymiyya) with the legal technicalities of controversies over various points of the law of jihad. He constructs his argument following an exegetical method, which consisted in 'collecting all the [Qur'anic] verses concerning a certain topic and analyzing them in their interrelation' and by working in light of the main stages of the Prophet's life and those of his first two successors.[11] Twice he cites from the work of Fakhr al-Din al-Razi (d. 1209). Shaltut is described as a 'modernist' and follower of Muhammad Abduh. Acknowledging a crucial feature of modernity, the nation-state, Shaltut argues that the relation between Muslim and other states is by nature a peaceful one, a proposition based firmly on the Qur'an. Where normally 'fundamentalists' (along with Orientalists) are charged with being essentialist in their depiction of the Islamic tradition, Shaltut's 'modernist' discussion of jihad is equally so; however, unlike the Orientalists who insisted on the utter difference between Islam and the West, here Shaltut attempts to show that the two essences are similar. Like his contemporary Abd al-Raziq, a trained religious scholar, Shaltut engages closely with the sacred text and tradition to produce his modernist, but nonetheless authoritative argument.

By way of contrast, we may note the lecture on jihad delivered in 1939 by the most influential 'fundamentalist' thinker of the last century, Abu'l Ala Maududi (d. 1979). A gifted, largely self-trained polemicist, Maududi was acutely aware of the challenges of modernity posed to Islam in British India. His response is equally modern. He declares at the beginning of his address that 'Islam is a revolutionary ideology and programme which seeks to alter the social order of the whole world and rebuild it in conformity with its own tenets and ideals.'[12] 'Muslim' is the name of that International Revolutionary Party. The Qur'anic citations employed (with one exception) bear no relation to those used in the discussions on jihad of, say, Ibn Rushd or Ibn Taymiyya. Rather they focus on Maududi's abiding concern to replace the tyrannous and idolatrous rule of man over man with that of law of God for the benefit, ultimately, of all mankind. This would be achieved by jihad, 'fighting in the way of God', not from crude personal ambition for power or gain. In this instance, Maududi's views appear more radically novel and less engaged with tradition than Shaltut, and hence, more removed from the thought of his classical predecessors.[13] Maududi's position on jihad could then be labelled 'authoritarian' rather than 'authoritative' (Shaltut), taking him to be the creator of a new discourse rather than receiver of an existing one.[14]

To return to the beginning: the hard version of the secularization thesis postulates a universal and dramatic decline, or disappearance, of religion as society 'modernizes'. Even some participants in the debates on 'detraditionalization', mentioned above, adopt the hard view that characterizes the past and present as mutually exclusive. Efforts at tradition maintenance or reconstruction are, in my view, more crucial for an understanding of this process in contemporary Islamic societies. I have tried to show that a modernist (Abd al-Raziq) may engage closely with tradition to arrive at a modern view of the state in which the religious and political are separate spheres; and how a thinker like Maududi may, at one point, seem to abandon tradition altogether, although he clearly intended to support it elsewhere. Overall his thought may be described as 'tradition-in-modernity'.

What is seldom acknowledged is that the strident authoritarian voices of contemporary religious fundamentalists have confronted for decades the powerful forces of secular fundamentalism, which have striven to eliminate them. One consequence of this has been the muting through co-optation by secular fundamentalists of the religiously authoritative voices of modernists. We have yet to see whether in the future a just balance can be achieved between 'religion' and 'modernity'. The debate continues.

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Notes

1. Steve Bruce, 'The Curious Case of Unnecessary Recantation: Berger and Secularization', in L. Woodhead, ed., *Peter Berger and the Study of Religion* (London, 2001), p. 87.
2. Ibid., p. 4, observed by Woodhead.
3. David Waines, 'Ali Abd al-Raziq Revisited', *Awraq* 19 (1998): 79–96.
4. Paul Heelas, in Heelas, Lash, and Morris, eds., *Detraditionalization* (Oxford, 1996), p.7 .
5. For the translated texts, see Rudolph Peters, *Jihad in Classical and Modern Islam* (Princeton, 1996), pp. 27–42, 43–54.
6. Khaled Abou el Fadl, *Rebellion and Violence in Islamic Law* (Cambridge, 2001), 278.
7. Ibid., p. 276.
8. Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought* (Cambridge, 2000), p. 154; see also Abou el Fadl, op. cit., p. 274.
9. The phrase is Ahmad Dallal's from 'Appropriating the Past: Twentieth Century Reconstruction of Pre-Modern Islamic Thought', *Islamic Law and Society* 7/1 (2000): 334.
10. Peters, op. cit., pp. 89, 79, 71, 82 for references to the translated text.
11. Ibid., pp. 61, 94–9.
12. Abu'l Ala Maududi, *Jihad in Islam* (Lahore, 1978), p. 5.
13. Here I disagree with Peters, op. cit., p. 129.
14. On use of the terms 'authoritarian' and 'authoritative', see Khaled Abou el Fadl's excellent study *And God Knows the Soldiers* (New York, 2001).

Configuring Muslim Tho

On the Need to be Earnest about Hi

EBRAHIM MOOSA

Any effort at the reconstruction of Islamic thought, whether in the modern period or medieval period, has to sift through the debris of history in order to explore the limits of the material-cum-historical in its encounter with what is transcendent. This is one of many lessons I took from the Muslim Intellectuals workshop in April 2000 organized by ISIM. This gathering to a large extent was also about history: how do Muslims with their inherited subjectivities navigate an era that is very different to what their forebears in time experienced?

It is with gratitude that one recalls those stimulating three days of conversation that Muhammad Khalid Masud and Martin van Bruinessen organized, an event that few institutions of higher learning are keen to undertake in order to foster critical exchanges between Muslim intellectuals. Ironically, even at modern universities in the Muslim world, critical, open, and serious debate about Islamic thought is woefully absent. For many of us who met for the first time, it was also a chance to explore our mutual differences and agreements as well as bond in solidarity. Some of the insights developed by several of those in attendance are captured in Farish Noor's collection of interviews, *New Voices of Islam*.[1]

'We study history not in order to resurrect the solutions of the past, but to learn from experience.'

What was unique to this gathering was the fact that Muslim intellectuals were invited to seriously discuss issues of critical concern to the contemporary Muslim world. It happens rarely that a bold act can break the spell of an unfathomable orthodoxy within the Western academy that hardly provides space for these kinds of discussions on Muslim thought. When such opportunities are provided they are often linked to some agenda to sell a reformist version of Islam or pedal the generosity of some superpower. The ISIM provided us with a forum to speak frankly to each other with only colleagues and graduate students in attendance. It was a scholarly forum in which our self-identity as Muslims was not camouflaged by some veneer of academic dissimulation. We had an opportunity to express ourselves, irrespective of whether we belonged to large or small, significant or marginal constituencies. Most importantly, we had a venue at a reasonably safe distance from the hysteria of apostasy-mongers who become outraged at the mere whisper of difficult and uncomfortable questions in matters of religion.

Ambivalence of Western academy

In the modern Western academy the role of the Muslim intellectual is fairly ambivalent. One does not wish to be uncharitable, but perceptions are often more truthful than all pious declarations. At times Muslim intellectuals fulfil the requirements of ethnic and cultural diversity on campuses; on other occasions they lend some aura of 'credibility' to the teaching profile; and at worse they serve as native informants. Often the intellectual agenda falls by the wayside.

Islamic studies and Muslim thought in the modern university lack the passion and commitment displayed in other fields of study. Think of how any *de rigueur* programme in philosophy, Western literature, studies in Marxism, liberalism, feminism, gay and lesbian studies, sociology, debates in ethics, and political studies pulsates with raw passion and one soon realizes that the field of Islamic studies has a great deal of catching up to do. But one is also forced to ask why Muslim thought is not as a matter of course offered the same space and opportunity for critical interrogation, or why the space in the academy is not used for such legitimate pursuits, in more than just a few venues.

One reflex that immediately rings true is the fact that not too many of the people engaged in the study of Islam in the modern Western academy are invested in the field as a life-form, as a worldview, or even as an ideological or cultural formation of sorts. A variety of motivations, not all of them reprehensible, animate the study of Islam; perhaps, the most tranquilizing motive is one brought about by professional indifference. Since the stakes are so low, should there be any wonder why the field is so sedate, except for the magnified attention to political Islam, a code word for 'Islamic' or 'Muslim' terrorism.

Thus we see serious studies and re-readings of Augustine or Aquinas find positive acclaim in scholarly circles appreciated by scholars of politics, law, and Christian thought. However, when Masud writes *Islamic Legal Philosophy: A Study of Abu Ishaq al-Shatibi's Life and Thought*, his critics are quick to point to the dangers that his scholarship poses for trying to seek out the relevance of the Muslim past for the present. He summarizes the views of one critic in the preface of the revised edition of his study re-titled *Shatibi's Philosophy of Islamic Law* in characteristic Masud*ian* understatement and self-composure: 'the reviewer found the study with an underlying purpose and cautioned that "there are dangers to scholarship in research linked to a search for material wherewith to lay the foundation of a twentieth-century renaissance in Islamic thought".'[2]

It is indeed astounding that this critic's comment did not gain the attention of scholarship earlier for rebuttal and challenge. For if anything the essence of law is about the continuities in practice and the cultivation of a sense of history. Legal discourses are also deeply etched in the psychology and subjectivities of communities. Indeed, practices constitute the essential confluence of myth and history. While Masud's critic begrudges his search for the mutable in Islamic law as part of the project towards the reconstruction of law, among more seasoned historians an understanding of ideas in the light of the past and their relevance to the present is welcomed. The construction of a historical culture, observes Peter Brown, premier contemporary historian of early Western antiquity, 'does not begin with understanding the past but with opening oneself to the present. It involves containing, in oneself, the confusion and dismay that ensues from the rejection of stereotypes, and from the tentative and hotly debated elaboration of new ways of understanding human affairs.'[3] In Brown's view, interrogating the past with searching questions with the present in mind, may even be salutary. Avoiding the temptation to write the past solely in terms of the present is a burden every serious historian of ideas must overcome. Masud too accomplishes this task admirably. Even though the present may not determine a reading of the past, we cannot escape the paradox evoked by the French thinker Michel Foucault that no matter how hard we try to unlock the unfathomable remoteness of the past, our writing of history will always be a history of writing the present.[4]

The above observation adds to the larger point that I wish to make: engaged scholarship, different from the role of a public intellectual, is still the target of ridicule and contempt within the academy. For too many in our field it is an anathema to allow engaged scholarship to take place in the hallowed portals of academia before the alarm bells of confessionalism are set off, despite the application of the most critical tools of analysis.[5]

Annually Christian theologians, philosophers, and thinkers meet at Villanova University at a conference sponsored by Prof. John Caputo. The Radical Orthodoxy group meets frequently at the University of Virginia and Cambridge with Prof. John Milbank and Prof. Graham Ward, respectively. These precedents ought to pave the way for more frequent gatherings of Muslim intellectuals to take place, hopefully without the predictable hysterical chorus of fundamentalism being associated with such events.

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istory and Transcendence

Historicizing traditions

What Masud does in his own work on Shatibi and what was common among the scholars gathered during the Muslim Intellectuals workshop in Leiden was that each of us was, to a lesser or greater degree, engaged in historicizing the disciplinary traditions of Muslim thought, followed by attempts to re-think and re-theorize vital aspects of the disciplines and intellectual traditions. Historicizing the traditions is critical to the understanding of the present, without becoming a prisoner to historicism. For critical to any meaningful self-understanding is the need to provide a narrative as to why things had changed and to get an accurate picture of how ideas, practices, and beliefs were implemented in the past; more importantly, it helps us understand how two identical ideas applied in different epochs may actually have opposite outcomes. Karl Popper's derisive contempt for historicism notwithstanding, he was right to conclude that the emotional appeal of historicism enables us to express 'the feeling of being swept into the future by irresistible forces'.[6] One must be suspicious of those who dismiss historicism in its entirety, for they often harbour private wishes that the winds of change do not blow at all – or if they do blow, then they should only blow into *their* sails.

A certain amount of historicization is precisely what Shatibi does so well in his study of Islamic law. He is a superb interpreter with an acute sense of his own time and place as well as the historical context in which ideas take root – masterly sentiments and skills that are carefully woven into his elaboration of the law. One of the tasks that Shatibi accomplishes more profoundly than others is his rare ability to share with his readers a sense of the anthropological context of the first iteration of Islamic law. One of his major working presumptions is that the revealed law – *shari'a* – is by design completely compatible with the cultural formation of the founding community of early Islam. Since the community of Arabia on the eve of the birth of Islam was short on literate skills, it was an *unlettered shari'a – shari'a ummiyya* – for a largely unlettered community.

It is imperative, says Shatibi, that those addressed by the norms of the *shari'a* discourse have some kind of predisposition and comfort-zone with the practices proposed by the revealed law; otherwise the law could have questionable effects on the subjects. This presumption goes to the heart of Shatibi's project on the philosophy and ethics of Islamic law. Without this piece of foundational historicizing, an explanation of the dynamics of the law would be absent and much would be lost by way of nuance and cultural contextualization.

Shatibi's very compelling argument, one that Masud explains at length, is that when the Qur'an invokes and makes references to ethics, historical events, geographical and meteorological phenomena, and when it highlights a repertoire of astrology and healing, then in all these matters the yardstick of understanding must take the cultural and historical experience of the unlettered Arab community of the seventh century as the benchmark. Otherwise, we will be guilty of attributing meanings to events and ideas that were not intended in the first place. (He is not interested at this point to explore how additional meanings can be construed from the Qur'an when read in a different time and place.) His point is that the *shari'a* is organic to the Arab culture of the time, and not a code from Mars. Of course the revelation endorses most of the practices in vogue, while amending and abrogating some. In fact, Shatibi has such a positive view of the status quo, that he goes as far as quoting the Prophet who says that 'goodness lies in the customary' (*al-khayr 'ada*) and, in the end, Shatibi says, that the repetition of fine customary practices lead to the enlightenment of the soul.[7]

Pushing the supremacy of transcendence

Interestingly Shatibi's modern commentators are less inclined to historicize or accept his historical reading of the revelation. Shaykh Abd Allah Daraz continues to wrestle with the medieval author's interpretation of history on the marginalia of *al-Muwafaqat*. Daraz challenges Shatibi's claim that the various references in the Qur'an to scientific phenomena, history, and culture were not popularly known. Only the élites, says Daraz, knew this. But Shatibi's point is not about the extent of diffusion of knowledge, as much as it is about the authority of what is known. Contrary to Shatibi's thesis, Daraz points out that some of the phenomena of the Qur'an are understood with greater sophistication and complexity today than at the time of revelation! One still would like to know on what basis the claim can be made that our knowledge of history and society is superior to that of our forebears, instead of just saying that we had acquired different understandings of the same phenomena. Shatibi, it appears, is trying to grasp the historicity of revelation and his claims to authority comprise a fine balance between history and transcendence. By contrast, his modern commentator tries to base his authority exclusively on arguments of transcendence and eschew history in the process.

Of course Shatibi was trying to make sense of how a heteronomous law and ethics, namely related to the will of God and outside of human will, simultaneously also relates to our lived (historical) experiences and subjectivities. One of the reasons why contemporary thinkers latch on to the historicist musings of early scholars like Abu Hamid al-Ghazali (d. 505/1111), 'Izz al-Din Ibn 'Abd al-Salam al-Sulami (d. 660/1262), Abu Ishaq al-Shatibi (d. 790/1388), and Shah Wali Allah (d. 1176/1762) is that the aforementioned figures have grappled with the dilemmas of how a revealed law (*shari'a*) relates to changing social contexts. In fact these past jurists offer us a language to articulate the intersection of the historical and transcendent in the practice of the law.

One of the most salient questions is this: how can Muslims be required to practise *shari'a* rules – rules that no longer constitute any part of their subjectivity? Or to put it another way: in the face of the altered subjectivities of Muslims that occurred through complex historical processes, how do they and why should they adhere to laws that are no longer in harmony with their lived experiences and subjectivities? To the contrary, in many places Muslims find that what passes as the *shari'a* no longer reinforces or sustains their subjectivities, as was the case among earlier communities when there was some reasonable 'fit' between law and subjectivity. Instead, now the law compels one to undertake actions that are in contradiction to one's autonomous ethical and moral sensibilities. It is here that history becomes important. It is critical to check the historical record in order to examine whether Muslims in the past struggled with analogous issues: were they confronted by situations in which heteronomous morality was in conflict with autonomous morality? And if so, how did they manage to resolve the tension?

We study history not in order to resurrect the solutions of the past, but to learn from experience. That is why critical thinkers in law and ethics like Ghazali and Shatibi are so important; they offer us rich portraits of social experiments. But if history offers us neither an analogous precedent nor a sketch of an experience, then it does not mean that a creative solution is impossible. Only a form of 'historical fundamentalism' makes the present absolutely contingent on the past: that something in the present can only be solved if it was already prefigured or solved in the past – a crude form of *qiyas*-based (analogy-based) reasoning applied to history! For if something was already solved in the past, why does the issue still beg a solution? Glimpses of history offer us emotional comfort in times of insecurity, as Popper remarked. The memorable words of the Prophet Ibrahim (Abraham) when asked by God: 'Have you then no faith?' rings with a similar truism. 'Sure I do', answers Ibrahim, but like a true empiricist adds: 'but [let me see it] so that my heart may be fully set to rest' (Qur'an 2:260). For thinkers like Shatibi and his admirers over the centuries, history or 'to see it' is indeed important, but not to the point of deifying what is seen.

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Notes

1. Farish A. Noor, *New Voices of Islam* (Leiden: ISIM, 2002).
2. Muhammad Khalid Masud, *Shatibi's Philosophy of Islamic Law* (Islamabad: Islamic Research Institute, 1995), p. x.
3. Peter Brown, *Religion and Society in the Age of Saint Augustine* (London: Faber and Faber, 1972), p. 20.
4. Michel Foucault, *Discipline and Punish & The Birth of the Prison*, translated by Alan Sheridan (New York: Vintage Books, 1995), p.31.
5. It matters less of course, that liberation theology and Christian and Jewish ethical reform projects are actively advocated within the forums of the modern academy.
6. Karl Popper, *The Poverty of Historicism*, (London: Routledge, 1999), p. 160.
7. Abu Ishaq al-Shatibi, *al-Muwafaqat*, edited by Abd Allah Daraz, 4 vols. (Beirut: Dar al-Ma'rifa, n.d.), 2:94.

Recovering the History of Modernist Islam

CHARLES KURZMAN

In 1903, Duncan Black Macdonald (1863–1943), a prominent early scholar of Islam in the United States, wrote that Islam does not allow constitutionalism because the caliph 'cannot set up beside himself a constitutional assembly and give it rights against himself. He is the successor of Muhammad and must rule, within [divine] limitations, as an absolute monarch.' Yet within a few years of that statement, some of the leading scholars of the Islamic world were arguing exactly the contrary. Muhammad 'Abduh (Egypt, 1849–1905) – the highest-ranking religious official in Egypt – wrote privately in 1904 that he supported a parliamentary democracy. In 1908, Mehmed Cemaleddin Efendi (Turkey, 1848–1917) – the chief religious authority of the Ottoman Empire, appointed directly by the caliph – said that he too supported constitutionalism. Also in 1908, two senior scholars of Shi'i Islam telegraphed their support at a crucial moment in Iran's Constitutional Revolution: 'We would like to know if it would be possible to execute Islamic provisions without a constitutional regime!'

Macdonald's blanket statement about the incompatibility of Islam and constitutionalism also ignored, or dismissed, the previous half-century's crescendo of proposals for Islamic constitutionalism. These proposals formed part of a movement that generated tremendous intellectual ferment throughout the Islamic world in the nineteenth and early twentieth centuries. This movement sought to reconcile Islamic faith and modern values such as constitutionalism, as well as cultural revival, nationalism, freedom of religious interpretation, scientific investigation, modern-style education, women's rights, and a bundle of other themes that these authors and activists associated with modernity. The Muslims engaged in this movement saw the tension between Islamic faith and modern values as a historical accident, not an inherent feature of Islam. The modern period both required and permitted this accident to be repaired – the threat of European domination made repair necessary, and the modern values associated with European domination made repair possible. The modernist Islamic movement pioneered the formation or reformation of educational institutions; agitation for political liberalization or decolonization; and the establishment of a periodical press throughout the Islamic world.

> 'The central intellectual issue of the modernist Islamic movement, I propose, was freedom of speech: the right to say novel things in an Islamic discourse. In order to defend modern values, modernists had to defend the right to defend modern values. This they did by referring to the particular challenges and opportunities posed by the onslaught of modernity; by arguing that their own, often non-traditional educations qualified them to speak on Islamic issues.'

Defining modernism

One defining characteristic of this movement was the self-conscious adoption of 'modern' values – that is, values that authors explicitly associated with the modern world, especially rationality, science, constitutionalism, and certain forms of human equality. Thus this movement was not simply 'modern' (a feature of modernity) but also 'modernist' (a proponent of modernity). Activists described themselves and their goals by the Arabic terms *jadid* (new) and *mu'asir* (contemporary), the Turkish terms *yeni* (new) and *genç* (young), and similar words in other languages. (By contrast, *muda*, Malay for 'young', was initially a pejorative term applied by opponents to the modernist Islamic movement.) A second characteristic involved the usage of a self-consciously Islamic discourse. Activists were not simply Muslims, but also wished to preserve and improve Islamic faith in the modern world. This combination of characteristics emerged in the first part of the nineteenth century, as several Islamic states adopted European military and technical organization, and various Muslim travellers to Europe brought back influential tales of progress and enlightenment.

Modernism distinguished the modernist Islamic movement, beginning in the nineteenth century, from previous Islamic reform movements, which did not identify their values as modern, and from contemporaneous competitors, such as traditionalists who rejected modern values. Finally, it distinguished the movement from two of its successors, which supplanted modernist Islam in many regions in the middle of the twentieth century: on the one hand, secularists who downplayed the importance of Islam in the modern world, privileging nationalism, socialism, or other ideologies; and, on the other hand, religious revivalists who espoused modern values (such as social equality, codified law, and mass education) but downplayed their modernity, privileging authenticity and divine mandates. Late in the twentieth century, the combination of modernist and Islamic discourses was revived in a subset of modernist Islam that I have labelled 'liberal Islam', which sought to resuscitate the reputation and accomplishments of earlier modernists.

The boundaries of the modernist Islamic movement could be imprecise, but its core was clear: a set of key figures who served as lodestones for Muslim intellectuals of the late nineteenth and twentieth centuries. Three figures in particular were famed throughout the Islamic world: Sayyid Jamal al-Din al-Afghani (Iran, 1838–1897), his student and collaborator 'Abduh, and 'Abduh's student and collaborator Muhammad Rashid Rida (Syria-Egypt, 1865–1935), plus regional pioneers Sayyid Ahmad Khan (North India, 1817–1898), Namık Kemal (Turkey, 1840–1888), and Ismail Bey Gasprinskii (Crimea, 1851–1914). Supporters cited and debated the statements of these figures, especially the periodicals they edited: Afghani and 'Abduh's *al-'Urwa al-Wuthqa* (*The Strongest Link*), published in Paris, 1884; Rida's *al-Manar*

(*The Beacon*), published in Cairo, 1898–1935; Sayyid Ahmad Khan's *Tahdhib al-Akhlaq* (*Refinement of Morals*), published in Aligarh, 1870–1896; Namık Kemal's *Hürriyet* (*Liberty*) and *Ibret* (*Warning*), published in Paris and Istanbul, 1868–1873; and Gasprinskii's *Tercüman/Perevodchik* (*The Interpreter*), published in Bakhchisaray, Crimea, 1883–1914. Even authors who disagreed with the modernist Islamic project located themselves in relation to these central figures.

The recent resuscitation of Islamic modernism has focused largely on this handful of famous predecessors. Yet the modernist Islamic movement was not limited to central figures. Around the Islamic world, other authors were influential in their regional contexts, from South Africa to East Europe to Southeast Asia, even if they were not so well known to other Muslims or scholars of Islam. In South India, for example, the leading modernist of the early twentieth century was Muhammad Abdul Khader Maulavi (Malabar, 1873–1932), commonly known as Wakkom Maulavi, who published Malayalam-language newspapers inspired by *al-Manar*. The Russian Empire produced numerous pioneering Islamic modernists during the same period, including Abdullah Bubi (Tatarstan, 1871–1922), whose activism on behalf of Russian democracy and Islamic reform led tsarists and Muslim traditionalists to cooperate in his repression. In eastern China, Ya'qub Wang Jingzhai (China, 1879–1949) urged his fellow Hui Muslims to adopt both an Islamic identity and a Chinese nationalism in accordance with contemporary standards.

Century-long debates

The modernist Islamic movement was never monolithic, and variation, even deep disagreement, existed on virtually all subjects. Modern values included both state-building and limits on state power; élitism and egalitarianism; discipline and liberty; Europhilism and anti-imperialism. The modernists' Islamic faith encompassed both mysticism and abhorrence of mysticism; strategic use of traditional scholarship and rejection of traditional scholarship; return to a pristine early Islam and updating of early practices in keeping with historical change.

The debates associated with this variation generated arguments that continue to be re-invented today, often with little awareness of their past use. For example, it is common today for modernist Islamic writings to cite the Qur'anic verse 'and seek their counsel in the matter' (*sura* 3, verse 159) as justification for parliamentary democracy – as Namık Kemal did in 1868. The argument that Islamic exegesis must be tailored to ever-changing contexts can be found in Abduh's 1881 essay 'Laws Should Change in Accordance with the Conditions of Nations', as well as the 1908 essay by Musa Kazım (Turkey, 1858–1920), 'Reform and Review of Religious Writings According to the Requirements of the Age'. The notion of intellectual progress, which privileges contemporary scientific approaches over earlier authorities, can be found in the writings of Jamal al-Din al-Qasimi (Syria, 1866–1914): 'If people were limited to the books of the ancients, then a great deal of knowledge would be lost, penetrating minds would go astray, articulate tongues would be blunted, and we would hear nothing but repetition.'

Freedom of speech

The central intellectual issue of the modernist Islamic movement, I propose, was freedom of speech: the right to say novel things in an Islamic discourse. In order to defend modern values, modernists had to defend the right to defend modern values. This they did by referring to the particular challenges and opportunities posed by the onslaught of modernity; by arguing that their own, often non-traditional educations qualified them to speak on Islamic issues; by pioneering new forms of discourse, such as newspaper essays and theatrical performances; and, finally, by laying out their modernist vision of Islam. These problematics remain vivid today for Muslims who wish to espouse modern values in an Islamic discourse.

The freedom of speech was often associated with the defence of *ijtihad*, whose original meaning of 'intellectual effort' was extended to encompass rational interpretation more generally, and with denunciation of *taqlid*, a term that modernists took to mean blind, irrational imitation of tradition. All of the lodestone figures in the modernist Islamic movement weighed in on this theme, as did others, including Muhammad Husayn Na'ini (Iran, 1860–1936): '*Taqlid* of religious leaders who pretend to present true religion is no different from obedience to political tyrants. Either one is a form of idolatry.' Both Na'ini and Khayr al-Din (Tunisia, 1822–1890) – Shi'i and Sunni, respectively – defended the right of all Muslims to make independent religious judgements, citing the precedent of the second caliph, 'Umar ibn al-Khattab (634–644), who invited all Muslims to judge the propriety of his actions.

The Azeri Turkish caption of the original cartoon (Mulla Nasruddin, 22 September 1906, pp. 4–5) was entirely different: 'I cure the ill by writing down verses [from the Qur'an].' The cartoon said nothing about constitutionalism, but rather mocked an old-fashioned religious practice. Europeans saw an image lampooning an Islamic scholar and inverted its meaning, from anti-traditionalism to anti-modernism.

EUSTACHE DE LOREY AND DOUGLAS SLADEN, 'THE MOON OF THE FOURTEENTH NIGHT: BEING THE PRIVATE LIVE OF AN UNMARRIED DIPLOMAT IN PERSIA DURING THE REVOLUTION' (LONDON: HURST & BLACKETT, 1910), P. 98.

Yet many Islamic modernists, like other modernist intellectuals, remained élitist. Ali Suavi (Turkey, 1838–1878) rejected a definition of freedom that permitted 'saying whatever comes to one's mind', giving the example of a French newspaper that denied the existence of God. 'Abduh offered a warning from the early centuries of Islamic history, when 'every opinion-monger took his stand upon the liberty of thought the Qur'an enjoined', leading to dangerous schisms. Ahmad Khan – while favouring freedom of speech on the pragmatic grounds that open debate advanced the search for truth – was dismissive of 'the opinion or independent judgement of every Tom, Dick, and Harry'.

Other modernists limited *ijtihad* to those who agreed with them. Rifa'a Rafi' al-Tahtawi (Egypt, 1801–1873) supported religious freedom 'on condition that it adheres to the principles of religion' – meaning the principles that he emphasized. Rida supported 'freedom of religion, opinion, speech, writing, dress, and work', but not for the 'horde of heretics' who engage in 'chatter, sophistry, audacity in mixing right with wrong, and insolence in criticizing their opponents or critics'. Several authors – though not all – contributed to the polemic between the Sunni and Shi'i sects, considering the other to be disqualified from *ijtihad* by their imperfect faith. And competition within the movement led to other polemics – for example, Rida's resentment at Gasprinskii's leadership of pan-Islamic conference planning in Cairo, or the Calcutta-based challenge to Ahmad Khan's North Indian leadership of the modernist Islamic movement in South Asia.

In sum, the modernists sought to breach the monopoly of traditional religious scholars over Islamic interpretation, and to limit the relativistic damage of this breach, through a single manoeuvre. They expressed confidence in their own qualifications – seminary training, modern education, or personal virtuosity – as compared both with scholarly traditionalists and the 'masses'.

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What Does Progressive Islam Look Like?

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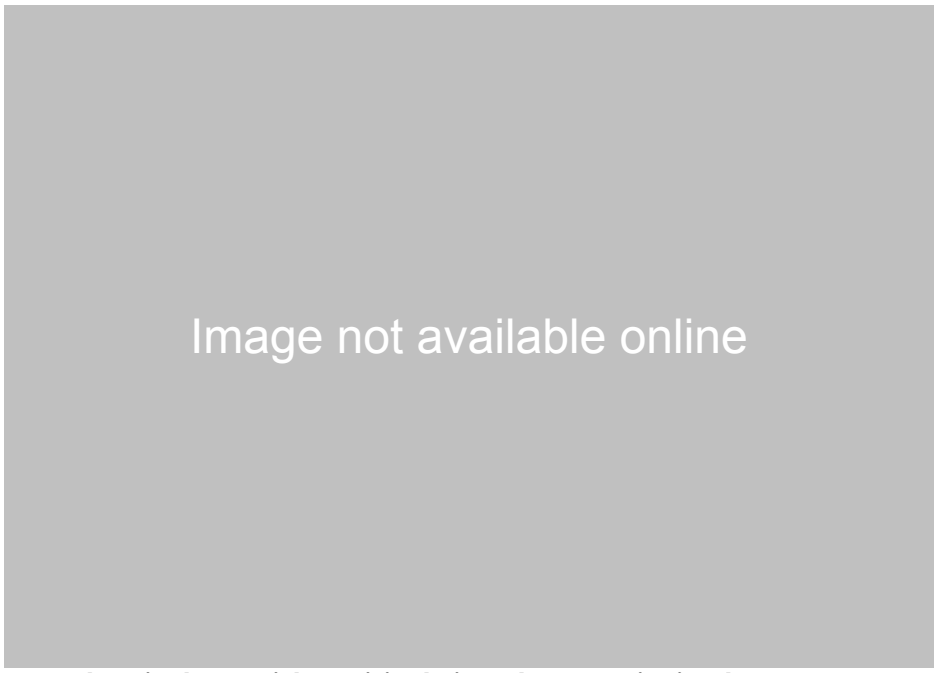
In recent years considerable attention has been paid in modern Islamic studies to the emergence of new Muslim intellectuals seeking to reformulate and reinvigorate elements of tradition and to open new avenues of inquiry to solve contemporary Muslim problems. This phenomenon has been seen, variously, as an 'Islamic reformation', 'Islamic modernism', 'progressive Islam', and 'liberal Islam', to cite but a few of the standard appellations currently in use. It has most frequently been associated with figures such as Abdolkarim Soroush, Fatima Mernissi, Nurcholish Madjid, Amina Wadud, Ali Bulac, Abdullahi an-Na'im, Khaled Abu el-Fadl, and Farid Esack – again, to name but a few. These writers have all undoubtedly made hugely important contributions to contemporary Muslim thought. It has, however, been extremely difficult to gauge the influence and impact of their ideas within the wider Muslim world. To a large extent, this is a problem of language – both linguistic and discursive. The majority of those associated with this trend tend towards an academic discourse which limits their readership to only the most highly educated. In a number of cases, key works have not been translated into Muslim languages, or face distribution problems and/or political barriers to wider dissemination. In short – and without seeking to belittle the crucial and in some cases revolutionary contributions that these writers have made – it could be argued that contemporary reformist Islam has become too closely associated with a narrow group of 'superstar' intellectuals.



An Indonesian human rights activist during a demonstration in Jakarta.

There have been those who cite this fact as evidence that reformist Islam actually has very little in the way of a Muslim audience today, or that European and North American academics celebrate these figures because they conform to a Western normative ideal that has very little basis in the reality of contemporary Muslim culture. Contrary to this latter position, it will be the contention of this article that progressive Islam is indeed alive and well (and, more importantly, growing) in the wider Muslim world, but that its future lies not, or not only, in promoting an ever-proliferating roster of innovative hermeneuticians – but rather in gaining an understanding of how the general tendencies of this reformist impulse circulate in the daily practice of Muslim masses at the grassroots level. Without detracting from the originality of much reformist thought today, it can be argued that a great many of these writers are representative – rather than exclusively generative – of ideas that already permeate Muslim communities. Contrary to popular images of Muslim culture as stagnant and backward-looking, much evidence suggests that the pragmatism which characterizes '(trans)local knowledge' – to mix a Geertz*ian* standard bearer with a dose of Appadurai – leads many Muslims to engage in a critical reformulation of tradition as part and parcel of adapting to life in a complex, globalizing world.

At the outset we should note, of course, that it would be a severe misrepresentation to claim that all the work done to date under the rubric of progressive Islam has been confined to the realm of academic discourse. A number of feminist writers, in particular, have very profitably combined innovative textual work with social activism in ways that usefully illustrate the mutual constitution of theory and practice (Amina Wadud is an important example in this regard). We could also point to the important human rights and social change advocacy work undertaken by Abdullahi an-Na'im in recent years. Likewise, it would do extreme injustice to the work of many associated with this movement not to recognize that their intellectual contributions have often been inspired by – or served as the necessary solutions to – very particular dilemmas and real world problems, some of which have had tragic personal consequences for those involved. There are indeed important linkages between Muslim intellectualism and social activism today. The aim here is thus not to critique the more intellectual dimensions of progressive Islam, but rather to argue a case for expanding the research agenda. There could be no better complement to the philosophical and conceptual contributions in this area than to be able to show that much of what is often described in specialized (and sometimes less accessible) academic language actually permeates the level of everyday practice right across the Muslim world. There are already a number of writers whose work helps to point us in the right direction – I think particularly of John Bowen's *Muslims through Discourse*, and also the various titles in Princeton's 'Studies in Muslim Politics' series.

Reimagining boundaries

In the aftermath of 11 September 2001, however, there are new imperatives in the field of progressive or pluralist Islam. Much popular discourse has, unfortunately, once again come to focus on issues of intolerance and violence in Islam. Muslim voices and analysts of Islam have found themselves on the defensive, constantly challenged and required to provide evidence for the existence of 'moderate Muslims' (as if Muslimness in and of itself somehow connotes immoderation). In this climate, pointing to the Abdolkarim Soroush*es* and Muhammad Shahrur*s* – however important their work may be – is not enough. The selective and limited appeal of such authors masks the extent to which Muslim settings far removed from the influence of academic discourse are today nevertheless experiencing a dynamic, pluralistic engagement with tradition. Likewise, it is worrying and dangerous that certain severely myopic madrasas in South Asia should be perceived as representative of general global trends in Islamic education. There exist countless other sites of knowledge production and dissemination in the Muslim world, many of which are contributing to a popular reimagination of Islam's normative boundaries. The remainder of this article

will hence be devoted to identifying and suggesting possible routes and lines of inquiry that may allow the pluralism of contemporary Muslim practice to move more clearly to the foreground of today's work on progressive Islam. Again, it is not being suggested that the intellectualist dimension of this project be abandoned or even reduced in priority, only that bridges to the world of progressive practice should attract equal attention and have greater prominence within the field than is currently the case. We should also of course be attendant to the fact that the very notion of 'progressive Islam' represents an epistemological and normative quagmire. There is not the scope here to engage thoroughly with these latter questions, and it will be assumed for the sake of argument that we can identify today something like an emerging tradition of critical or progressive Islam even if we are not always comfortable with such labels.

Being Muslim in Europe

Islam in Europe is perhaps one of the richest contexts in which these themes might be explored. While the intellectual contributions of a figure such as Tariq Ramadan – particularly his highly influential 1998 book *To Be a European Muslim* – are well known, less attention has been paid to attempts in recent years to put the ethos of civic engagement that is central to this project into practice. What do Muslim audiences, especially the younger generation that forms his core constituency, do with Ramadan's ideas? Some of the most innovative efforts in this regard can be seen by shifting the lens with which we view Islam in Europe from the national to the wider European level. The tendency in the literature thus far has been to produce rather atomized studies of Islam in specific European countries. This work has undoubtedly been of immense value. There is, however, a growing tendency among many young Muslims in Europe to reach beyond the confines of national boundaries in their networking efforts. There is a sense in which the future of Islam in Europe is tied to the larger fate of Europe as a post-national project. The lived experience of being Muslim in Europe is one of negotiating plural affiliations and allegiances to multiple traditions – an endeavour that resonates with the European ideal of a citizenry grounded less in territorial identity, but committed instead to a wider normative vision. Interestingly enough, one may describe the notion of the *ummah* in very much the same terms. There exist today institutions that embody this new trend, perhaps none more so than the Forum of European Muslim Youth and Student Organizations (FEMYSO), founded in 1996 to provide a social context in which various national Muslim youth organizations might come together in order to discuss and act on matters of common interest. The Forum has in recent years established itself as a credible voice and resource for the next generation of European Muslims, and has formed valuable linkages with institutions such as the European Parliament. Insofar as one of the key challenges facing the generational transition within European Islam has been the question of a successful move from the insularity and 'ghettoization' that characterized the first generation of Muslim immigrants to a culture of public engagement and political participation on the part today's young European Muslims, groups such as FEMYSO indicate some important paths towards the practical implementation of something like a 'European Islam'.

Everyday practice in Southeast Asia

Another context in which the project of progressive Islam has long been tied to everyday practice is Southeast Asia. The history and experience of Islam in this region has been one of syncretism and hybridity – resulting, it could be argued, in an intrinsic predisposition towards religious pluralism. Western policymaking circles have, unfortunately, tended to focus on the minority of radical movements in Indonesia, Malaysia, and the Philippines in the wake of 11 September and the Bali bombing of October 2002. This approach threatens to eclipse the fact that Southeast Asia is actually the major Muslim world region most likely to provide, in the long run, a model of critical Islamic practice that accommodates emerging global norms while preserving and reformulating crucial aspects of Islamic tradition. It is telling that some of the region's intellectual luminaries – such as Malaysia's Chandra Muzaffar and Farish Noor – are also heavily involved in practical human rights work. Turning to Indonesia, the innovative work of figures such as Nurcholish Madjid and the late Harun Nasution have found continuity in the various research institutions associated with the IAIN network (recently consolidated into a National Islamic University). Numerous Muslim NGOs have emerged in the wake of Suharto's fall from power, and are beginning to solidify the strands of an increasingly important civil societal layer in Indonesia. Out of the network of *pondok pesantren* religious schools, for example, have emerged in recent years social movements that take the lead in progressive social agendas such as women's reproductive health and rights, and this from a sector generally viewed as 'traditional' and disengaged from mainstream social issues. To be sure, there are plenty of *pesantren* that conform to the more detached, unworldly model (or whose real world engagements lead to more malignant agendas). Yet it would be worrisome if, throwing out the baby with the bathwater, we were to ignore the ways in which in some cases the grassrootedness of such institutions allows for the mobilization of social capital to much more progressive ends.

Aside from the various national and regional contexts of Europe and Southeast Asia cited above, it is increasingly important today to appreciate the transnational and global dimensions of efforts towards a progressive Islam. While much of the coverage of transnational Islam has tended to focus on terrorist networks and various 'Wahhabi' linkages of late, we are missing much if we do not also take into consideration global Muslim activity of a rather different nature. From the Progressive Muslims Network organized out of South Africa by Farid Esack to the phenomenal transnational circulation of work by the Qatari-based Sheikh Yusuf al-Qaradawi, it is evident that Muslim thinkers who engage more dynamically with tradition undoubtedly possess a growing global audience. And, again, it is not only isolated intellectual figures or narrowly subscribed specialist groups at work in this vital international context. Transnational progressive Islam has a vital practical face, too. In the work of groups such as Women Living under Muslim Law, we find a critical orientation toward traditional legal knowledge on gender issues transformed into a transnational solidarity movement connecting women in several dozen countries. And in the case of Turkey's Gülen movement, to cite another example, we find elements of Sufi spirituality fused with socio-economic liberalism in a highly successful transnational educational project. Dozens of Gülen-sponsored schools, emphasizing a modernist curriculum against a backdrop of 'non-invasive' Islamic morality, now operate throughout much of the Balkans and Central Asia.

> 'Without detracting from the originality of much reformist thought today; it can be argued that a great many of these writers are representative – rather than exclusively generative – of ideas that already permeate Muslim communities.'

The preceding examples represent only a few avenues for the potential exploration of how the intellectual dimensions of progressive Islam are taking root in the realm of social practice. To be sure, much important work in this direction is already being undertaken by numerous doctoral students and recently graduated Ph.D.s. Meena Sharify-Funk in the United States, for example, is looking at the critical hermeneutics of classical and modern Muslim philosophers within the context of transnational women's movements. Ermete Mariani in France is researching the global political economy behind the diffusion of Sheikh Qaradawi's ideas, and Bekim Agai in Germany has interpreted the Gülen project as a reformulation of Islamism into a new ethics of education. The comparative ethnography of progressive Islam – that is, the appreciation of contemporary reformist thought as embodied in the pragmatics of everyday Muslim life – is the vital next step for the study of Islam in the modern world. A new attention to the social locatedness of critical Islamic practice will produce a far more comprehensive and nuanced understanding of a phenomenon heretofore seen as confined to a largely self-referential circle of intellectual élites. The social reality of progressive Islam is far more diverse and significantly wider in scope.

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Diverging Prevalence of **Female Genital Cutting**

KATHRYN M. YOUNT

The arrival of female genital cutting to northeastern Africa predates that of Christianity and Islam, and Muslims, Christians, and Jews continue the practice today. Popular association of the practice with religious ideals has justified its continuation, and beliefs that the practice contradicts religious principles have justified its abandonment. Anthias and Yuval-Davis (1989) argue that strategic use of 'gender symbols' concerning the sexuality of women can reproduce religious boundaries, and this process of differentiation may involve national or transnational political bodies that endorse or oppose selected symbols. This framework helps to understand the diverging prevalence of female genital cutting among Christians and Muslims in Egypt.

Egypt is home to the largest number of Orthodox Christians in the Middle East. Comprising 6 to 18 per cent of the total population, about 60 per cent of Copts live in Upper Egypt. Historically, relations between Egyptian Christians and Muslims have varied. Under Nasser, expansion and secularization of public institutions brought new groups into the nation's citizenship, but adherence to Arab de facto secularism meant that Islam continued to represent the religion of society. Islamic revivalism and the state's Muslim identity emerged more clearly following Sadat's *infitah*, the effects of which led to a 'crisis of faith' among some in socialist and capitalist paths to modernity. Under Sadat, the government promulgated a constitution that made Islam the religion of the state and articulated a dichotomy between women as *public citizens* and *private family members* governed by *shari'a* law (Shukrallah 1994). During the 1970s and 1980s, Islamists used this dichotomy to challenge reforms to the codes of personal status. Like fundamentalist discourses elsewhere, Islamist discourse emphasized 'cultural authenticity' and the 'moral structure of society', and a focus of this discourse was gender (ibid.:17).

Gender politics and religious identity

A 'frenzy of interpretation' over female genital cutting arose in Egypt in 1994 after a broadcast by CNN depicted the lay circumcision of a young girl. In response, the mufti of Egypt publicly declared that female genital cutting has no foundation in the Qur'an, and Sheik Gad al-Haq Ali of al-Azhar university issued a fatwa that female circumcision honours Muslim women. A committee of medical experts also issued warnings about the procedures of untrained practitioners, leading the minister of health to decree that doctors could circumcise girls in designated facilities and at fixed times and prices. International criticism and the reported deaths of girls who were circumcised in hospitals instigated a renewed ban on the practice in state hospitals, which was overturned and then reinstated in 1997. This example illustrates how public 'control of symbols' becomes tied to control of the state (Sedra 1999:220).

Responses to the increasingly Islamic character of the Egyptian state have included sectarian strife and the proliferation of religious voluntary organizations.The growth of Christian social services is said to reflect a growing 'Coptic activism' (Zeidan 1999:60) and a mission of the Church to gather its stray (Nikolov 2002). For example, the Coptic Evangelical Organization for Social Services (CEOSS) began in the 1950s as a literacy project. Charged with serving Muslim and Christian communities, CEOSS separated from the Egyptian Evangelical Church and undertook activities in agriculture, income generation, education, infrastructural development, and health in Beni Suef, Minya, and metropolitan Cairo. In the 1970s, CEOSS identified female genital cutting, early marriage, and 'bridal deflowering' as harmful customs and established women's committees in the villages in which it worked as part of a 'deliberate effort' to empower women (Tadros 2000:26). By 1994, CEOSS received 75 per cent of its funding from North America and Europe and was the only private voluntary organization (PVO) to be registered with the US Agency for International Development (Sullivan 1994). The Bishopric of Public, Ecumenical, and Social Services of the Coptic Orthodox Church also has served Cairo's poor since 1962, and has since expanded its services to women and girls, endorsed participation of women in development, and undertaken activities to eradicate female genital cutting in 24 communities (Nikolov 2002). The Christian community in Egypt is noted for having strong international ties (Sullivan 1994).

These examples reflect a trend among Christian voluntary organizations to promote an integrated vision of women's empowerment as a marker of Coptic identity and to develop international partnerships that support their activities. Although Christians were marginalized from debates over the meaning of gender symbols in *shari'a* law, they did not face ideological conflict over female genital cutting within their leadership (Abdel-Hadi n.d.), and the proliferation of Christian social services provided a public space in which Christians could address social problems according to the values of their tradition (Nikolov 2002). It is therefore possible that declines in the prevalence of female genital cutting began among Christians before its practice in Egypt gained international attention and that this integrated view of women's empowerment catalyzed negative effects of higher maternal education on the odds of circumcising Christian daughters. The emphasis that Islamists placed on women's traditional identity may have stalled similar declines and effects among Muslims.

The diverging prevalence

This study is based on data collected in 1996 from 1504 married mothers between the ages of 15 to 54 and residing in seven districts in Minya Governorate. Local interviewers gathered information about socio-demographic characteristics of respondents, husbands, and co-residents. Respondents answered questions about their circumcision status, the perceived effects of circumcision and non-circumcision, the circumcision status of daughters aged five years or more, intent to circumcise uncut daughters, and age at circumcision and circumciser of cut daughters.

Minya is an agrarian governorate located about 200 kilometres south of Cairo. About 20 per cent of the residents are Coptic Christians, and most remaining residents are Muslim. Over the last quarter century, Minya has been a site of sectarian conflict and efforts by PVOs – most notably CEOSS – to advance comprehensive programmes of development. In 1982, CEOSS founded its first women's committee consisting of 12 female representatives of all churches in the predominantly Christian village of Deir El Barsha (Abdel-Hadi n.d.). Members of the committee received training, supervised projects, and raised awareness to prevent practices like female genital cutting. In 1995, CEOSS intensified its anti-female-genital-cutting programme in 22 communities. Although declines in the rate of female circumcision were observed in predominantly Muslim villages, declines were greater in homogeneous, Christian villages (PRB 2001). No research has compared attitudes and behaviours regarding the practice among Muslims and Christians in Minya prior to these efforts.

This study shows that about two-thirds of mothers and about half of fathers in Minya have no education. Educational attainment is higher among younger mothers, and a higher percentage of Christian than Muslim mothers in this group have secondary or more education (21.8 versus 15.5 among 25- to 34-year-olds). Just over half of all households own no major assets, and about 20 per cent of families live in urban settings.

Circumcision is nearly universal among Muslim and Christian mothers (99 and 96 per cent respectively), but the probability that daughters aged 10 to 14 are circumcised is 0.75 (Yount 2002). Adjusted odds of circumcising a daughter are 4.5 times higher among Muslims than Christians (ibid.), and a higher percentage of Muslim than Christian

Figure 1. Daughters' Cumulative Probability of Circumcision by Age and Religious Affiliation, Minya, Egypt

Table 1. Adjusted Odds of FGC-Related Behavior and Attitudes, Christians vs. Muslims, Minya Egypt

	ORa	(95% CI)	
Daughter's circumcision status (1776 circumcised, 1424 uncircumcised) [b]			
Circumcision intended (vs not, uncircumcised daughters)	0,19	(0,12 , 0,30)	***
Circumcised (vs not)	0,31	(0,22 , 0,44)	***
Excised (vs other)	0,45	(0,33 , 0,63)	***
Mother's perceived effects of circumcision (n=1504) [c]			
Identifies alternatives	1,53	(0,51 , 4,59)	
Bleeding	0,59	(0,39 , 0,90)	*
Scarring	0,74	(0,33 , 1,65)	
Good for the girl	0,40	(0,23 , 0,67)	***
Satisfies the husband	0,61	(0,28 , 1,32)	
Normal	0,81	(0,51 , 1,27)	
Clean	0,52	(0,32 , 0,83)	**
Beautifying	0,66	(0,36 , 1,21)	
Other	0,84	(0,48 , 1,50)	
Any positived	0,49	(0,28 , 0,87)	*
No effect	1,67	(0,90 , 3,11)	*
Mother's perceived effects of non-circumcision (n=1504) [c]			
Marital problems	0,77	(0,47 , 1,26)	
Unattractive/unfeminine	0,60	(0,28 , 1,27)	
Fertility problems	1,33	(0,47 , 3,75)	
Unclean	1,16	(0,46 , 2,92)	
Not good for girl/girl's reputation	0,36	(0,18 , 0,74)	**
Excessive sexual desire/commit "sin"	0,57	(0,39 , 0,85)	**
Health problems	1,64	(0,96 , 2,81)	+

+ $p < 0.10$; * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$

a All models are adjusted for maternal age, maternal educational level, paternal educational level, household assets, urban/rural residence, and district. Models for daughter's circumcision status are additionally adjusted for daughter's age, daughter's birth order (among living daughters), and maternal circumcision status.
b Standard errors in all models are adjusted for non-independence of reported behaviour of mothers with more than one daughter age 5 yrs or older.
c Standard errors in all models are adjusted for the multi-stage, stratified, cluster-sample design.
d Desired by religion, normal/tradition, beautifying, good for girl, satisfied husband, cleansing/purifying.

Table 2. Predicted Probabilities of FGC-Related Attitudes and Behaviour by Religious Affiliation and Maternal Education, Minya Governorate

	Circumcised Daughters >=5 yrs (n=3212) Pred. Prob.	(95% CI)[a]	**Any Positive Effect** Mothers of Daughters (n=1504) Pred. Prob.	(95% CI)[b]
Christian				
Mother's education (none)	0,92	(0,88 , 0,95)	0,79	(0,65 , 0,89)
Primary/preparatory	0,87	(0,75 , 0,94)	0,76	(0,61 , 0,86)
Secondary +	0,43	(0,16 , 0,75)	0,46	(0,24 , 0,70)
Muslim				
Mother's education (none)	0,97	(0,95 , 0,98)	0,86	(0,74 , 0,93)
Primary/preparatory	0,96	(0,94 , 0,98)	0,85	(0,73 , 0,92)
Secondary +	0,91	(0,81 , 0,96)	0,82	(0,66 , 0,92)

Note: Predicted probabilities are estimated for modal respondentsresidents of Samaloot district, mothers age 35-44 without education, father's without education, households without major assets, residence rural. For models for daughter's circumcision status, probabilities are estimated for first born (among living daughters) aged 15+ years, and mother circumcised.
a Standard errors in all models are adjusted for non-independence of reported behaviour of mothers with more than one daughter age 5 years or older.
b Standard errors in all models are adjusted for stratified, cluster-sample design.

daughters are more severely cut (30 versus 43 per cent excised).[1] The cumulative probability of circumcision has declined with successive age cohorts of daughters, but particularly among Christians (Figure 1). Although a majority of Christian and Muslim daughters still are circumcised, a lower percentage of Christian than Muslim mothers intend to have uncut daughters circumcised (54 versus 85 per cent).

Common perceptions of the effects of circumcision are that the practice is good for the girl, cleansing/purifying, desired by religion, normal/a tradition, beautifying, and satisfying for the husband (ibid.). Mothers associate non-circumcision with problems in the domains of marriage, fertility, and physical and psychological health. Non-circumcision also is believed to cause overly sexual or 'sinful' behaviour and to be unattractive, unfeminine, unclean, or bad for the girl's reputation. A few Muslim mothers claim that not circumcising daughters to imitate foreigners is undesirable, and some mothers state that the practice is required or a norm.

Table 1 shows adjusted odds (and 95 per cent confidence intervals) that a daughter is circumcised and that a mother perceives selected effects of circumcision and non-circumcision for Christians versus Muslims. Adjusted odds of intended, actual, and more severe circumcision are lower among Christian than Muslim daughters. Compared to Muslim mothers, Christian mothers have lower adjusted odds of reporting that circumcision is good for the girl, is cleansing or purifying, or has any positive effect, and have lower adjusted odds of reporting that non-circumcision is bad for the girl's reputation or leads to excessive sexual behaviour.

Table 2 provides predicted probabilities (and 95 per cent confidence intervals) of circumcision among daughters and predicted probabilities of reporting positive effects of circumcision among mothers, by religious affiliation. Probabilities are derived from logistic regression models that include an interaction between maternal education and religious affiliation, and are computed for 'typical' Minyan residents (first-born daughters aged 15 or older; mothers aged 35 to 44 without education and circumcised; fathers without education; families living in rural Samaloot district and owning no major assets). Results show a sharp decline in the predicted probability of circumcision among Christian daughters of mothers with secondary or more education compared to those of mothers with less education, but only a modest decline in this probability by educational level of Muslim mothers. Also apparent is a sharp decline in the predicted probability of reporting positive effects of circumcision among Christian mothers with secondary or more education compared to those with less education, but little difference in this probability by maternal education among Muslims.

Findings are consistent with the idea that popularization of Islamist ideology casting women as keepers of 'traditional identity' attenuated declines in the prevalence of female genital cutting among Muslims in Minya when efforts by Christian PVOs to eradicate 'traditional practices' enhanced such declines among Christians. Sectarian tensions in Minya during this period also may have limited the diffusion of competing ideals about gender, reinforcing the potential for diverging trends. This interpretation corroborates feminist theory that religious groups may use gender symbols in a process of differentiation that national and transnational political bodies reinforce. Although one cannot infer a causal relationship between the activities of CEOSS, attitudes pertaining to the practice, and observed patterns of female genital cutting among Christians and Muslims in Minya, ideologies and behaviours favouring decline appear to have spread among Christians while Islamists were promoting women's traditional identity. Whether recent legislation against female genital cutting in Egypt will lead all Muslims and Christians to abandon the practice remains a question for future research.

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Notes

1. Excision usually involves removal of the clitoris and labia minora.

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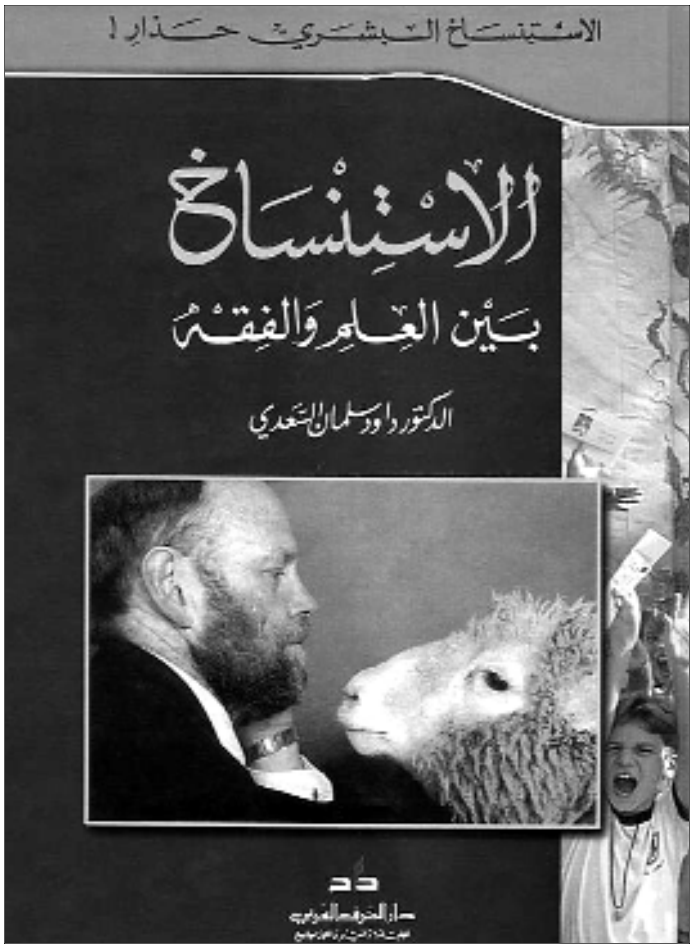
Muslim Voices on Cloning

THOMAS EICH

The debates about the pros and cons of cloning in the media are usually dominated by views of the Christian churches, philosophers, and lobbyists. Yet the issues raised by cloning are, for several reasons, affecting mankind in general and therefore cannot be solved by representatives and opinion leaders predominantly from the so-called 'West' only. Among these reasons is the fundamental question of whether our concepts of 'man', 'personhood', and consequently 'mankind' have to be reformulated in the light of recent scientific progress. It is obvious that a final, universally acceptable answer to this question cannot be arrived at if representatives of religions such as Islam, Buddhism, or Hinduism are not included in this debate.

To anybody familiar with Islamic jurisprudence it will come as no surprise that a great variety of opinions about cloning can be found among contemporary ulama. Basically they all refuse the notion that cloning (*istinsakh*) is interference in God's prerogative to the creation of life (*khalq*), which is defined as creating something new from nothing. Since cloning only makes use of materials that already exist (the egg and the implanted DNA taken from another person) in order to make a copy of it, the whole procedure cannot be considered as *khalq*. Furthermore, Muslim scholars do not consider the embryo in its first stages of development a person. Most ulama state that ensoulment does not take place until the fortieth day after inception, while others extend this period to 120 days.[1] Therefore one argument brought forward particularly by the Catholic Church in the context of cloning is completely absent from Muslim discussions: that is, the high number of failed attempts that are necessary to successfully bring about the making of one single clone. This argument is based upon the notion that the embryo has to be granted the legal status of a human being, from the very moment of successful inception onwards – a conviction that does not exist in Islam. Yet, in spite of that, the Islamic Fiqh Academy at Jedda issued a statement already in 1990 placing a ban on the creation of embryos by cloning for the single purpose of embryonic stem cells. This offers an interesting parallel to discussions in Europe and the USA about this issue. On the other hand, it is interesting to note that the reproduction of organs by cloning, which is a highly controversial issue in the West, is treated as unproblematic in Muslim statements. This technique would make it possible to take cells from a person in order to manipulate and implant them into a 'host' animal so that cell tissues or even whole organs could be bred, carrying the DNA of the cell donor. Subsequently, these organs could easily be transplanted to the donor and substitute a dysfunctional organ. Muslim jurists argue for the permissibility of this technique since it would serve the human good. This argument – the so-called principle of *maslaha* – had already been called forth in the 1970s and 1980s to justify the transplantation of organs.[2]



Salman as-Sa'di: *Al-Istinsakh baina l-'ilm wa l-fiqh*
DAR AL-HARF AL-'ARABI LI-T-TIBA'A WA-N-NASHR WA-T-TAWZI', BEIRUT 2002.

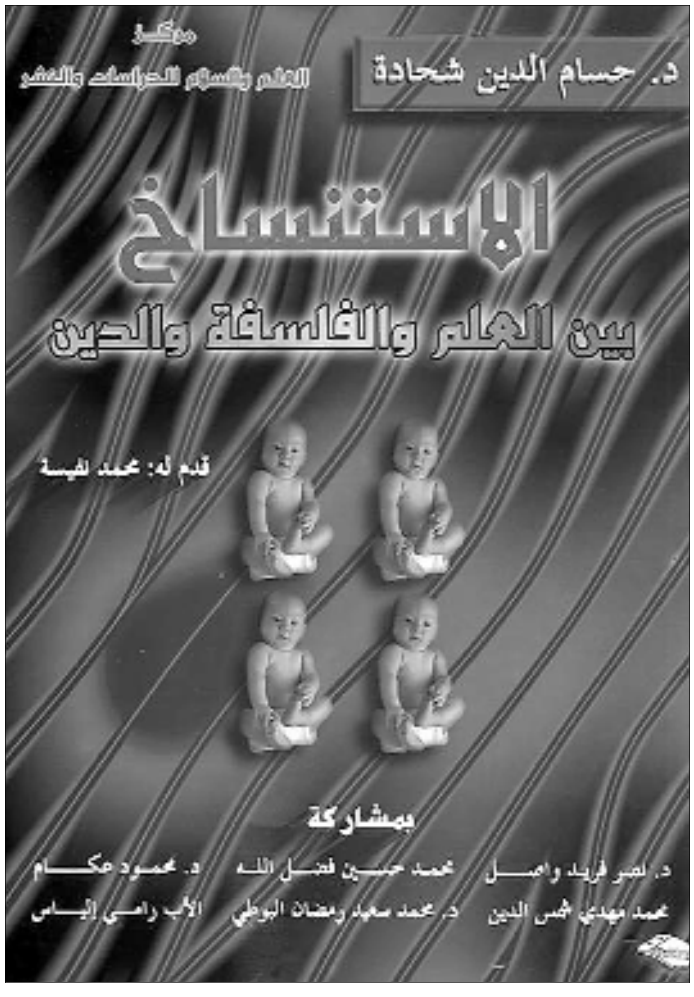
But only few ulama go as far as to state that there would be no problem about cloning at all. For example, the Lebanese *marja'* Husain Fadl Allah argues that cloning is nothing but a discovery of new possibilities within the framework of God's creation.[3] According to him, this discovery could only come about thanks to God's will. The fact that this new means of reproduction was hitherto unknown to mankind did not have any effects on its morality per se. Another example is test-tube babies, which were known to mankind only for a few decades but were easily integrated into the framework of *shari'a* law. (It should be noted of course that these statements were made during a radio interview.) The same argument, that any scientific discovery is only possible due to God's consent and therefore cannot be rejected as per se morally threatening, can also be found in a booklet of the Iraqi Shii scholar Muhammad Sa'id at-Tabataba'i al-Hakim.[4] In addition he refers to the Qur'anic story that Jesus did not have a biological father, taking this as proof that there are ways of creating human beings that differ considerably from the one which is commonly known. Consequently the argument is rejected that cloning would be a deviation of the usual technique of reproduction and therefore would constitute an infringement on God-given laws. It goes without saying that there is a considerable diversity of opinion among Shiites as well. For example, the Shii scholar Muhammad Mahdi Shams ad-Din refuted cloning by referring to the Qur'an (4:118–19), where Satan, after being condemned by God, states:

'Most certainly I will take of Thy servants an appointed portion: And most certainly I will lead them astray and excite in them vain desires, and bid them so that they shall slit the ears of the cattle, and most certainly I will bid them so that they shall alter God's creation [*khalq* Allah]; and whoever takes the Shaitan for a guardian rather than Allah, he indeed shall suffer a manifest loss.'[5]

In this statement cloning is interpreted as altering God's creation. Therefore it is seen as part of the devil's scheme to lead mankind astray. This Qur'anic citation is commonly made use of in statements outwardly rejecting *istinsakh*.

Repercussions for *shari'a*

The mentioned comparison of cloning to in vitro fertilization (IVF) made by Fadl Allah hints at an important restriction that is always added by those allowing *istinsakh*. Muslim scholars almost unanimously allow the technique of IVF if the wish of a married couple to have children can-



Husam ad-Din Shahada:
Al-Istinsakh baina al-'ilm wal-falsafa wa d-din

MARKAZ AL-'ILM WA-S-SALAM LI-D-DIRASAT WA-N-NASHR, DAMASCUS 1998.

not be fulfilled in any other way. Yet they all refuse the use of material – be it semen or eggs – that are not taken from the two themselves. Such a case would be clear adultery. The same rule is therefore applied to cloning: it could only be allowed if carried out within the framework of a valid marriage, i.e. DNA taken from a man could only be implanted into a woman's egg if the two are married to each other.[6]

This restriction in turn hints at the major objection that is raised by Muslim scholars to cloning and eventually leads to its outward rejection by most of them. Since the newly born child would not carry a mix of the DNA of his mother and father, but would only be a copy of one of them, it would become impossible to determine its exact relation to its parents. For instance, what would be the status of a female baby whose DNA is identical to her 'mother's'? She could neither be termed 'daughter', nor 'sister', nor 'mother'. This confusion would have decisive repercussions in other fields of *shari'a* law. For example, the very elaborate guidelines about marriage or inheritance could not be applied anymore since they are essentially based on a clear definition of the relational status of a given person within the framework of the family. Therefore the strongest objection raised by Muslim jurists completely differs from those of Christian representatives, who focus primarily on the immorality of the act of cloning itself. For most of the Muslim authors consulted so far this seems to be a marginal aspect only. They usually judge the matter more in the light of its effects, coming mostly to the same conclusion, i.e. that cloning should be forbidden. The weakness of judging on the effects rather than the nature of a certain act has already been pointed at in a statement by the Iraqi scholar Mahrus al-Mudarris, who is one of the few Sunni jurists arguing for the permissibility of cloning.[7]

There is, however, one objection that is raised by Muslims, Christians, and even some scientists alike: the contradiction of cloning to the principle of the diversity of God's creation. This argument is put forward, for example, by the famous Egyptian scholar Yusuf al-Qaradawi as well as by representatives of the Church, who argue that accepting this diversity also implies accepting things which are considered ugly or ill. The fear of Christian representatives that cloning and genetic engineering taken together might eventually lead to the creation of a new class of humans who are designed according to the desires, tastes, or even fashions of people is partly shared by the ulama. They base their argument on the Qur'anic statement (95:4): 'We created man in his best form' (*ladaq khalaqna al-insan fi ahsan taqwim*). Yet this does not lead to an outward rejection of genetic engineering as might be expected. Using the principle of *maslaha* once again, it is argued that genetic engineering does not contradict religion in cases where it is used for the healing of diseases. All other cases are interpreted as interference in God's creation.

The 'diversity argument' is also picked up by scientists. They point at the fact that reducing biodiversity would cause a lower ability to resist illnesses. But they seem to be less afraid that mankind might develop into an assembly of clones, which are based on only a couple of models: '[I]t appears unlikely that "cloning" in humans will become commonplace. It is more likely that humans will continue to reproduce using the traditional method, which appears to be much more pleasurable.'[8]

'Going through the contemporary statements of Muslims and Muslim jurists on cloning, one cannot avoid the impression that most of them were caught by surprise.'

Going through the contemporary statements of Muslims and Muslim jurists on cloning, one cannot avoid the impression that most of them were caught by surprise. Time and again it can be read in publications from the 1990s that the whole issue of cloning would be restricted only to animals, since science would still be ages away from the cloning of humans. Therefore new developments in this debate might be expected against the background of almost daily news about human clones in the media. From the vocabulary being used it can also be gleaned from the sources that cloning was considered a mere 'Western' phenomenon. Therefore the *majlis al-fiqh al-islami* at Jedda was very concerned in its guidelines on cloning issued in 1997, which held that, among other things, cloning should not be 'imported' into Muslim countries. Of course this view does not only overlook the existence of substantial Muslim communities in the West but also the fact that non-Western countries such as Korea or China also play an important role in research on and the development of cloning techniques.

In addition, the analogy of cloning and IVF mentioned above once again gives an indication of why it might become necessary for Muslim scholars to deal with the issue of cloning more systematically. As has been said, IVF is seen as unproblematic as long as no DNA material from a third person outside of the marriage is used. This rule allows bringing about pregnancy in the majority of relevant cases, because the problems with conception relate to aspects other than the sperm or the egg. But a number of cases remain, where either eggs or sperm are defective and consequently do not allow pregnancy. In these cases cloning could remedy the situation within the framework of a valid marriage. It is interesting to note that the permissive statement about *istinsakh* by Mahrus al-Mudarris mentioned above, was included in a recent publication about test-tube babies by an Iraqi medical doctor highly active in the field of IVF. Apart from the mere fact that IVF, genetic engineering, and abortion are treated together with cloning, the wording as well as the arrangement of Mudarris's statement shows that this issue can easily be integrated into the framework of discussions about birth control. These discussions in turn are far from marginal in the contemporary Arabic world.

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Notes

1. Vardit Rispler-Chaim, *Islamic Medical Ethics in the Twentieth Century* (Leiden et al., 1993), pp. 9–11.
2. About the whole complex see Birgit Krawietz, *Die Hurma. Schariatrechtlicher Schutz vor Eingriffen in die körperliche Unversehrtheit nach arabischen Fatwas des 20. Jahrhundert* (Berlin, 1991), pp. 169–202.
3. Husam ad-Din Shahada (ed.), *al-Istinsakh baina l-'ilm wa l-falsafa wa-d-din* (Damascus, 1998), pp. 131–3.
4. The text is also accessible at www.alhakeem.org. The author is a relative of Muhammad Baqir al-Hakim, leader of the Supreme Council for Islamic Revolution in Iraq (SCIRI).
5. Shahada, *Instinsakh*, p.128f. This passage is often quoted by those refuting cloning, arguing that it would be an interference in God's creation and therefore would be part of Satan's plans to distract mankind from the right path.
6. This aspect was also highlighted in the recommendations issued at a conference in Casablanca in June 1997. See Abd al-Wahid Alawani (ed.), *al-Istinsakh: Jadal al-'ilmwa-d-din- wa-l-akhlaq* (Damascus: Dar al-Fikr, 1997), pp. 229–31.
7. Munzir Tayyib al-Barzanji/Shakir Ghani al-Adili, *Amaliyat atfal al-anabib wa l-instinsakh al-bashari fi manur ash-shar'iyaal-islamiyya* (Beirut: Resalah Publishers, 2001), pp. 174–7 (www.resalah.com).
8. Fermin Roland Schramm, 'The Dolly Case, the Polly Drug, and the Morality of Human Cloning', *Cad. Saude Publica* 15 (1999): 51–64.

Muslim Responses to HIV/AIDS

ABDUL KAYUM AHMED

Muslim communities have never responded to the HIV/AIDS pandemic in a homogenous way. There have always been differences of opinion and approaches to dealing with HIV/AIDS. The following analyses Muslim attitudes towards fellow Muslims living with HIV/AIDS by comparing the approaches of two Muslim AIDS prevention and support groups in South Africa.

Muslim responses to HIV/AIDS in South Africa have ranged from non-judgmental and compassionate support to violent threats being made against Muslims who publicly disclosed their HIV status. Faghmeda Miller, an HIV-positive AIDS activist, is one such individual who was threatened. Miller, who is one of the founding members of Positive Muslims, an awareness-raising and support group for people living with HIV/AIDS, states in a television interview:

> *'My problem was with the head of the Muslim community, which we call the Muslim Judicial Council (MJC), and other bodies. They didn't feel happy that I disclosed because according to them I am a woman and women are supposed to keep quiet. And secondly…they said…you know…some of them, I won't say who, some of them said I should be stoned to death because they believed, they still believe, some of them, that it's a curse from God, and because of that I should have been stoned to death. But I didn't stop there. I carried on telling people about my HIV status.'*[1]

Miller is one of a few brave individuals who have publicly declared their HIV status. She, together with other members of the Muslim community, has challenged the orthodox Muslim approach to HIV/AIDS and has provided an alternative voice to mainstream Muslim religious leadership. While orthodox religious institutions continue to preach uncompassionate morality, progressive Muslim organizations such as Positive Muslims have provided HIV-positive people with the support and counselling they require.

Positive Muslims

Muslim Aids Committee

The Islamic Medical Association (IMA) together with the Jamiatul-Ulama, joined to form the Muslim Aids Committee (MAC) and Islamic Careline during the mid-1990s. These groups focus on educating Muslims about the spread of HIV/AIDS and claim in their pamphlets that 'Islam is the cure'. They argue that 'AIDS is primarily an ethical and moral problem' that can only be eradicated by strongly discouraging sexual promiscuity and by encouraging those who have contracted HIV 'to promote and maintain [an] Islamic lifestyle and repent for their past actions'.[2]

Although there is no way to gauge whether or not the Muslim Aids Committee's prevention programme has been successful, a number of HIV-positive Muslims have complained about the prejudicial manner in which the MAC operates.

This is not surprising considering the fact that MAC advocates the Malik Badri[3] approach when dealing with HIV/AIDS prevention. Badri's 'Islamic approach' to resolving the AIDS crisis is premised on his belief that AIDS is a punishment from God unto those who have engaged in immoral sexual behaviour. His approach comes across as retributive and judgmental and would certainly alienate Muslims seeking assistance. In some ways, however, Badri is correct when he argues that a Western model of AIDS prevention is inappropriate in an Islamic context. He suggests instead that an Islamic AIDS prevention model be developed.

Organizations such as MAC and Islamic Careline have attempted to respond to Badri's concerns about a Western AIDS prevention model by using their understanding of Islam and moulding it into an AIDS prevention model for Muslims. However, it is respectfully submitted that if one's understanding of Islam is based on principles of inequality and judgmentalism, those principles are invariably going to filter into an AIDS prevention model developed in the name of this Islam.

> *When Farida Mohammed's husband discovered she was HIV positive, he took her to the nearest hospital and left her there to die. Since there was little the hospital could do for someone who had full-blown AIDS, they sent her back home unable to deal with her problems. She had no home to go to and eventually ended up living with a man who provided her with accommodation in exchange for sex. When he became tired of her, Farida and her baby son roamed the streets of Johannesburg, South Africa, searching for shelter and food. On the verge of death, Farida discovered Nkosi's Haven and was taken in by Gail Johnson. Her own community continues to reject her.*[4]

MAC's attitude towards Muslims living with HIV/AIDS, such as Farida Mohammed, have been determined, first, by their aversion to Western culture, morals, and ethics and, second, by a need to replace the Western model of AIDS prevention with something more Islamic. In essence, Muslim responses to HIV/AIDS are reactionary and defensive. They are reactionary because they believe Western culture to be in direct conflict with Islamic culture – their reaction is therefore to instinctively reject anything Western believing that whatever is Western must be un-Islamic. For example, promoting the use of condoms, associated with a Western AIDS prevention model, will automatically be deemed un-Islamic without giving much thought to the value of a condom campaign.

The responses are also defensive because they realize that by rejecting the Western model of AIDS prevention, a void is created. Thus, since there is no thought-out Muslim response to AIDS prevention, Muslims respond by arguing that the Qur'an and *hadith* are sufficient guides to developing an AIDS prevention model. Their responses ultimately amount to sophisticated versions of what religious leaders have been preaching for centuries.

MAC's response to the AIDS pandemic is based on conservative interpretations of Islamic texts and is therefore out of sync with the social realities faced by Muslims living with HIV/AIDS. Unfortunately, the AIDS prevention model advocated by MAC is also reflective of the general Muslim response towards people living with HIV/AIDS.

Positive Muslims

The formation, in July 2000, of Positive Muslims, an awareness-raising and support group for Muslims living with HIV/AIDS was an important step in the development of a comprehensive AIDS prevention model. The group's founding members decided on its formation despite the existence of MAC, because they wanted to move away from the Malik Badri approach to AIDS prevention and also wanted to place more emphasis on dealing with people who had already been infected with HIV/AIDS.

Positive Muslims developed a 'theology of compassion': a way of reading the Qur'an and understanding the *hadith* in a manner that focuses on Allah as a compassionate being. Their mission statement includes the following objectives:

– We believe that a non-judgmental approach should be adopted when dealing with people who are HIV positive. Our concerns are not related to how one became infected; instead we believe that those who are HIV positive must be accepted as they are.

– Our primary focus is to provide support for those who have already been affected and to educate our communities so as to prevent the spread of HIV/AIDS. Our approach to prevention includes, but is not limited to, abstinence from sex outside marriage, faithfulness during a relationship, and the use of condoms in appropriate circumstances.[5]

The approach to AIDS prevention adopted by this organization is similar to the Ugandan 'A-B-C' approach, and includes abstinence, being faithful, and the use of condoms. There is furthermore no discrimination with regard to how one contracted the virus or on the basis of one's sexual orientation.

Positive Muslims has primarily focused on empowering women in their awareness campaigns and has conducted several workshops on Muslim women and HIV/AIDS. Based on their research, the organization believes that women are the most vulnerable group in the Muslim community in terms of contracting HIV. This is not only because women are biologically more susceptible to HIV infection than men, but also because of patriarchal religious and cultural practices that prevent women from effectively negotiating their sexuality.

The primary difference between Positive Muslims and MAC is that the former organization bases its approach on the 'theology of compassion' model, whereas the latter uses Badri's Islamic model. The AIDS prevention model adopted by Positive Muslims is far more comprehensive in terms of the range of services that it provides and adopts a more open-minded and progressive approach to AIDS education. It also focuses on empowering women by strongly discouraging Islamic practices that make women more vulnerable to contracting HIV. This model is also a reflection of progressive Muslim attitudes often found on the fringes of Muslim society. In many ways, MAC still reflects the mainstream Muslim response to the AIDS pandemic.

It has been suggested that faith-based communities exert a powerful influence on the priorities of society and the policies of national leadership. Unfortunately, orthodox Muslim responses to HIV/AIDS have negatively influenced the social priorities of this community by concluding, amongst others, that AIDS is a curse from God. However, by developing the notion of a 'theology of compassion', progressive Muslims have been able to provide non-judgmental and compassionate support to people living with HIV/AIDS. It is submitted that these prevention models are intrinsically connected to the way in which Muslims approach religious texts and in many ways mirror Muslim responses towards people living with HIV/AIDS.

Ultimately, the AIDS pandemic must be confronted, and open-mindedness is essential to properly dealing with the various issues that arise with respect to the virus in the Muslim community. Finding a Muslim response to HIV/AIDS based on compassion does not by any means equate to bowing down to a Western model. On the contrary, it signifies a responsible and realistic approach to the fact that those who are HIV positive are of us and we are of them.

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Notes

1. Documentary interview with Faghmeda Miller conducted by Melody Emmett for Steps for the Future entitled 'Body and Soul' (July 2001).
2. The pamphlet is entitled *Muslim Aids Awareness Programme: A Joint Project of the Jamiatul Ulama (Transvaal), Islamic Medical Association of South Africa & Islamic Careline* (n.d.).
3. *The AIDS Crisis: A Natural Product of Modernity's Sexual Revolution* (1997).
4. Summary of an interview conducted with Farida Mohammed (Johannesburg, South Africa).
5. www.positivemuslims.org.za

Cyber Intifada and Palestinian Identity

MIRIYAM AOURAGH

The imposition of often extreme restrictions and the daily use of violence have severely affected Palestinian society. Numerous curfews and roadblocks prevent people from visiting relatives and friends, and from travelling for work or education. As a result of the 'real' disruption of their lives, an increasing number of Palestinians compensate their loss of freedom by 'virtual' mobility on the Internet. In doing so, they reconstruct the notion of a transnational Palestinian community and identity.

The forced displacement in 1948 and the occupation of the West Bank and Gaza in 1967 resulted in one of the most complex and largest refugee problems. Over 50 per cent of the approximately eight million Palestinians live in exile and 70 per cent of the total comprises refugees. After 9/11, while all attention focused on Kabul and Baghdad, the Israeli government seized the opportunity to break the second Intifada and marginalize the Palestinian National Authority (PNA). Violence, closures, and curfews aim to undermine the desire for a 'Palestinian National community'. Yet, through 'virtual' interactions, a transnational virtual Palestinian community – and thereby identity – is now in the process of (re)construction. What it means to be a Palestinian is addressed and produced through online practices. Palestinians around the world communicate directly with each other, something not imaginable during the first Intifada (1987–1993), or before the so-called Oslo peace process when Israel even controlled the postal services. Today, family members commemorate martyrs by Internet distribution and create their own sites to find lost relatives or display their community/family history. But what are the possibilities and limitations of the Net in facilitating the imagination of a transnational Palestinian nation, while also functioning as a tool for political mobilization?

Internet is a relatively new phenomenon in anthropological research. Basically labelled as 'cyberspaces', 'online worlds', 'Internet communities', perhaps the best way to conceptualize these groupings is to think of the Internet as a communication medium whereby 'space' is a social construct, evaluated through the meanings conferred to it, yet constantly referring to a particular territorial 'place'. In a globalized 'information age' we find a greater diversification of alternative voices in the public media. One assumption in current debates is that the nation-state no longer features as the privileged space for the imagination of identity. Palestine offers exciting examples of Computer Mediated Community (CMC) styles. Even though the nation-state concept is weakening, the particular situation of Palestinians evokes precisely the strong drive for an independent state and self-identification with a nation – especially since their identity is consistently contested. Here public symbols representing national independence are, for example, the Palestine Broadcast Corporation (PBC), the transmission mast (dating from the Mandate period), the headquarters of the Palestinian National Authority, and the main Internet provider (PalNet). In January 2002, the IDF blew up the newly built and operating offices of Palestinian television/PBC. In April 2002, as part of Operation Defensive Shield, troops destroyed Palestinian radio stations and bombed the transmission mast. With the shutdown of PalNet's power source in July 2002, Palestinians were temporarily unable to go online. However, according to ISP (Internet Service Providers) the number of users of PalNet registered a growth from 3 per cent in 2000 to a current 8 per cent.

Stories collected amongst refugees in Lebanon and Palestine clearly express a sense of isolation and suffering. All interviews, drawings, posters, discussions, and songs depict an agonizing spirit, and hopes of returning to the homeland abound. One way of dealing with this is through strengthening personal ties via the Internet. Though music, lifestyle, and romance are favourite topics, current politics are dominating the style and discourse on the Net more than anything else.

Electronic Intifada website, May2003.

HTTP://ELECTRONICINTIFADA.NET/THEMEDIA/INDEX.SHTML

Alternative images

Analysing the impact on Palestinian lives of the current political situation, two words will certainly come up: closure and curfew. They have given space, place, and time different meanings. Internet access became an alternative for a society being crippled figuratively and literally. Chat rooms, websites, and mailing lists provide the infrastructure for a Palestine represented in a cyber world, reaching even Palestinians in the diaspora who do not have access to Internet since appeals, communiqués, and images can be printed from the Net, reproduced, and circulated on university, mosque, or café walls. For example, historical pictures from before 1948, those of the 1948 and 1967 exoduses, and pictures of the second Intifada are amongst the most downloaded and forwarded images. The first two sources articulate a certain nostalgia and mourning, while the latter express resistance, and hope.

Interwoven in all the texts and images produced on the Net are re-articulations of meanings about Palestinian culture, history, and identity. One immediately notices that self and group identity of Palestinians (inside and outside) is a very important subject. This is especially seen on refugee camp websites that were set up to find a solution to the physical return of the Palestinian diaspora to the homeland. By recognizing the impossibility of movement from the diaspora to the Palestinian territories, mailing lists also constitute important means of opening up discussions between individuals from distant places in a cost-effective manner. The discussions range from scientific to social, political, and cultural issues, like the eventual return to the homeland or mismanagement of the PNA. A good example of Internet projects is the Across Borders Project, which links different refugee camps with each other. Interaction between Palestinians from Dheisha refugee camp in Bethlehem with Sabra/Shatila refugee camp in Lebanon, and Jalazone refugee camp in Ramallah with Palestinians in Sydney, Australia, are revolutionary examples.

Muslim activists actively use the Internet in many ways. Islamic groups never officially discouraged using the Internet. Palestine-info, hosting Islamic-related Palestinian political movements like Hamas, is one of the most important examples of eagerness amongst religious parties to push their info through the Net. Yet these popular groups

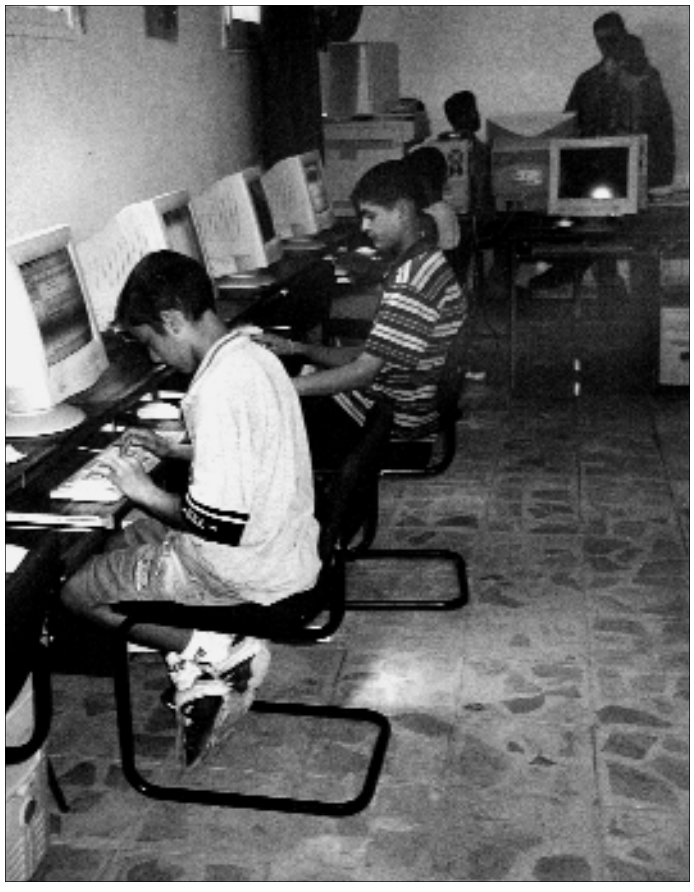

PHOTO: MIRIYAM AOURAGH

Youths in a Palestinian camp corresponding via Internet with youths in a Lebanese camp.

may find themselves isolated in a cyber public sphere. It is striking to find that Hamas and Hezbollah, or even the Marxist PFLP and DFLP, are rarely mentioned or linked on (pro-)Palestinian websites. The reason is not always political disagreement with these 'radical movements'. Often it is the fear of losing (potential) credibility and resources when associated with these 'unwanted' groups.

But religious motivations and preferences also influence the use and development of Internet. Some perceive it as a 'new' phenomenon to be controlled and channelled. At the only Internet café in a South Lebanese camp near Saida (a stronghold of Islamic parties) all computers had mirrors on the wall behind the users so the owner could see what was being viewed online, and a curtain fully separated female from male costumers. For some critics this was an example of religiously motivated censorship; for others it actually created practical opportunities, in particular for women and girls to (be allowed to) participate in a public sphere.

Grassroots capacity of the Net

Political messages and other aims expressed through the Internet take place on local and global levels. Apart from the 'global'-based sites like Electronic Intifada,[1] the number of Palestinian 'diasporic' and locally based sites, discussion lists, and projects are strikingly active. At the same time it is important to note that the PNA does not even have the technical/political ability to control Palestinians' Internet usage. Internet proves that control cannot be absolute, making it a blessing and a curse. In other words, the grassroots capacity of the Net endows it with a political significance; it injects democratic participation into otherwise oppressive societies. The fact is also that cyber space is not an occupied territory and cannot be sealed by Israeli tanks and checkpoints (as yet). Al-Jazeera's live shots of the killing of the Palestinian child Muhamed al-Dura were immediately spread on Internet and became a symbol of the Intifada; the BBC's footage of the Jenin market killings of Palestinian children by Israeli tanks in June travelled faster than imaginable through news groups, hyperlinks, and listserves.

Apart from all the online e-mailing, chatting, printing, downloading, writing, mobilizing, surfing, and even Net phoning, the Internet café became also an offline place where people meet, exchange news, receive messages, drink coffee, or just wait and look around. It is actually a smart, or rather 'safe', public place because it is not really a 'café' (in the negative sense it has in Arab society). For most parents it is acceptable to let sons and daughters spend hours in an Internet café for study purposes – although of course the other social activities are part of such outings. The Internet café provides secrecy, anonymity, and even a space that can be a meeting point for political factions to motivate their ideology or ideas through specific sites or computer software.

It cannot be overstated how important the social impact of Internet is when physical contact is impossible. When the Across Borders Project started in 1999 it was with the aim of providing the Palestinian community 'access to a worldwide audience where their views can be expressed, and assist the refugee community in the process of family reunification' by linking the approximately 50 refugee camps scattered throughout the Middle East.[2] It became obvious that the Palestine-Israeli-American conflict was not just a military war; it was also a media war. Organizations and activists were forced to regroup and rethink their tactics. Web design companies were even offering free services in order to increase Palestinian presence on the web. Local and international Palestinian Internet projects, presenting features and eyewitness reports mushroomed and became serious alternatives to mainstream media. These activist groups and projects have in common that they approach and mainly target the international world/Western audience and almost solely work online. The website statistics report of the *Palestine Monitor* in August 2002 showed that the site had been visited more than one million times. In September the most active day of the month was 20 September, right after the attack on Arafat's headquarters.

Escaping their depressive state of isolation, travelling to friends or family in Palestine or in other countries via the Internet gives a sense of freedom. At the same time it empowers the people to participate in the political fight and Intifada by live confrontations with (pro-)Israelis on the Net, or by playing cyber games. In this 'cyber Intifada' pro-Israel and pro-Palestinian groups attack and sabotage each other with viruses and hackings. As one Palestinian web-user in Lebanon said: 'When I watch the news on television I feel I can't do anything. But on Internet I feel I am facing an Israeli myself.'

The impact of the Net is sometimes idealized, however: uneven distribution of and access to the Internet and a bias towards Anglo-American language and culture do pose a threat. Nonetheless, positive changes are currently seen as well. Many more Arab-language sites and chat rooms, with Arabic transliterated in Latin script, using symbols to express specific tones or letters, are also good examples.[3] From a historic materialist perspective, it is obvious that innovations in digital technology are impressive, without thinking that technology in itself is the determinant of change: 'Internet is not meant to be the solution, though it is an important tool. … [T]here is the danger that after spending hours on the Internet you think you've done the fight for the Palestinian cause that day. And so you might not go out to participate in a demonstration, which can be more effective. Internet is not going to save Palestine, but it is going to contribute to [its] liberation' (coordinator of the *Palestine Monitor*).

Internet remains an important 'facilitator'. Instead of focusing on individual access, efficiency, and outcomes, it is therefore beneficial to explore broader-based access like community centres, public libraries, Internet café's, and universities. Since it circumvents traditional forms of censorship and provides news and opinions to which the US-Israeli pact and Arab regimes would rather not allow public access, individuals, groups, and movements can use new technologies to combat 'ruling' entities. This reminds us of the continual tactical inventiveness of ordinary people in their everyday practices. Research on these issues has the important task of trying to find answers to how these political meanings and practices can be reformulated for post-colonial times, relating them to the digital age and to identity-formation in a diasporic context.

Notes

1. 'The Revolution will not be televised – but it will be Web-based' said the initiators of the site. See Laura King-Irani (March 2001), 'The Electronic Intifada: The Revolution Will Be Web-based'. Published in a*s-Safir* (Beirut), *Daily Star* (Beirut), and *al-Hayat* (London).
2. The curfews made it difficult to carry out the project's basic work; realizing a network of Across Borders Project centres in camps across the Middle East is put on hold.
3. Several letters in Arabic do not exist in the Latin alphabet: 7 is thus the soft g; 3 is the deep gh' etc.: 'Ahleen 7abiby, 3andek waqet 3asaan…' = 'Hello dear/love, do you have time because…'.

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Israeli authorities have denied Miriyam Aouragh entry twice this May. First she was deported back to the Netherlands from Tel Aviv Airport. Her second attempt to enter Palestine via the Jordan Bridge failed as well. Her Ph.D. research project is now in jeopardy.

The Nizari Ismaili Community and the Internet

RIZWAN MAWANI

The Nizari Ismailis are a global community of Shi'i Muslims living in more than twenty-five countries across Asia, Africa, Europe, North America, and Australasia. They are led by His Highness Karim Aga Khan, forty-ninth in a line of living hereditary imams. Increasingly, Ismailis become aware of the wide diversity within the larger community as well as of the vulnerability of various local groups and their particular traditions, in particular in Central Asia. Internet provides a means to address these concerns albeit that access to internet is as yet unevenly spread.

For much of the Nizari Ismaili community's past, the study and writing of its history have been conducted based on sources produced by its enemies and detractors. Only since the beginning of the second half of the twentieth century have significant strides been made with Shi'i and Ismaili studies to help reclaim a more accurate portrayal of the community's history, doctrines, and culture. This has largely been due to the recovery and publication of numerous manuscripts and the establishment of institutions that encourage and facilitate scholarly study of the community's past. Unfortunately, studies of the contemporary Ismaili community have yet to receive the same attention. The application of interdisciplinary studies, contemporary methodologies, and studies of Ismaili popular culture have not been given the same importance as studies of the pre-modern community and its literature. To add to this, a strong culture of documentation is lacking amongst many community members, placing the collection and writing of the community's contemporary history in potential jeopardy.

'... there is a perceived notion amongst many community members that some aspects of the ritual and liturgical life of other Muslim communities are somehow more "Islamic" than their own practices.'

What makes the recording of the community's contemporary history even more urgent are the many changes that have occurred in the community's recent past. Migration and dislocation of Iranian, Tajik, and Afghan Ismailis and greater communal awareness of its own diversity have facilitated a much larger interaction amongst the community's cultural and ethnic groups over the last decade and a half. These encounters have resulted in a sharing, borrowing, and exchange of cultural traditions, devotional literatures, and other forms of expression, but have left some Ismailis to grapple with, make sense of, and adjust to changes in the community's ritual and liturgical repertoire and cultural constituency.

The Internet has been one mechanism that has assisted elements of the community in addressing these concerns. Community members have used varied computer technologies, from websites and e-mail listservs to weblogs and IRCs, to discuss, negotiate, and debate the boundaries of community and identity. The majority of the first Ismaili users of what we now call the 'Internet' tended to be university students and immigrants to North America who were engaged in academia or engineering and scientific industries in the early 1990s. This soon expanded to include similar profiles of community members in Europe. Early participation by Ismailis on the Internet was through newsgroups, primarily those dealing with Islam and Sufism, indicating how many immigrant Ismailis constructed their own identities and worldviews in the absence of Ismaili-specific forums. In early 1994, the beginning of an organized attempt by members of the community resulted in the emergence of several private mailing lists or listservs dedicated specifically to the use of community members. Mailing lists that authorized membership based on questions of affiliation to particular *jamatkhana*s, or places of Ismaili social and religious congregation, were used by listowners to 'verify' Ismaili identity. Of the three earliest groups, the ISN (Ismaili Social Network), run by two dissentient Ismailis, dealt primarily with theological and doctrinal issues. Ummah-net and Ilmnet, based in the United States and Canada, respectively, tended to attract university students and young professionals and dealt with a wider range of issues. All three groups, based in North America, and generally having overlapping members, marked the beginning of a very interesting process that paralleled to some extent discussions that were occurring offline, especially amongst university students and young professionals who were born or had spent the majority of their lives in the countries of Europe, Canada, or the United States.

Responses to modernity

Many early dialogues on these lists were primarily concerned with responses of certain community members to issues of modernity and globalization and the particular ways in which these impacted the practice of the faith. Due to the nature of these discussions, they quickly gained the attention of local and international institutions of the community, who were weary of the Internet and its related technologies, primarily because they provided a forum for unmediated discussion and access to unauthenticated versions of the firmans, or private guidance of the imam to the community. Many users of these lists, however, constructed the Internet in very different terms: more so as a liberating, seminal tool allowing relatively open dialogue and providing a forum for discussions with other like-minded Ismailis.

In 1995, the appearance of the first 'Ismaili' website of a grand nature appeared. Heritage, later to be known as FIELD (the First Ismaili Electronic Library and Database) was run and operated by two Ismailis based in Montreal. Heritage and other less ambitious websites that had emerged began to provide a more public face than the earlier mailing lists and were seen as a welcome resource by many Ismailis. Providing community members (and others) access to devotional literatures, audio and video recordings, and a plethora of photographs and information about the activities of the imam of the community, Heritage soon became one of the most popular 'places' for Ismailis on the Internet and its success spawned many other sites that aspired to match its quality, breadth, and scope.

Beginning in 1996, the Aga Khan, spiritual leader of the community, began to publicly address the role of the Internet and noted its importance as a modern tool. Since that time, several other speeches in varying public contexts have presented his understanding of the Internet and its role in promoting positive cultural and educational change and vocational collaboration. Soon after the first of these speeches, many of the institutions of the Ismaili community, primarily consisting of the member bodies of the Aga Khan Development Network began to emerge on the Internet. These, at one level, marked the first sanctioned institutional presence on the Internet of the Ismaili community

and were seen by many members of the community as a progressive and welcomed move.

Today, the Ismaili Internet landscape is much more populated. There are sites, spearheaded by individual community members, dealing with everything from religious and social issues to professional interests and an increasing number of dating sites that provide a venue for single Ismailis to meet other Ismailis from around the world. A growing number of localized sites in languages ranging from French to Urdu have also begun to appear so as to more effectively deal with Ismaili populations that either are not English-speakers or who prefer to operate in an ethno-cultural sphere in addition to under a purely religious umbrella.

In the years since 1996, the demographics of Internet users have also changed. Issues of bandwidth and accessibility to the Internet, which acted as a gate privileging North American and Europeans users, were no longer a significant concern with the online landscape of the community, reflecting the global changes in Internet use. Ismailis from the Indian subcontinent, the Middle East, Africa, and Central Asia now form an integral part of the Ismaili userbase that is online. Whilst early users of the Internet tended to be under thirty-five years of age, the Internet today is used by a much wider age-range within the community, especially in eastern Africa, Europe, the Indian subcontinent, and North America.

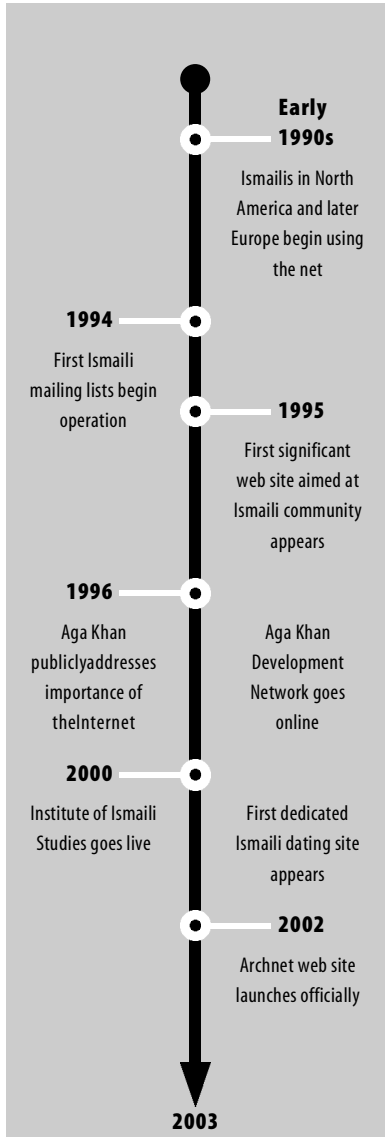
The last fifteen years offline

To fully appreciate and understand the value of what is happening on the Internet, it is necessary to begin to look at the history of the community over the last fifteen years to examine why the Internet has become such an important forum for negotiating and discussing what it means to be an Ismaili in the contemporary world. Up until that time, many Ismaili communities, primarily linked by geography and language, saw themselves in isolated terms and tended to refer to themselves in a vocabulary that associated or affiliated them with caste, tribe, linguistics, or communal progenitor rather than one that grouped them under the larger umbrella of 'Ismaili'. The community most in touch with and involved in leadership activities hailed from the Indian subcontinent and had a history that involved the migration of significant members to East Africa and the French African colonies, amongst other places, before settling in Western Europe or North America beginning in the late 1960s or early 1970s.

In 1988, the Aga Khan began to issue a series of firmans, which were made available to the various *jamat*s, or communities, throughout the world, in which for the first time in a detailed manner, he raised the issue of Ismaili cultural diversity and pluralism of practice amongst and within the various communities. At this time, there had already been some migration and an attempt to settle displaced members of the Ismaili community from Iran and Afghanistan to Canada, but generally the community of Indian origin had tended to think of themselves in hegemonic terms, with their rituals and prayer, cultural practices, and places of worship as normative to the Ismaili tradition. The settlement of these non-Indian Ismaili communities raised an interesting paradox. In one sense, there was an increased sense of fraternity between the host community and 'new' community that they had come to encounter. However, an exoticism still existed and while there were attempts to appropriate certain cultural and religious practices, many of the Ismailis who had become accustomed to their own forms of practice saw their inherited rituals as threatened. On the other side, many of the 'new' communities did not have access to the symbol systems, the language, or the religious institutions that were so commonplace and established among the culturally Indian *jamat* – and this caused many to continue their own ways of practice privately, both individually and communally, outside the *jamatkhana* environment.

Over the last fifteen years, other communities have emerged and reestablished contact with the imam of the community, namely communities in Tajikistan, Afghanistan, and to some extent western China. Communities in the Arab-speaking world have forged closer relationships with the communal and institutional leadership of the community and attempts at creating an umbrella Ismaili identity through a common constitution, institutional structures, liturgy, and places of worship have facilitated and assisted this process. Of course, many rich and vibrant local traditions continue to survive and this diversity of practice is constantly stressed by the imam of the community as a strength rather than a weakness.

In the contemporary world in which the notion of a Muslim orthodoxy seems to assert itself more strongly than in the past, especially from within the *umma*, many Ismailis have had the challenge of defending their own pluralistic practice in the spectrum of Muslim diversity without seeming apologetic. Much of this is due to a lack of shared vocabulary and succumbing to the pressures of a perceived orthopraxy. Over the last fifty years, the community has seen several changes in its ritual practice, including an increased number of English, Arabic, and to some extent Persian terms in its rituals and an added significance on the use of the intellect in the interpretation, ethics, and practice of the faith, rather than the strong emphasis that was placed on ritual in the past. This is complicated further as there is a perceived notion amongst many community members that some aspects of the ritual and liturgical life of other Muslim communities are somehow more 'Islamic' than their own practices.



The Nizari Ismaili community and the Internet: a snapshot, 1990–2003.

RIZWAN MAWANI, 2003

Negotiating identity online

As a result of these factors many of the websites, and more so the discussion groups and listservs, are constantly brimmed with messages relating to what constitutes 'right practice', looking to those with knowledge and authority for answers. Prior to the Internet, there were very few outlets where community members felt they had a voice that could be heard. Critiques and debates about the community within the family or *jamatkhana* context were perceived to be disrespectful and unnecessary rather than fruitful. Amongst younger members of the community, the Internet has become a forum where their concerns have been given a voice and members of the community are able to discuss issues of common concern and apply contemporary critical tools to aspects of the faith.

Websites have quickly become spaces of research for personal understanding as well as for use in religious education classes and communicating Ismailism to non-Ismaili friends and colleagues. The downside, however, is that although there may seem to be a pluralism of practice that has developed, measures of authority online have quickly changed. Strident users are quickly imbued with authority by listmembers as they are often seen to have the most knowledge and debates usually continue to occur until something close to a consensus is established or one party leaves the discussion. While this gives a sense of satisfaction to many users, and irritates others, in the end, one can argue that pluralism of opinion within the community has been affected by these discussions. 'Unorthodox' views can be quickly dismissed or counter-argued using a whole series of devices to undermine opinions presented.

By exploring the interactions that take place on the Internet not simply as a distinct, disconnected forum divorced from individuals' offline realities, one can argue that the coherency and continuity that exists between people's off- and online worlds is key to understanding how identity negotiations take place on the Internet. For the Nizari Ismailis, the Internet has provided a 'space' where community members can enact discussions and engage with others in hopes to better understand their own history and evolving identity in the complex cultural and religious landscape they inhabit.

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Shifting Frontiers
Islam and Christianity in Post-Soviet Ajaria

MATHIJS PELKMANS

In the Caucasus as elsewhere in the former Soviet Union, religion gained important momentum after the abolishment of state-atheism and the demise of communism. The renewed importance and visibility of religion in this region is often explained as a *return to*, or *revival of*, pre-Soviet religious practices and beliefs. However, the religious dynamics in Georgia's southwestern autonomous region Ajaria radically contest such explanations. Here, the borders between Islam and Christianity are shifting in favour of the latter following increased confrontations with post-Soviet Georgian nationalism.

Before the Soviet period, Ajarians adhered to Sunni Islam and were described in Russian administrative documents and travel reports as devout Muslim believers and staunch opponents to Christian forces attempting to occupy the region. During the Soviet period, state policies weakened Muslim religious institutions and largely relegated Islam to the domestic domain. Nevertheless, with time it became clear that Islam retained importance as a space of personal refuge. Despite this 'persistence' of Islam in Soviet years, an accelerating process of conversion to Christianity took place immediately after the Soviet collapse. This process was paralleled by the establishment of new churches and spiritual schools, both of which were part of the Georgian Orthodox Church's stated intent to Christianize the region. To understand the current decline of Islam and rise of Christianity, the process needs to be interpreted in light of the structural position of Ajaria within (Soviet) Georgian administrative and ideological frames. The particularities of Ajaria's position resulted in incompatibilities of national and religious identities as played out in the politics of everyday life. As religious and national identities are tightly interwoven in Ajaria, changes in the nature of the 'state' have had discernable effects on the rigidity and shape of a new religious frontier.

PHOTO: MATHIJS PELKMANS, 2000

Celebrating Georgia in the Ajarian highlands

Dis/continuities

The political leadership of Ajaria and the local intelligentsia express clear-cut views on Islam. They typically present Islam as an undesired residue of the Ottoman past and stress that it is only a matter of time before Ajaria will be fully Christianized. Conversions to Christianity are presented as a return to Ajarians' 'native' Georgian faith and as the completion of a process of Ajarian 're-unification' with the Georgian nation. Attempts to disseminate Georgian nationality among the inhabitants of Ajaria go back to the late nineteenth century when political control over the region shifted from the Ottoman to the Tsarist Empire. These early attempts were largely unsuccessful and up to the Soviet era inhabitants of Ajaria primarily defined themselves in terms of religion and locality.

Soviet attempts to curtail the influence of Islam had more lasting results. Starting in the late 1920s, Soviet authorities arrested and deported numerous religious leaders and they closed or destroyed virtually all mosques and madrasas in Ajaria. Such measures were similar to atheist policies in other parts of the Soviet Union, but the conditions in which they occurred were unusual. The Soviet regime had granted Ajaria autonomous status but not, as usual, on the basis of 'nationality' or 'ethnicity'. Rather it was granted with regards to religious affiliation. This meant that Ajarians were unable to further their interests in the name of the 'development of nations', since in official classifications of their group Ajarians were Georgians and only differed in their religious background. Moreover, for a long time the political élite of Ajaria consisted predominantly of non-Muslim Georgians who held strong anti-Turkish and anti-Islamic sentiments, and eagerly adopted Soviet policies aimed at curtailing the influence of Islam. These and other factors caused severe problems for the organizational structure of Islam – problems that were very difficult to overcome even after the collapse of the Soviet Union.

During the Soviet period the Muslim Ajarians increasingly started to identify themselves as Georgians. An important reason why national discourse became effective in Ajaria was that expressions of Georgian national identity were then – at least partly – disconnected from religion. In other words, because religion was banned from the public domain, Ajarians could come to see themselves as Georgians. This state of affairs changed in the late 1980s when, in the wake of national resurgence, Georgian nationality was tightly reconnected to Christianity. In the emerging hegemonic discourse Georgian and Muslim identities became incompatible, creating a dilemma for Ajarians who saw themselves as both.

Incompatibilities

State-atheism and a dominant national Georgian discourse provided the basis for accelerated Christianization of the region after the communist collapse. This can be further illustrated by looking at the way religious and national identities have been negotiated in everyday life on the frontier. In the post-Soviet era, increased expectations of what it entails to be Muslim ran counter to increased demands for displaying loyalty to the Georgian nation. This forced inhabitants of Ajaria to articulate their social identities in new ways. During my research in Ajaria it was fairly uncommon for Ajarians to present themselves as different from Georgians, and instead most people made it clear that they considered themselves to be Georgians, sometimes specifying that they were Muslim Georgians. They stressed that 'religion' and 'nationality' were different categories, but distinguishing between the two often proved difficult. For example, young Muslims spoke frequently of painful encounters with Christian Georgians in which their religious affiliation was challenged or ridiculed, or in which

they were derogatorily called 'Tatars' or 'Turks'. Difficulties of reconciling Muslim and Georgian identities were further strengthened by the new educational system and the regional and national media which put great emphasis on the Georgian Christian tradition and Christian elements in Georgian language, culture, and history.

The difficulty of restoring or maintaining Islamic lifestyles was also evident in many aspects of everyday life. For most Muslim Ajarians, 'new' demands of Islam ran counter to the ways they had led their lives until recently. Of course non-observance of religious demands was also considered sinful during the Soviet period, but recently the issues gained significance. Informants explained that during Soviet times it was completely normal to combine Muslim identity with a lifestyle that violated Islamic codes of behaviour. For anyone employed in a public function, continued observance of religious demands was not a possibility and this was accepted even by Muslim leaders. As one informant put it: 'We didn't think badly of anyone who drank at work or offered wine to guests; those things were simply unavoidable.' But whereas then it was accepted behaviour for Muslim men to drink alcohol, to eat pork, or to withdraw from the Ramadan, today it is more complicated to abstain from religious demands and still maintain Muslim identity. The new possibilities for religious proliferation after socialism changed the expectations of how Muslims should behave, expectations that have been hard to live up to. Informants frequently mentioned that Georgian customs of hospitality and sociability necessitated violation of religious rules. To quote one informant: 'We have a long tradition of wine drinking. You have to serve wine and drink together. People would think badly of you if you said that alcohol was prohibited in your house. It would be the same as saying that you are not a Georgian.' The case is insightful because in Georgia the extensive rituals of drinking are an integral part of everyday politics, of defining who is who, and of expressing gratitude and respect. In Ajaria, moreover, drinking has become a very powerful symbol of Georgian*ness*. Abstaining from it has not only made one's social position difficult but has also been interpreted as a rejection of the Georgian nation.

Similar dilemmas were voiced when Muslim Ajarians talked about their aspirations. Many young Muslims had the feeling that Islam pulled them backwards instead of bringing them forwards. They worried about how the insistence of Muslim leaders to teach children Arabic influenced kids' performances at school and how a Muslim life might handicap their future. These young Muslims were often oriented towards city life, which had in recent years become more explicitly associated with Christianity. These dilemmas demonstrated the incompatibility of certain versions of Islam with the demands of the larger national society. In part this was a legacy of the Soviet period. During that period representations of culture and ethnicity were stripped of all Islamic connotations. This meant that the lifestyles of Muslims could not be legitimized by the language of ethnicity and culture, but were instead seen as village traditions or as leftovers of a 'backward' past. This continued to incapacitate the appropriation of Islam in 'cultural' and 'ethnic' presentations of 'self', at least among those who had embraced the national Georgian ideal. But these difficulties also hint at possible breaches in the frontier. Over the last ten years, new versions of Islam have been introduced and the relevance of the state in the lives of individuals has changed.

Frontiers of identity

Inhabitants of Ajaria have responded differently to the dilemmas outlined above. A brief summary of the material gathered in the district centre of Khulo – a town of 6,000 inhabitants located in the Ajarian highlands – offers further insight into the patterns of religious change.

Families in which one or several members converted to Christianity in recent years had typically belonged to the Soviet middle class. They attributed much value to education and sent their children to Georgian cities to attend university. Members from these families used to have positions in the state structure and often had lived part of their lives in urban areas in Georgia. They were less inclined to comply with local customs and traditions and more apt to conform to what was seen as 'modern' or 'civilized' Georgian society. Civil servants, teachers, and higher administrative personnel dominate the ranks of new Christians. This educated class actively contributes to the furthering of Christian expansion because it strengthens the prevailing nationalist Christian discourse in Ajaria among their students, in the press, and simply because of their social position as brokers between the political élite and the local population. What is more, the fact that the middle class increasingly turns to Christianity contributes to the further isolation of Muslim voices.

Families that at least nominally adhered to Islam tended to have occupations related to agriculture and technique; they predominantly acquired only primary education and usually married within the region. They defended their religious affiliation in terms of familial and communal identity and stressed that they remained true to the beliefs and values of their parents and grandparents. While upholding the value of Islamic traditions they also by and large accepted the messages of Georgian nationalism. This ambiguous stance did not solve the incompatibility of Muslim obligations with expectations of 'Georgian' behaviour in daily life, resulting in dilemmas that over time often led to withdrawal from direct involvement in religion. In other words, these Muslims acted in an environment in which identification with Islam was contradicted by the demands of a state within which they imagined their lives.

PHOTO: JULIE MCBRIEN, 2000

Pilgrimmage to Didachara, a Muslim village where supposedly the first Georgian church was built in the first century AD.

However, among the younger generation there are those who found new ways of integrating competing discourses in their personal lives. New contacts across the formerly impermeable border with Turkey offered new visions of Islam that seem more compatible with the aspirations Ajarians hold for the future. Young men who had studied in Turkey brought back a 'purified' version of Islam that served as an alternative to the 'village Islam' to which they objected. Moreover they used the example of Turkey to prove that 'modernization' and 'Islam' were not mutually exclusive. Interestingly, among those who were the least bothered by national discourse and its negative portrayal of Islam were entrepreneurs who engaged in transnational trading activities. For them, it seemed, Islam served as a space of refuge that eased the uncertainties of the post-socialist era and was valued as a source of common identity in establishing contacts during their travels to Turkey, the Caucasus, and Central Asia. These examples suggest that in some ways the state may lose its centrality in how people imagine and construe their lives. The opening of the border with Turkey in the 1990s and the diminished capacity of the state in providing for the necessities of life may cause people to structure their lives increasingly around other points of reference, be they transnational trading networks or religious centres in the Muslim world.

In Ajaria the frontier between Islam and Christianity is changing. Besides a shift of the frontier in favour of Christianity, the nature of that frontier has changed as well. The 'new' demands of religion and nationality have become increasingly difficult to combine, and the resulting contradictions necessitate that Ajarians find new ways to reconcile religious and national identities. The constant confrontation with the opposing tendencies of Islamic and Georgian-national discourses has often forced them to take sides. The result is the emergence of new religious boundaries on the frontier of the Muslim and Christian realms. But as the nature of the state is changing it is uncertain how stable these new boundaries will prove in the future. As people's lives are increasingly detached from the structures of the state, loyalties and frames of references may shift and new borders of identity on the religious frontier may consequently be drawn.

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A New Crusade or an Old One?

HEATHER J. SHARKEY

Scholars frequently acknowledge the force of political Islam in shaping the Muslim societies of Africa and Asia, but seldom consider the role that Christian activism has played in these societies, particularly in the context of Western imperialism and globalization. Of central importance here is the history of Christian missionary attempts to convert Muslims in the late nineteenth and twentieth centuries – a period when the British, French, and Dutch colonial powers lent their protection to European and American evangelical groups that operated within their overseas empires.

In the late twentieth century, many Muslim thinkers reflected on the Christian evangelical enterprise and identified it as part of a modern crusade against Islam.[1] Before the First World War, many Christian missionaries themselves would have agreed with this assessment. In 1910, for example, a British missionary in Iran embraced the crusading ideal in an evangelical manual entitled *Crusaders of the Twentieth Century, or the Christian Missionary and the Muslim*. Asserting that Muslims were 'victims of unconscious ignorance', he urged his missionary colleagues to act and evangelize 'for pity's sake'.[2] A year later, a British missionary in Algiers used less forgiving language to exhort her peers, by declaring that 'there are other plans besides frontal attack, other methods beyond random blows at the rock-wall. We have to find the cleavage, and get the powder in!'[3]

PRESBYTERIAN HISTORICAL SOCIETY, USA

Pamphlet on the home of Kamil Effendi Mansour

Christian missions to Muslims

Militant rhetoric of this kind was typical in a period when American and British evangelical Protestants, in particular, proclaimed a goal of 'evangelization of the world in this generation' and anticipated rapid conversions. Work among Muslims was part of a larger global scheme for proselytism that also included Jews, Buddhists, Hindus, practitioners of local religions, and even 'Oriental' Christians (meaning Copts, Armenians, and other adherents of Eastern churches whom Western missionaries often described as practitioners of a corrupted and enfeebled Christian faith).

PHOTO: PRESBYTERIAN HISTORICAL SOCIETY, USA

American Mission in Egypt (United Presbyterian)

British and American missionaries had been operating in India, Egypt, and greater Syria since the first half of the nineteenth century, but their work among Muslims intensified and expanded in the 1880s and 1890s. At a time when the global evangelical movement was growing dramatically, missionaries adopted the language of high imperialism by frequently invoking metaphors of morally justified conquest and battle-readiness. For example, following on the heels of the Anglo-Egyptian 'Reconquest' of the Sudan in 1898, British and American missionaries entered the region to bring Christianity to Muslims while voicing plans to 'avenge' Gordon (the British general who had died years earlier in Khartoum at the hands of Mahdist Islamic revolutionaries).[4] Surveying western and eastern Africa more broadly, evangelical groups braced themselves for a war against Islam, 'their avowed antagonist' (to borrow the words of one 1885 source), in the contest for African souls.[5]

Meanwhile, critical and adversarial attitudes toward Islam also surfaced in the writings of missionary scholars who cultivated reputations as experts on Islam and affiliated themselves with universities and theological colleges. One of the most prominent and strident of these was Samuel M. Zwemer (1867–1952), an American minister of the Dutch Reformed Church who established missions in Iraq and Bahrain, organized international missionary conferences, founded and edited the journal *The Moslem World*, and published several books including, for example, a study of the Islamic apostasy principle which deterred easy conversion to Christianity.[6] Zwemer consistently portrayed Islam as a fanatical, backward faith that was incompatible with modernity, and predicted its ultimate collapse. 'Like all other non-Christian systems and philosophies', he wrote, 'Islam is a dying religion.' Declaring that 'when the crescent wanes the Cross will prove dominant', Zwemer averred that successful Christian evangelization was imminent.[7]

Despite a bold vision for expansion, years of steady work in African and Asian cities and villages, and the predictions of missionaries like Zwemer, Christian evangelists gained relatively few Muslim converts, although they wrote proudly and frequently about their success stories. Among the latter were converts like Kamil Mansur, a Muslim-born, Azhar-educated Egyptian who in the 1930s became a Christian evangelist and preacher in Cairo. Such exceptional cases aside, however, missionaries had greater success in 'converting' indigenous Christians such as Egyptian Copts, many of whom went on to form the independent Egyptian Evangelical Church under the aegis of the American Presbyterians.

The social impact of missionaries on Muslim communities was nevertheless much greater than conversion rates suggest, for two reasons. First, missionaries founded schools and clinics that contributed to the development of modern educational and medical infrastructures. In the process, they catered to and intensively interacted with Muslim men, women, and children from across the social spectrum. Second, missionary work galvanized Muslim intellectuals to resist Christian evangelism and to question Western cultural influences. At the same time, it inspired some Muslim leaders to establish Islamist organizations that could supplant Christian missions in the provision of charity and social services. This trend was particularly visible in Egypt, where, for example, a Young Men's Muslim Association (YMMA) emerged to rival the American- and Canadian-backed branches of the Young Men's Christian Association (YMCA) in offering athletic, educational, and recreational services to urban males. More significantly for Egypt and the wider Muslim world in the long run, Hasan al-Banna founded the Muslim Brotherhood in 1928, citing opposition to Christian missionaries as a major grievance and mobilizing force.

Beginning in the 1930s, many British and American Protestant groups began to scale back their missions to Muslims throughout the Islamic world and increasingly emphasized the non-evangelical dimensions of their educational and medical work. Depression-era financial stringencies, combined with growing doubts about the merits and ethics of the global evangelical enterprise, played a role in prompting some of these changes, but so did increasing pressure from Muslim nationalists who demanded rights of access for Muslim children to mission schools without obligatory Christian study. During the interwar era, institutions such

as Egypt's American University in Cairo (founded by Charles R. Watson, a second-generation Presbyterian missionary and author of a work entitled *Egypt and the Christian Crusade*[8]) responded to nationalist pressures by downplaying or eliminating their evangelical connections while highlighting their general goal of community service. These trends accelerated during and after decolonization as Christian missionaries lost the protection afforded by the European empires – a change that made the cultivation and retention of local goodwill a necessity as never before and exposed missionary institutions to the possibility of nationalization.

Muslim responses to missions

Judging from the anti-missionary treatises that have constituted a thriving genre in Arabic during the post-colonial period, many Muslim thinkers have regarded Christian evangelism and its legacies as a grave and continuing threat to the integrity of Muslim societies in a westernized, globalized world. At the same time they have asserted close and continuing historical connections between a triad of *tabshir*, *isti'mar*, and *ishtiraq* – that is, Christian evangelism (often also rendered as *tansir*, Christianization), Western imperialism (in its political, economic, and cultural dimensions), and Orientalist scholarship on Islam and Muslims.[9] A general assumption in many of these works is that Christians and Muslims remain locked as rivals and antagonists in a kind of civilizational clash, thereby showing that the views of Samuel Huntington and his supporters find a reciprocal Islamocentric expression.[10]

While some Arabic writers have merely diagnosed the evangelical threat or discussed its historical workings, others have offered advice on how to respond in its wake. Thinking globally, some have urged Islamic mission (*da'wa*) to counteract Christian evangelism, that is, by reversing the 'contest' for souls. Thinking locally, others have urged Arab national governments to police more rigorously Western educational institutions that enrol Muslim students. Governments must ensure that Muslim students receive Islamic education and must try to protect them from dangerous Western influences and practices, such as mixed-sex socializing for unmarried teens and young adults. These educational prescriptions pertain both to international schools that cater mainly to expatriate children as well as to Western-style institutions that have historical roots in missionary enterprises.[11]

Concerned with the gravity of the Christian threat, one Gulf Arab writer has called for more isolationist measures and policies. He prescribes the following measures: Arab élites (who often value English-language education for their children) must stop patronizing Christian schools and should avoid socializing with non-Muslims in general, and Arab governments should shut down churches that serve expatriates, institute policies against hiring non-Muslims as guest workers, and discourage or otherwise restrict Muslim men from marrying Western Christian women. While such marriages are permissible under Islamic law, this author notes, they run the risk of Westernizing children within the precincts of their own homes.[12]

Among Muslim writers, the most widely excoriated and despised missionary is the aforementioned Samuel M. Zwemer, author of *The Disintegration of Islam*. Zwemer died a half century ago, but many Arabic works discuss him as if he were still alive and present him as the archetypal modern crusader, forging imperialism, Orientalism, and evangelism into a pernicious anti-Islamic alliance.[13] Strikingly, Zwemer retains the admiration of some Christian evangelical groups today who hail him as an 'Apostle to Islam' and as 'the greatest [modern] missionary to the Islamic world'; for these audiences, a couple of his books remain in print.[14] A controversial and confrontational character during his lifetime, Zwemer remains divisive even in death and in some sense embodies the polarizing idea of the clash of cultures.[15]

Consign crusades to the past

In these Arabic works that discuss Christian evangelism, Muslim writers insist that the crusades are far from over. They argue that when the original crusades proved to be a military failure, Christian powers later adopted evangelization as a cultural weapon instead, aiming to demoralize Muslims and thereby to facilitate their subjugation.[16] Since the work of Christian missionaries, thus construed, was a form of cultural power-mongering, one writer has even suggested that the ideology of Western evangelists should be described not as *masihiyya* (Christianity) but rather as *salibiyya* (crusaderism): a political strategy in the guise of religion.[17]

The recent crusading rhetoric emanating from the United States, before and during the Anglo-American Iraqi invasion, may seem to lend credence to claims about a persistent Western crusader-imperialist mentality. Consider, for example, the US military programme to develop a 'crusader artillery system' and President George W. Bush's post-11 September invocation (later retracted) of a 'crusade' against Muslim terrorists and their sponsors.[18] Consider, too, debates about the political Jesus occurring in the American arena. Rejecting narrowly pacifist interpretations of his career (with implications for the Iraq conflict), one conservative think-tank analyst affirmed in a recent *New York Times* editorial that Jesus was also, as the Bible declares, 'the Lion of the Tribe of Judah…who judges and wages war'.[19] One thing is certain: among both Muslim and Christian audiences, the frequent use of militant Christian metaphors in the current political milieu – for example, among some American evangelicals who have been exhorting their followers to direct 'prayer missiles' and 'cruise and scud prayers' to defeat the Iraqis in war – can only worsen perceptions of global, religious-based conflict.[20]

There are at least two lessons to be learned from the history of modern Christian missions to Muslims. The first is that one cannot understand political Islam without recognizing its tension-fraught relationship to political Christianity and to the legacies of Western imperialism. The second is that practical attempts to promote communal coexistence and interfaith relations between Christians and Muslims must reckon with this imperialist history while seeking to consign crusades to the past.

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Notes

1. See, for example, Muhammad al-Bahi, *al-Fikr al-islami al-hadith wa-silatuhu bil-isti'maral-gharbi*, 8th ed. (Cairo, 1975) and Muhammad al-Sayyid al-Julaynd, *al-Ishtiraq wa-l-tabshir* (Cairo, 1999).
2. W.A. Rice, *Crusaders of the Twentieth Century, or the Christian Missionary and the Muslim: An Introduction to Work among Muhammadans* (London, 1910), p. xliv.
3. Lilias Trotter, 'The Ministry of the Press', in Annie van Sommer & Samuel M. Zwemer, eds., *Daylight in the Harem: A New Era for Moslem Women* (New York, 1911), p. 149.
4. Worried that this project would stoke Muslim opposition to their fledgling colonial regime, British officials tried to divert Christian missionary groups to animist southern regions – a move that had long-term consequences for Sudanese North-South dynamics.
5. See Heather J. Sharkey, 'Christians among Muslims: The Church Missionary Society in the Northern Sudan', *Journal of African History* 43 (2002): 51–75.
6. Samuel M. Zwemer, *The Law of Apostasy in Islam: Answering the Question Why There Are So Few Moslem Converts, and Giving Examples of Their Moral Courage and Martyrdom* (London, 1924).
7. Samuel M. Zwemer, *The Disintegration of Islam* (New York, 1916), pp. 7, 9–10.
8. Charles R. Watson, *Egypt and the Christian Crusade* (Philadelphia, 1907).
9. See, for example, Ibrahim Khalil Ahmad, *al-Ishtiraq wa-l-tabshir wa-silatuhuma bil-imbiraliyya al-'alamiyya* (Cairo, 1973); Muhammad al-Dahhan, *Quwa al-sharr al-mutahalifa: al-ishtiraq, al-tabshir, al-isti'mar wa-mawqifuha min al-islam wa-l-muslimin* (Mansura, 1986).
10. Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York, 1996).
11. See, for example, Hasan Makki, *Ab'adal-tabshir al-masihi fi al-'asimaal-qawmiyya* (Omdurman, 1990).
12. 'Abd al-Aziz ibn Ibrahim al-Askar, *al-Tansir wa-muhawalatuhu fi bilad al-khalij al-'arabi* (Riyadh, 1993).
13. See, for example, 'Abd al-Wudud Shalabi, *Afiqu ayyuha al-muslimun qabla an tadfa'u al-jizya* (Jidda, 1981).
14. http://answering-islam.org/Index/Z/zwemer.html; http://www.gospelcom.net/chi/ARCHIVEF/06/daily-06-28-2001.shtml
15. Because of their implications for Coptic-Muslim tensions in contemporary Egypt, the controversial tactics of Zwemer even earn a reference in Saad Eddin Ibrahim et al., *The Copts of Egypt*, Minority Rights Group International (London, 1996), p. 13. His name is misrendered in this text as 'Zoimer' – clearly a sign that it was transliterated from an Arabic source.
16. See, for example, Ahmad Sa'd al-Din al-Basati, *al-Tabshir wa-athruhu fi al-bilad al-'arabiyyaal-islamiyya* (Cairo, 1989), p. 3.
17. al-Julaynd, *al-Ishtiraq wa-l-tabshir* (1999), p.8.
18. The US military's crusader artillery system was scheduled for completion in 2008, though its production was halted in 2002 because presidential advisors deemed it too old-fashioned and favoured funding for satellite-guided weapons instead. See 'Crusaders Belong to the Past', *The Economist*, 18 May 2002, pp. 30–1.
19. Joseph Loconte, 'The Prince of Peace Was a Warrior, Too', *The New York Times*, 28 January 2003, A21. For a critical examination of the Christian dimensions behind the current political thinking of American leaders vis-à-vis the Middle East, see Jackson Lears, 'How a War Became a Crusade', *The New York Times*, 11 March 2003, A25.
20. Deborah Caldwell, 'Should Christian Missionaries Heed the Call in Iraq?', *The New York Times*, 6 April 2003, WK14.

Pioneers or Pawns?
Women Health Workers in Yemen

MARINA DE REGT

From 1993 until 1998, Marina de Regt was employed as an anthropologist in what has been regarded as one of the most successful Dutch-financed projects in Yemen: the Hodeida Urban Primary Health Care Project in the port city of Hodeida. Working together with a group of young women who were trained as health educators (*murshidat sihhiyat)*, she was impressed by their strength and motivation to bring about social change. Yet, gradually she also gained insight into the more ambiguous elements of their work, as their training and employment had ushered in new forms of social control. Were the *murshidat* pioneers, successfully transgressing gender boundaries in Yemen, or were they pawns, deployed to realize the agendas of the Dutch donor and the Yemeni state?

The Dutch government is one of the main Western donors in Yemen and numerous development projects have been established and supported with Dutch development aid.[1] These projects are in most cases implemented in cooperation with Yemeni ministries. The Hodeida Urban Primary Health Care Project was a bilateral project between the Dutch Ministry of Foreign Affairs and the Yemeni Ministry of Public Health. Established as a pilot project in one of the squatter areas of Hodeida in 1984, the project extended its activities to all government health centres in Hodeida in 1993. In 1999 Dutch support to the project came to an end and the project assets and activities were completely handed over to the Yemeni Ministry of Public Health.

In the fifteen years of its existence the project had come to be seen as one of the most successful attempts to improve basic health care in Yemen and the experiences in Hodeida functioned as a blueprint for other projects and for health care policies in Yemen. The project was considered a success for two reasons. First, a primary health care system had been set up with a strong focus on preventive mother- and childcare such as weighing and vaccinating children, pre- and postnatal care, health education, family planning counselling, and home visits to mothers in the areas around the health centre. Second, the project had successfully trained women as *murshidat*, while in other parts of the country it was very difficult to recruit women. This was due to the low status of certain health care professions, the low level of education of girls and women, the heavy workload of women (in particular in rural areas), cultural notions such as that of the male as breadwinner, and gender segregation – all of which worked against women's employment. In eight years' time almost one hundred young women were trained in Hodeida and employed by the Yemeni Ministry of Public Health. These women had moved out of their houses, taken up paid work in health care, and, in some cases, even became managers of clinics. Dutch development workers saw the *murshidat* therefore as pioneers, who were able to improve the health situation in Yemen by providing preventive health services and in addition shifted the boundaries of dominant gender ideologies by taking up paid work in the public sphere. Yet, aspects of the work of the *murshidat* that were seen as emancipatory, such as engaging in paid work and carrying out home visits, also had their downside. Some of the *murshidat* were, for example, forced to take up paid work, while doing home visits to unrelated families affected their respectability negatively.

> 'The project was based on the assumption that social change could be effected through interventions – by government institutions and development organizations. Yet, whereas numerous development policies were designed, the success or failure of the project was mainly dependent on external factors outside of their control.'

Three cohorts of *murshidat*

The ways in which the *murshidat* benefited from their work or experienced new forms of social control depended much on the historical period in which they became *murshidat* and on the social and economic status of their families. In the fifteen years of the project three cohorts were distinguished: the first cohort was trained in 1985 and 1986, the second cohort between 1988 and 1990, and the third cohort after 1990.

The women in the first cohort came from (lower-)middle class families living in the city centre. They saw their training as *murshidat* mainly as a next step in their educational trajectory; they were not looking for paid work. While both education and paid work of women were negatively valued in their families, these women were inspired by the revolutionary slogans of the 1960s in which the relationship between education and development was promoted by the Yemeni government. They saw their training as *murshidat* as a form of self-development; they highlighted, for example, their ability to overcome the obstacles put up by their (male) relatives or by the local community. The fact that the *murshida* profession was a new phenomenon in Hodeida was also helpful. It gave them ample opportunities to emphasize certain aspects of their work and to downplay other aspects in order to make their work acceptable to their relatives. They stressed, for example, that they were working with mothers and children and were not having contacts with unrelated men, but they kept silent about the home visits they carried out. The fact that they did not live in the squatter areas where the project was located at first, made it easier for them to hide the exact nature of their work from their relatives and neighbours.

The women in the second cohort, in contrast, were living in the squatter areas. Their parents were often rural migrants from villages in the Tihama, the coastal strip on the Red Sea, or returnees from Africa. While during the Imamate many Yemenis had migrated to East Africa, they returned in the 1970s when nationalist governments came to power there and migrants lost their favourable position. Also, Yemen's president al-Hamdi encouraged Yemeni migrants to return home and promised them employment and free housing. Yet, al-Hamdi was assassinated in 1977 and little of what he had promised ever materialized. The young women living in the squatter areas often felt obliged to leave school in order to take up paid work. Becoming a *murshida* was a reasonable alternative, as it was less of a low status profession than working in factories or domestic work. It was a new profession in health care, focusing on mothers' and children's health, supported by a foreign donor, and with a clear modern character as visible in the

PHOTO: UNKNOWN

The second group of *murshidat*, trained in 1988 and 1989.

availability of project transport and new uniforms, and with financial benefits such as the payment of overtime and a Ramadan bonus. The fact that the *murshidat* were government employed and therefore benefited from important advantages such as a tenured contract with a monthly salary, and the right to sick leave, maternity leave, and a fixed number of holidays per year, also contributed to the positive evaluation of the profession. The young women of the second cohort saw their training and employment therefore as a form of upward mobility and as a way to improve the social and economic status of their families.

The third cohort consisted mainly of young women who had been born in Saudi Arabia but were forced to settle with their families in Yemen in 1990 and 1991. As a result of Yemen's position in the UN Security Council, in which it stood against military attacks on Iraq, the governments of Saudi Arabia and the Gulf States changed the residence rights of Yemeni migrants.[2] Around 800,000 Yemenis returned to Yemen, and many settled in Hodeida, the first major city after the Saudi border. Within a year the population of Hodeida increased from 200,000 in 1990 to at least 300,000 inhabitants in 1991. The young returnee women who had benefited from the well-organized educational system in Saudi Arabia were forced to interrupt their schooling. Because unemployment was rampant in Hodeida, their male relatives were often unable to provide for their families. While these women probably would not have taken up paid labour in Saudi Arabia, they were forced to do so in Yemen. Brought up in a society in which paid labour of women was negatively valued and where only professions that required a high educational level, such as teaching and medicine, were seen as respectable for women, they often saw their employment as *murshidat* as a decrease of status and they tried to improve their position in different ways. This was further stimulated because they faced additional hardships as returnees from Saudi Arabia. Continuing their education to upgrade their qualifications and become a nurse, midwife, or even a doctor was one of the main strategies they employed. Moreover, they also wore Saudi-style covered dress in order to emphasize that they came from a modern country, where a high standard of living was combined with a conservative form of Islam.

The politics of development

Because the *murshidat* profession was a new phenomenon in Yemen, the three main actors in the project, the Dutch donor organization, Yemeni state institutions, and the *murshidat*, could interpret the profession differently. The Dutch donor organization emphasized the importance of training and employing women as health educators because they formed a link between the health centre and the local community and were therefore able to establish a primary health care system. The fact that the training of women also fit well in Dutch discourses on women and development was a side effect. Yemeni state officials saw the training of *murshidat* as a temporary solution for the shortage of female health personnel. Supporting primary health care was mainly seen as a gateway to foreign development aid while they preferred the introduction of highly sophisticated curative technology. The women trained as *murshidat* were mainly interested in continuing their education and in gaining a position of higher status than that of *murshida*. The fact that *murshidat* 'only' offered preventive services, and therefore had a relatively low status in the community as well as in the health establishment, made them long for higher positions.

In addition to the different interpretations of the profession and the subsequent negotiations that took place between the three main actors, local, national, and international developments strongly influenced the course of the project. The project was based on the assumption that social change could be effected through interventions – by government institutions and development organizations. Yet, whereas numerous development policies were designed, the success or failure of the project was mainly dependent on external factors outside of their control. For instance, the Gulf crisis and the subsequent presence of young, educated women in need of paid work had positive consequences for the project. Whether the project would also have been so successful without their presence will remain an unanswered question.

While the women of the first and second cohorts benefited from the fact that the profession was new and unknown, in the 1990s the *murshida* profession became a generally accepted type of work for women. On the one hand, this was a positive development. However, becoming integrated at the lowest echelons of the health system, this also meant that the profession lost its special status. The women trained during the 1990s no longer enjoyed the advantages of working in a new profession – this was the more so when they were no longer trained solely by foreign donor organizations but also by the Yemeni Ministry of Public Health. Nonetheless, the profession was still attractive for women of poor families because it was one of the few ways to obtain government employment for women with only six years of primary school. Hence, the *murshidat* can be seen both as pioneers and as pawns. They made strategic use of the opportunities available and in some cases transgressed gender boundaries. But in doing so, they also encountered new forms of (self-)discipline and social control. Whether and how they benefited from the opportunities or were restricted depended on a variety of factors. Of major influence were the historical period in which they entered the profession and the social and economic position of their families.

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Notes

1. In 1996 the Dutch government spent USD 37988 on development cooperation with Yemen. In 2002 the Dutch government increased its budget for Yemen to 50 million euro in order to support the Yemeni government's activities to fight terrorism and to alleviate poverty in the six poorest regions of the country.
2. While other foreign guest workers in Saudi Arabia and the Gulf States needed a Saudi sponsor (*kafil*) to obtain a residence permit, Yemenis had always been allowed to work without a sponsor and a residence permit. From 19 September 1990, Yemenis lost this special status.

Sanctifying the Nation
Teaching Religion in Secular Turkey

ÖZLEM ALTAN

In the debates on the issue of secularism and Islam the Turkish Republic is often mentioned as an example of how a Muslim society can be governed by secular principles. Secularism implies the separation of religion and state. A careful reading of textbooks used in universal religious education reveal that Turkish secularism does not only entail state control over the meaning of religion, but that religion is also used to promote nationalism, militarism, and the existing economic order.

Universal religious education, which every Turkish citizen receives in school for five to eight years, is a relatively under-researched aspect of studies on the state and Islam in Turkey. Literature on the topic usually discusses classes on religion in the contemporary context in two distinct ways. On the one hand, the introduction of religion classes into the curricula is seen as a major compromise from Kemalist secularism – that is to say, it is discussed as an important representation of the radical shift from the secular ideals of the early republican period, which the notion of the Turkish-Islamic synthesis, overtly adopted in the 1980s, brought about. On the other hand, several writers explicitly argue that compulsory religion classes, together with other legal and institutional practices such as those of the Directorate of Religious Affairs, reveal that secularism in Turkey has not necessarily been about the separation of sacred and secular spheres, but rather a state control over acceptable definitions and practices of religion (Parla 1992, Tarhanlı 1993).

However, describing the secular practice in Turkey as state control over the religious sphere – and universal schooling in religion as a manifestation of this phenomenon – is a correct but insufficient explanation. The textbooks for classes on religion and morality take up ideas of nationhood, homeland, Ataturk, militarism, secularism, economic and political solidarity, and orderliness as much as, and sometimes more than, pillars of Islam and religious belief in general. The state functionalizes religion and attempts to use it as a terrain to legitimize other ideologies. Ultimately it involves a larger process of socialization, reaffirming some of the basic premises of the republic.

Secularizing religion

A publication of the Ministry of Education, *Din Ögretiminde Yeni Yaklasimlar* (2000), which addresses teachers, gives instructions for the 'new approaches' in religious training through several articles written by 'specialists' designated by the ministry. The preface self-appoints the book as the guide that teachers should consult both in their general practices of teaching and also in understanding what religious instruction involves. It is said that if this aspect of education is neglected, there is the danger of 'others' 'brainwashing' the students. These implicit 'others' are in fact pervasive beliefs in society that religious education 'enables students to contemplate about' through its provision of the 'correct' information about religion and its ability to raise the consciousness of students. As a result, precisely because religious instruction is transformed into ordered knowledge that requires specialization, it becomes the state's responsibility to undertake its teaching as 'not all parents, not all families, can do this, or know enough themselves about religion'.

Naturally, it is not much of a new discovery to say that Islam and its rituals are rationalized extensively in these books. For example, in this context ablution helps keep one sufficiently clean; daily prayers discipline one into being organized; and fasting is good for one's health (Yılmaz et al. 1997–9). Not only does rationalizing religion bring the classes into line with the more conventionally secular subjects, such as chemistry and nature study (Starret 1998); it also paves the way for the interpretation that secularism and Islam complement each other. Because secularism is not atheism, it cannot be against Islam and because Islam is a rational religion with commitment to freedom, it embodies the principles of secularism anyway. Because it does not mean atheism, it is a principle that guarantees the protection of pure piety in the face of bigotry (ibid.).

Furthermore, secularism is repeatedly explained as separation of religious affairs from state affairs, the state's equal distance from all belief systems, protection of people's religious and moral freedoms, prevention of abuse of religion in political affairs, and a prerequisite of modernization/westernization (ibid.). Yet the same texts avoid dealing with the existence of a directorate of religious affairs within the state or the *obligation* to attend the religion classes. Kaplan (1996) concludes that children are not 'expected to question the incongruity between freedom of conscience and mandatory religion lessons in primary and secondary school'.

Sanctifying the modern nation

Textbooks for religion classes in Turkey can also be said to have become a medium in which nationalism and militarism are inculcated. To give a very crude numeric example, the one-hundred-page fifth grade primer has twenty pages on love of homeland in addition to six pages on Ataturk, laicism, and Islam; whereas the second longest chapter is on belief in prophets, with twelve pages. This is a feature repeated in all textbooks with varying degrees of emphasis.

In fact, the sacredness of protecting the homeland is an overwhelming theme that finds its way into many seemingly irrelevant sections such as 'nice habits' or 'social responsibilities' as well as more overt topics such as homeland, patriotism, history of wars, etc. Homeland and the Turkish flag are frequently associated with the blood of soldiers who died in wars with enemies (Yılmaz et al. 1997–9). This, then, is tied into the sacredness of universal conscription. Because 'protecting the homeland from all kinds of attacks is a sacred responsibility', 'it is improper for a Turkish man to evade conscription or avoid joining the army using various excuses' (ibid.).

Yet the climax comes when the military and the army banners are listed among the 'sacred values' that require reverence. The military as an institution is given the venerable responsibility of protecting the homeland against enemies, who are elusively defined in terms of 'internal and external' threats. Yet the texts do not stop there. They go on to transform the army into a sacred value to be fought for: 'the Turkish army is our most valuable wealth, composed of the sons of this homeland, enabling our nation to live in security. Our army is the insur-

mountable guard of our state, flag, independence' (ibid.). Hence an organization that would conventionally be seen as part of a secular nation-state framework is turned into a holy institution that protects venerable assets – and therefore is one itself. In his study of the eighth-grade civic book, Kaplan (1996) notes how the state is depicted as a sacred institution: 'the state from the religious point of view is an institution that Allah created for mankind's benefit.' The sacralization of the army reinforces this veneration with a militarized nuance.

Capitalizing social harmony

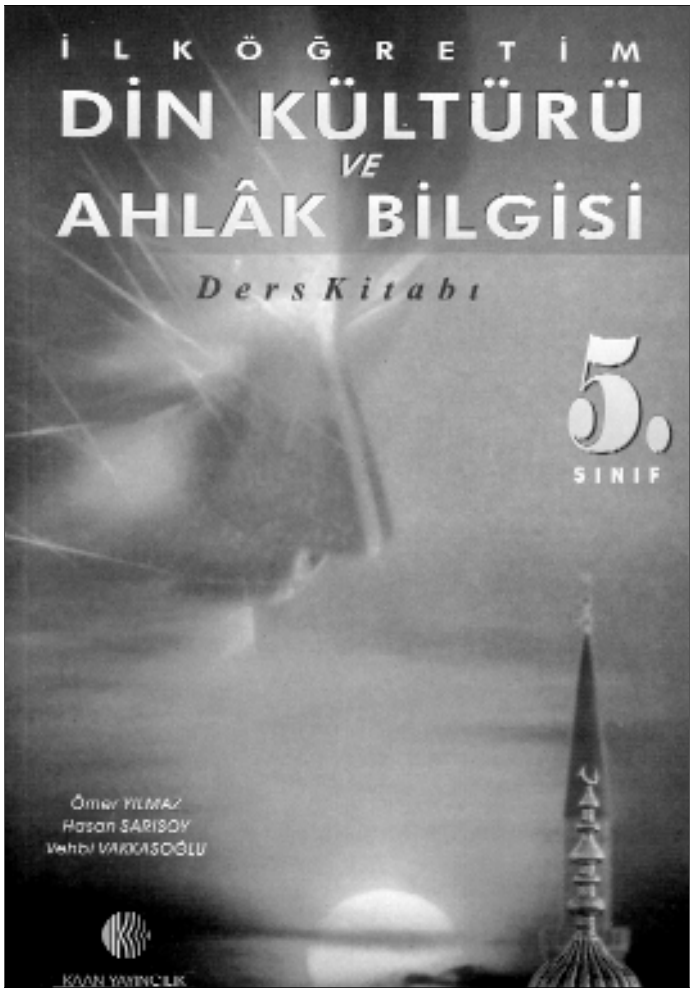
Just like the unquestioned premises of security and need for protection, societal peace is also a major preoccupation of these books. Stability and harmonious relations among people are naturalized by resembling this state of affairs to the way the rest of nature functions (Yılmaz et al. 1997–9). Kaplan (1996) argues that to the Turkish state pedagogue, education is the means to impress a national culture that can ensure social stability. The promotion of stability is especially significant in a context where ethnic and socio-economic conflicts are increasingly part of the agenda. Thus, any value that is promoted is somehow linked with the maintenance of social peace and stability.

One way in which this is done is by the promotion of Platonic division of labour: 'the peace and safety of a society depends on the harmonious work of people – who serve in different institutions and organizations of the society – within the division of labour. If people do not undertake their share of the responsibilities in a consistent manner, the order of society will be disrupted' (Yılmaz et al. 1997–9). The groups cited as forming integral parts of this totality are women as mothers, men as fathers, children as helpers of mothers and fathers, factory workers who are to complete their work in the best way possible, state officials who have to work in a timely fashion and in harmony with their managers, entrepreneurs, and traders who are supposed to earn money and spend it through *helal* means, and soldiers and police forces that are given the responsibility to protect the country's 'indivisible wholeness' (ibid.).

Relevantly, a section in the sixth-grade textbook begins with a discussion of how one can attain happiness by believing in and exercising the pillars of Islam. Then students are introduced to the concept of happiness as something that is beyond material well-being: 'for example, a poor person may look for happiness in material wealth because he assumes his misery is a result of his material deficiency. This may be partially true, too. If a poor person reached material relief and if his/her material needs were met, he may be happy. Yet, this happiness eventually fades away' (ibid.). This is followed by a discussion on the vice of jealousy. Jealousy is described in terms of coveting the more prosperous, the more successful, and the more beautiful. The basic moral is that one has to try to imitate and learn from others instead of wrongly craving for the their belongings. In a context of incrementally increasing income inequalities, exacerbated by frequent economic and political crises, this can be taken to be timely moral advice – the internalization of which may be hoped to diminish chances of social uprising. If it is possible to instruct children into thinking 'one needs to work very hard to become rich' (ibid.), then it might also be possible to sustain the idea that 'anyone can make it' and that if you can not, it is your personal fault.

The books also have something to say if you are one of the lucky ones. Modest people are defined as those who 'do not descend to becoming spoiled because of their social position and prosperity…. God does not like people who are arrogant and haughty. He does not like people who make fun of those that are poor or without high social rank' (ibid.). Thus the circuit is closed: the impoverished are not to covet the riches of the affluent because jealousy is a major vice, while the latter should be modest enough to respect the less lucky ones.

In both cases, the roots of this inequality are not made the concern of religion or social morality. Instead practices that allow inequality to persist without the emergence of social crises or personal reservations are encouraged: '[g]iving of alms is the bridge that connects the rich and the poor with love' (ibid.). The same thing is true for the way justice is conceptualized: '[i]n the implementation of rights and justice, people should not be discriminated with respect to their religion, language, *mezheb*, race, richness, or poverty' (Yılmaz et al. 1997–9). Thus justice does not mean the eradication of wealth differentials but 'equal' treatment of people without reference to their level of material well-being.



KAAN YAYINCILIK, 1998.

Fifth grade religious studies textbook.

Conclusion

Universal religion classes in Turkey are a peculiar aspect of the alleged secular nature of the state. They have been offered in one form or another for most of the republican history, and made obligatory after the military coup in 1982. The study suggests that the generally held opinion that secularism in Turkey can be more accurately defined as state control of Islam is valid but can be further elaborated. One way in which this can be done is by looking at how these books become terrains for other ideologies. They are full of writings on secularism, nationalism, militarism, and a capitalist notion of societal peace. The reproduction of these ideologies in connection with Islamic premises provides them with a sanctity that may not be obtained so easily otherwise. In other words, Turkish secularism does not only mean state-exercised control over the meaning of right religion. On the pedagogical level, it also operates as a divine legitimization for various facets of the official ideology. Specifically by taking in the production of religious knowledge in its sphere, the educational system is able to make use of a sacred sphere in promoting nationalism, militarism, and corporatist capitalism.

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Healing and Foretelling Practices in Azerbaijan

JERZY ROHOZINSKI

Practices related to gifted persons and their gift, *vörki*, were hardly explored within Soviet ethnography, and when they were, they were considered 'quackery' in the context of 'irrational' practices of 'popular medicine' as oppposed to 'rational' uses of herbs and minerals.[1] Moreover, during the Soviet period people conducted their activities in secret out of fear of being persecuted for propagating superstitions and charlatanry.

On the Apsheron Peninsula of Azerbaijan, in particular in the so-called 'green belt', regarded by many as a stronghold of traditional Shi'i religiosity, including such small towns as Nardaran and Mashtaga near Baku, the concept of having the 'gift' (*v rki*) of healing and telling the future has remained part of popular belief. *V rki* is obtained from Shi'i imams and other holy people by means of dreams.

The notion of *vörki* may be seen as proof of the endurance of 'popular Islam' in the post-Soviet era, but the 'official'/'popular' dichotomy concerning Islam often appears to be meaningless, as is true in the case of *vörki*. 'Gifted' mullahs, for instance, exist; Islamic clergy is not 'gifted' *ex officio* but it happens that some of them receive the 'gift'. One mullah from Ashkhabad, who had a 'very strong gift' for rainmaking, was well educated and fluent in Arabic. In another example an alumni of an Islamic college in Saudi Arabia had the 'gift' of soothsaying by use of pages from the Qur'an. Adversely, a 'gifted' woman showed me a picture of a mullah whom she was healing. Local tradition says that Mirmovsum ät-Agha, the most famous *seyyid* in the Soviet period, had the ability to heal.[2] Nevertheless, many of those who are highly educated in religious matters are sceptical and point to verses in the Qur'an and *hadith* that condemn foretelling and divination. Especially the local Muslim intelligentsia is uneasy about such 'superstitious' practices.[3]

It is believed that a 'gift' is inherited and not to be learned. The 'gift' may be strong or weak: an example of a weak 'gift' is the ability to remove a fear by applying burning pieces of cloth to the skin. Such a 'removal' of fear, called *chidlag*, is transmitted from generation to generation by way of either the feminine or the masculine lineage (women attend only women and men only men) and is regarded as an inheritance of secret knowledge. No distinction between mental and physical disease as such is made; rather, one broad category of 'internal' diseases may be healed by the gift. Nobody visits 'gifted' persons in the case of toothaches or eye problems, which are considered 'external'.

The 'gift' can only be received 'from on high', from holy persons – very often Shi'i imams, who are considered to be closer to God. The concept of *vörki* parallels that of *hörmet* ('veneration', 'respect'), the relationship connecting someone of low rank in the social hierarchy with someone of high rank. *Hörmet* manifests itself in a sacrifice to a saint or traditional offering (*nizar*) to a *seyyid* but also in payments made to policemen and other state officials as a token of respect to those situated closer to the authorities.

The function of broker taken up by those who are 'gifted' is rather ambivalent. A 'gifted' person who has gained personal wealth is regarded with distrust, but this does not stop him/her from having many clients. Professional foretellers and healers are credited when everything they say proves correct, but there are also complaints about tricksters. The prevalent view is nevertheless that the proper attitude is to give a gift in order to show *hörmet* to some extent.

Shamanism and other analogies

A number of concepts connected with the notion of the 'gift' suggest a certain analogy to shamanism. It is believed that those who are 'gifted' recognize one another. The place where someone obtained the 'gift' has special significance and it is called *odzhag* (which also means fire, a house of a saint, and a part of wall covered by holy pictures). An *odzhag* is visited by ghosts that are afraid of people but that show themselves to and talk with the 'gifted'. It is believed that there is no escape from the 'gift' and that, at first, it generates suffering and illness comparable to shamanistic illness and initiation dreams of 'called' shamans in the Turkic traditions.[4] There are some ecstatic elements in healing similar to practices of dervishes (*mersiyye-khane*), who utter laments for Imam Hussein's death and then fall into a trance, speaking through crying and gesticulating emotionally.

The world of the 'gift' and the 'gifted' fits well into post-Soviet syncretism. In Baku, Russian Orthodox and Jewish foretellers 'consult' each other: a Jewish woman may very well visit a 'gifted' Muslim girl for help with marriage problems. Walls of houses of Muslims are covered not only by pictures of the Shi'i imams but also by Orthodox icons. On the bookshelves the Qur'an stands alongside the New Testament and Russian occultist books. One female Muslim informant who had been asked by Mary in a dream to visit the Orthodox church, stated that her 'luck is written down in Arabic letters but [her] cooking ability in Jewish letters'. The power of the 'gift' – I was told – 'is Muslim, Christian, and Jewish as well'. It would be perhaps more appropriate to apply that statement to the post-Soviet-era renaissance of occultism.[5]

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Notes

1. Cf. e.g. I.A. Gadzhiyev, 'Narodnaya mieditzina i letchenye niekotorykh bolyeznyey v Azerbajdzhanye', in *Arkheologitcheskiye i etnographitcheskiye izyskanya v Azerbaydzhanye (1975 g.)* (Baku1978), pp. 96f.
2. Cf. 'Posledniy seid' ('The Last *Seyyid*'), *Zerkalo*, 17 November 2000.
3. Cf. e.g. N.J. Mikailzade, 'Religion against Parapsychology', *Journal of Azerbaijani Studies* 1/4 (1998); http://www.khazar.org/jas/religion.html.
4. Cf. I. Başgöz, 'Dream Motif in Turkish Folk Stories and Shamanistic Initiation', *Asian Folklore Studies* 26/1 (1967): 13–25; V.N. Basilov, 'Blessing in a Dream. A Story Told by an Uzbek Musician', *Turcica* 27 (1995): 237–46; V.N. Basilov, *Shamanstvo u narodov Sredney Azii i Kazakhstana* (Moscow, 1992), pp. 106–42; V.N. Basilov, 'Nekotorye materialy o shamanskoy bolezni u uzbekov', in *Etnografitcheskiye aspekty izutchenya narodnoy meditziny* (Leningrad, 1975), pp. 36–48.
5. Cf. Y. Rashkovskiy, 'Russia's Relations with Central Asian and Transcaucasian States from a Culturological Perspective', *Pro et Contra* 5 (Summer 2000); pubs.carnegie.ru/p&c/vol5-2000/3/.

The Cham Student Programme

JAY WILLOUGHBY

In the first issue of the *ISIM Newsletter* (pg. 14), Jay Willoughby reported on some recent developments in the small and little-known community of the Cham of Vietnam. Five years later, he gives an update, in particular on the progress in education as illustrated by the Cham Student Programme.

Tay Ninh, a province located near the Cambodian border, is home to seven Cham Muslim villages. Their main claim to fame is that they are considered the most backward of all Cham. The Cham Student Programme (CSP) was born in one of these villages after a 1995 family reunification visit by Mr Abdulla Ysa. Learning that his nephew Sale had placed first in the province's college entrance exams, but was planning to work in the family's field because the family was poor, an idea started to form. Money was found, and Sale entered college a year later. In 2002, he graduated from Ho Chi Minh's University of Social Sciences and Humanities, having majored in English, Malay, and computer science.

Seeing the impact that this had on the other young people, a decision was made to provide scholarships to students from grades ten to twelve, those who took college preparatory classes during the summer, and those who were admitted to college. For the 2000–2001 academic year, the CSP spent 360 USD to sponsor three secondary school and 17 high school students. For the 2001–2002 academic year, the figure rose to 800 USD to support 48 secondary school and 16 high school students. For the 2002–2003 academic year, 1440 USD was spent to support 32 students from grades eight to nine, 23 students from grades ten to twelve, one university student, two students taking college preparatory classes, and four students in community college.

As the programme becomes more popular and the students keep asking their parents to let them pursue their education, the number of students receiving scholarships continues to increase – with the full support of local and provincial Vietnamese education officials.

Goals

The CSP's leader in Vietnam is Mr Cham Huong Mit, who has worked closely with local and provincial officials. After receiving several 'temporary' permissions to operate the programme, he secured official recognition for the programme on 22 May 2000, when the provincial government's student programme issued a decree allowing and encouraging the CSP to continue its activities. Recently, the CSP also received official 'permanent' permission to operate from 2002 until 2005. Vietnamese officials have praised the CSP as being one of the best-run programmes in the province. In addition, its activities are covered by local television stations and newspapers.

Having reached this level of acceptance, the CSP's top priority is to encourage the students to become bilingual in Cham and Vietnamese. Cham students are taught in their native language only until the fourth grade, after which they are mainstreamed. As many find the transition difficult, they drop out. Also, given that Vietnam does not have compulsory education laws and that extra labour is welcomed by the parents, many of whom saw no value in a modern (as opposed to an Islamic) education before the CSP appeared, attrition rates are high.

The Vietnamese government would like to see more Cham teachers qualified to teach both Cham and Vietnamese to their students. The CSP supports this goal, and also encourages students to major in English and computer science so that they can participate in Vietnam's national development plans.

The CSP seeks to bring the Cham together by supporting local soccer teams so that the students can get to know each other. This is easier said than done, however, as Cham from different villages, not to mention different provinces, have a long history of not cooperating with each other. According to Mr Mit, this attitude is now held only by a small minority. In exchange for this support, students are to attend Islamic classes in local mosques. As a result, their patronage of local coffee shops, pool halls, or just hanging out has declined noticeably. Most local Islamic officials support the programme, and local Islamic teachers, both male and female, are being supported financially by the CSP and the Vietnamese government.

The Cham Muslims of Vietnam are descendents of Champa, an indigenous Hinduized empire that ruled much of southern Vietnam from 192 AD until the 1490s. After the rise of Islam, Muslims began stopping in Champa to acquire its aloe-wood and other products for resale in China. Archaeological remains show the presence of a small Muslim community during the mid-tenth century. For many years, Islam spread only among the lite. However, by the time of its demise, most Cham were Muslim. Some scholars attribute this to the Cham's desire to maintain ties with the largely Muslim Malay world to which they are related ethnically, culturally, and linguistically. After the sixteenth century, however, this contact was lost.

The Vietnamese government allows the Cham to acquire Islamic literature in Vietnamese. To meet the demand, a group of Cham Muslims in California so far has translated the following books: *Prayer Made Simple*; *The Beloved Prophet*; *The Holy Qur'an* (1997, Vietnamese text only); *Toward Understanding Islam*, *Islam at the Crossroads*; and *40 Hadith*. In early 2001, the Vietnamese government allowed the printing of 1,000 copies of a Vietnamese-Arabic Qur'anin Hanoi and its distribution to Cham communities. Hopes are high that all CSP students will receive a solid grounding in Islam.

Plans

The CSP is planning to expand into Dong Nai, a neighbouring province that has only one Cham village. The students have made it clear that they want to join the programme and further their education. When sufficient funds become available, CSP officials hope to sponsor Cham students in Tay Ninh and Dong Nai provinces all the way from grades one to twelve, as well as those in college. Beneficiaries have agreed to direct some of their earnings to the programme to support new students and so that the programme can become self-supporting. Also in the works is a training centre to teach students computer repair and sewing.

Local Vietnamese officials participate in a ceremony to honour Tay Ninh's Cham Muslim scholarship recipients at the beginning of the 2002–2003 academic year.

PHOTO: CHÂM HƯƠNG MIT, 2002

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Ramadan in Kyrgyzstan
An Ethnographer's Gaze on Fasting

JULIA DROEBER

'Who of you is fasting?', I asked the thirteen students who took my course 'Introduction to Islam'. One single hand at the back of the classroom was raised. This course was part of an exchange programme that sends European teachers to post-Soviet republics, and I had come to Kyrgyzstan's capital, Bishkek, in order to teach some courses in social anthropology for one semester. This particular course was attended by students of sociology, political science, and ethnology, who referred to themselves as Muslims. And yet, their formal knowledge of Islam was minimal. I suppose nobody can blame them for this, as they have grown up in a society that has previously been declared 'atheist' and is nowadays considered to be secular. For me, as their teacher – from Europe and a Christian – realizing that I knew a lot more about 'their' religion than they did was extremely awkward.

The strange feeling that accompanied me throughout the teaching of this particular course (I did not experience it in the other courses I was teaching) peaked during the month of Ramadan, when probably the majority of Muslims in the world are fasting from dawn till dusk. My previous experiences of living and travelling in the Middle East[1] seemed to show that Ramadan plays a central role in most Muslims' lives, even if they do not practise their religion otherwise. This was not so in Kyrgyzstan. Although a majority would identify themselves as Muslims[2] when asked, fasting for most of them did not seem to be an issue. So there I stood in front of my class, expecting similarities to my previous fasting experiences, and had difficulties finding just one who was fasting. Why was this experience so disappointing for me? Could my 'faith' be 'restored' by finding others who took Ramadan seriously? These two questions haunted me throughout the month of Ramadan and beyond, and these questions I attempt to answer here.

I cannot speak for the whole of Kyrgyzstan in terms of fasting practices, let alone religious practices in general. In the six months I have been here so far, I have only occasionally ventured outside Bishkek, and most of my time is spent with people of a certain societal stratum – the highly educated middle class. Very often these people have told me about their families living outside Bishkek and even invite me, but these contacts so far remain limited. After I had realized that hardly anyone was fasting in my immediate environment, I came to the preliminary conclusion that this could have been expected, because of the exposure to high education, 'westernized' norms and values, and possibly the remains of Soviet-style 'scientific atheism' or at least secular ideas in the capital. I tried to convince myself that in other parts of the country people could potentially be fasting and be faithful to their 'Muslim heritage' that I expected to encounter.

Thus, one of my students, whose family lives in a rural area of Kyrgyzstan, had indeed told me that whereas she herself does not fast, her family does – everyone except the youngest children. And then there was this colleague of mine – Jyldyz, an ethnologist – who enthusiastically helped me to get acquainted with Kyrgyz culture, history, and traditions, who had taken me to her family in a small village, and who was fasting. She was thrilled when she heard that I was too, and complained about her compatriots, who were not: 'You are fasting!? This is wonderful, Julia, I am glad you are! We must break the fast together some day. There are not very many people who take this seriously, I'm afraid, even though we are a Muslim country. We'll talk later!' And off she went to another appointment. I would have loved to discuss the issue further at that point, but she, like so many others here, has an incredible workload and receives only a small salary in return.

'You are fasting!? This is wonderful, Julia, I am glad you are! We must break the fast together some day. There are not very many people who take this seriously, I'm afraid, even though we are a Muslim country.'

Two male students of mine were also fasting – Bakyt, who shares a flat with five others, who were all fasting, and Samat, who shares a flat with three others, who were not. Samat told me about his experience and expressed his surprise: 'I'm the only one who is fasting in my flat; one of my flatmates is Russian. Of course he doesn't fast. But the other two are Afghans, and I expected them to be rather conservative, but they are not. We are cooking together in the evening, but in the morning for the *suhur* meal, I'm the only one who gets up!'

There are a lot of street vendors in Bishkek, selling anything from single cigarettes to bread, filled pasties, batteries, sweets, or dried apricots. They are still there during Ramadan doing business as usual and people are eating, smoking, and drinking. Consumption during daytime did not seem to decrease during that month, if I can trust my own observations. Whereas in Jordan, where I have been living for two years, during Ramadan shops would not open until late in the morning, get crowded in the afternoon, and literally nobody would be in the streets after sunset, nothing – on the surface – seemed to distinguish Bishkek's street life during Ramadan from that during the rest of the year. But this was Bishkek, and Bishkek is not the rest of the country.

I remember a conversation with another one of my colleagues, Nazgul, a sociologist, who was not fasting. When I told her about my suspicion (hope?) that in rural areas people would be fasting, she denied this: 'Believe me, nobody is fasting here. My own family is living in a village and none of them has ever done anything like this!' That was three o'clock in the afternoon and still a long way to go till sunset. A third colleague joined us and offered us tea, which I refused. Nazgul accepted, but turned around to tell me: 'This is very embarrassing for me, because I should be the one who is fasting, not you! I feel really bad about it, but I've never fasted in my whole life, and I probably will never do.' Most of the people I spoke to either admired people who fast or were completely non-understanding, and had never really thought about Ramadan. A friend of mine explained that the only time she ever fasted was when she had been to the United States as an exchange student: never before, and never after. Being a Muslim, as Bishkek proves, indeed varies in terms of norms across the globe.

Notes

1. There I started fasting for the first time – not only as a good spiritual exercise, but also as an expression of my solidarity with those Muslims who live under extremely harsh conditions.
2. Of course, this does not apply to the Russian, German, and other minorities that are mainly Christian, and make up about 20 per cent of the entire population of Kyrgyzstan.

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The Centre for Modern Oriental Studies in Berlin

ULRIKE FREITAG

The Berlin Centre for Modern Oriental Studies (ZMO) was founded in 1996. ZMO is dedicated to the historical, social, and cultural study of the Middle East, South Asia, and Africa. Apart from conducting its own research programmes the institute promotes the development of research networks on national and international levels.

How do modern Moroccans view a forty-year-old king with the old Islamic title of Commander of the Faithful, who presents himself on occasion as a young sportsman? What were the experiences of Arabs in Hitler's concentration camps? How does the internet change patterns of authority and communication in the Muslim world? And what did it mean to live on the shores of the Indian Ocean, for example in Zanzibar, where historically Africa met India and the Middle East? Questions such as these are at the core of research projects at the Berlin Centre for Modern Oriental Studies. The research fellows, most of whom work on projects lasting two to three years, explore the history, anthropology, economy, and present problems of African and Asian societies with a special focus on Islamic societies and their interaction with non-Islamic neighbours. In contrast to the dominant trend that views these regions predominantly with regard to their importance (or otherwise) to Europe, researchers at the Centre aim at understanding the local perspectives. 'The West' obviously does not disappear entirely in such a perspective, but relations among and between regions of Africa and Asia often dominate.

It is therefore appropriate that the current research programme centres on the processes and consequences of translocal movements in this wide area. Its historical perspective allows for historicizing the flows of people and goods, as well as the processes by which the historical actors cope with change. Thus, studying the Indian Ocean raises questions similar to those which have been discussed with regard to the Mediterranean and help, in very similar ways, to overcome the regional divides that area studies and the creation of academic departments have tended to erect. One might even argue that the same holds true for the study of other 'natural' divides such as the Sahara.

In order to avoid at least some of the problems of earlier generations, the Centre tries to cooperate closely with colleagues from the areas being studied. The Centre particularly invites younger colleagues from these areas to apply within the framework of the research programmes. Furthermore, the Centre regularly hosts guests from the regions both for longer research stays and for numerous workshops and conferences organized by the different projects. It is our hope to further intensify this type of cooperation with colleagues from the region in future years.

The Centre for Modern Oriental Studies is uniquely placed for such studies, because it is one of the few institutions combining regional expertise on different parts of Asia, Africa, and the Middle East with different disciplines. Created as an independent research institute to continue some of the research of the former East German Academy of Sciences in a new framework and in close cooperation with academics from the Western part of Germany, the institute has developed into a lively institution that sees itself as a pioneer in promoting interdisciplinary and transregional cooperation. Researchers work in groups, which is in itself a novel experience for many in the humanities.

Activities and services

As with any genuinely academic institution, the Centre's workshops and publications are at the core of its scholarly output. The Centre edits a monograph series that is currently being revised to become a refereed series accepting manuscripts from outside the Centre. A second series of working papers comprising bibliographical studies, source editions, etc. is published in a printed edition but might be turned into an internet publication. Both series feature books in German and English on topics such as *The Transformation of Asian and African Societies under Colonialism* (ed. Heidrich 1994), *Responses to Globalization in Asia and Africa* (eds. Füllberg-Stolberg, Heidrich, and Schöne 1999), and *Space on the Move* (eds. Deutsch and Reinwald 2002). The most recent publication investigates the role of Afro-Americans in the relations between the US and Africa (Füllberg-Stolberg 2003). *The Orient*, a bulletin produced twice to three times annually and distributed for free, offers information about current activities of the Centre. The Centre's website is now being developed into a space for publication, in addition to providing information on the Centre and links. It also hosts a valuable database that provides access to institutions that boast know-how in the wider area of matters relating to Africa, Asia, and Latin America.

The Centre runs a regular lecture series and organizes sessions to inform the public about Africa, Asia, and the Middle East. Roundtable talks provide the researchers with a more informal opportunity to meet academic visitors or discuss work in progress. In addition, the Centre organizes occasional public events either at its seat or at other venues, often in cooperation with other institutions in Berlin. Many of the Centre's research staff also teach Islamic and African Studies, anthropology, and other subjects at the Free University and Humboldt University in Berlin.

Thanks to funding from the city, the Centre is housed in a mansion built in the early twentieth century. Besides providing office space for researchers and accommodation for academic visitors, the building houses the Centre's library of some 50,000 volumes and 90 journals. It comprises a number of valuable donations, in particular the library of the founding director, Professor Fritz Steppat, with his large Arabic language collection.

Funding and organization

The Centre is currently funded mainly by two institutions: the city of Berlin provides the physical and institutional infrastructure, while the German Research Council (Deutsche Forschungsgemeinschaft) has committed itself until 2007 to supporting the research programme. Thus, the approximately 20 researchers at the Centre need to apply for their projects jointly through the Centre. While this occurs in regular cycles that are advertised, the Centre also supports individual researchers in their applications to other funding organizations. The Centre's Advisory Council, consisting of prominent academics in the main subjects and regions represented at the Centre, plays an important role in the development of the research profile.

Future plans

The Centre is currently undergoing a dynamic phase of development. This is due to the fact that the position of director had been vacant for some years after the untimely death of Professor Haarmann in June 1999. The Centre is seeking new ways of publicising its results and communicating them to wider audiences. It also plans to intensify and broaden its international cooperation, which, hitherto, has functioned mainly on the basis of individual contacts. For example, the Centre is hoping to build cooperation with young Turkish historians on the topic of urban history in the framework of a joint project with the Freie Universität and the Institute of Advance Studies, Berlin. The Centre hopes to expand its historical breadth to include researchers working on topics concerning periods as far back as the sixteenth century in order to challenge the notion of modernity being brought to the Islamic world in the nineteenth century. It would further like to widen its scope of research to include Central Asia and Southeast Asia, the latter currently being covered for the first time in the Centre's history.

For further information please consult the Centre's website: www.zmo.de or send an e-mail: zmo@rz.hu-berlin.de

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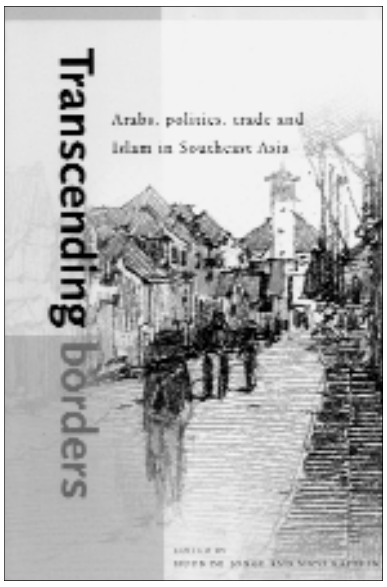
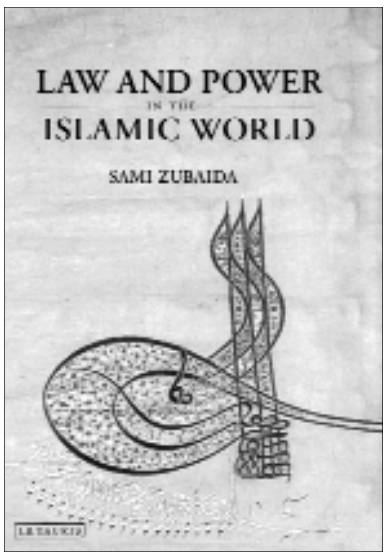
Transcending Borders
Arabs, Politics, Trade and Islam in Southeast Asia
by De Jonge, Huub & Nico Kaptein (Editors)
Leiden: KITLV, 2002



Arab immigrants to Southeast Asia have long exerted a quiet but profound influence on the economic, political, social, and Dreligious developments in the region. The 10 essays in this volume discuss the interrelationships within the various Arab communities, as well as between these communities and society at large, from the perspective of various disciplines: history, sociology, anthropology, and Islamology.

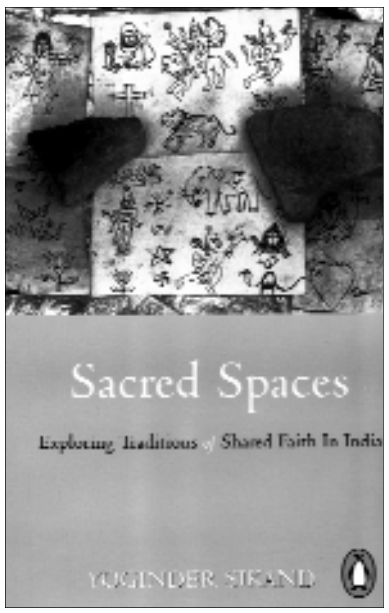
Multi-Level Discrimination of Muslim Women in Europe
Jochen Blaschke (ed.)
Berlin: Edition Parabolis, 2000

This book investigates the experiences of discrimination and the life histories of Muslim women in different European countries. Muslim women in Europe are a most vulnerable social group. They are visible, since most of them wear a scarf or another symbol of being a Muslim. They are territorialized by their milieus and cultural boundaries; they have needs arising from their cultural difference in comparison to an environment and society which is dominated by Christian heritage; and they participate in immigrant-communities or religious milieus in which women have minor social status.



Law and Power in the Islamic World
by Sami Zubaida
London: I.B. Tauris, 2003

Islamic Law and its application is a central issue in contemporary Muslim politics and culture. Starting from the modern concerns, this book examines the origins and evolution of the shari'a and the corpus of texts, concepts, and practices in which it has been enshrined. The central paradox in this history is one of power: the shari'a is jurists' law, theoretically derived from sacred sources, yet dependent for its institution and application on rulers with their own agendas and priorities.



Sacred Spaces
Exploring Traditions of Shared Faith in India
by Yoginder Sikand
New Delhi: Penguin, 2003

The politics of communal hatred in recent times has brought under attack the heterodoxy of our religious life. This book explores popular religious cults from various parts of the country that defy the logic of communities as neatly separated from and necessarily opposed to each other. Travelling from Kerala to war-torn Kashmir, and from Punjab to Madhya Pradesh, through twenty-five places of popular pilgrimage – *dargah*s, temples, and shrines – Yoginder Sikand finds followers from different communities flocking together in common worship.

ISIM PUBLICATIONS

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- '*Traditionalist' Islamic Activism: Deoband, Tablighis, and Talibs* (ISIM Papers 4) by Barbara D. Metcalf

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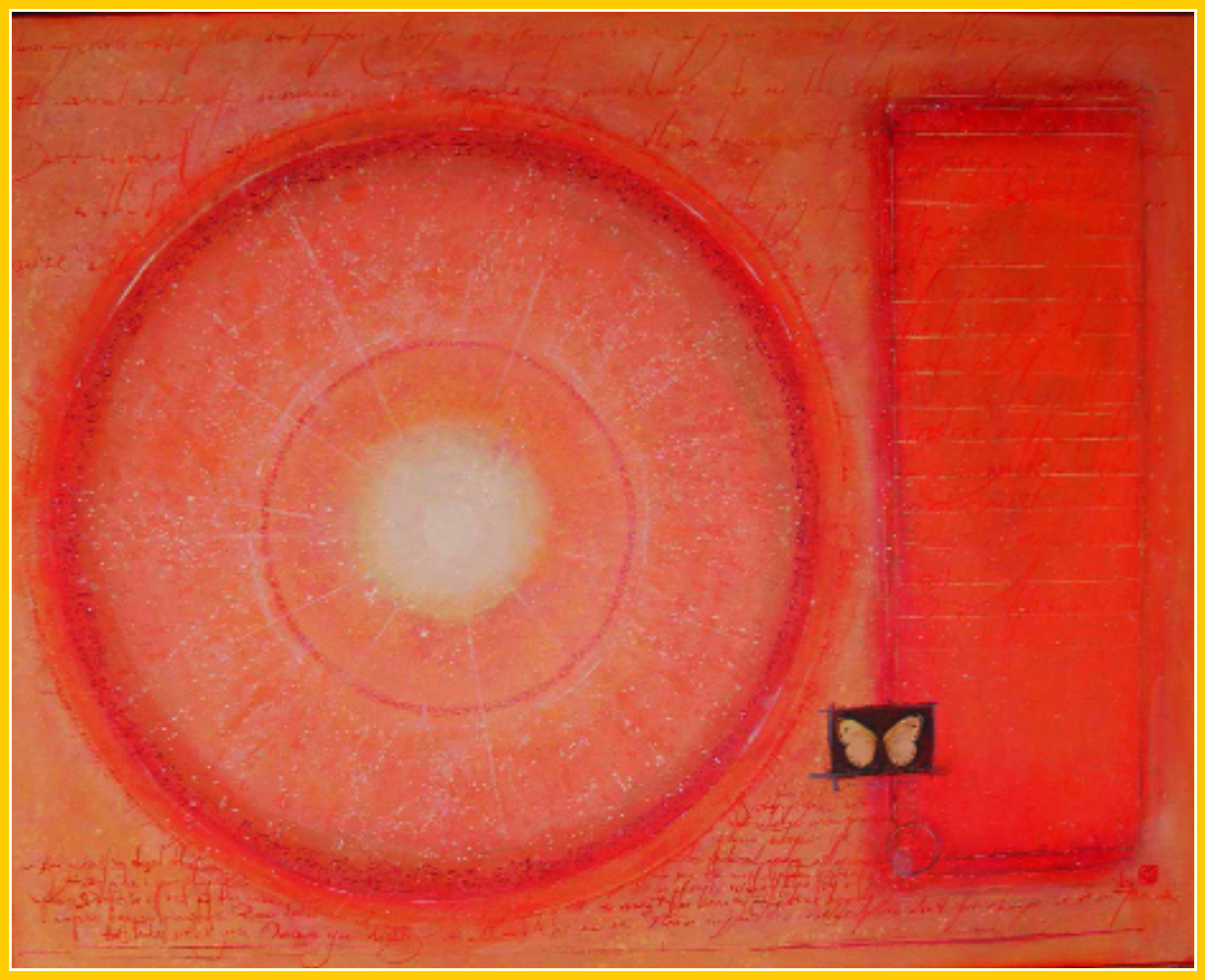
The following publications are forthcoming:
- *Muslims, Minorities, and Modernity: The Restructuring of Heterodoxy in the Middle East and Southeast Asia* (ISIM Chair Inaugural Lecture) by Martin van Bruinessen
- *A Naqshbandi Télémaque* by Şerif Mardin (ISIM Papers 5)

To Afghanistan and Back
A Graphic Travelogue
Ted Rall
New York: NBM, 2002

When bombs began raining on the Taliban, Ted Rall hopped a plane to the war zone. But the only cartoonist to go to Afghanistan got more than he bargained for: prisoners blowing themselves up with grenades, anarchy and Afghan porn, armed bandits hunting journalists to rob and murder them. At a time of unquestioning flag-waving, Rall went with hard questions and came back with some disturbing answers.

Personal Quest for Happiness in Islam

▼ ***Transformation No. 1*, acrylic on canvas**

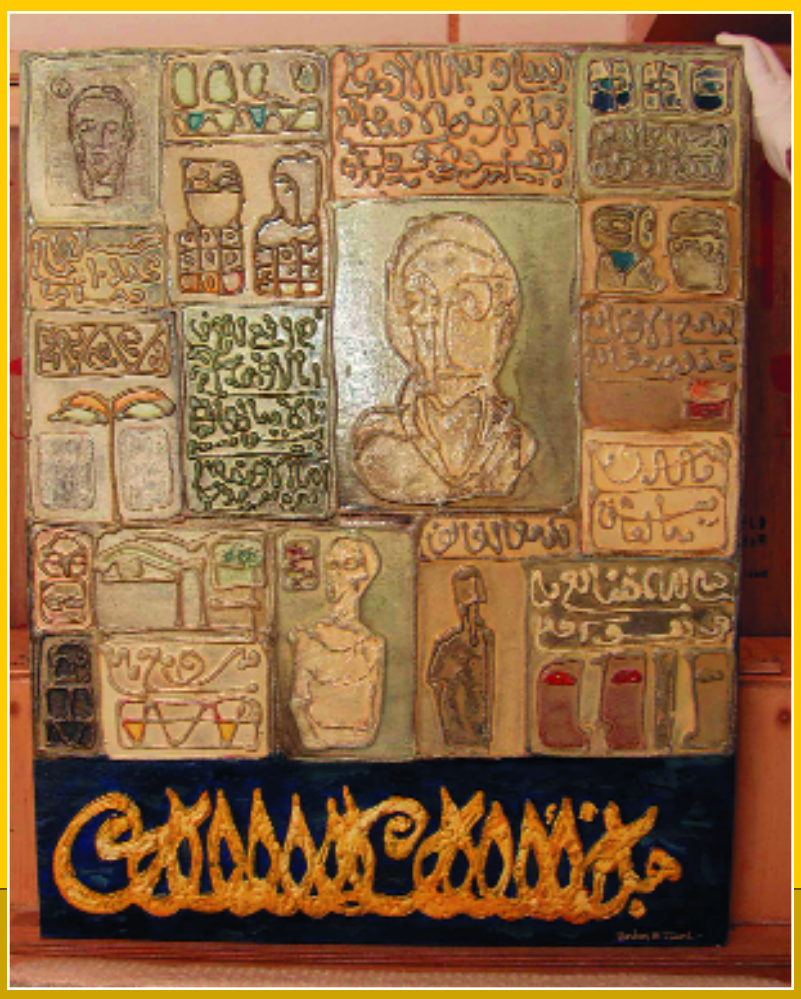


TAHIR J. SATTAR, THE NETHERLANDS, 2002

The exhibition *The Path of Beauty and Happiness* will be on display at the Wereldmuseum Rotterdam until September 2004. This exhibition offers an overview of the ideas and forms of life of the Islamic mystics, and displays the present day and the past in beautifully executed works of art, ritual objects, photographs, poetry, and mystical music. Peepholes have been made in the exhibition for children, behind which special objects can be seen. The 'Theater de Evenaar' picks up on the exhibition with related lectures, workshops, concerts, special thematic evenings, and literary salons.

For more information:
Wereldmuseum Rotterdam
Willemskade 25,
3016 DM Rotterdam
The Netherlands
Tel: + 31 (0)10-270 71 72
www.wereldmuseum.nl
Theater De Evenaar
Tel: + 31 (0)10-270 71 90

▼ ***Hirz One* (*Amulet One*), acrylic and mixed media on wood**



HASHIM AL-TAWIL, IRAQ/USA, 2002

Islamic mysticism has had a great influence on art and culture. Modern-day artists also draw inspiration from it. Exciting examples of this can be seen at the Wereldmuseum Rotterdam, the Netherlands.

FATHEL NEEMA, IRAQ/THE NETHERLANDS, 1999

▲ ***Ashourad*, oil on canvas**