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The study of religion and the training of muslim clergy in Europe : academic and religious freedom in the 21st Century

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The Study of Religion and the Training of Muslim Clergy in Europe

ACADEMIC AND RELIGIOUS FREEDOM
IN THE 21ST CENTURY

Edited by Willem B. Drees &
Pieter Sjoerd van Koningsveld

LEIDEN UNIVERSITY PRESS

THE STUDY OF RELIGION AND THE TRAINING OF
MUSLIM CLERGY IN EUROPE

Cover illustration: Ibn Rushd, also known by the Latinized name as Averroës, was a Muslim scholar in the Middle Ages (Cordóba, c. 1126-Marakesh, c. 1198). Detail of fresco *Triumph of St Thomas and Allegory of the Sciences*, in the Church of Santa Maria Novella in Florence, by the Florentine painter Andrea da Firenze (Andrea Bonaiuti; flourished between 1343-1377).

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The fresco *Triumph of St Thomas and Allegory of the Sciences* in the Church of Santa Maria Novella in Florence, by the Florentine painter Andrea da Firenze (Andrea Bonaiuti; flourished between 1343-1377). Ibn Rushd is depicted with two other 'defeated heretics', Sabellius and Arius, sitting at the feet of Thomas Aquinas (c. 1224-1274). Photo Credit: Corbis.

Europe paid a bloody price to reach the point of democracy and human rights that we have now. See I am here in Leiden – speaking as a grand mufti, freely and academically in Europe [...]

How many generations had to pay the price to ensure that Ibn Rushd is not positioned underneath Thomas of Aquino anymore? Now he is here, with his picture telling me: This is your predecessor, your great grandfather. You should be proud of him and place him above instead of below. So know how much blood had to be shed for the Europeans to be ready to come to this stage. And because of that the Europeans do not allow anyone to break these democracy and human rights rules.

*Dr. Mustafa Cerić, Grand Mufti of Bosnia-Herzegovina, in an interview with the Nederlands Islamitische Omroep, aired March 4, 2007, on the occasion of the conference *Academic Freedom and Religious Freedom: Tensions and Compromises in the Coexistence of Two Fundamental Rights* held in Leiden on 27 and 28 February 2007.*

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Preface and acknowledgements

In September 2006, the Faculty of Religious Studies of Leiden University – itself a public university – started a bachelor and master programme in Islamic Theology. This development formed a major incentive to organize a conference on *Academic Freedom and Religious Freedom: Tensions and Compromises in the Coexistence of Two Fundamental Rights*, held on 27 and 28 February 2007 in Leiden in the most interesting setting of *Naturalis*, a museum of natural history. The volume presented here offers most of the lectures and a few additional contributions, invited to provide a more balanced consideration of recent developments in the training of imams in Europe. The training of Muslim clergy in the context of modern academic life was a major dimension of the conference, correlating with the recent establishment of the programme of Islamic Theology in the Faculty of Religious Studies. However, this was a sub-theme in the conference as a whole, as questions of the combination of confessional and academic identity gave rise to more general reflections on academic freedom, religious freedom, and the academic study of religion in contemporary contexts.

The Minister of Education at the time of preparation, Mrs. Maria van der Hoeven, had addressed on various occasions, both in the Netherlands and abroad, issues of religion, higher education, and the development of Islam in European and other contexts. Her interest in these issues provided an additional stimulus for the conference. As she left office as Minister of Education when a new cabinet took office just a week before the conference, she did not participate in the conference itself. However, we want to express our gratitude to the Minister and to the staff of the Ministry of Education for financial and moral support when organizing this conference.

The editors also want to express their thanks to two assistant editors, Abdurraouf Oueslati and Anne Marieke Schwencke, who did a most substantial amount of work both in preparation for the conference and in the editorial process resulting in this book, as well as the translation of the German contribution of Ednan Aslan. Without their efforts the book would not have been the way it is, nor would it have arrived at the time it does. We also thank the staff of Leiden University Press for their cooperation in producing this book on an issue of genuine relevance in our time.

Leiden, November 27, 2007

Willem B. Drees and Pieter Sjoerd van Koningsveld

Academic and Religious Freedom: An Introduction

Willem B. Drees and Pieter Sjoerd van Koningsveld

In recent years, the presence of Islam in Western Europe has led to public controversies. The attack on the World Trade Center in New York (September 11, 2001) and the violence in Muslim countries related to cartoons in Denmark (2005/2006) are among the events in recent history that have stimulated anti-Islamic sentiments. Some have responded by emphasizing freedom *from* religion, e.g. in the form of political secularism such as the French *laïcité*; the emphasis on the non-religious identity of Turkey by opponents of a president (elected in September 2007) whose wife wears a head scarf; the formation of committees of ex-Muslims (e.g. in the Netherlands on September 11, 2007); and the voices for science-inspired atheism in the West.¹ In contrast to such voices, others have called for moderation. They would rather assert as a major value in Western societies freedom *for* religion, the freedom to express one's own identity, whether by wearing a head scarf or otherwise.

The various parties in the current controversies not only differ in their understanding of freedom (as freedom from religion or freedom for religion) but also in their view as to whom represents religion. Is the 'real' Islam the Islam as identified by Islamists and terrorists who seek to replace Western culture by something else? Or are those extremists presenting a newly-invented 'tradition', and is the true spirit of Islam found among those who seek peace, the moderates of various stripes who have integrated Islam and culture, who emphasize the moral and spiritual message rather than political strife? Who in Europe will speak for Islam? This is, of course, a matter of Muslims themselves, but it is also a matter of great political and social relevance. In the second half of this volume we present and analyze various European developments in the training of Mus-

lim clergy. Given that training, education, is part of the academic system, we also consider in this volume the nature of scholarly research and its relation to religion. Particularly of interest in this context is the study of religion in modern universities – a setting which is different from the monastery, the seminary, or the madrasa.

Thus, this volume has two poles: the academic study of religion and the training of Muslim clergy. In the remainder of this introduction, we will consider more extensively academic freedom, religious freedom, the potential for tension, and a brief tour of the contributions in his volume. Before doing so, however, let us briefly introduce the figure depicted on the cover of this book.

Ibn Rushd, also known by his Latinized name as ‘Averroës’, was a Muslim scholar in the Middle Ages (Cordóba, c. 1126-Marakesh, c. 1198). He wrote extensive commentaries on the Greek tradition, especially Aristotle. Thus he had to engage himself with the question of how to handle the two sources of insight available: religious and rational knowledge, the Quran and the Greek philosophical heritage. Ibn Rushd appreciated the Aristotelian system as the supreme achievement of what human reason could achieve without divine revelation; he considered this consistent with the Quran. This view was rejected by conservative theologians, who were far more suspicious of the import of ideas ‘foreign’ to their religious heritage (see also the contribution by McMullin, this volume).

On the cover of this book we find a picture of Ibn Rushd. It is a detail from a fourteenth-century fresco, *Triumph of St Thomas and Allegory of the Sciences* in the Church of Santa Maria Novella in Florence, by the painter Andrea da Firenze (Andrea Bonaiuti; flourished between 1343-1377). In the full fresco, Ibn Rushd is depicted with two other ‘heretics’ sitting at the feet of Thomas Aquinas (c. 1224-1274), who played a major role in the integration of Greek philosophy into Roman Catholic theology. The central figure of the three, recognizable by his distinct Arab dress, is Averroës. The two figures sitting at each side are usually identified as the notorious sectarian heretics of the history of the Church: Arius and Sabellius. Here, Averroës is first of all presented as a symbol of Islam, the religion that was generally regarded as a heretical sect of Christianity during the Middle Ages, indeed on the same line as the followers of Arius and Sabellius. Averroës is leaning on the closed book of his defeated doctrine, while St. Thomas is proudly showing the open book of his victorious teachings. The image emphasizes that Greek philosophy should be integrated into Christian theology in accordance with

the principles of St. Thomas and not along the lines of the teaching of Ibn Rushd concerning the relations between Reason and Revelation. For us, however, Ibn Rushd has become a symbol of freedom of thought and of the interaction of Greek, Islamic and Christian ideas.

Academic Freedom and the Nature of Science

Let us briefly, and sketchily, consider the natural sciences. Freedom is valued as a necessary precondition for developing new ideas. However, there is a certain ambivalence about freedom. Nobody will be imprisoned for arguing in favour of a flat earth, a geological history of six thousand years, or homeopathic medicine, but neither will advocates of such ideas have genuine standing in science. The freedom to develop new theories is combined with respect for the cumulative tradition, for 'textbook' knowledge which has been developed by sharp minds, has survived various tests, and coheres well with other established knowledge. Consolidated knowledge may be challenged again, and perhaps even in the end be abandoned, but mainly we see a cumulative practice of building upon the work of others. Consolidated knowledge is never absolutely final, though it may be well established, and not likely to be ever proven false.

What about freedom within science? Academic freedom is not freedom to hold anything, whatever the facts. There are expectations about the form, e.g. that one makes predictions that are sufficiently specific as to be testable and falsifiable. However, in the generation of hypotheses, inspiration may come from everywhere and wild ideas may well be appropriate; freedom is the rule. In the subsequent testing of ideas, however, one faces substantial constraints. There are many methodological considerations that have to be taken into account. And one is expected to give up a hypothesis when tests come out differently. Freedom in science is not anarchy, but limited by the characteristics of science; academic freedom is not 'anything goes'. Though, of course, when a counter-example arises one may scrutinize at first whether the tests themselves were adequate, whether there weren't any assumptions or 'paradigms' that may themselves be challenged, and so on – falsification isn't an easy matter, and perhaps never final. Thus, more radical notions of freedom keep arising in thinking about science.²

Freedom in the academic context is primarily freedom from external constraints, from authorities which have a non-academic agenda. The emphasis lies on the rights of individual scholars to independence from

any constraints other than the conditions of quality recognized by themselves as a professional group. The value of the sciences is in the ambition to be free from ideological, metaphysical or religious preconceptions (see the contribution by Drees, on the agenda of the Royal Society of London in the seventeenth century). By accepting this self-imposed limitation, science becomes knowledge that is of interest to all, independent of subjective, political, religious or other preferences. The value of being value-free is the social value of being governed by epistemic values alone. The appropriate behaviour has, of course, not always occurred, as humans are fallible, but over time the shift from non-epistemic values to epistemic values seems to be discernable in the natural sciences, and, perhaps less completely, also in the social sciences and the humanities.³

Of course, science depends upon social structures that provide funding; priorities for research may well be a matter of political debate. Its application in technology is a matter of public interest and concern as well. Though there is such dependence upon the larger social world, academic freedom is generally understood as self-governance with respect to the scientific process. The quality of articles is decided by reviewers who are themselves part of the scientific community. The selection as to who is most worthy of an academic appointment should be made by academics, and not by politicians or religious authorities.

Religious Freedom and the Modern World

In Europe, with all its diversity, the basic pattern has become that society is pluralistic, with multiple religiously, culturally and ethnically distinct groups living together. The state is expected to be neutral, by not favouring one such group over others. And at the individual level, there ought to be the freedom to change one's mind, and hence from a religious perspective the freedom to apostasy and heresy.

This pattern of a multiplicity of traditions and individual choice has taken centuries to arise. In the Peace Treaty of Augsburg in 1555, during the European Reformation, it was agreed that the religious choices of the ruler determined the religion of his people; a rule that came to be formulated in Latin as *cuius regio, eius religio*. Hence, if the duke opted for the Lutheran Reformation, the people of his land were Lutheran; if the prince opted for Roman Catholicism, the land and its people were Catholic. Tolerance of Christian minorities and of Jews developed over the following centuries, as did the emphasis on individual freedom. In a sense, one may

claim that religious freedom in its modern, pluralistic and individualistic form, is the fruit of the activities of two groups of quite different orientations: those who want freedom *from* religion and thus stress the neutrality of the state, and those who want freedom *for* religion, in their own preferred form against the dominant form. Baptists, Dissenters, Catholics in Protestant countries, Protestants in Catholic countries: all such groups gave rise to pressure in favour of increased tolerance for minorities, and hence for pluralism and neutrality.

Though there have been Muslims in Europe since the Middle Ages, e.g. in Albania and Bosnia (see the contribution by Mustafa Cerić, this volume), their presence has not had a major impact on developments in Western and Central Europe. However, in the second half of the twentieth century, Europe has witnessed an increased presence of Islamic minorities, sometimes reflecting colonial history (e.g., prominently in the UK), sometimes as a consequence of labour migration (Germany, the Netherlands) or of migration due to political suppression and persecution elsewhere. The social and political arrangements in European countries that allowed for intra-Christian co-existence were expected to allow also the Muslims to maintain their own religious identity while living in Europe. This may not always have worked out well, as the needs, conditions and capacities of different groups vary enormously. This volume deals with one facet of this development, the training of imams and religious teachers in various European countries. Of course, new circumstances do not always match with existing arrangements. Did the available options suit the communities of Muslims? Are roles sufficiently similar so that one can model the training of imams after the training of Protestant ministers or Catholic priests?

In the last decade, these issues have acquired an increased urgency, due to the development within the Islamic world of Islamist groups and individuals, articulate in their rejection of Western societies, some ready to engage in violence, as in the attacks of September 11, 2001, in New York and the subsequent attacks in Madrid and London, and in the Netherlands in the murder of the filmmaker Theo van Gogh (November 2, 2004). Extreme positions, including outspoken anti-Islam sentiments, have thus become highly visible. However, more constructive movements within European societies assert themselves as well, exploring options of integration with the preservation of identity.

This spectrum of attitudes, from an outspoken antagonism between the secular and the religious culture to a more integrative approach, has some similarity to the combination of external and internal perspectives that is typical of the study of religion in Western societies. On the one

hand, the academic study of religion takes an outside perspective, not advocating religion, but describing and analyzing convictions, practices and processes. However, studying religion has to be fair to the inside perspective, and thus also to engage adherents of religions. These have a personal interest, and may be more or less appreciative of the outsiders studying their religion; the response to outsiders (and to insiders perceived as operating almost like outsiders) is often shaped by political and religious disagreements within the community (see, for instance, the contribution by Nasr Abu-Zayd on the responses to his exegetical studies, the contribution by Umar Ryad on the expulsion of a Dutch Islamologist from the academy in Cairo and the contribution by Muhammad Machasin on the critical response of Muslim activists fervently rejecting the historical critical method, this volume). Religious communities are affected by it, sometimes intentionally (e.g., Albert F. De Jong, this volume). The study of religion has its impact, but is also at the receiving end, as social processes, including the responses of some believers and antagonists, have an impact on the study of religion in the West. This is exemplified in this volume in the contribution by Beshara Doumani, studying the impact of 9/11 on academic freedom in America, and in the self-reflective essay by Tim Jensen on the role of scholars of religion in the Danish cartoon crisis.

Academic and Religious Freedom: Tensions and Compromises

Academic freedom is not the only fundamental right that operates in the fields of teaching and research about religion. Freedom for religion, or the right to profess, practice and teach the religious tradition adhered to, individually and collectively, creates rights in exactly the same areas. These rights include the training of religious leaders in accordance with one's own religious tradition, a fact which implies that religious groups (churches or any other form of religious 'communities') are recognized as legitimate participants in teaching and research, as well.

The coexistence between scientific and theological paradigms for the study of religion has resulted in many different types of academic and non-academic institutions for religious studies, all over the Western world. These may vary from separate theological seminaries to theological faculties at state universities with separate programmes for the scientific and the confessional study of religion. The varieties to be observed at the institutional level are closely related to the history of the countries where they are located and to the type of religious groups involved in

these institutions. Academic freedom and religious freedom are coexisting in societies with a wide variety of historical traditions in the relations between state and religion, and in the role(s) attributed to the state in the organization and administration of academic processes. Such differences largely explain the wide variety of tensions as well as compromises or solutions obtained in various societies in the fields of teaching and research between academic scholars on the one hand and religious groups on the other hand, especially in areas related to religious studies. These tensions and solutions are generally perceived as ever so many important elements of contemporary civilization.

In the present day, with an estimated number of approximately 25 million Muslims or inhabitants of Muslim background in Europe, the issue of the relation between the scientific and confessional study of religion has regained vital importance for European societies. Increasingly, importance is attached by various circles, including the Muslim communities themselves, to the training of Muslim clerics within Europe. This has recently resulted in the emergence of numerous initiatives to create institutions to cater for such programmes. Demands for a modern, scientific approach in these programmes are accompanied by other demands focusing on the teaching of the doctrine and the tradition, and thereby on the importance of the theological training for the preservation of religious identities as an intrinsic element of the unalienable right to religious freedom.

Academic Freedom and the Scientific Study of Religion: A Brief Tour

The first part of this volume, *Academic Freedom and the Study of Religion*, presents studies of various episodes and cases in the struggle about the proper relationship between major competing authorities, say religion and reason. The second part, entitled *The Academic Training of Muslim Clergy in Europe* presents a collection of studies on the academic training of imams and religious teachers in Europe, both in history and the present time. Let us briefly consider the contributions on academic freedom and the study of religion.

Ernan McMullin, historian and philosopher of science from the University of Notre Dame, USA, traces the early history of academic and religious freedom, from the Greek philosopher Socrates, via the Arab world (a.o. Ibn Sina/Avicenna, Ibn Rushd/Averroës), to the reception of Aristotle in Christian theology in the West (twelfth to fourteenth century) and the subsequent conflict over the understanding of the Bible in relation to

modern knowledge, as central to the Galileo episode in the early seventeenth century. Again and again, we face a matter of competing authorities. Are these authorities dealing with the same issues, or should we see them as dealing with different aspects of life, and thus having authority in 'Non-Overlapping Magisteria' (NOMA, an expression coined by the palaeontologist Stephen J. Gould)? McMullin argues that attempts to invoke religious authority in scholarly, scientific debate has failed again and again; scholarly debates have to be settled on scholarly merits alone.

The tension between both perspectives – religious and scientific – continued in the seventeenth and eighteenth centuries. **Reinier Munk** discusses the views of two controversial Jewish philosophers: Spinoza and Mendelssohn. Spinoza is generally perceived as a scholar who opted for reason, seeking thereby to avoid religious or philosophical prejudices. True religion needs to be distinguished from superstition. He concluded that the Bible, properly understood, leaves reason absolutely free. Whereas science deals with reliable theoretical knowledge, purified revealed religion deals with practical knowledge and the realm of action and morality. Science and revelation apply to completely distinct domains and therefore can not be allowed to constrain each other. A century later, Moses Mendelssohn took this line of thought one step further. Revelation is not necessary for the salvation of man. The virtues and truths that are known through reason alone will suffice to achieve the aims of Enlightened life: self-improvement, self perfection and happiness.

How should academic and religious freedom be understood when scientific understanding interacts with religious convictions? **Willem B. Drees** addresses the nineteenth-century introduction of Darwin's ideas on evolution, the recent controversies over 'intelligent design', and the Islamic anti-Darwinism of Harun Yahya. Science is sometimes seen as limited to a specific domain, such as the natural world open to observation and religion to another ('restraint'), while others use science as a source of religious insight ('expansion'). Drees concludes with his own perspective on academic freedom. In principle, we ought to give equal consideration to all theories; and criticism of dominant theories should not be hampered by considerations of seniority or authority. However, science is also selective. Not all ideas have an equal standing, as is illustrated by the ID controversies. He concludes that self-restraint is an important aspect of academic freedom, which should be freedom from religious, political, and commercial interference.

Umar Ryad analyzes the interaction of religion and Western scholarship on religion with an example from Egypt in the early 1930s. King Fu'ad

of Egypt established the Royal Arabic Language Academy, and the government invited five western orientalists as members of the board. One of these was the Dutch orientalist A.J. Wensinck, who had contributed to the *Encyclopaedia of Islam*. As soon as the appointment of the orientalists became public, they (and especially Wensinck) were attacked in the Egyptian press. The course of this debate had to do with the reception of the *Encyclopaedia*, of which an Arabic translation had just appeared, but also with political circumstances, as the religious opposition blamed the government for failing to ward off foreign assaults on Islam, and thereby sought to mobilize public support. Although Wensinck attempted to clear his name from hostility towards Islam, he was dismissed from the Academy. The king would rather sacrifice Wensinck than endanger his good relationship with al-Azhar.

A culmination of the increasing independence of scholarly thought from religious authority in Christianity was the development of the 'historical-critical method' of Biblical interpretation which originated in the seventeenth and eighteenth centuries. According to **Henk Jan de Jonge**, the historical method aims to establish the significance of each text for the readers the author had in mind. The later authority of the author whose work is interpreted is irrelevant, as well as any divine inspiration. In his research the scholar in a public, secular university has to adopt 'temporary methodological agnosticism'. The focus on hypotheses of a historical character warrants the possibility of a fruitful scholarly discussion between scholars of different religious convictions. However, the meaning of the biblical text as reconstructed by historical methods has, in principle, no significance for any twenty-first-century audience. Interpretations that serve the needs of a specific religious community are the responsibility of the community itself.

Nasr Hamid Abu-Zayd writes on the political and personal consequences of bringing a similar 'historical' attitude to the study of the Quran. He comes to the conclusion that interpretations of the Quran are historically and culturally determined. Abu-Zayd not only studied examples from the past, but turned to modern Islamic discourse; in his *Critique of Islamic Discourse* Abu-Zayd argued that the Islamic Investment Companies carried out the largest swindle operation in modern history with the help of theological interpreters and representatives of political Islam. Subsequently, he was not promoted to full professor; he was described as an apostate and a colleague took the issue to the Family Court. In 1995 the Court annulled Abu-Zayd's marriage on the grounds of him being an apostate. He and his wife left their homeland and have resided in the

Netherlands ever since. Both in his studies and in the consequences for his personal life, the study of religion turned out to be a sensitive matter.

Muhammad Machasin considers the academic study of Islam in Indonesian State Islamic Universities that find themselves under surveillance by Muslim activists. Historical methods consider doctrines as having originated from within specific historical contexts, in response to worldly human concerns. Machasin argues that the aim of such academic research was not to disturb Islam, but to reform or purify Islam from contingent practices and ideas that hinder coping with modernity. Such academic work is strongly criticized by 'defenders of Islam.' They do not trust the academic tradition. Machasin sums up the concerns of the Islamic activists in some detail. He sees no organized movement yet, though there have been some incidents. Some academic colleagues hold on to their freedom to publish and study whatever they wish. Machasin clearly favours the middle path where academic freedom 'is made to operate within the boundaries of the ethics of the community'. This entails choosing language wisely, appreciating the religious sensitivities. For this, he calls on old Javanese wisdom: *Take the fish but do not make the water muddy.*

What is described in the previous contribution holds more generally: the academic study of religion can have consequences for the practice of religion, sometimes appreciated and sometimes rejected by the believers. This theme is central to the contribution by **Albert F. de Jong**. Three types of relations between scholars and believers are described. 'Parasitic' believers rely for their religious ideas upon scholarly reconstructions. In the 'apologetic' mode, hostile believers may question academic competence, vilify individual scholars or Western scholarship in general, suggest a conspiracy, etcetera. The 'reform' mode consists of adapting religion to scientific findings. A good example of this category are the reformist Parsis, the Zoroastrians from India. One scholar argued that the Gathas were the only part of the Yasna that could be attributed to Zarathustra; nowadays almost all Parsis there consider the Gathas as different from the rest of the Avesta.

In the next contribution, by **Beshara Doumani** of the University of California, the focus shifts to the academic study of religion in interaction with the public sphere. Since 9/11 universities have been confronted with an increasingly sophisticated infrastructure of surveillance, intervention and control by government, private advocacy groups and foundations. Doumani gives many very specific examples of anti-liberal coercion, and neo-liberal privatization at odds with academic freedom. The politicized context produces a culture of conformity through bureaucratically internalized self-censorship. Whether we are confronted by an irreversible

structural shift, it is too early to tell, says Doumani, but we need to rethink the philosophical foundations of what constitutes academic freedom and how scholars conceive their role as public intellectuals. At stake is the survival of higher education as a public trust. Defending academic freedom is but part of a larger effort to make the world a better place to live.

The publication in a Danish newspaper of cartoons figuring the prophet Mohammed was used to invoke protest in various Islamic countries. It also invoked debates in Denmark. Reflecting upon his own experiences, **Tim Jensen** shows us how this also affected the academic study of religion. What can and should a scholar of religion contribute to public debate? How to manage your professional identity as a scholar when scholarly nuance is interpreted as a preference for a particular political position? Jensen was accused of politics and misuse of his academic title. When does a scholar become a politician? When does 'qualified opinion' become the 'personal opinion of a citizen'? Jensen calls for recognition of the inherent political aspects of science, and for consideration of the roles a scholar can take in the public domain. Jensen positions this discussion within a more abstract discussion about the methodological 'neutrality' or 'atheism' that is at the core of the study of religion. What happens to this 'scholarly' approach when the scholar goes public? What is the responsibility of scholars of religion?

The Training of Muslim Clergy in Europe: A Brief Tour

The second part of this volume focuses on the training of Muslim clergy in Europe. We start our tour in Bosnia, where there is a long history of Islamic presence in Europe, with an essay by the Grand Mufti of Bosnia, Mustafa Cerić, supplemented by the founding document of the oldest institution there (for the first time in print, in Arabic and in English translation). This is followed by a study by Sjoerd van Koningsveld on the remarkable initiatives of the National Socialistic leadership in Germany in the 1940s to establish institutions for the training of imams. The remaining chapters deal with current developments in Western and Central Europe, focussing especially on the Netherlands, Italy and Austria, with references to Germany, Denmark, the United Kingdom and France.

Mustafa Cerić, Grand Mufti of Bosnia, introduces us to the Gazi-Husrev Bey Madrasa, founded in Sarajevo in 1573, which despite stipulations regarding openness to all forms of knowledge in its founding document did not develop into a real university. In 1881 the Austro-Hungarian em-

peror Franz Joseph I created the Maktab-i Nuvvab, the Higher School of Sharia. The authorities thereby sought to increase the loyalty of the Bosnian Muslims, while they could thus prevent students from going to Istanbul for further studies. The Maktab-i Nuvvab was closed by the Yugoslav communist regime in 1945; it reopened in 1993. Until 1977 only the Gazi-Husrev Bey Madrasa, as the Islamic High School, served the religious needs of Bosnian and Albanian Muslims. In 1977, the communist regime allowed the opening of the Theological Faculty of Sarajevo. The Imam-Khatib programme seeks to provide imams and *khatibs* (preachers) with theoretical and practical knowledge for the leadership of the Muslim congregation. Enrolment is reserved to diploma holders of one of the eight *madrasas* of the Islamic Community. In 2004/2005 the Islamic Community in Bosnia-Herzegovina decided that the diploma of the Gazi-Husrev Bey Madrasa or of one of the seven other *madrasas* is no longer sufficient for imams and *khatibs*; they should follow a three years programme at the Faculty of Islamic Sciences to obtain a *licentia docendi*.

Together with the *madrasa* the institution of the *waqf* (foundation) gained in importance and the *waqfiyya*, as its foundational document, is thus of genuine interest. As an appendix to the contribution by Mustafa Cerić we here publish, for the first time, the founding document of the oldest Islamic institution in Europe, the Gazi-Husrev Bey Madrasa in Sarajevo, in the Arabic original and in English translation, with facsimile reproductions of the original. As another appendix, a proposal to establish the Gazi-Husrev Bey University is included.

The training of imams by the Third Reich is a remarkable episode in European policy regarding Muslims, studied here by **Pieter Sjoerd van Koningsveld**. No less than three training programmes for ‘field mullahs’ were established. The initiatives for these training programmes came from the Chief Office of the State Security Service, the Ministry for the East, and the Chief Office of the SS. The immediate objective of their setting-up was to destroy the Soviet Union from within, with the help of Muslim anti-Bolsheviks in order to achieve SS recruitment of ‘East-Turkish Armed Unities’. The explicit aim of the SS by the training of imams was to revolutionize Turkish peoples by awakening in them a radical anti-Russian nationalism, of which the Islamic identity would form an intrinsic part. In this analysis by Van Koningsveld, based on an unpublished document from a German archive, details of plans and realizations are presented. The most relevant passages of the document are published as an appendix attached to the article. Though there are some significant differences with the present situation, some limited parallels with today

can be drawn. First, both then and now the political role expected of the imam or mullah is emphasized. A second similarity is the total absence of an existing infrastructure of recognized Islamic theological seminaries and/or faculties. Finally, the third similarity is the total absence of a recognized Islamic religious authority overseeing Islamic education.

Recent initiatives for the training imams in the Netherlands are discussed by **Mohammed Ghaly**. There are accredited programmes at the Vrije Universiteit in Amsterdam, at Leiden University, and at the higher school of professional education Inholland. Besides these there are non-accredited institutions: the Islamic University in Rotterdam and the Islamic University of Europe, also in Rotterdam. Some programmes, such as the one at the VU, draw upon the plurality of different confessional programmes that was typical of the Dutch pillarized society of the 19th and 20th centuries. However, a public university such as Leiden needs to be neutral; thus, the programme there has to organize the confessional dimension differently. Muslims and the Dutch government have different aims in training imams. Both parties have in common that they want imams to master the Dutch language and that they want to minimize the cultural gaps between imams, second or third generation Dutch Muslims, and 'secular' society. However, the government apparently seeks to promote a 'Dutch Islam'; imams thus would be means in the integration of Muslims in Dutch society. Muslims seek imams who can combine traditional tasks with the new demands of living in a non-Islamic Western country. A major question is: which of the current programmes will create imams that meet the needs and aspirations of the Dutch government as well as those of the Muslim communities?

Firdaous Oueslati continues with a more detailed discussion of initiatives of non-accredited, non-formal Islamic institutions of higher education in the Netherlands. Here we find – apart from the formal programmes for the study of Islam – different forms of non-formal Islamic higher education. Two examples of this kind are highlighted in her paper: the Islamic University of Rotterdam and Dar al-Ilm. Although the IUR stands for 'Islamic University of Rotterdam', it is not recognized as a 'university' in the Netherlands. While official recognition is not at all Dar al-Ilm's objective – its aim is to provide as many people as possible with courses on Islam – the IUR is certainly pursuing a position in the formal landscape of Dutch education. It seems that the first steps have been made in this direction. The Dutch situation is compared to the situation in France and Britain. It becomes clear that the context of these countries set the parameters for the possible forms Islamic higher education can take in a particular coun-

try. In France, for example, we only find non-formal forms, and although some attempts have been made to set up formal programmes, ideological obstacles prevented these initiatives from growing into full-fledged programmes. In Britain, however, we find that next to the informal institutions formal programmes exist as well. These programmes resulted from Muslim initiatives that in the course of time have linked up to universities and colleges, and through this alliance achieved validation.

In the next contribution, **Ednan Aslan** of the University of Vienna discusses the developments of an academic 'Islamic Religious Pedagogy' training programme that aims to train Islam teachers for secondary schools in Austria. After a historical overview of the social and legal position of the Islamic community in Austria, the author focuses on the more recent initiative to establish a Masters study in Islamic Religious Pedagogy at the University of Vienna, for which he is responsible. The author addresses the objectives and content of the study programme, the expectations of the Muslim community, and the challenges that the establishment of the Islamic Religious Pedagogy programme confronted. One of the major challenges concerns the necessity to develop a programme that is accommodated to the everyday social circumstances of secondary school students. This frequently results in fierce discussions between Islamic theologians and the pedagogues of the university. Ednan Aslan attests to the incredible dynamics of the Islamic disciplines to respond to changing circumstances, and is hopeful that Islam has sufficient theoretical fundaments to stand up to these challenges.

Birgitte Johansen Schepelern has studied various European initiatives of higher Islamic education and addresses questions of their legitimacy. Is Islamic education sufficiently legitimized when it is integrated within the existing institutional and legal framework of a country? Can a course in 'Islamic theology' offered at a mostly secular public European university, that is sometimes initiated by political demands, ever be perceived as legitimate by Muslims in Europe? Public education needs to comply with the legal and institutional framework existing in each country, it needs funding and approval, but in order to survive it also needs support from the Islamic faith community. Various and sometimes colliding interests are involved when Islamic theological education enters the public sphere of the universities. Universities have to decide on how to position themselves, legitimize their activities and navigate within this politicized context. Johansen presents the case of education for teachers training at the university at Erlangen-Nuremberg in Germany and compares this to the situation in the Netherlands (Vrije Universiteit) and Denmark.

Islam in Italy has not gained official recognition yet, according to the contribution by **Yahya Sergio Yahe Pallavicini**. Most Muslims are first generation immigrants, for whom Islam is strongly linked to their cultural heritage and not based on a thorough knowledge of its doctrines. To improve the situation, the CO.RE.IS. (Comunità Religiosa Islamica) initiated in 1995 a course of Islamic theological training to produce imams. These imams can replace imported imams who are an obstacle to the active participation of Muslims in society. The programme is centred on the life cycle of the individual; themes like life and death, study, work, love, and the family receive much attention, as the imam must be able to answer questions of the believers, not only with regard to the principles of religious doctrine, but also with regard to their religious needs. Several Italian Muslims have successfully completed the course and most of them now fulfil functions on a voluntary basis. The continuity and development of the courses is in danger due to the problems of finance and institutionalization. CO.RE.IS. has requested official recognition as the first Muslim non-profit association that established a network of people trained to satisfy the concrete religious needs of ritual practice. There are some promising developments, but a proper place in relation to universities and their institutions has not been realized yet.

Notes

- 1 The cartoons were published on September 30, 2005; the violent protests took place in early 2006. Science-inspired atheism: Richard Dawkins, *The God Delusion*, London: Bantam Press, 2006; also – more in a moral and political context, Sam Harris, *The End of Faith: Religion, Terror, and the Future of Reason*, New York: Norton, 2004 and *Letter to a Christian Nation*, New York: Random House, 2006.
- 2 Being falsifiable (and thus specific in predictions) and accepting falsification if it happens were the hallmarks of science in the approach of Karl Popper, e.g. his *The Logic of Discovery*, orig. published 1959 (German 1935). Problems with falsification have been brought forth by many philosophers, e.g. Paul Feyerabend and Imre Lakatos in I. Lakatos and A. Musgrave (eds.), *Criticism and the Growth of Knowledge: Proceedings of the International Colloquium in the Philosophy of Science, London, 1965*, Cambridge: Cambridge University Press, 1970. The problem that falsification does not regard the theory tested but some other bit of assumed knowledge, e.g. about the equipment or the preparation of an experiment, has become known as the Duhem-Quine the-

sis. The vocabulary of paradigms owes its prominence to Thomas S. Kuhn, *The Structure of Scientific Revolutions*, Chicago: University of Chicago Press, 1962. Among those who stress freedom to a greater extent, prominent has been Paul Feyerabend, *Against Method: Outline of an Anarchistic Method of Science*, London: Verso, 1979.

- 3 See, for instance, as a case study of such shifts: Michael Ruse, *Mystery of Mysteries: Is Evolution a Social Construction?*, Cambridge, Mass.: Harvard University Press, 1999.

Part One

ACADEMIC FREEDOM AND THE STUDY OF RELIGION

1 **Academic Freedom and Competing Authorities: Historical Reflections**

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Freedom is an exceedingly slippery concept. It has taken on many different meanings over the ages.¹ Only in recent centuries has it come, as a rule, to signify the absence of external constraints. Someone in a prison cell is not free in that sense but still retains his 'free' will, his ability to choose between alternatives. The prohibition by the State of murder is not regarded as a violation of human 'freedom'... yet another sense. Someone whose behaviour is affected by addiction of one sort or another is to that extent said to be less free... still another sense. My topic here will be freedom in the first of these senses, freedom from constraint, when exercised in one quite special context: the academy, yet another ambiguous concept. We will take 'academy' to mean an institution of higher learning... still vague, but it will do. And my special concern will be with academic freedom and the early history of what today we would call the sciences.

Issues over academic freedom are as old as are academies themselves. Recall the fate of Socrates, condemned to death on the grounds that his teaching corrupted the youth of Athens. The implications of that sentence for their own careers as teachers must have animated many a discussion among the scholars who in the next generation made up Plato's academy. What sort of freedom should the pursuit of wisdom, of philosophy, enjoy? What could be its limits other than truth itself? Plato and his pupil, Aristotle, were to pursue very different intellectual paths but there was never any doubt that the philosophical differences between them should be adjudicated only by appeal to reason and experience; there was no competing source of intellectual authority that they would have found acceptable. The diverse public pieties of the Greek world of their day had no such authority. The authority they claimed, such as it was, had in-

deed prevailed in the condemnation of Socrates; but the newly armoured world-systems of Plato and Aristotle would not be so readily overcome, as time would tell.

Over the course of the millennium that followed, there was one development, in particular, that will loom large in our story. That was the appearance of two new religious faiths, Christianity and Islam, each of which drew on a sacred Book, the Bible or the Quran, to define its message. According to each faith, God spoke directly through the Book's pages. As authority over thought and action, it was thus supreme. Quite understandably, then, perceived challenges to that authority had to be sternly resisted. The Book defined the meaning of human life and pointed to a destiny beyond time for those who believed. Such a treasure was assuredly not to be trifled with. Here then was an authority that could make demands, even in the domain of intellectual scholarship.

I will pass over the first centuries when the infant Christian Church sought to define itself and its beliefs. A close watch was maintained on the borderlands between orthodoxy and heresy. The works of the pagan, that is, the Greek, philosophers were treated with special caution when they seemed to bear on theological issues. For the most part, there was no question as to where the epistemic authority lay: the Word of God took clear precedence over the reasonings of philosophers. Let me skip ahead many centuries, however, to a time when academies once again flourished and the philosophies of the ancient world were once again throwing out new shoots.

The Medieval World

In the great centres of learning of the medieval Islamic world, in the academies of places like Baghdad and Cordoba, the focus of the teaching and scholarship was, of course, almost exclusively on the Quran and the *hadith* (traditions). But various works of Plato and Aristotle in Arabic translation had gradually come to make their influence felt also. How then should the two magisteria, the two claimed sources of epistemic authority, relate to one another? There were deep divisions from the beginning between those theologians who saw the Quran as the unique source of learning and those who believed that philosophy in the Greek tradition had much to offer also as complement. Ibn Sinā (Avicenna) was one of those latter. His employment of neo-Platonic themes to supplement the world-view of the Quran was much admired. But the leading Muslim theologian of the day,

Al-Ghazālī, in his book *The Incoherence of the Philosophers*, published a scathing critique of Ibn Sīnā's work, and went on to offer a sceptical challenge to the claims of metaphysics generally. He made an exception for natural philosophy, however, like the astronomy and optics that flourished in the Islamic world of his day. It had in its favour, for one thing, a clearly different sort of warrant.

However, the main conflict was still to come. The authority of Aristotle's vast synthesis in its completeness and its claims to demonstration was hard to set aside. In the hands of a master, it carried conviction for those who took academic philosophy seriously. That master was Ibn Rushd (Averroës) who treated the Aristotelian system as the supreme achievement of unaided human reason and argued strongly for its compatibility with the Quran.² The Quran was the word of God but in merely human terms it was ambiguous, he argued, thus allowing space for Aristotelian insights to complement it. Philosophy was thus important for the theologian who sought to interpret God's word. The freedom to study and teach philosophy ought not, therefore, be curtailed.

His views, however, on such topics as the eternity of the world and the nature of the human soul encountered increasing opposition and those who were hostile to the adulteration of Quranic learning by outside influences sought to have his works condemned. Despite the favour he had enjoyed from the Almohad rulers and the major offices in which he had distinguished himself, the influence of conservative theologians and the suspicion in which his radical-seeming views were generally regarded eventually led to the banning of his writings and to his being sent into exile. He died a few years later, in 1198. The influence of the Aristotelian world-view he had sought to propagate, indeed of philosophy generally, suffered rapid decline in the academies of the Islamic world in the years that followed. But Aristotle's world-view and Averroës's commentaries on it were just about to begin a new career further west.

These were the years when a new kind of educational institution was beginning to make its way in the Latin world. The manner in which the new universities were organized ensured that conflict between differing magisteria would not be long in appearing.³ The primary function of these institutions was the education of clerics, though law and medicine also had their place. Since the liberal arts had come in the century before to be regarded as the proper preparation for theology, it seemed natural that there should be two separate faculties, Arts and Theology. Teaching in the liberal arts was primarily philosophical in orientation, so that one could equally well describe the Faculty of Arts as a Faculty of Philosophy. In the

circumstances, it was inevitable that philosophy and theology would develop differently under very different regimes.

The introduction of Aristotle's works in translation into the Latin world in the early thirteenth century was the occasion for almost immediate conflict between the two groups of scholars. Among those works, those dealing with the natural world aroused particular suspicion. The eternal and necessary universe of Aristotle, especially as it had been interpreted by later Greek and Muslim commentators, was difficult, if not impossible, to reconcile with the created, contingent, world of Christian faith.⁴ Instead of a Creator, there was only a First Mover, ultimately responsible for all motion but quite distant from the affairs of earth. And the living kinds were taken to have always existed, each the sufficient reason for its own existence.

The theologians of Paris and Oxford saw Aristotle's science of nature as a threat to Christian faith, and decrees to that effect were issued as early as 1210 in Paris and again in 1215. But they were ineffective in preventing the gradual spread of the new ideas in the Faculty of Arts. The young Aquinas learnt his Aristotle at the Emperor's new and independent University of Naples, and devoted much of his later academic career to reshaping the Aristotelian heritage so as to make it hospitable to Christian faith. Some of his colleagues at the University of Paris, notably Siger of Brabant, went much further in their claims for the autonomy of philosophy and their defence of Aristotelian positions that seemed clearly at odds with traditional Christian theology. The influence of Averroës on the more radical of these Aristotelians has led to their being characterized in retrospect as 'Averroist'.

Siger strongly argued for the freedom of the teacher to pursue philosophical inquiry to its rational conclusion, which for him usually turned out to be Aristotle's view on the matter. Like all of the other university followers of Aristotle, Siger explicitly conceded the primacy of Christian faith. But it seemed to his critics that he was in effect claiming a double truth, one for theology and one for philosophy. However, in fairness, he did hold that the philosopher, no matter how gifted, could always err, whereas a truth of Christian faith was firm, provided of course that it could be established that it *was* indeed a truth of faith. Did this constitute a limitation on the philosopher's academic freedom? If it did, it was one left unquestioned.

The heated discussions between the two Faculties culminated in the famous condemnation in 1277 by Bishop Etienne Tempier of Paris of 219 errors drawn largely from the writings of the Masters of Arts at the

university as well as from Greek and Arabic sources.⁵ Siger was expelled from the university and brought to trial for heresy before an ecclesiastical court. Even the writings of Aquinas were touched by the condemnation. The overall effect of the condemnation and a parallel one in the same year at Oxford was to point philosophers away from the necessitarian universe of Aristotelian science to one where contingency had a crucial place. But it was certainly not the end of the Aristotelian influence in the schools, far from it. A short few years later, Aquinas was canonized in 1323 and his reworking of the Aristotelian synthesis became an obligatory feature of university education in faculties of theology as well as of philosophy. So much then for condemnations!

More important for us here is the growth in independence of the philosophers, and their strengthening claim to academic freedom not just because as teachers they should be free to present each side of disputed issues but, more importantly, because philosophy was, in principle at least, the search for truth and this was not to be compromised by external constraints. In the aftermath of the decree of 1277 which he described as a 'scandal to both masters and students in the university', Godfrey of Fontaines wrote:

To chain and bind men immovably to one opinion in matters concerning which there may be a diversity of views... is to hinder the pursuit and knowledge of truth. For since conflict of opinion among learned men will stimulate debate and discussion... the truth will be discovered more readily if men are left free to seek out in discussion not what is more pleasing, but what agrees with right reason.⁶

Godfrey went further than most in extending the claims of academic freedom not only to the philosopher but also to the theologian. If a particular decree seemed to conflict with 'right reason', Godfrey argued, it was appropriate to question the source of its alleged authority. A local bishop like Tempier had no right to declare a doctrine heretical in such a case; only a universal authority like a church council or the Pope could authoritatively declare something to be a matter of Catholic faith. Those years saw the beginnings of a university debate about the locus of doctrinal authority and the limits of academic freedom in theology that would lead in uncharted directions in the centuries that followed. However, my concern here is not with struggles internal to theology itself but with the impact of theology and of religious authority generally on the broader explorations of human reason that up to now we have simply called 'philosophy'.

So far, it has been not too inaccurate to treat philosophy as if it were a single undifferentiated discipline, calling on reason as its warrant. But physics in the Aristotelian philosophical tradition, the general study, that is, of the natural world, always made room for areas of mixed warrant. Primary among these were the 'middle' or 'mixed' sciences, those that drew on the more abstract authority of mathematics to help handle issues more properly physical in nature. Much the most developed of these sciences was, of course, astronomy, whose origins stretched back into deep antiquity and which had already reached a degree of maturity in Babylon long before Aristotle's day. Besides its employment of mathematics, its dependence on systematic long-term observation was equally distinctive. Its warrant, then, was of a more direct and transparent sort than was that of other parts of philosophy, notably metaphysics.

Aristotle's own studies of hundreds of species of animals, though non-mathematical in its conceptual framework, could also claim a strong empirical warrant.

What obscured this diversity of warrant for many centuries was the ideal of science that Aristotle prescribed in his *Posterior Analytics* which appealed to intuition-based first principles from which the sciences were expected to flow deductively. Later Aristotelian generations took this ideal all too seriously, the consequence being that the sort of reliance on observation that Aristotle himself had elsewhere demonstrated tended to wither. The professionalization of philosophy in the thirteenth-century universities provided a new context, however, within which a worker in natural philosophy might be inspired to turn to actual observation of the world about which he was philosophizing. Roger Bacon, Theodoric of Freiberg, Albertus Magnus, are among those best remembered from that increasingly active period for their contributions to what we can fairly call natural science.

The condemnation in 1277 of the necessitarian aspect of Aristotelian science led many philosophers in the century that followed to emphasize the contingency of a world that the Creator might well have shaped differently. Ockham and his followers rejected from the beginning the assumption on which Aristotle's science depended: that the world could be understood in terms of universals. Instead, there were only particulars and only by means of observation could these particulars come to be known. There were regularities to be discovered in this way but these proceeded not from natures that necessitated but from God's free and caring choice. Nicholas d'Autrecourt emphasized one consequence in particular of this new approach: knowledge of the world could only be

probabilistic at best; the traditional goal of demonstration in natural philosophy was beyond reach.⁷

It is not surprising, then, to find Ockham writing:

Assertions that especially concern natural philosophy, and which do not pertain to theology, should not be solemnly condemned or forbidden by anyone; in such matters, everyone should be free to say whatever he pleases without hindrance.⁸

There was still a caveat where theology was concerned. Ockham and his followers were quite emphatic about the primacy of theology. Academic freedom did not extend to any sort of questioning of what was to them, as to other Christians, a truth beyond cavil. But like Al-Ghazālī long before, they viewed natural philosophy as enjoying a freedom which derived from its special status within the broad and epistemically diverse domain of philosophical inquiry. They had gone to great lengths to challenge the possibility of demonstration in natural philosophy. It could offer no threat, then, to the truths of faith. Natural philosophers could claim at best only a provisional or probabilistic status for their assertions. If an apparent conflict were to be detected, they could always concede, with no hint of damaging compromise. Natural philosophers were thus entirely free to speculate.

Or were they? D'Autrecourt did, indeed, speculate and very widely indeed. He asserted the eternity of the world, challenged the traditional notion of substantial change, and denied the principle of causality, all of these implicated in the theology of the day and all perceived as part, indeed at the centre, of natural philosophy. His works were finally condemned and ordered destroyed by a special Papal commission, and he was called on to recant them which he immediately did. What must be remembered here is that what counted as natural philosophy in those days still ranged from a metaphysics of nature, to which d'Autrecourt's doctrines belonged, to fields like observational astronomy with more immediate empirical warrant. It was these latter, in particular, that were coming to be regarded as outside the scope of possible challenge from theological authority.

The faculties of Arts in the universities of the fourteenth century were at this point displaying a growing degree of autonomy. Intrusion from rival faculties of Theology were tolerated but, in practice, often resisted. What allowed the Arts masters considerable leeway was the long-standing practice of formal public disputations in which both sides of disputed questions would be defended.⁹ The disputants could not be held account-

able, therefore, for the positions they defended; it was their duty to make the best case possible for the side of the issue assigned them whether they believed in its truth or not. Furthermore, the emphasis on the absolute character of God's freedom which had been invoked by the theologians who had opposed Aristotelian determinism had led to the flourishing of what might be called 'possible-world' thinking, worlds that God *could* have created but didn't. The resulting freedom led to occasional censures of proposed theses but very rarely to condemnation of those who had proposed them.¹⁰

One particularly interesting instance of such speculative thought was Nicole d'Oresme's striking defence of a daily rotation on the earth's part. In his *Livre du ciel et du monde* of 1377, d'Oresme argued for the impossibility on observational grounds of deciding between the heavens in motion and the earth rotating, criticized Aristotle's arguments for the immobility of the earth, argued that the allusion in Scripture to the earth's immobility simply reflected 'common human speech', and concluded by an appeal to the immense simplification that the acceptance of the earth's rotation would bring about.¹¹ Half of the Copernican case and better argued! But what is striking and a reflection of the times was that having made his point, he went on to retract it, allowing the traditional theologically motivated view to stand. It must mean that despite the persuasiveness of the arguments he had offered, he did not feel free to assert the superior likelihood of the controversial claim.

D'Oresme did not call on any new observational evidence in his support any more than did his contemporary, Jean Buridan, in support of his postulate of an impetus responsible for the continuation of unimpeded motion, a celebrated anticipation of Newton's First Law. Despite Duhem's claim that the condemnation of 1277 led to a new emphasis on the importance of empirical evidence in deciding just which of the possible worlds God had actually created, there was little sign in the natural philosophy of the two centuries that followed 1277 of any more awareness of the relevance of such evidence than there had already been in the years just prior to 1277. What was impressive, however, was the growing intellectual independence of such natural philosophers as Buridan and d'Oresme, no longer subservient to the Aristotelian precedent. They were not quite there yet, but the time was not far off for a natural philosophy that would qualify as a natural science in the modern manner.

A New World

But before that time would arrive, a great change was to come first on the other side of the divide between authorities, the side of theology. The challenge that Luther and Calvin offered to the Church of Rome was first and foremost one regarding authority in matters religious: where it lay and how it should be exercised. The authority of the Bible alone, *sola Scriptura*, they urged, was to replace that of the Pope and Church tradition. And, in principle at least, the individual Christian would be the judge of how the text of the Bible should read. How would academic freedom fare in this new world? When the stakes were so high, neutrality would be hard to come by. The spread of printing made books and pamphlets, now being published by the thousands, the main weapons of both defence and attack on both sides of the religious divide.

The hierarchical organization of the Counter-Reform Catholic Church lent itself to meeting this sort of challenge. In the aftermath of the reforming Council of Trent, Pope Pius V created the Congregation of the Index in 1571, a permanent body in Rome whose function it was to scrutinize suspect publications, and if they were adjudged to favour heretical views, they would be listed in the published *Index of Prohibited Books* and banned for all Catholics. The severe constraint that this set on academic publishing was portrayed as a necessary defence of a value considered to be paramount: the salvation of souls.

The emphasis on the part of the Reformers on the Bible as the sole authority in doctrinal matters encouraged a new literalism in biblical exegesis. In their view, the text not only carried with it the stamp of revelation but it was meant to be intelligible to the individual believer, so that the literal, immediate sense was to be preferred. This new literalism soon spread from the Reformers to the Counter-Reform side since each depended on proof-texts in support of its own positions against the other. Any departure from the literal in the interpretation of biblical passages, unless it was clearly licensed in context, thus came more and more to be frowned on. It is important to remember this if one is to understand what comes next.

My concern here is to trace the way in which the authority of religious faith related to the authority of philosophy, and more particularly natural philosophy, in academic contexts down through the ages. We have arrived at the point when natural philosophy was to complete its transformation into natural science. And the person most responsible for that was Galileo Galilei who was more instrumental than any other at this moment for

three different ‘revolutions’, to use a much-contested word: one in the methods and aims of natural science that would separate that field more or less from its parent philosophy, one in mechanics, and one in cosmology. It was this last that led to what has for generations been regarded as *the* paradigm case of religious-scientific conflict, the celebrated ‘Galileo Affair’, the case that inevitably comes to mind when the topic of science and academic freedom is mentioned. It seems appropriate that I should end by trying to bring some clarity to an affair that has long been obscured in a haze of polemic.

In the light of what I have just said about the literalist turn that the practice of biblical exegesis took in the course of the sixteenth century, it will not be surprising to learn that the initial reaction to the Copernican claims of the earth’s motion and the sun’s rest was unfavourable both among the Reformers and among Roman theologians. There are passages in the Old Testament where the sun’s motion across the sky and the dependable stability of the earth are each mentioned. Influential Jesuit biblical scholars in the 1590s were in agreement that the texts of Scripture mentioning the earth’s rest or the sun’s motion had to be interpreted literally; failing to do so risked the accusation of heresy, they wrote, because it implicitly called into question the revealed character of the biblical text.¹²

Galileo’s astronomical discoveries in the years 1609-1612 lent a new urgency to the whole affair. They seriously challenged the Aristotelian world-



Galileo Galilei (1564-1642), Italian physicist, mathematician, astronomer, and philosopher. The ‘Galileo Affair’ came to represent the paradigm case of religion-science conflict.

view, in particular the claim that the planets circled the sun as centre. Defenders of Aristotle not surprisingly called on the aid of the theologians in their support. Convinced of the merits of the Copernican system, Galileo realized that it would have to face opposition on two fronts: from theologians and from natural philosophers. In a letter to his former pupil, Benedetto Castelli, he laid out several reasons why the Scriptural references should not be allowed to undermine the Copernican case. First, calling on a traditional principle in Scriptural exegesis, he argued that the biblical writers accommodated their language to the capacities of their audiences, in this case to the ways they perceived their world. Second, the Bible was never intended to inform people about the nature of the world, about topics that were fully accessible to the natural abilities God had already bestowed on humans. And as a back-up argument, Galileo urged that prudent theologians should never presume to commit their readers to debatable interpretations of Scripture on topics concerning nature that later might possibly be disproved on the grounds of natural reason. These were good arguments. Taken together, they should have given his opponents pause.¹³

But they did not. Galileo's letter was denounced to the Congregation of the Holy Office in Rome, the supreme tribunal on matters of faith. In 1616, the associated Congregation of the Index issued a decree banning works defending the Copernican claims on the grounds that these claims were 'contrary to Scripture', and on the Pope's orders, Galileo was commanded in private to abandon the Copernican position. This was the crucial moment in the entire Galileo Affair. Galileo's trial seventeen years later, following the publication of his great *Dialogue on Two Chief World Systems*, was in a real sense no more than a postscript to it. The merits of the Copernican case, which had been greatly strengthened by the *Dialogue*, were never even discussed during the trial; the ground of his eventual condemnation needed to be no more than his alleged flouting of the order laid on him all those years before.

How could the consulters in 1616 have made such an error? There were two reasons in particular why they apparently decided to ignore the obvious merits of an appeal to the principle of accommodation. First was the overwhelmingly literalist emphasis among the interpreters of Scripture at the time and, in Rome, the primacy of Roman authority in any matter bearing on Scriptural interpretation. Cardinal Bellarmine, the leading Catholic theologian of the day and the principal figure in the discussions around the 1616 decision, once wrote that where the Bible was concerned, 'each and every word pertains to the faith.'¹⁴ The second reason was the near unanimous view among the natural philosophers and astronomers

of the time (Kepler would have been the only major exception) that the Copernican system, despite its predictive merits, did not entail the reality of the motions it postulated; in a word, in realistic terms it was false. Taking these two considerations together, they would immediately entail the negative verdict. If in fact, the consultors could take for granted, as they evidently did, they had on their side the scientists (as we would call them) of their day, their decision was almost foreordained given the literalist climate in Christian theology at that moment and the consequent likelihood that the obvious applicability of the principle of accommodation to the case would be ignored.

It is important to realize that the theologians in no way imagined themselves to be opposing the natural science of their time. Quite the opposite: they were depending on it, in part, for their verdict. Where they went wrong was in supposing that the negative consensus among the natural philosophers of the day in regard to the reality of the claimed motion of the earth would hold good in years to come. The notion that natural science could become a dynamic, changing enterprise would hardly have crossed their minds. Besides, they would have been assured of the rightness of their decision (as we know Bellarmine was) by the, to them, intuitive absurdity of the assertion that the earth on which we stand is really in incomprehensibly rapid motion.

The decree from the Roman Congregation of the Index in 1616 stating that the Copernican theses are contrary to Scripture was primarily bad theology. It was not the straightforward paradigm of religion-science opposition that one still finds in the literature. The scientists of 1616, if we may call them that, would not on the whole have disagreed with the declaration that the Copernican system was false. Where many of them might have disagreed was with the wisdom and the theological propriety of declaring this falsity in explicit religious terms.

But after the publication of the *Dialogue* in 1632 and the subsequent trial, the scene quickly changed. The *Dialogue*, as already noted, had put forward a far better case for the Copernican system than anything that natural philosophers had seen before. Support for it began to grow; it no longer seemed so absurd. In the northern European countries, the trial and its outcome had deeply offended Protestant sensibilities, and ensured that even the most biblically literalist in matters Scriptural would hesitate to raise doubts about Copernicanism on biblical grounds for fear of being thought too Roman. At the same time, the new sciences were gathering momentum and growing in confidence and authority. Challenging them on religious grounds was becoming less and less acceptable.

In Catholic countries, the ban on Copernican ideas was widely promulgated and the predictively equivalent Tychonic alternative which had the planets circling the sun and the sun in turn circling the earth was officially preferred. Descartes suspended work on his *Le monde* but questioned the binding force of the ban and later went on to publish a cleverly relativized Copernican planetary model in his *Principia philosophiae*. Gassendi and Mersenne, both clerics, inferred from the ‘corrections’ imposed by the Congregation of the Index on Copernicus’s book that the Copernican system could still be treated ‘hypothetically’ which gave them every opportunity to argue cautiously in its favour, relying on the ambiguity in the current usage of that term (‘possibly true’ or ‘no more than a useful formalism’) on which Galileo had earlier leant all too heavily.

The Jesuit astronomers did their best to justify the original ban and still managed to praise the merits of the Copernican model, provided that it was regarded simply as a predictive device only. As time passed, the ban on Copernicanism was less and less enforced.¹⁵ By the end of the century, as the support given to the Copernican world-system by Newton’s mechanics came to be more or less universally recognized, the ban became a dead letter. However, the Congregation of the Index was slow to recognize this publicly, and the works of Copernicus and Galileo remained on the *Index of Prohibited Books* until 1835. The *Index* itself was finally abandoned in 1965. It is questionable whether it had ever been really effective in achieving its goals.

But harking back to the eighteenth century, the popular esteem in which Newtonian mechanics was held communicated itself to the natural sciences generally. It was not as though potential conflict with theological doctrine was ignored; the academic debates around the vast increase in scale of time past implicated in the new geology, for example, were nothing if not vigorous. But there was no suggestion that the proponents of the new ideas were not free to express them. The debate was to be settled on its scholarly merits, the role of the Bible in matters of the sort one of the issues. The advent of Darwin’s *Origin of Species* was to occasion even more dissension, inside and outside the academy. But I will leave that topic to my colleague.

Summing up

It is time to sum up. The constraints laid on teaching and writing in the medieval period by religious authority, the authority of a sacred Book or its official interpreters, would not have been regarded at the time as being

unjustly imposed. The academies of the day were founded in significant part to further the message of the sacred Book under the direction of the religious institutions that had grown up to develop as well as to safeguard that message. It was widely agreed that the message itself was in a real sense the word of God and thus to be safeguarded at all costs. Human reasonings were fallible and could not of themselves be allowed to challenge the sacred. In those early days, the notion that academics were free to offer such challenge, that they enjoyed a special privilege in that regard, would hardly have crossed people's minds, even the minds of the academics themselves.

The impact of Aristotelian natural philosophy and the theological reaction against it fostered a climate of debate in the universities of the fourteenth century. The notion that natural philosophy was of its nature speculative and thus should be allowed free rein gained wider and wider acceptance. The quarrel over the locus of epistemic authority in matters religious set off by the Protestant Reformation weakened the ability of religious authorities generally to restrict academic teaching and writing on theological grounds. The new sciences of the seventeenth century promised to be progressive in character. Galileo pointed out, as indeed Augustine had done before him, that a hypothesis about nature that was no more than speculative today might in the course of time become a solidly supported claim. It would be wise, then, on the part of religious authority, he argued, not to rush to judgment in regard to new scientific initiatives until their implications and their warrant had time to clarify themselves.

Restrictions set on academic freedom first in natural philosophy and later in the sciences never proved effective in the long run. The way to meet challenging scientific ideas, it was clear, was with other ideas, not with constraints on expression. The modern university is a complex institution, with many and diverse functions. But so long as the issue is confined to the university's primary epistemic role, the dissemination and extension of knowledge, the upholding of academic freedom has assuredly proved its worth over the long experience of the centuries.

Notes

- 1 For an excellent review of the concept's tangled history, see Mortimer Adler, *The Idea of Freedom*, New York: Doubleday, 1988.
- 2 Oliver Leaman, *Averroes and his Philosophy*, Richmond: Curzon, 1998.
- 3 J.M.M.H. Thijssen, *Censure and Heresy at the University of Paris, 1200-1400*, Philadelphia: University of Pennsylvania Press, 1998.

- 4 Mary M. McLaughlin, 'Paris Masters of the Thirteenth and Fourteenth Centuries and Ideas of Intellectual Freedom' in: *Church History*, 24, 1955.
- 5 John F. Wippel, 'The Condemnations of 1270 and 1277 at Paris' in: *Journal of Medieval and Renaissance Studies*, 7, 1977, pp. 169-201.
- 6 Godfrey of Fontaines, *Quodlibet* XII, q. 5; cited in McLaughlin, 'Paris Masters', *op. cit.*, p. 207.
- 7 J.R. Weinberg, *Nicolaus of Autrecourt: A Study in 14th Century Thought*, New York: Greenwood Press, 1969.
- 8 William of Ockham, *Dialogus* I, H, 22; in: M. Goldast (ed.), *Monarchia Sancti Romani Imperii*, Vol. 2, Frankfurt, 1668.
- 9 William J. Courtenay, *Parisian Scholars in the Early Fourteenth Century: A Social Portrait*, Cambridge: Cambridge University Press, 1999.
- 10 William Courtenay, 'Inquiry and Inquisition: Academic Freedom in Medieval Universities' in: *Church History*, 58, 1989, pp. 168-181, p. 170.
- 11 Marshall Clagett (ed.), *The Science of Mechanics in the Middle Ages*, Madison: University of Wisconsin Press, 1959, pp. 600-06; from: *Le livre du ciel et du monde*, A.J. Denomy and A.D. Menut (transl.), Toronto: Pontifical Institute of Medieval Studies, 1941-3, Book II, Chapter 25.
- 12 Irving A. Kelter, 'The Refusal to Accommodate: Jesuit Exegetes and the Copernican System' in: Ernan McMullin (ed.), *The Church and Galileo*, Notre Dame IN: University of Notre Dame Press, 2005, pp. 38-53.
- 13 Ernan McMullin, 'The Church's Ban on Copernicanism, 1616' in: *The Church and Galileo*, pp. 150-90.
- 14 Ugo Baldini and George V. Coyne, S.J. *The Louvain Lectures of Bellarmine*, Vatican City: Vatican Observatory Publications, 1984, p. 40, n.92.
- 15 John Heilbron, 'Censorship of astronomy in Italy after Galileo' in: McMullin, *The Church and Galileo*, pp. 278-322.

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2 Freedom of Thought and the Authority of Tradition in Modern Jewish Philosophy: The Cases of Spinoza and Mendelssohn

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How does freedom of thought relate to the authority of tradition? This paper presents a discussion concerning this question of the views of two representatives of modern Jewish philosophy: Baruch de Spinoza (1632-1677) and Moses Mendelssohn (1729-1786).

For Spinoza, freedom of thought or academic freedom includes – among other things – a critical account of religion and religious texts, which is to say that the account is guided by the rules of reason without being bound by creed and confession. Mendelssohn fully agrees with Spinoza's views on the freedom of thought in matters of religion. Yet he does not support Spinoza's qualification of a particular traditional conception as being 'without solid grounds' and 'contrary to reason'. He thereby raises the problem of the criterion for calling traditional conceptions rational and well-founded, a problem that is at the core of the discussion of the authoritative character of religious traditions including the supposed distinction between reason and revelation.

Baruch de Spinoza

In the *Tractatus Theologico-politicus* (1670), henceforth called *Tractatus*) Spinoza presents a political plea for freedom of thought and freedom of religion. To Spinoza, freedom of thought and freedom of religion are a precondition for people's piety, for peace in state and society, and for the virtuous life of its citizens. His support of this claim includes a discussion of the nature of religion and the state; a discussion of Judaism in ancient times; a discussion of the rules for the interpretation of



Baruch de Spinoza (1632-1677), Jewish philosopher. In his *Tractatus Theologico-politicus* (1670) Spinoza presents a political plea for freedom of thought and freedom of religion.

Scripture, including a critique of current views on the authority of Scripture. Furthermore, the treatise discusses misconceptions and prejudices in religion, and the role of political and religious authorities. To Spinoza, freedom of thought is primarily the freedom to think according to the rules and principles of reason, without being guided or hindered by other rules and principles, and above all without being hindered by clerical dignitaries. In the time of Spinoza, quite a number of religious dignitaries and ministers strongly opposed freedom of thought. Their opposition included an appeal to the sacred writings of their tradition. In order to counter these arguments, the *Tractatus* includes a discussion of the nature of philosophy, the nature of religion and superstition, the authority of Scripture and the related themes of revelation, miracles, election, etc.

Let me start with Spinoza's remarks on superstition. Superstition would never have such a hold on men were they able to control all their circumstances by a fixed set of rules, or were they always favoured by fortune. Unfortunately, this is not always the case in reality. If a man is driven into a corner and is kept fluctuating between hope and fear by the uncertainty

of fortune's favours, man is inherently prone to credulity and inclined to believe almost anything. All men are subject to superstition by nature, according to Spinoza, referring to superstition as 'the delusion of human wisdom.' Because it is engendered and fostered by fear, superstition has its basis in fear, i.e. in emotion, and can be maintained by hope, hatred, anger, and deceit only. One of the strongest elements of superstition is, according to Spinoza, that it serves as a most powerful ruler of the masses, especially if superstition is presented under the veil of religion. Many a king has been lauded or maligned, with pomp and ceremony, by the people on account of superstitious views.

Yet a free state, and especially a free republic, will not manipulate its citizens by invoking these emotions. A free state is based on the insight that the goal of freedom for all its citizens will not be achieved if the free judgment of an individual is restricted and hindered by credulity and prejudice. These hindrances degrade man, transforming him from a rational into an irrational being and obstruct the power of judgment allowing man to distinguish between True and False. The worst form of credulity and prejudice in Spinoza's eyes includes the often-voiced opinion considering Reason or 'natural light' as the source of sin and impiety and contempt of reason as an expression of divine illumination.

In order to present an alternative to superstitious beliefs and to enable a correct understanding of religion and Scripture, Spinoza set out the task for himself of examining Scripture and religion anew. His examination of Scripture starts with the presupposition that there is no methodological difference between research in the natural sciences and research of religious texts. Their methods are the same; both follow the scheme of observation, conceptualization of these observations, and subsequently structuring and explaining the observations with aid of these concepts.

The similarity in methodology notwithstanding, the results of the two are rather different, according to Spinoza. The natural sciences lead towards reliable knowledge of the truth, whereas the result of the study of religious texts is of a different nature. It leads towards obedience, specifically, obedience to the divine rule of loving one's fellow man, and the divine rule of justice. These two have to be obeyed, because they are divinely ordained, ordered by the Divine. The distinction between 'philosophy and science' as the instruments for knowing the truth, and 'religion' as the instrument for teaching obedience, is a crucial one in the *Tractatus*, as we will see below. In line with this distinction, Spinoza claims that the authority of the Hebrew prophets has weight in matters of morality and

the true virtuous life only. This is to say that it does not have weight in questions of truth, or matters of theoretical reason.

The inquiry into Scripture also revealed to Spinoza that Scripture does not teach us the corruption of human reason. Scripture does not devalue reason or 'natural light'; it does not present reason as the source of sin and impiety; nor the contempt of reason as an expression of divine illumination. Moreover, Spinoza's inquiries into Scripture offered him the insight that the divine law as it is revealed to man in Scripture is not at odds with the laws as taught by natural light. Spinoza therefore concludes that Scripture allows human reason absolute freedom. Scripture does not teach anything that is incompatible with reason, nor anything counter to it. Religion and philosophy have different aims – obedience to the Divine Law and knowledge of the truth – and stand on different footings. Be this as it may, religion has become blurred by man's susceptibility to superstition and also by the fact that man pays tribute to the 'Book of Scripture' rather than to the 'Word of God'. Spinoza therefore concludes that religious doctrine needs to be purified, and it is this purification he aims at in the Treatise.

The purification of religion entails a critical account of religion, enabling a distinction between 'true religion' and superstition – as well as a critical account of Scripture. One of the discussions that may then arise concerns the problem of contradictions and inconsistencies in Hebrew Scripture, and the question whether the prophet Moses is the author of the Torah, the first five books of Scripture, which are attributed to him in Jewish tradition. Spinoza mentions Abraham Ibn Ezra, the twelfth-century philosopher and commentator of Scripture, as the first among all the authors he had read who addressed these questions in his writings. However, Ibn Ezra expressed his opinions in a concealed way and therefore Spinoza took it upon himself to elucidate on the hints of Ibn Ezra and to throw full light on this matter.

Having arrived at this point, we can make the observation that Spinoza was not the first to address these problems in a more elaborate way if compared with Ibn Ezra. Others, including kindred souls and earlier contemporaries such as Isaac la Peyrère, Menasseh ben Israel, Hugo Grotius and Thomas Hobbes, to mention these only, discussed these and related problems as well, and Spinoza had read their writings on these matters. Abraham Ibn Ezra preceded these authors, indeed. Yet he was not the first to deal with these questions either. I do not intend to question Spinoza's statement that Ibn Ezra was the first he had read on this matter; this may be factual and rhetorical just as well. But for our understanding of Spinoza's

reference to Abraham Ibn Ezra it is relevant to know, first of all, that earlier discussions on these matters are presented in Rabbinical lore (*midrashim*) and in philosophical texts, including Saadia Gaon's *Kitab al-Amanat wal-Itikadat*, or 'The Book of Beliefs and Opinions'. This Jewish philosopher of the first half of the tenth century served a number of years as head of the celebrated Babylonian Talmudical Academy of Sura. And, secondly, a name to be introduced here in particular, albeit by way of diversion, is that of Hiwi al-Balkhi, as he is referred to by both Saadia and Ibn Ezra.

Hiwi of Balkh is a rather remarkable figure. He lived in Balkh during the second half of the ninth century. It seems that Hiwi was the spokesman of Jews who had some leaning towards the Zoroastrian religion. Hiwi was neither a Karaite, nor a sceptic, let alone a Rabbanite; he is labelled as a rationalist, and is even called the Jewish Marcion of the age. Unfortunately, his writings have all been lost, including a work in which more than two hundred objections against Scripture appear to have been articulated. We know of this work and of (some of) Hiwi's opinions through the passionate refutation of these by Saadia Gaon, and through later references to Hiwi, such as Abraham Ibn Ezra's and those of Abraham Ibn Daud (Andalus, twelfth century). Saadia, who was born at about the time Hiwi articulated his views, refers to these refutations in his 'Book of Beliefs and Opinions' and in his book about Hiwi that is lost. Part of the latter, however, could be reconstructed and published by Israel Davidson in 1915 on account of text fragments found in the Cairo Geniza.

It may be that Hiwi articulated his views, and especially his objections against Scripture, under the influence of Islamic sceptics of the ninth century. Yet Hiwi's objections also bear an interesting resemblance to the Pahlavi-text 'Skand Goumanik Vicar' of Martan Faruk. This text is a defence of Zoroastrianism, in which the author sets himself the task to refute the teachings of Judaism, Christianity, Islam, and Manichaeism. And the ways in which he tries to refute these teachings include, of course, a list of the apparent inconsistencies and contradictions in the Books of the four traditions just mentioned, including the Hebrew Scripture.

The writings of Hiwi, Saadia, Abraham ibn Ezra and Spinoza's *Tractatus* are only a few of many more texts exemplifying the long standing discussion, by Jews and non-Jews alike, of inconsistencies and contradictions in Hebrew Scripture.

Spinoza's discussion of Scripture leads him to the conclusion that its first five books were not written entirely by Moses in person; how, for instance, could he have written the lines of the Torah that deal with his own death? The belief that Moses was the author of these five is qualified

by Spinoza as ‘ungrounded’ and ‘against reason’. This conclusion does not raise a serious problem for his conception of religion, since to Spinoza the true religion, God’s Eternal Word and Covenant, is inscribed by the divine in the human heart, that is, in the mind. The written law reflects the early stages of the religion of the Hebrews, the condition of children as Spinoza phrases, whereas the law written in the human heart reflects their religion on the more mature level of adults. And against the objection that even though the Word of God is written in the heart, Scripture is nevertheless the word of God as well, and it is therefore unworthy to say that Scripture is mutilated and corrupted – to this objection Spinoza replied that those who hold this opinion are worshipping paper and ink instead of God’s word; and that he for his part said nothing unworthy of Scripture or the word of God, and made no assertions which could not be proven – with use of the most plain arguments – to be true.

Spinoza does not object to the idea that Scripture is the word of God and therefore is to be considered a sacred text. On the contrary, the opposite is true: Scripture is the word of God and a sacred text, indeed. However, the point under discussion is the question of the characteristics of a sacred text, and the criterion for calling it divine. With respect to these two questions Spinoza points out, among other things, that the books themselves are neither divine nor sacred. The books included in the Hebrew Scripture were selected from many, and were collected and sanctioned by a council of learned men and teachers. These men were guided in their choice by an idea of the word of God and the law of God. It is this ‘idea’ that to Spinoza is the true religion, and the law of God. And on account of this idea Scripture can subsequently be considered as a divine and a sacred text. An idea, however, cannot be flawed, tampered with, and corrupted. As an idealist *avant la lettre*, but nevertheless one in heart and soul, Spinoza can therefore conclude just as well that the divine law as taught by Scripture has come down to us uncorrupted.

We thus have to draw a distinction between the idea ‘Word of God’, or the idea of revelation for that matter, and the form the idea has taken in Scripture, that is, the scheme and manner of obedience. The written word of God, or revelation, aims at obedience. And obedience to God is nothing more nor less than love of one’s neighbour. The knowledge commended in Scripture is confined to that which everybody needs in order to be able to obey God in the way required by that precept, and the ignorance of which is bound to leave men without any instruction in obedience. The speculative matters that do not bear on this point are not relevant to Scripture, and are therefore to be kept apart from revealed religion. Religion teaches

us moral certainty, the certainty we hope for. We cannot be more certain of what is revealed than the prophets were to whom it was revealed originally. Philosophy, on the other hand, teaches logical or mathematical certainty, the absolute certainty of truth. It is for this reason that Spinoza draws such a sharp distinction between philosophy and theology, and claims that Scripture should not be adjusted to the insights of philosophy, nor philosophy to the insights of Scripture.

The incompatibility of the two is not to be understood as if Spinoza offers a plea for blind faith. We should make use of reason in order to grasp what is revealed. If we would accept Scripture blindly, we would act foolishly and injudiciously, which is what we should not do, of course. However, Spinoza's point with respect to the distinction between philosophy and theology is that the basis of theology is revelation, and the natural light of reason cannot prove that revelation is or was necessary:

...we cannot perceive by the natural light of reason that simple obedience is the path of salvation, and [we] are taught by revelation only that it is so by the special grace of God, which our reason cannot attain, it follows that Scripture has brought a very great consolation to mankind. All men can certainly become obedient; but only a very few, compared with all of humanity, can become virtuous under the unaided guidance of reason [the freedom of thought]. So that if we did not have the testimony of Scripture, we should doubt whether any but a very few could be saved.

Scripture is revealed for the benefit of nearly all, and their salvation, whereas a few enlightened minds can achieve the virtue of relying on the unaided guidance of reason.

On account of what has been said so far, it seems fair to conclude that the *Tractatus* first of all includes a plea for the freedom of thought, which is a precondition for stability and peace in the state, and for the piety of its citizens. Secondly, it includes a critical method for the correct understanding of Scripture, or religion for that matter. The correct and critical understanding of Scripture and religion also serves as a precondition for the freedom and peace of the state.

I will not discuss the third part of the *Tractatus* here, addressing Spinoza's views of the state, and will continue with the discussion of the views of Moses Mendelssohn, leading up to his views on the claims of Spinoza's saying that as there are many things in the Pentateuch which cannot have been written by Moses, no one can affirm on solid grounds that Moses is the author of the Pentateuch, and the affirmation runs counter to reason.

Moses Mendelssohn

Moses Mendelssohn was a German philosopher and a contemporary of Kant, who articulated his ideas about a century after Spinoza. In fact, Mendelssohn is the philosopher who stood up for Spinoza in the realm of philosophy. Spinoza was despised and ridiculed in public by philosophers in the late seventeenth and the eighteenth century. Mendelssohn, in his *Philosophische Schriften* of 1753, offered a plea to alter this negative image of our radical Enlightener. And together with others, he was quite successful in his endeavour, indeed. This is not to say that Mendelssohn agreed with everything Spinoza argued. Yet Mendelssohn was convinced that this excellent philosopher deserved to be studied profoundly and in detail, his mistakes and misconceptions notwithstanding.

The points of similarity between the views held by Mendelssohn and by Spinoza include, first of all, the presupposition that there is no methodological difference between research in the natural sciences and the research of religious texts. Mendelssohn shares the opinion that science deals with reliable knowledge of truth, i.e. the field of theoretical knowledge, whereas religion primarily applies to the realm of practical knowledge, and the realm of action. Scripture leaves reason absolutely free. Reason or natural light is definitely not the source of sin and impiety, and the contempt of reason not an expression of divine illumination. He furthermore agrees that divine law does not teach something that is incompatible with or opposing reason, and also that religious doctrine needs to be purified, brought up to date, and reformulated. Like Spinoza, Mendelssohn states that the natural light of reason cannot prove the necessity of revelation. And the two agree as well on the point that revelation is only relevant for those who received it, and is superfluous for those who did not. A point of difference between Spinoza and Mendelssohn, however, is that in Mendelssohn's view the people who received the revelation are the Jewish people, whereas Spinoza would maintain, so it can be argued, that revelation is addressed to all. To Mendelssohn, revelation is superfluous for achieving the aims of life. These aims are defined in a classic *Aufklärungs*-style as self-improvement, self-perfection, and happiness. In the process of striving for self-improvement and happiness, man does not need revelation; the virtues and truths that can be known through the use of reason are sufficient for teaching these aims. Mendelssohn's argument for this claim is, first of all, the general validity of the claims of reason, and, secondly, the assumption of divine fairness to all of mankind. The latter is

taken to mean that, if revelation were to be intended as a prerequisite for self-improvement, perfection, and happiness, then all of mankind would, no doubt, have received it. However, not all men, but the people of Israel alone received the laws by revelation, for no other reason than that God in his wisdom and knowledge has ruled it accordingly. Israel accepted the Torah, and is henceforth bound by it for achieving self-perfection, and happiness. This traditional Jewish understanding of revelation is lacking in Spinoza's. To Spinoza, revelation (Scripture) is indispensable for the salvation of mankind, with the exception of the very few who are philosophers; whereas to Mendelssohn, Scripture is revealed to the Jewish people, as a consequence of which they are bound by it in their striving for self-perfection and happiness, whereas Hebrew Scripture is irrelevant for the salvation of mankind. For it would be unfair of the Divine to judge people according to insights that were not revealed to them beforehand, and the Divine is all but unfair, obviously.

Another point of difference, or so it seems, between the two is their opinion on Moses as the author of the first five books of Scripture. At this point Spinoza claims that calling Moses the author of these five is 'counter to reason'. Mendelssohn for his part, however, can be quoted as saying in the introduction to his commentary on the five books of Moses:

We-hinne, Moshe Rabbenu katav kol ha-Torah kulah min Bereshit ad le-einei kol yisraeel, wa-af shemona pesuqim ha-acharonim, min wavyamat Moshe ad sof ha-Torah. (Moses our Teacher wrote the entire Torah, from 'In the beginning' [Gen 1,1] until 'in the eyes of all of Israel' [Deut 34,12], also the last eight verses, from 'And Moses died' [Deut 34,5] until the end of the Torah.)

With this, Mendelssohn presents the most radical traditional view of Moses as the author of the Torah and holds a rather different opinion to Spinoza. This despite the similarities with Spinoza in methodology and contents of thought, Mendelssohn's plea for a rehabilitation of Spinoza, and Spinoza's qualification of this view on Moses as contrary to reason, notwithstanding. The point of difference between the two philosophers on this topic is that Spinoza's qualification holds if Moses is considered as the author of the Torah in the plain, historical and literal meaning of the word only. Here we can also refer to the literalist turn in Biblical studies that McMullin discusses in this volume. The evidence offered by Spinoza and others make it hard to believe that Mendelssohn would simply dismiss the objections to considering Moses as the author of the Torah in the

plain, literary meaning of the word. In a more sophisticated, figurative or metaphorical way of speaking, however, Moses can still be considered the author of the Pentateuch. The critique of Spinoza, Hiwi, and others has no effect on the metaphorical meaning of the word. And this, so I would like to suggest, is Mendelssohn's position regarding the topic under discussion. The radical position Mendelssohn articulated in his defence of Moses being the author of the Torah, I consider to be an argument in support of this metaphorical meaning. Mendelssohn thereby takes up the possibility to profess, practice and teach the religious tradition he adheres to. The difference between a literal and a metaphorical way of speaking about Moses as the author of the Torah, or the Pentateuch, urges for a qualification of Spinoza's claim according to which it is contrary to reason to call Moses the author of the Torah. At this point Spinoza fails to take notice, or so it seems, of the well known statement, articulated in the *Tractatus* as well, according to which, first of all, Scripture is written *ba-lashon bene adam*, in the language of men; and, secondly, that all of Scripture is accommodated to the understanding of the *vulgus*. Spinoza would be among the first to affirm that the language and the understanding of the *vulgus* is to be distinguished from those of the philosophers. Just as he draws a distinction, in the *Tractatus*, between a text that is written for the *bene adam*, the *vulgus* – that is to say, the common people that is not guided by reason – and one that is written for the elite, the *philosophus lector*, only. Mendelssohn, for his part, presented his metaphorical way of speaking about Moses as the author of the Torah in his *Bi'ur*, the commentary on Scripture which he wrote neither for scholar in Hebrew Scripture, nor for the philosopher, but for the people.

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3 Academic Freedom and the Symbolic Significance of Evolution¹

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Evolution is a central, perhaps even *the* central, explanatory scheme in biology. It has also become a rallying point for religious and cultural controversies about science. Precisely because evolution has acquired major symbolic significance, academic freedom and religious freedom are invoked by both sides. Champions of an evolutionary understanding of the natural world appeal to academic freedom as freedom *from* religious, ecclesiastical and political interference; religious freedom is understood as freedom for religion as long as religion does not trespass on the proper domain of science. Those who reject an evolutionary understanding of reality appeal to academic freedom as well, to argue for the freedom *to* teach alternative theories or religiously inspired points of view. Thus, their understanding of religion seems to include some issues dealt with in the context of the natural sciences.

These controversies over evolution thus provide a context to reflect upon academic and religious freedom. How is 'academic freedom' invoked by both sides? And what is the scope of 'religion' when 'religious freedom' is emphasized? More generally, what is the proper relation of academic and religious freedom when we deal with the natural sciences? How should scientific understandings and religious convictions interact? Why is evolution such a loaded issue, unlike gravity, electricity or the flow of fluids? Is evolution only an issue for particular Christian groups in the United States, or is the issue also relevant elsewhere and in the context of other religious traditions? In this chapter, I'll consider a few situations in which 'evolution' was central to a controversy. By analysing motives and mechanisms in such controversies we might perhaps acquire a better understanding of 'academic freedom' in the context of religion and science

and of options for a less discordant co-existence of religious convictions and scientific research and teaching.

Three issues will be considered in particular. First, I'll attempt to clarify the symbolic significance of 'evolution' by offering a brief historical sketch of some aspects of the interplay of religion and science in 'natural theology' in the European history of the eighteenth and nineteenth centuries. A controversy in 1860, just after the appearance of the book by Charles Darwin, *The Origin of Species*, will be used to clarify the multiple dimensions of conflicts in 'religion and science'. In the second section we then turn to more recent events, when 'Intelligent Design' has become a major label for the anti-evolution position. A court case in Dover, Pennsylvania, in 2005, will be discussed, as 'academic freedom' was a major dimension of that legal case. In the third section, we'll consider briefly controversies over evolution outside the United States, and in particular the context of the *Atlas of Creation* by Harun Yahya, a Turkish creationist, widely distributed in Europe in late 2006 and early 2007.

Following these three explorations, I'll offer in the final section some general considerations on 'academic freedom, religion and science'. I will argue that controversies over academic freedom and religious freedom are to be understood as controversies about the proper nature and domain of science and of religion. My own view is that these freedoms regard such important values that is worthwhile to accept the constraints that these values put on the nature of religious convictions and on the nature of the scientific enterprise. Though this is a version of restraint rather than expansion,² it is precisely such self-restraint that allows for an unhampered development of science and a persistent role for religion in our modern world.

A Brief history of the Symbolic Significance of Evolution

Restraint in Early Modern Science: The Royal Society

As an early example of intentional *self-restraint*, let us consider the Royal Society of London. This society was formed in 1660 as a college for the promotion of experimental learning. The Society sought to avoid scholarship that had its base in authority ('schoolmen', scholastics), whether that be the authority of a great philosopher such as Aristotle or of a religious nature. Its regulations also stipulated that in their meetings members should not engage in debates on politics and religion, and the 'luxury and redundancy of speech.'³ No overstatements or suggestive metaphors, no

politics and no sectarian religious strife, but experiments and facts, soberly presented, such was their recipe for cooperation to develop sound science, or 'natural philosophy' as it was still called at the time. Though not labelled such, one might see this as an understanding of academic freedom as freedom from political and religious interference, in an age of religious turmoil.

This self-understanding did not exclude all religious discourse. The early historian of the Royal Society, Thomas Sprat, wrote of the members that:

they meddle no otherwise with *Divine things*, than onely as the *Power*, and *Wisdom*, and *Goodness* of the *Creator*, is display'd in the admirable order, and workmanship of the *Creatures*. It cannot be deny'd, but it lies in the *Natural Philosophers* hands, best to advance that part of *Divinity*: which, though it fills not the mind, with such *tender*, and *powerful contemplations*, as that which shews us *Man's Redemption* by a *Mediator*; yet it is by no means to be pass'd by unregarded: but is an excellent ground to establish the other. This is *a Religion*, which is confirm'd, by the unanimous agreement of all sorts of *Worships*: and may serve in respect to *Christianity*, as *Solomon's Porch* to the *Temple*; into the one the *Heathens* themselvs did also enter; but into the other, onely *God's peculiar People*.⁴

Religiously essential topics in Christianity such as our salvation, Christ, or the most important issues of faith (the inner sanctuary of the temple) were not dealt with in their meetings. Claims regarding special revelation, whether as Scripture or otherwise, were not necessarily rejected, but in their scientific work they imposed on themselves a limitation, namely to deal only with that which is accessible to observation by being displayed in the created order. This intentional self-limitation was defended religiously, by voicing the expectation that such science advances knowledge of God as well. Of course, whether all members always lived up to their own standards is a different matter, and even the meaning of such standards is more complex than can be treated here.⁵ My point here is merely that self-restraint, resulting in the exclusion of religious considerations from the scientific discourse, was seen as the basis of the scientific community and of scientific progress, but that it was not intended as anti-religious.

An appeal to restraint was not new. Another version appears in Galileo's defence of the legitimacy of his observations with the newly invented telescope, half a century earlier. McMullin referred in his contribution to

Galileo's letter to Castelli.⁶ Galileo's letter to Duchess Christina of 1615 is another expression of his views on the relation between the two domains. Here Galileo quotes a cardinal, Baronius, who is supposed to have said that the Holy Ghost does not want us to teach how the heavens go, but how to go to heaven. That is, the role of Scripture is different from that of science. With respect to a more modern area of science, one might paraphrase this by saying that the life sciences teach us about life while religion teaches us how to live. Such a separation would allow for the friendly co-existence of theology and the sciences.

Separation wasn't the whole story. According to Galileo, who argues that this methodological principle had already been held by Augustine, a major theologian of the early Church, a conflict was possible. If a scientific insight apparently conflicting with a Scriptural passage was certain, one would rather have to acknowledge that one's interpretation of the text had been wrong than conclude that Scripture itself was wrong or that conflicting truths could co-exist. Thus, in some cases the *interpretation* of Scripture could be influenced by newly acquired scientific knowledge.⁷ There might be a corrective influence from science on *our* religious understandings, limited humans as we are, but the main line – both for Galileo and for the Royal Society – seems to have been a separation of roles and domains.

Restriction stands in contrast to *expansive* accounts. The Dutch philosopher Spinoza considered in the chapter by Munk is, to some extent, a representative of the expansion of science to a metaphysical and normative world-view.⁸ If not Spinoza, certainly the materialist interpreters of him were more expansionist. Of course, expansion may also allow for co-existence, but then the claims of science and those of religion have to be in accord, rather than distinct.

Natural Theology

Let us continue the trajectory exemplified by the quote from Sprat's *History of the Royal Society*. It was up to the natural philosophers ('scientist' is a term coined in the nineteenth century) to deal with a particular aspect of religion, namely the consideration of God's Works, the natural world, rather than God's Word, revealed Scripture. Speaking of 'two books' was fairly widely spread; it can also be found in the Calvinist *Confessio Belgica* that became one of the founding documents of the Dutch reformation.⁹ Whereas in the Christian communities the Book of Nature supplemented Scripture, in subsequent centuries the Book of Nature acquired priority for some, as it was taken to deliver an objective, natural basis for theol-

ogy. 'Natural theology' thus came to be understood as the development of theological conclusions on the basis of knowledge of nature. By and large this was about God's work as Creator, and thereby about God's nature.

By focussing on arguments from nature rather than from Scripture, miracles, prophecies or experience the terms of the debate changed. As the eighteenth-century deist and freethinker Anthony Collins said: 'Nobody doubted the existence of the Deity until the Boyle lecturers had undertaken to prove it.'¹⁰

One of the prominent aims of natural theology has been to appreciate God's wisdom in creation. One of its proponents was John Ray. His book was titled *The Wisdom of God Manifested in the Works of Creation, in Two Parts, viz. The Heavenly Bodies, Elements, Meteors, Fossils, Vegetables, Animals, (Beasts, Birds, Fishes, and Insects) more Particularly in the Body of the Earth, its Figure, Motion, and Consistency; and in the Admirable Structure of the Bodies of Man and other Animals; as also in their Generation, etc. With Answers to some Objections*. Listing topics in the title was a common practice. Here it gives an impression of the scope of this book. Examples of divine wisdom are abundant throughout nature. One example, quoted from the eleventh edition (1743, 239f):

The great Wisdom of the divine Creator appears, in that there is Pleasure annex'd to those Actions that are necessary for the Support and Preservation of the *Individuum*, and the Continuation and Propagation of the *Species*; and not only so, but Pain to the Neglect or Forbearance of them. For the Support of the Person, it hath annex'd pleasure to eating and drinking, which else, out of Laziness or Multiplicity of Business, a Man would be apt to neglect, or sometimes forget; indeed to be oblig'd to chew and swallow meat daily for two Hours Space, and to find no Relish or Pleasure in it, would be one of the most burdensom and ungrateful Tasks of a Man's whole life; but because this Action is absolutely necessary, for abundant Security Nature hath inserted in us a painful Sense of Hunger, to put us in mind of it; and to reward our Performance hath adjoin'd pleasure to it; and as for the continuation of Kind, I need not tell you that the Enjoyment which attend those Actions are the highest Gratifications of Sense.

Writers such as Ray appreciated God's wisdom in creation. Whether this is to be seen as an argument that takes its point of departure in faith and then sees God's hand everywhere, or whether it has become an argument for the existence of God, apparently without departing from any religious

presupposition, makes quite a difference in principle. However, in practice, natural theology served both as an argument for the existence of God (addressed at ‘outsiders’) and as an argument for appreciating nature’s beauty and order as given by God (from the perspective of believers). Natural theology, by associating the best available knowledge with a religious perspective, served a further role, namely to legitimise science as a profession. If scientists (‘natural philosophers’) were reading one of God’s Books, their work could not be inappropriate. A most useful argument, especially when addressed at religious circles that tended to be ambivalent about science. Thus, ‘natural theology’ used religion to support science, at least by legitimising science as a profession.¹¹ If science was studying the order created by God, it was a respectable profession.

The discourse of ‘design in nature’ thus served at least three roles, namely to interpret the world from a religious perspective, to argue for religion from a ‘neutral’ perspective, and to support science.

A classic exposition of arguments from functional adaptedness is William Paley’s *Natural Theology* (1802), which was part of Darwin’s intellectual background. Before presenting a wealth of information on the natural world, Paley considers a watch. If we were to find a watch in the fields, we would conclude that someone had designed this marvellously complex and effective instrument. As organisms are endowed with even more intricate and effective structures, such as the eye, we should conclude to a ‘cosmic watchmaker’. By the way, this argument has been picked up by the atheist biologist Richard Dawkins. In his book *The Blind Watchmaker* (1986), Richard Dawkins agrees that natural complexity – and hence the appearance of design – is impressive. Dawkins claims, however, that natural, effective complexity can be fully explained as the product of a long, undirected evolutionary process. The ‘watchmaker’ is blind, without purpose, foresight or intention. The options are presented as mutually exclusive: either order is the product of purposeful design or of natural selection operating on variety due to random mutations.

Back to the nineteenth century. Natural theology had been quite a prominent part of intellectual life, combining knowledge of nature with a religious perspective. It is precisely in this context that evolution acquires its symbolic significance in the nineteenth century. If science offered an evolutionary explanation, the world could still be seen as God’s creation, but a more straightforward argument from the world to God’s existence appeared to be lost. (Except at a higher level, as an argument for a designer of the smart laws and conditions that allowed such a complex and functionally adapted reality to arise.)

Thus, it seemed as if one had to choose, either accept evolution and give up on the argument from nature to a Designer (though keeping the argument that from a religious perspective, one might see nature as the Designer's work) or reject evolution. In most of the heated controversies over evolution, there is a minor logical flaw. Evolution may undermine the argument from nature to a Designer, as there is no need for such a hypothesis, but it does not thereby undermine the religious position in itself. Losing one of the arguments for a position is not equivalent to having to abandon the position itself. Evolution need not imply atheism. However, some took it that with evolution the argument from nature to a designer was gone, and thus would be the belief in the designer.

We will now turn to one incident that decades later acquired a prominent role in the perception of the religious response to Darwin's theory of evolution.

Evolution in 1860

Archetypical of the conflicts over evolution in the nineteenth century was the confrontation between Samuel Wilberforce, Bishop of Oxford, and Thomas H. Huxley, a younger scientist. The confrontation took place during one of the sessions of the annual meeting of the British Association for the Advancement of Science, June 27 to July 4, 1860. Since its publication at the end of 1859, Darwin's *Origin of Species* had been reviewed positively, for instance by Huxley in *The Times*, and negatively, for instance by Richard Owen, leading anatomist of the Natural History Department of the British Museum and the 'discoverer' of the dinosaurs. In a discussion at a meeting of the British Association on Thursday, June 28, Owen had asserted an 'impassable gulf' between humans and apes. Huxley 'denied altogether that the difference between the brain of the gorilla and man was so great as represented by Prof. Owen.'¹²

Two days later, on Saturday, June 30, there was a meeting of the section for botany and zoology. Between 400 and 700 people were present: scientists, theologians, students, 'and women'. The meeting was not set up as a debate between Wilberforce and Huxley. Huxley had intended to visit relatives that day; in his diary were the departure times for the train. John William Draper from New York – who many years later published an anti-Catholic *History of the Conflict Between Religion and Science* – lectured for well over an hour 'On the intellectual development of Europe, considered with reference to the views of Mr. Darwin and others, that the progression of organisms is determined by law'. Whether

the British Darwinians present appreciated this expansive sweep of evolutionary thinking, rather than a more limited and technical argument, may be doubted.¹³

During the discussion Bishop Wilberforce was called upon to give his view. He spoke for about half an hour. Wilberforce argued that Darwin's theory was a hypothesis which 'when tried by the principles of inductive science, broke down'. According to some accounts, he asked Huxley a question about his descent from the apes. This may have been related to the discussion in the same section two days earlier.¹⁴

Huxley rose to defend Darwin's theory as the best explanation of the facts, without asserting that all details were correct or confirmed. He replied to Wilberforce's rhetorical question, according to a letter two months later, as follows:

If then, said I, the question is put to me 'would I rather have a miserable ape for a grandfather or a man highly endowed by nature and possessed of great means and influence, and yet who employs those faculties and that influence for the mere purpose of introducing ridicule into a grave scientific discussion' – I unhesitatingly affirm my preference for the ape.¹⁵

After Huxley, a few anti-Darwinians spoke, and two more supporters of Darwin. Letters from both sides claim victory among those whom each considers most competent to judge. Press reports gave mixed impressions.¹⁶

Wilberforce's question should be understood in the context of the playfulness of English debate, and of a crowded room after a fairly dull lecture. Though this may be said to Wilberforce's credit, questioning evolutionists as heirs of apes, tadpoles or mushrooms had already been dealt with by Huxley in an essay, and was perhaps not a very appropriate joke for the occasion.

What is going on here? Andrew D. White's *History of the Warfare of Science with Theology in Christendom* of 1897 described the exchange between Wilberforce and Huxley as a major confrontation between science and theology. However, the exchange was not only a confrontation of ideas; the social and professional context, and thereby the understanding of the nature of science, is important for a proper understanding of this exchange.

Wilberforce, vice-president of the British Association for the Advancement of Science, represented the scientific establishment as much as he represented the Church. Huxley, twenty years his junior, was a career sci-

entist. If the opponents are seen in this way, the exchange reflects a general change in British science. 'During the first half of the nineteenth century the major characteristics of British science were amateurism, aristocratic patronage, minuscule government support, limited employment opportunities, and peripheral inclusion within the clerically dominated universities and secondary schools.' Although the utility of science for industry and agriculture received some attention, many 'scientists considered the moral and metaphysical imperatives of natural theology as a proper and integral part of their vocation.'¹⁷

Around the middle of the century, science developed into a profession which sets its own terms for evaluating results and selecting prospective scientists. Rather than seeking aristocratic and clerical patronage, the support of the public was sought by arguing for the relevance of science for the welfare of the nation and hence for the inclusion of science in curricula. The change can be illustrated by the observation that forty-one Anglican clergymen presided over sections of the British Association for the Advancement of Science between 1831 and 1865, while only three held such chairs between 1866 and 1900.¹⁸

The shift from the natural philosopher, often gentry or clergy, to the professional scientist led to conflicts with leaders of organized religion who wanted to maintain their influence on educational institutions. Furthermore, attempts at reconciling science and religion by religiously-minded scientists, both clergy and lay, came under attack due to the naturalist and critical bent of the new scientific generation. The botanist Joseph Hooker, a friend of Thomas Huxley and Charles Darwin, wrote in 1860 that the worst 'scientific-geological-theologians... are like asses between bundles of hay, distorting their consciences to meet the double call on their public profession.'¹⁹ It was not only the social position of scientists that changed, but also their ideology. Whereas they had been 'tracing the presence of the Creator in creation,' the ideology of professional scientists of the second half of the century became 'the glorification and strengthening of the nation and its wealth,' i.e. the service of the common weal.²⁰

The decreasing role of clergy in science was not only sought by scientists. A more marked distinction reflected developments in the churches as well. There was an increasing emphasis on devotional and theological issues rather than on participation in general culture. This is explicit in revivalist movements during the nineteenth century such as the Oxford movement, the Salvation Army, and in Catholic circles the revival in Ireland and in France the attention given to the miracle of Lourdes.

Whereas various movements with a strong emphasis on personal faith (pietism, revivals) were not too interested in science, unlike the ecclesiastical establishment, one might say that a third group in the churches warmly welcomed modern science. Broadly speaking (and this is, of course, very much indicating a few patterns, which may well be challenged with many counter-examples), these were modernists of various stripes. To go back to the 1860 meeting of the British Association for the Advancement of Science: Wilberforce was not the only voice from the Anglican clergy at the meeting. The next day, Frederick Temple, who became Archbishop of Canterbury in 1896, delivered a sermon on 'the present relations of science to religion' which claimed that God's finger was to be discerned in the laws of nature; Temple recognized a deep identity of 'tone, character, and spirit' between the Book of God and the Book of Nature, God's words and God's works.²¹ He did not need to reject evolution to argue for God; he spoke from a religious point of view, perceiving the world described by the sciences as God's creation. The list of positive responses from clergy, theologians, and Christian leaders to Darwin's theory can easily be extended.

Preliminary Conclusions

Was the religious response to Darwin's ideas about evolution? Yes and no. Yes, as for some this was a view at odds with their religious ideas. But one may also argue that the resistance was not really about the scientific theory itself. There were also conflicts about authority in science and power over science, as well as conflicts over the social role of religion. A diminishing role of religion in society, secularization, is not just about ideas, but also about the emergence of alternative supportive structures, which later developed into the welfare state. Conflicts regarded also the nature of religion itself, as personal faith in pietistic and revivalist movements, as institutional structures in the established churches, and as spiritually and morally inspiring examples among modernists.

Galileo in the seventeenth century and nineteenth century controversies over evolution are two historical episodes which have been used as prime examples for the thesis that there has been a persistent conflict between science and religion. However, it is inadequate to treat these episodes as exemplifying a single conflict, with clear and stable demarcation lines.

- (i) *Religious affinities* were present in persons considered to be on opposite sides.
- (ii) *Facts* were only one component of the conflicts.

- (iii) *The choice of theories* and the criteria to be used were a significant part of the disputes. In the choice of theories, and of questions about which theories were formulated, metaphysical commitments were also involved. Owen resisted Darwin's theory on the basis of an underlying 'platonic' assumption of species as variations on certain ideal types.
- (iv) The conflicts also dealt with *the nature of religion*. In the Galileo case, the discussion was whether the Bible tells us only 'how to go to heaven' (salvation) or whether the Bible also bears upon our view of 'how the heavens go' (cosmology). And in the controversies over evolution, orthodox Christian Darwinians were very much preoccupied with God's sovereignty and all-determining, providential role. Huxley's agnosticism could not allow for these beliefs, nor for his own dualism of ethical and cosmic nature. He nonetheless held on to such a dualism: 'The ethical progress of society depends, not on imitating the cosmic process, still less in running away from it, but in combating it'.²² Andrew White's definition of religion as 'as seen in the recognition of 'a Power in the Universe, not ourselves, which makes for righteousness,' and in the love of God and of our neighbor', is again another view, perhaps more akin to the evolutionary optimism of Herbert Spencer and others and it thus results in a different agenda for dealing with scientific insights.²³ And in the trial in Arkansas over the teaching of scientific creationism, theologians could be found as witnesses on both sides.
- (v) Conflicts were also shaped by the *social situation of science*. Patronage was an important factor in the Galileo affair.²⁴ The conflicts over evolution took place when science was establishing itself as an independent profession.

Academic Freedom and Intelligent Design

We now make quite a step, to the late twentieth and early twenty-first century. 'Intelligent Design' (ID) has become the main anti-evolution position. There is no reference to a fairly recent creation in six days of twenty-four hours, as in the preceding Young Earth Creationism, also known as scientific creationism. Thus, Biblical references are less explicit. The emphasis of ID is on the insufficiency of evolutionary explanations – one of its main proponents, Michael Behe, introduced the notion 'irreducible complex' for structures that could not have evolved by gradual steps. If such evolutionary inexplicable structures would be discovered, one would

have to introduce a designer or Designer, according to the ID-advocates. We'll consider how academic freedom and religious convictions come into play in controversies over ID.

Academic freedom requires us to assume that all ideas merit equal consideration. Criticism of dominant theories should be unhampered by considerations of authority or seniority. The competition of ideas drives scientific progress. The openness of science for criticism serves also as an example of sound conduct. Political and academic freedom strengthen each other.

However, the Flat Earth is gone forever, and so are phlogiston and stable continents. Science is selective. Of the many theories floated, only a few have survived criticism so far. 'Standing on the shoulders of giants', as Isaac Newton is supposed to have said, allows us to see farther than our predecessors, not because we are smarter but because we have come to accept their insights. Science is a cumulative enterprise, resulting in progress because of all the mistakes that have been weeded out. Not all ideas have equal standing.

Advocates of allowing Intelligent Design a place in the science curriculum argue that this is an issue of fairness and open-mindedness, and thus of academic freedom. They suggest that the case for ID might be similar to examples of scientific proposals that were dismissed or marginal at first but became successful in the end. Evolutionists are criticized as falling short of the scientific ideal of open, critical discussion. Thus, advocates of ID now have websites such as www.standupforscience.com and www.teachdarwinhonestly.com; they portray themselves as the true advocates of the scientific attitude of open, critical discussion.

The controversy over ID is not just about science. It is also about room for religious beliefs in relation to the practice and teaching of science. Some advocates of ID claim that their scientific work does not get a fair hearing *because of* their religious beliefs – and thus, that the issue is also a matter of religious freedom. That their religious convictions play a role in the reception of their ideas should not have surprised them, as the connection with a particular religious agenda has been made by some of their major advocates; the argument against neo-Darwinism has been presented in 1999 in an internal strategic document of the Discovery Institute as 'the thin edge of a wedge' to change materialist science and materialist culture at large.²⁵

In the later part of this section we will return to some of the general issues. How about *openness* as an attitude which allows religiously-inspired

approaches a place at the table and the acceptance of *selective* pressures resulting in the abandonment of some approaches? However, we'll begin with a closer look at controversies over ID, especially in relation to pleas for 'balanced treatment', 'teaching the controversy', and 'encouraging critical analysis'.

'Teach the Controversy'

In the Fall of 2004, a school board in Dover, Pennsylvania, adopted a statement to be read to children in secondary school at the beginning of biology courses on evolution:²⁶

The Pennsylvania Academic Standards require students to learn about Darwin's Theory of Evolution and eventually to take a standardized test of which evolution is a part.

Because Darwin's Theory is a theory, it continues to be tested as new evidence is discovered. The Theory is not a fact. Gaps in the Theory exist for which there is no evidence. A theory is defined as a well-tested explanation that unifies a broad range of observations.

Intelligent Design is an explanation of the origin of life that differs from Darwin's view. The reference book, *Of Pandas and People*, is available for students who might be interested in gaining an understanding of what Intelligent Design actually involves.

With respect to any theory, students are encouraged to keep an open mind. The school leaves discussion of the Origins of Life to individual students and their families. As a Standards-driven district, class instruction focuses upon preparing students to achieve proficiency on Standards-based assessments.

This statement seems fairly innocent. There is an occasional unhappy formulation ('Gaps... for which there is no evidence'), but what could be against continuous testing of theories, considering an alternative point of view, and keeping an open mind? The American president George W. Bush too has taken the position that 'both sides ought to be properly taught (...) so people can understand what the debate is about.'²⁷

'Teach the Controversy' is a phrase used in the USA in arguing for the inclusion of Intelligent Design in the biology curriculum. It is an expres-

sion that may confuse liberals who have no sympathy for the anti-evolution movement but who do believe strongly in freedom of expression and related rights. Is academic freedom as currently practiced genuine freedom if the dominant understanding of such freedom excludes some religious people? It is my hypothesis that this ambivalence of liberal minded persons, who accept science but also value freedom of expression, might explain the gap that shows up in European surveys between the (low) number of those who don't accept evolution and the (significantly higher) number of those who hold that alternative points of view ought to be taught.²⁸

Advocates of ID don't plead for openness for its own sake, but they call for openness in the expectation that a particular result would follow. If only the dogmatism of the evolutionists could be replaced by genuine openness, the truth (as the faithful see it) would come out victoriously. As a leader of the ID-movement, Philip Johnson, writes: 'If we get an unbiased scientific process started, we can have confidence that it will bring us closer to the truth'. Evolutionary naturalism is like a great battleship, 'armored with philosophical and legal barriers to criticism, and its decks are stacked with 16-inch rhetorical guns to intimidate would-be attackers.'²⁹ The evolutionists, so the criticism, resort to legal defences rather than exhibit genuine openness.

A Brief Legal History

The vocabulary of fairness, occasionally treated quantitatively in terms of equal time in curricula, has been stimulated by the legal history of American controversies over evolution. Let us briefly trace the trajectory from the prohibition of evolution in the early twentieth century to the most recent incarnation, the plea for 'critical analysis of evolution'.

In 1925 the state of Tennessee legislated that it would be unlawful for state-supported schools 'to teach any theory that denies the story of Divine Creation of man as taught in the Bible, and to teach instead that man has descended from a lower order of animals.'³⁰ At the initiative of the American Civil Liberties Union the law was tested by having a teacher, Scopes, transgress the law. He was convicted to a fine. The appeal court kept up the conviction (and the validity of the law), but revoked the fine on the basis of a technical error. This law and similar ones in some other states led to avoidance of 'evolution' in textbooks. Of interest for us may be the observation that in the Scopes Trial the argument that both views ought to be taught came from an attorney defending the right to teach evolution.³¹ It was not until 1968 that the Supreme Court struck down

Arkansas's law prohibiting the teaching of evolution, and the era of anti-evolution laws came to an end.

By the 1960s the situation had changed considerably. Whereas the anti-evolution laws of the early twentieth century might be understood in the context of arguments from design, that is, arguments for understanding the world from the faith-perspective that it was designed; in the 1960s, with the emergence of 'scientific creationism' that presents itself as a scientifically adequate understanding of nature, including fossils and other data, the anti-evolution sentiment starts to take the form of argument from observation to design, that is, an argument from nature to the existence of God. In the context of the Cold War, the Russian entry into space travel (Sputnik, 1957) triggered in the USA a drastic renewal of the science curriculum in schools. The new biology curriculum gave evolution a prominent place. Concerned parents found refuge in scientific creationism or creation-science – a version of creationism that presented itself as being based on scientific, empirical arguments. This change of label suited the legal situation as this allowed more easily for the creationist view to be presented as an alternative scientific theory rather than as a religious point of view.

In 1981 Arkansas passed a law that self-described its purpose as: 'An act to require *balanced treatment* of creation-science and evolution-science in public schools; to protect academic freedom by providing student choice; (...) to bar discrimination on the basis of creationist or evolutionist belief.'³² This law was challenged in court by parents and teachers, as well as by bishops of the United Methodist, Episcopal, Roman Catholic and African Methodist Episcopal Churches, the principal representative of the Presbyterian Churches in America, United Methodist, Southern Baptist and Presbyterian clergy, three types of Jewish organizations, and various mainstream religious organizations. The judge, William R. Overton, declared the law unconstitutional. 'Creation-science' was deemed a religious rather than a scientific position. Thus, the law favoured a particular religious position, which was against the separation of Church and State.³³

The main new shift between this failed Arkansas law of 1981 and the 2004 decision of the School Board in Dover on the disclaimer for the biology lessons is in the formulation of the alternative for evolution. 'Creation science' has been replaced by 'Intelligent Design'. In the ruling on 'Dover', Judge Jones at length argued that this would not do, as a well-informed observer would recognize that the presentation of Intelligent Design as an alternative and the reference to gaps in evolutionary theory are particular creationist strategies.³⁴

The phrase ‘teach the controversy’ may already be beyond its high point, as the Dover ruling described ‘teach the controversy’ as part of the same religious tactics. Thus, a more indirect strategy now seems to be rising, namely ‘*critical analysis of evolution*’, advocating that arguments against evolutionary explanations are taught (without invoking ‘intelligent design’ as an alternative view). The Discovery Institute has a one-page document on its website, titled ‘Is Critical Analysis of Evolution the Same as Teaching Intelligent Design’, a rhetorical question they answer negatively. The educational approach is logically distinct, school districts and states that sanctioned ‘critical analysis of evolution’ have explicit disclaimers that this policy does not call for teaching ID, scientific critique is legally distinct from teaching alternative theories, and some critics of Darwinism don’t support ID. Last but not least, the Darwinists so far have not filed a lawsuit, which they would have done if they had believed ‘critical analysis of evolution’ would have been the same as teaching ID.

Not all its advocates, however, keep ‘critical analysis’ and ID fully apart. Joel Borofsky, who served as assistant of William Dembski, a major author in the Intelligent Design movement, responded to a disappointed Kansas citizen who took it that ‘critical analysis’ had nothing to do with ID: ‘It is really ID in disguise.’ And Karen Floyd, in South Carolina the Republican candidate for the position of State Superintendent for Education, connected Intelligent Design and critical analysis of evolution as well, and reached even further back, to Young Earth Creationism: ‘Students are smart, she said, and they connect the dots: Some will wonder: ‘How many dinosaurs boarded Noah’s Ark?’”³⁵

Marginal Science That Became Successful?

In the context of the argument from academic freedom, the question has arisen whether ID should be compared to other theories that at one point were marginal? This would not suffice in a plea for inclusion of ID in the curriculum at the level of secondary schools, as there was no reason to teach Wegener’s drifting continents before a modified form of this idea was accepted by the scientific community. But if we concentrate for the time being on the scientific standing of ID and pleas for more opportunities in the scientific sphere, the analogy between ID and scientific ideas that once were marginal might help. To evaluate the analogy of ID with theories once marginal, Matthew J. Brauer, Barbara Forrest and Steven G. Gey have taken a look at some controversies.

They consider as a scientific theory ‘endosymbiosis’, the idea advocated first by Lynn Margulis that mitochondria and some other organelles in eukaryotic cells have not evolved within the cell, but rather go back to independent cells that have been incorporated into the eukaryotic cell. This theory does not fit the model of shifting frequencies in the gene pool. The idea was rejected for many years. ‘However, initial scepticism was overcome by several strongly suggestive observations. ... In the light of such evidence, all of her former critics have been won over. Her hypothesis was not a vague statement of the inadequacy of current evolutionary science to explain certain patterns (though this would in some sense have been true). Rather, it was a robust statement, entailing a definite outcome, that could be and was tested.’³⁶

The idea that AIDS is caused by a virus, HIV, has also been controversial. However, this debate had a quite different development. Peter Duesberg published in 1987 a paper stating that HIV was a benign ‘passenger virus’. At that point this was still an option, as not much was known on AIDS yet. However, soon thereafter the majority of the scientific community found that the evidence for a causal link between HIV and AIDS had become convincing. ‘By 1988, the controversy had escaped the boundaries of the scientific community, and Duesberg was using the popular press to attack his research colleagues as part of the “AIDS establishment”. Duesberg and others who challenged the understanding of HIV were not successful among their scientific colleagues, but had a substantial public podium. “Duesberg’s HIV scepticism has not been a significant *scientific* controversy”, and his ideas ‘are clearly not significant enough to be part of a biology course’.³⁷

The authors compare the impact of these two controversies to the impact of the ID literature. Research on citations shows remarkable differences: Margulis’s work was referred to quite often, also before it was accepted; Duesberg’s far less. Behe’s work on apparently irreducible structures was referred to even less than Duesberg’s. Besides, Behe is cited mainly ‘in the context of the philosophical and cultural controversy.’³⁸ Searching for major ID-specific terms such as ‘irreducible complexity’ unearthed only a few publications. These differences in the reception by the scientific community do not show that the ID-position is wrong. What it does indicate, however, is that there is no genuine scientific controversy over ID, but rather a cultural and political one. The non-scientific nature of the controversy undermines significantly the legal demand for attention in science curricula.

Rather than aligning themselves with Duesberg (though there are some direct links) pleas for ‘teaching the controversy’ have included references

to global warming, stem cell research and cloning.³⁹ However, controversies over cloning and stem cell research are of a moral rather than a scientific nature. 'Global warming' seems closer to the mark, but there too dissident views over global warming are largely motivated by dissident policy views. There is less a scientific controversy than a debate about the relative role of uncertainties in modelling and measuring changes, which alas allows policy makers to play down the message.⁴⁰

'Teach the controversy in science class' is the demand, but what if the controversy is not a scientific one but rather a cultural, political or religious one? And if one wants to be generous and considers ID immature science, why then give it already a podium in the secondary schools? Academic freedom, freedom of speech and freedom of religion are important, but they do not require that a podium of this kind is provided.

Why Evolution? The Hermeneutics of Intent

If the dominance of a particular theory were the point, not only the theory of evolution would deserve to be challenged, but so too would the Periodic Table of Elements in chemistry and Maxwell's electromagnetism in physics. There are alternative points of view on such issues as well, e.g. homeopathy rather than regular chemistry and Goethe's ideas on colours rather than the understanding light in terms of the electromagnetic spectrum. Though these approaches have a place in some schools, inspired by Rudolf Steiner, almost all pleas for balanced treatment, teaching the controversy, and critical analysis again and again single out evolution. This continuous focus on biology is intelligible in light of the symbolic significance evolutionary theory and the design argument have acquired in the course of the last few centuries. Evolution has become a symbol that stands not just for a particular scientific theory, but for modernity in general, including historical approaches to religious scriptures and liberal family values. It seems that this continuous focus on biology has brought Judge Jones to the conclusion that a reasonably informed observer would recognize behind the wording of the Dover disclaimer a long standing religious argument.⁴¹

The argument about the Dover disclaimer is hermeneutical in kind. The conclusion does not show up by looking into a dictionary what the words used mean, but requires consideration of the meanings of these phrases when used in this particular context of teachers, parents and students. When the opening sentence of the Dover disclaimer tells students that we have to teach evolution because the state's academic standards

require it, this is taken to signal that evolution is not taught because it is taken to be the most adequate theory. Such a hermeneutical reading of the interaction is, of course, context dependent. Thus, if the issue arose whether to teach ID in an atmosphere where evolution had not been singled out as central to a religious argument, the judicial argument based on legislative intent would not have held. That is why more secular liberals in a European context may miss why this disclaimer is so controversial. In this perspective, it is strangely odd that Steve Fuller – a philosopher of science who places great emphasis on social conditions – denied in his testimony in favour of the Dover disclaimer that the religious motivations surrounding ID are of any significance. He did so by distinguishing between the context of discovery and the context of justification, where biographical considerations are irrelevant. That may be adequate when assessing the truth or plausibility of the theory, but in an educational setting the meanings that particular educational choices regarding priorities in the curriculum have for the various persons involved are relevant.

Creationism and Islam: *The Atlas of Creation*

The Dover case, and even broader, the presentation of anti-evolution positions, is clearly shaped by the particularities of American legal history. But the controversy over evolution is not exclusively American. This is extensively documented by Ronald L. Numbers in the expanded edition of *The Creationists: From Scientific Creationism to Intelligent Design*, where he documents how in the last decade or so the issue has become more global. This may be understood as export of American forms of evangelicalism, but the particular issues and forms seem to be influenced by other factors as well.

I limit myself here to a few remarks on Islam, and more in particular on the *Atlas of Creation* (Volume 1) that was distributed in Western Europe in late 2006 and early 2007. Copies of the glossy, full colour book of 5.7 kilograms were received by schools, by academic leaders such as the rector of Leiden University, and even by a marginal scholar on ‘religion and science’ such as me. There was no personal information regarding which motives the sender had in giving me the honour to receive such a book.

The author is listed as Harun Yahya, a pen name that refers to the two prophets Aäron (brother of Moses) and John (the Baptist). Behind this pen name is a well-known creationist from Turkey, Adnan Oktar. He has published over 200 different books, which have been translated in vari-

ous languages. The *Atlas* is mostly about fossils, displaying for over five-hundred pages (pp. 44-577) fossils that seem identical in appearance to currently living species, hammering in again and again that this would refute evolution given the stability of species (a logical mistake) and the absence of transitional forms. 'Evolutionists have no scientific answer to this' (p. 414), 'This lack of any difference is important evidence that evolution never happened' (p. 412), 'evidence that evolution never took place', and so on.

Added as an appendix is a multiple chapter Appendix 'The Collapse of the Theory of Evolution' (pp. 583-768). This book-length Appendix has a preface titled 'The Real Ideological Root of Terrorism: Darwinism and Materialism' (pp. 584-593). The main message seems to be that Darwinism implies a morality determined by the struggle for life, the survival of the fittest, whereas Islam is a religion of peace. Thus, fascism and communism are presented as results of Darwinism. Underneath a picture of the burning World Trade Center in New York, '9/11' is blamed on the Darwinists: 'No matter what ideology they may espouse, those who perpetrate terror all over the world are, in reality, Darwinists. Darwinism is the only philosophy that places a value on – and thus encourages conflict' (p. 589).

A commentary in between: this is a most interesting move to make, for then the religious beliefs the hijackers espoused were not directly linked to their actions. But once beliefs and actions are disconnected in this way, why would belief in Darwinism be the root of wrong actions?

The positive message of the Appendix is about the Quran and Islam as the solution, as we would acquire peace when we were to enter into Islam (etymologically the Arab word is related to words for peace, as the Arabic '*salam*' and the Hebrew '*shaloom*').

Among the sources for the subsequent argument against evolution, are ID-proponents Michael Behe (photo, p. 599) and Jonathan Wells (p. 601). Towards the end of the book, there are brief reports on conferences organized by the Science Research Foundation, which seeks to inform the Turkish public about the truth of the matter. Their first conference, 'The Collapse of the Theory of Evolution: The Fact of Creation' took place in 1998. Among the speakers were 'Dr Duane Gish and Dr Kenneth Cumming, two world-renowned scientists from the Institute for Creation Research in the USA' (p. 720). A second conference was held just three months later, with various American speakers including, again, Duane Gish and also the president of the ICR, John Morris. 'Having listened to all these speeches, the audience witnessed that evolution is a dogmatic belief

that is invalidated by science in all aspects' (p. 721). 'Between August 1998 and end 2005 alone, 2,800 conferences were held in Turkey's 72 cities and 150 districts' (p. 721). 'SRF has also held conferences in England, Holland, Brunei, Malaysia, Indonesia, Singapore, Azerbaijan, Australia, the United States and Canada' (p. 721).

Though this seems modelled on scientific conferences, the standing of creationists such as Gish and Morris is one indication that the scientific adequacy of the conferences is fairly limited; that the audience 'witnessed' that a particular position was right, and the number of 2,800 conferences (about a single conference per day), does not suggest that these were conferences where original research papers were discussed, preferably published and thus opened to further discussion.

What is the background of this anti-evolution movement? I have not been able to learn about the financial background – as the printing and distribution of the *Atlas* must have been quite expensive, not to speak of the development of many other initiatives such as lectures, books, CDs and DVDs, websites, and so on.

Though there are links with the American discussion, Harun Yahya's work should also be understood in the Turkish context and, more generally, in relation to the appreciation of science (perceived as a product of the West, and thus associated with colonialism, imperialism, and secularism) in Islamic countries.⁴² Turkey, as a state formed after the collapse of the Ottoman Empire in the early twentieth century, was defined by Kemal Atatürk as a secular state. 'Creationist' voices were present in some Islamic movements, but remained marginal until the 1980s. The military dictatorship of 1980-1983 promoted a Turkish-Islamic synthesis, in which pseudo-historical claims about pre-Islamic culture of the Turkish peoples and anti-evolution elements played a role. The conservative party that won the subsequent election included religious conservatives, who became responsible for the Ministry for Education. They looked for expert advice to develop their anti-evolution curriculum, and found it among American creationists. As Taner Edis writes in *An Illusion of Harmony: Science and Religion in Islam* (2007, p. 125):

Turkey is perhaps the Muslim country in which Darwinian ideas penetrated the most, accompanying the radical secularism of the early Turkish Republic. In Turkey, there was at least enough evolution to bother the religious conservatives. In the 1980s, a creationist pseudoscience began in Turkey that went beyond simple religiously based rejection of evolution. The Nur movement was instrumental in this transformation, connecting

anti-evolutionary views with the same habits of thought that found science all over the Quran. In the 1990s, Turkey would take the next step, becoming the center for an aggressive Islamic creationism that enjoyed influence throughout the Muslim world.⁴³

Harun Yahya's media-savvy creationism took shape in the 1990s. Oktar had been in tension with the Turkish government; Numbers documents two instances of imprisonment, in 1986 and in 1999. Thus, though here is a general climate that allows for creationism (as anti-evolutionism), there is on the side of the authorities also concern about sectarian developments.

Let me add a brief word about Harun Yaha and Intelligent Design, just to complicate matters further. In his acceptance of a long geological history and of the Big Bang theory, Yahya is closer to ID than to the American Young Earth Creationists he sided with, as these were Biblical literalists emphasizing a young earth, creation in six literal days, and a world wide flood that resulted in the fossils. However, when a former ally, Mutafar Akyol, testified in Kansas in favour of ID, Yahya heavily objected. A Muslim should not limit himself to vague pronouncements about design and a designer, but rather say 'Allah created'. ID has become 'another of Satan's snares.'⁴⁴ Though in some ways aligning with conservative causes, Harun Yahya and his followers present themselves as modern in their use of technology and their self-presentation (e.g. clothing), and their advocacy of Turkish nationalism.

In the context of this paper, the main point I want to make clear is that these discussions are significantly shaped by their context. Islamic creationism copies from the American literature, but is to be understood as an issue in the context of tensions and alliances within the complex of secular and various religious approaches in Turkey. Not dealt with here, but the reception of such Islamic creationist literature among Muslims in Europe is again more than export; there the controversy becomes part of a struggle for identity and recognition in a country where Muslims are a minority. Understanding such developments would be a substantial research project. In the remainder of this paper I will address some of the more general issues of academic and religious freedom.

Freedoms, the Nature of Science, and the Natures of Religion

Freedom is sometimes understood in *anarchistic* terms. In relation to scientific methodology, the book title by Paul Feyerabend, *Against Method*

(1978) is a reminder that even within the philosophy of science this may be an issue. Though the anarchistic voice has its merits in reminding us of the creative nature of scientific research, the strengths of Feyerabend's analysis can be abused to downplay another dimension of the natural sciences, the selective nature, distinguishing success and failures. Selection costs money for equipment, but collectively we consider this worth the resources. It is a contingent fact about our world that the natural sciences have become an enormously successful cumulative enterprise, where successors stand on the shoulders of predecessors. There are some reconstructions of past ideas, but in the last few centuries successful new theories have included the successes of earlier theories e.g., Einstein's general relativity explains whatever was explained by Newtonian gravity, and something extra, and quantum physics comes down to classical physics at the scales where this had shown its successes. Changes in underlying theory and its implied or suggested ontology have been accompanied by continuity. A researcher may well seek to present a new idea or theory that challenges well-established successful theories, but the burden of proof is the more significant the more the idea is unable to accommodate earlier successes.

This brings me from the anarchistic kind of freedom to the understanding as freedom as *freedom from the scientific establishment*, and from there to freedom to advocate ideas preferred for religious reasons. Of course, in the political sense, this falls within the domain of freedom. However, that a proposal deviates from the scientific establishment is in itself not a credit for a theory. The challenge should be to convince the colleagues of the scientific merits of the new conceptions. This has happened, with continental drift and endosymbiosis, to refer to some of the examples considered above.

The main point of academic freedom is, I would say, freedom from religious, political and commercial interference. Or, formulated positively, freedom for self-governance by a community of scholars dedicated to the primacy of epistemic values in research, rather than content-driven values in favour of a particular desirable outcome. In that sense, the scientific establishment is indeed to be challenged again and again but on the basis of a commitment to *epistemic* values, and not on the basis of a religious agenda, moral values, political references, or a particular social pressure.

If one seeks to defend academic freedom with regard to science/scholarship, it will not do to use the label 'science' too broadly. One needs to consider the nature of science and the value of value-neutrality, more extensively: the epistemic value of neutrality with respect to religious,

political, social and moral values. Via this epistemic value of value-neutrality, science can have its value for society.

This academic freedom has a price: self-restraint, e.g. restraint with respect to ultimate issues and values. Not restraint as citizens or even as citizens with an academic profession, but against abusing the authority and positively awareness of the underdetermination of metaphysical issues by scientific knowledge.

Religious Freedom

Regulations regarding freedom can be abused when all kinds of partisan preferences are labelled 'religion', and then are supposed to be entitled to particular legal or fiscal rights. In the Netherlands there has been a controversy over a sex shop that presented itself as a temple. Such legal and fiscal rights come with restraints. If factual claims are part of the religious package, these are challengeable. Moral consequences are open to public debate. The main freedom relative to the sciences, however, is the freedom with respect to ultimate issues and value issues – not as total freedom, but as freedom due to the underdetermination of metaphysical and moral views by the best available knowledge. And, as a different type of freedom, religious freedom has a social dimension as the freedom to form self-governing communities and to express particular identities in practices (e.g. Sabbath, Sunday, regular prayer times) and appearance (dress, etc.).

The Neutrality of the State

Could the state and the scientific curriculum be neutral with respect to religious positions? This idea seems fine, but governments take positions in many different ways, by the way they arrange health care, education, environmental and safety regulations, to mention just a few areas. And positions considered religiously relevant by their adherents are all over the map. Thus, all encompassing neutrality is impossible. Think of religious groups that reject vaccines and blood transfusions or that preach and practice pacifism, polygamy, a flat Earth, self-mutilation, the possibility of flying without mechanical assistance, circumcision of young girls and boys, slavery, violence against blacks and Jews, or a theocratic government. Actions of the government may well violate the sensibilities of adherents of some such groups. The government cannot be neutral in relation to all such views, but neither is there a good reason why it ought

to be neutral. The government may impose a general law on all citizens, such as rules against racial violence, polygamy or female circumcision. The government may also seek to convince people of a certain behavioural change, e.g. by encouraging the use of vaccines.

If general neutrality is impossible and undesirable given certain widely-shared moral sensibilities, the issue becomes more limited. Basically it seems that the line to be followed is that public policies should not be aimed at giving benefits to a particular religious group or at creating unreasonable disadvantages for another group. However, this too can be overdone as any reasonable course of action does have differential effects. It nonetheless is relevant to note that allowing ID a place in the curriculum would favour a particular form of monotheism over other beliefs.⁴⁵

In the context of controversies over the teaching of evolution, parents may argue that the evolutionary ideas that children learn at school do interfere with the message these parents want to give at home. However, the solution to introduce the religious views of those parents opens a Pandora's Box of all that would have to be added in order to satisfy all personal beliefs of the parents. The trick, which science has learned since the early period, is to aspire to a particular type of neutrality, one which opts out of debates on morals and metaphysics, at least, for science teachers in their professional role though not necessarily as citizens. Of course, to be completely at ease with this line, believers would be best advised to take the complementary approach, and opt out of statements that purport to be in the realm of science. From the variety of religious organizations represented among the plaintiffs in the Arkansas trial, it may be clear that many mainstream religious leaders and organizations have found ways to do so while remaining, at least to their own satisfaction, faithful to the tradition of their choice. In that sense, the controversy over ID and evolution is a major controversy *within* the religious communities.

Concluding Remarks

The dilemma regarding freedom and selectivity is a genuine one in science policy, in that there is a matter of judgement rather than rules where innovative prospects outweigh the risks of less tested approaches. As discussed above, the investment of resources in science is not a matter of equal treatment, but of judgement regarding the merits and prospects for various theories.

The plea for academic freedom to argue for the inclusion of Intelligent Design, in various strategies (demands for balanced treatment, for teaching the controversy, or for critical analysis of evolution), is not serious. If ID is treated as alternative science in its infancy, there is no particular reason to give it much room in the curriculum in schools. However, as is clear when one pays attention to the meanings attached to the opposition to evolution, the controversy is a cultural and political one. Most importantly, it is an intra-religious controversy as to the nature of religious belief relative to scientific claims.

Notes

- 1 Section 1 is partly derived from Willem B. Drees, *Religion, Science and Naturalism*, Cambridge: Cambridge University Press, 1996; section 2 draws on my contribution 'Should We "Teach the Controversy"? Intelligent Design, Science and Religion' in: Adriaan in 't Groen et al. (eds.), *Knowledge in Ferment: Dilemmas in Science, Scholarship and Society*, Leiden: Leiden University Press, 2007, pp. 155-169.
- 2 'Restraint' and 'expansion' as concepts to refer to two contrary movements in relating religious convictions to scientific results were used extensively by Viggo Mortensen, 'The Status of the Science-Religion Dialogue' in: Svend Andersen and Arthur Peacocke, *Evolution and Creation: A European Perspective*, Aarhus: Aarhus University Press, 1987, pp. 192-203; also in Viggo Mortensen, *Teologi og naturvidenskab: Hinsides restriktion og ekspansion*, Kobenhavn: Munksgaard, 1988; translated as *Theologie und Naturwissenschaft*, Gütersloh: Kaiser, 1995.
- 3 Thomas Sprat, *History of the Royal Society*, London, 1667; the remark about speech comes from the Second Part, Section XX, 'Their manner of Discourse'.
- 4 Sprat, Second Part, Section XI.
- 5 Among the many works that provide a rich view of religion and science in the seventeenth and eighteenth centuries, one may consider David C. Lindberg and Robert S. Westman (eds.), *Reappraisals of the Scientific Revolution*, Cambridge: Cambridge University Press, 1990; and John Brooke and Ian MacLean (eds.), *Heterodoxy in Early Modern Science and Religion*, Oxford: Oxford University Press, 2005.
- 6 E. McMullin, 'Academic Freedom and Competing Authorities: Historical Reflections', this volume; G. Galileo, 'Letter to Grand Duchess Christina', orig. 1615; in translation in Stilman Drake (ed.), *Discoveries and Opinions of Ga-*

- lileo*, Garden City: Doubleday, 1975, p. 186, and in Maurice A. Finnochiaro (ed.), *The Galileo Affair: A Documentary History*, Berkeley: University of California Press, 1989, pp. 87-118.
- 7 Galileo, 'Letter to Grand Duchess Christina'; E. McMullin, 'How Should Cosmology Relate to Theology?' in: A.R. Peacocke (ed.), *The Sciences and Theology in the Twentieth Century*, Stocksfield: Oriel Press & Notre Dame: University of Notre Dame Press, 1981, pp. 17-57.
- 8 R.W. Munk, 'Freedom of Thought and the Authority of Tradition in Modern Jewish philosophy: The Case of Spinoza and Mendelssohn', this volume.
- 9 *Nederlandse Geloofsbelijdenis*, article 2d, where it is stated that we know God by two means. The second one is Scripture, but here I recall the first: by the creation, sustenance and governance of the whole world, which for our eyes is as a wondrous book in which all creatures, large and small, are like letters that give us to see the invisible, infinite power and divinity of God. There is a reference to Romans 1:20; one of the functions of the emphasis on general revelation is that it makes it clear that all people, also those not yet reached by the message of the gospel, could be expected to know God, and thus could be judged for their inadequacies.
- 10 L. Stephen, *History of English Thought in the Eighteenth Century*, Vol. 1, London: Smith, Elder & Co, 18812, p. 80. Among those who have lamented this shift in emphasis, are the Catholic historian Michael Buckley, *At the Origins of Modern Atheism*, New Haven: Yale University Press, 1987; and the Protestant John Dillenberger, *Protestant Thought and the Rise of Natural Science*, Garden City, NY: Doubleday, 1960.
- 11 John H. Brooke and Geoffrey Cantor, *Reconstructing Nature: The Engagement of Science and Religion*, Edinburgh: T&T Clark, 1998.
- 12 *The Athenaeum*, July 7, 1860, p. 26.
- 13 J.V. Jensen, 'Return to the Huxley-Wilberforce Debate' in: *The British Journal for the History of Science*, 21, 1988, pp. 161-179; those present: p. 165; departure times: p. 173.
- 14 Quote from *The Athenaeum*, July 14, 1860, p. 65; the question about descent from the apes wasn't mentioned in the report in *The Athenaeum*.
- 15 Letter of T.H. Huxley to Dr. Dyster, September 9, 1860, *Huxley Papers* Vol. 15, fols. 117f., as quoted by Jensen (see above), p. 168.
- 16 Jensen, p. 172.
- 17 F.M. Turner, 'The Victorian Conflict between Science and Religion: A Professional Dimension' in: *ISIS*, 69, 1978, pp. 356-376, p. 360.
- 18 Turner, p. 367.
- 19 L. Huxley, *The Life and Letters of Sir Joseph Dalton Hooker*, Vol.1, New York: Appleton, 1918, p. 520.

- 20 Turner, p. 375.
- 21 F. Temple, *The Present Relations of Science to Religion: A Sermon Preached on Act Sunday, July 1, 1860, before the University of Oxford, during the Meeting of the British Association*, Oxford: J.H. & Jas. Parker, 1860.
- 22 T.H. Huxley, *Evolution and Ethics* (The Romanes Lecture), London: Macmillan, 1893, p. 34.
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4 The Dismissal of A. J. Wensinck from the Royal Academy of the Arabic Language in Cairo

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One of the most critical episodes in the history of Dutch orientalism concerns the dismissal of the Leiden Professor of Semitic Languages Arent Jan Wensinck (1882-1939) from the Royal Academy of the Arabic Language in Cairo in 1933. Wensinck's nomination as a member at the Academy coincided with the appearance of the Arabic translation of the first edition of the *Encyclopaedia of Islam (EI)*.² His articles 'Ibrāhīm' and 'Ka'ba' in the *EI* were not in agreement with Islamic traditions on this subject, and were considered as disrespectful in many Muslim religious circles. After an anti-orientalist press campaign, launched mostly by religious activists, Wensinck's appointment in the Academy was revoked.³



Arent Jan Wensinck (1882-1939), professor of Semitic Languages at Leiden University. Photo credit: Leids Universitair Archief.

The number of Wensinck's articles in the *EI* is very impressive in part because he often undertook work for which he could not find a suitable author.⁴ Under the entry 'Ibrāhīm', he summarized the thesis of his master Christiaan Snouck Hurgronje (1857-1936) in his dissertation *Het Mekkaansche Feest* (the Meccan Feast).⁵ Snouck Hurgronje never attempted to translate his dissertation, but his ideas became more widely known through Wensinck's supplementary work. The sensitivity of the historical analysis around the figure Ibrāhīm in Egypt dates back to the well-known case of Tāha Husayn, almost seven years before the publication of Wensinck's ideas. Husayn probably adopted Snouck Hurgronje's views, and was also aware of A. Sprenger's theory. In its general outlines, this theory argues that focused emphasis became placed on Abraham in the Quran, only after Muhammad migrated to Medina, and not before the outbreak of the dispute between himself and the local Jewish community. In this manner, Abraham was presented as the forerunner of Muhammad, precursor of Islam and preacher of pure monotheism. This would have allowed Muhammad to claim the priority of Islam over Judaism and Christianity. The reason behind the acceptance of this conception of Abraham was primarily designed to provide the Prophet with a new means to demonstrate the independence of the Islamic faith *vis-à-vis* Judaism and to present Islam from that time onwards as the originally revealed religion.⁶

This particular stage of Wensinck's career formed the main impetus behind the heated polemics among Muslims in Egypt about his orientalist views, the scholarly nature of the *EI*, and orientalism in general, that will be discussed in this article. Ronen Raz notes that the critical reading of orientalism and the extensive Arab commentary on it reached a peak in the 1930s. Arab intellectuals saw an increased Arab interest in the study of orientalism, but at the same time a growing public debate about orientalists, their intentions, the quality of their scholarship and their impact on the Arab discourse. Intellectuals with different positions and from different groups participated in the public debate, which took place mostly in journals across the Arab world.⁷

Since its establishment, the Egyptian University invited Italian, French, English and German orientalists to join its academic staff. King Fu'ād exploited his contact with royalty and statesmen in Europe to enlist orientalists to teach. He also chose European historians to publish archival documents pertaining to his ancestors, and to write multivolume histories going back to the times of the pharaohs.⁸

It is worth mentioning that I. Goldziher and Snouck Hurgronje were among the only orientalists who declined Egypt's invitation to teach at its

university.⁹ Wensinck's case, however, was the only one which directly involved the dismissal of an orientalist from an Egyptian academic institution. However, other local scholars (who mostly incorporated orientalist investigations in their works) caused similarly intense cultural controversies. The earliest controversy resulted in the dismissal of the Greek Orthodox historian and journalist Jurjī Zaydān (1861-1914) – due to his writings on the history of Islam – from the recently founded Egyptian University in 1910.¹⁰ Another famous controversy followed the publication of ʿAlī ʿAbd ar-Rāziq's book, in which he called for separation of religious and political authority in Islam.¹¹ The following year witnessed the publication of Tāha Husayn's work *Pre-Islamic Poetry*, in which he questioned the language of the Quran and its relation with pre-Islamic Arabic. The appearance of the work provoked a storm of hostile criticism, and demands were made to dismiss the author from his post as a teacher at the Egyptian University.¹²

Based on different archival materials, this paper will discuss the historical background of the issue and its impact on Egyptian-Dutch diplomatic relations, the role taken by Wensinck's orientalist colleagues in the Academy, and the repercussions of the crisis as reflected in Muslim views on Wensinck and the *EI* in Egypt.

Apart from a few letters and his diary on his journey to the East (end of 1929 to early 1930) found in the Leiden University Library, Wensinck's whole collection of private papers was not preserved. During one of his research trips to Morocco (1986), the Dutch professor P. S. van Koningsveld of Leiden University bought a collection of the personal archive of Wensinck's French colleague in the Academy Louis Massignon (1883-1962). It includes correspondences between Wensinck and other Western nominees on their attempts to appeal to the Egyptian government to withdraw its decision of dismissal.¹³ Similar correspondences are also found in the collection of the German member of the Academy August Fischer (1865-1949), in the Bibliothek der Deutschen Morgenländischen Gesellschaft, Martin Luther University in Halle (Saale).¹⁴ The most significant primary source for the historical background of the crisis is, however, the dossier of the Dutch Consulate in Cairo preserved at the National Archive in The Hague. These materials contain correspondences between the Dutch Chargé d'Affaires in Cairo C.H.J. Schuller tot Peursum,¹⁵ and the office of the Minister of Foreign Affairs A.C.D. de Graef (1872-1957), drafts of letters sent by Schuller to the Egyptian Education Minister of Muhammad ʿĪsā Hilmi Pasha (d. 1953), a few letters addressed by Wensinck to Nicolaas Braat, the Dutch Chancellor in Cairo,¹⁶ and translations of cuttings of news items from Egyptian papers on the issue.¹⁷ The Wensinck affair

is nowhere recorded in the minutes of the Royal Dutch Academy for Sciences. There is only one remark mentioned during the meeting of January 9, 1933, which only announced the Egyptian plan for establishing the academy.¹⁸

Strangely enough, the case of Wensinck is not mentioned at all in the Academy's official magazine or in Ibrāhīm Madkūr's three-volume work on the history of the Academy.¹⁹ In his study, Rached Hamzaoui spoke about Wensinck's exclusion in the context of Muslim criticism of orientalism. He also noted that the case affected the manifestation of hostility of Muslims towards orientalist, their methods and the contents of their research among Muslims: 'The case of Wensinck posed, in fact, the problem of the presence of orientalist at the Academy, which is rightfully exposed here, as far as this presence could influence the working-methods of the Academy, by bringing up language problems and finding a modern solution for them.'²⁰ In his study on Snouck Hurgronje, Van Koningsveld considered this confrontation as an all-time low in the history of Egyptian-Dutch diplomatic relations. He also criticized other European nominees for their lack of solidarity in response to Wensinck's dismissal. Despite their immediate contact with the Egyptian authorities and their own governments, they were not collectively decisive in protecting their colleague's academic reputation. He also compared their stance to Snouck's lack of decisive action to secure his colleague's position, although he was in the heyday of his academic career.²¹

Arent Jan Wensinck

Wensinck was born the son of the Dutch reformed clergyman Johan Herman Wensinck on August 7, 1882. Following in his father's footsteps he decided to study theology in Utrecht in 1901. But one year later he chose to study semitic languages. In July 1904 he continued his studies in Leiden, where the Arabist M. J. de Goeje was setting the tone for Arabic studies. He finished his Masters *cum laude*. Besides his command of Arabic, he also possessed a proficient knowledge of Hebrew, Aramaic and Syriac. Later he attended lectures in Berlin and Heidelberg, and defended his dissertation entitled *Mohammed en Joden in Medina* (Mohammed and the Jews in Medina) (1909).²²

He started his academic career as a lecturer in the West-Aramaic dialects and Syriac at the University of Utrecht, and in 1912 was nominated to succeed Gerrit Wildeboer (1855-1911) to hold the Chair of Semitic Lan-

guages in Leiden. Around the same time he was appointed as Secretary of the *EI*. In 1917, he became a member of the Koninklijke Akademie van Wetenschappen (Royal Academy of Sciences) in Amsterdam. Beside his publications on philology and history of religions, he dedicated most of his scholarly career to the study of oriental mystic figures, such as Bar Hebraeus (1919), Isaac of Nineveh (1923), and Al-Ghazālī (1930). In 1927 he succeeded Snouck Hugronje in Leiden as a Professor of Arabic, Syriac and Islam. Assisted by another twenty-four collaborators, Wensinck finished his most famous work *A Handbook of Muhammadan Traditions* (1927), and five years later *The Muslim Creed* (Cambridge, 1932). In 1933 Wensinck published seven volumes of his Arabic edition of the *Concordance et Indices de la Tradition Musulmane (Al-Muʿjam al-Mufahras)*, which was fully completed thirty years after his death in 1969. He always maintained solidarity with the Dutch Reformed Church, and emphatically proclaimed his confessional membership of the Church in the 1930s.²³ In 1938 he was awarded the honorary degree of DPhil from the University of Algiers. The Dutch government conferred upon him the title of Knight in the Order of the Dutch Lion. He died in Leiden after a long period of illness in September 1939.

Creation of the Academy

The idea of founding an Arabic language academy in Egypt was not new. Known as the Al-Bakrī Academy, a group of Arab men of letters and scholars had established a private project (1892) in the house of Muhammad Tawfiq al-Bakrī (1870-1932) for the same purpose.²⁴ In June 1917, another group of prominent writers initiated a short-lived project under the name of the Egyptian Language Academy.²⁵

At the time when Ahmad Lutfī Al-Sayyid was Minister of Education and also member of the 1917 academy, the government allocated funds specifically for the purpose of founding an Arabic language academy. Other Arabic academies in the Levant welcomed the decision and resolved to send some of their members to Cairo to investigate means of promoting cooperation with the new academy. Due to tensions on the Egyptian political stage, the Arabic academy was delayed till the summer of 1932, when Lutfī al-Sayyid's successor Hilmī ʿĪsā Pasha had 'taken the project file from its drawer in the archives and begun to discuss the matter with eminent linguists and other scholars.'²⁶ On December 13, 1932, the Egyptian King Fu'ād signed his decree of establishing the Academy.



Members of the Royal Arabic Language Academy in Cairo, Egypt, a few years after the dismissal of A.J. Wensinck (1936).

The Royal Arabic Language Academy was established as subordinate to the Ministry of Education. Its primary aim was to preserve the integrity of the Arabic language, and to match it with the modern demands of sciences and arts. The academy was also expected to compile a historical dictionary of the Arabic language, organize academic studies of modern Arabic dialects and explore all possible means for the advancement of Arabic.²⁷

Orientalists in the Academy

Before the decree of nomination was made public, the Egyptian newspaper *Al-Ahrām* conducted a survey among its readers and writers to ‘nominate’ twenty individuals. Nominees were to be skilled writers only, possessing a broad knowledge of the history of the Arabic language and literature. They also had to be proficient in at least one modern foreign language and in at least one ancient language (such as Latin or Greek). Additionally, at least one of the languages must be connected to the Arabic culture, such as Persian, Hebrew or Syriac. *Al-Ahrām* narrowed the choice by providing a list of a hundred possible candidates.²⁸

The Minister of Education was actually in favour of the idea of nominating orientalists. In his mind, the purpose of the academy was to serve science, and science is not bound to nationality. The Minister was convinced that the participation of orientalists would benefit the academy and raise its scholarly standards: 'as long as we need people versed in the principles and origins of the Oriental Semitic languages why should we not avail ourselves of the expertise of leading orientalist scholars in these languages.'²⁹ In August 1932, therefore, he travelled to Europe to meet some orientalists. The visit was proposed to include a better check on the choice of those orientalists and the effectiveness of their potential input.³⁰

Meanwhile, Egyptian writers widely discussed the question of whether the new academy should be purely Egyptian or include other Arabs and European orientalists. Tāha Husayn was in favour of the idea of the nomination of Western scholars. A certain Muhammad Shawqī Amīn supported the idea that 'inclusiveness in such matters will remove the Academy from the realm of systematic work to that of conferences and the like, thereby stamping it with a literary, more than a practical, nature.'³¹ A certain Yāsīn Ahmad, chief magistrate of the Egyptian Criminal Court, did not positively support the idea of nominating foreign orientalists. 'Although it might appear desirable on the surface,' he argued, 'the notion carried an implicit threat to the Arabic language. One of the most important tasks of the academy would be to compile a comprehensive linguistic lexicon. Naturally, we would like that the dictionary is an accurate mirror of Arabic vocabulary as it is spoken by the people, without discrimination between the educated and non-educated.'³² The pro-government paper *Al-Muqattam* supported the participation of orientalists either as active members or as observers. Their presence, it wrote, 'will strengthen the resolve of the Eastern members and inspire them to double their activities while allowing them to benefit from Western philological methodology.'³³

In October 1933 the King issued a decree nominating twenty members in the Academy's board. These members were chosen regardless of their national affiliation, from among Muslim and non-Muslim scholars, who were highly respected for their expertise in Arabic. The board included five European orientalists: namely, the British Sir H.A.R. Gibb (1895-1971), the French Louis Massignon, the German August Fischer, the Italian Carlo A. Nallino (1872-1938) and the Dutch Arent Jan Wensinck. Other non-Muslim members were Hāyim Nahūm (1863-1960), the Chief Rabbi in Cairo, and the Christian Father Marie Anistās al-Karmalī (1866-1947), Fāris Nimr (1855-1952) and ʿĪsā Iskandar al-Maʿlūf (1869-1956).

The initial members were appointed by royal decree; any vacated seats would be filled on the basis of a two-thirds majority vote of the remaining members. The director of the Academy was to be selected from among three working members of the board, and elected by a majority vote of all members in attendance. He would occupy the position for a term of three years, which would be renewed through the same procedures. The board would meet annually for at least one month, in winter or in spring time. The budget of the Academy was subsumed under the budget of the Ministry of Education. In addition to printing all materials requested by the academy free of charge, the Ministry was responsible for the implementation of all decisions taken by the Academy with regard to vocabulary and structures by disseminating them as broadly as possible, especially by ensuring the use of such vocabulary and structures in government agencies, in educational curricula and in set textbooks.³⁴

Many people were, however, disappointed by the nomination of foreign orientalist. Letters to the editor of *Al-Ahrām* seriously questioned the government's selection process in its entirety. Some other Arab intellectuals, on the other hand, doubted the scientific level of the traditional members in the Academy as compared to their orientalist colleagues. The Syrio-Egyptian literary figure Bishr Fāris (1907-1963), for example, warned his newly nominated master Massignon that except for two or three members the majority of nominees had been chosen arbitrarily. They did not produce any works of rigorous scientific quality, except a few with traditional Islamic themes.³⁵

Wesinck's Short-lived Nomination

During the process of nomination, Egyptian officials only approached the British High Commissioner and the consuls of Italy, Germany and France in Cairo to recommend names for the new posts, but not the Dutch diplomats. Having been informed by Gaston Wiet (d. 1971), the French orientalist and director of the Museum of Arab Arts in Cairo, about the Egyptian plan,³⁶ Schuller immediately visited Hilmī Pasha to draw his attention to Leiden's prominence in oriental studies, and to discuss the possibility of nominating a Dutch orientalist as well. The reason why the Egyptian authorities did not think of the Netherlands was, according to Schuller, that there had not been a diplomatic representative in Egypt during the previous eight months. The Egyptian minister, as a result of this intervention, asked him to hand over a statement of potential Dutch candidates and to bring it to his office personally.³⁷

The Royal Academy of Sciences in Amsterdam suggested four names for this post in the following order: Snouck Hurgronje, A.J. Wensinck, Th.W. Juynboll (1866-1948), and J.H. Kramers (1891-1951).³⁸ In June 1933, ‘Abd al-Fattāh Yahyā Pasha (1876-1951), the Egyptian Prime Minister and Minister of Foreign Affairs, told Schuller that Wensinck had been selected as a member. According to Schuller, Snouck’s old age and numerous occupations were the reason why it was difficult for him to join the Academy.³⁹ He stressed to his executives in The Hague the significance of the position. In case Wensinck should reject the offer, the post would automatically go to an Egyptian scholar. By this decision Egypt would also recognize the ‘educational value’ of Leiden in oriental languages.⁴⁰ Wensinck accepted the offer, because it would also give him a good opportunity to make use of the stay in Egypt for his future studies. He was content with the diverse character of the Academy and its non-Muslim members, especially his orientalist friends Gibb, Massignon and Nallino (he did not mention Fischer), whose scholarship he highly esteemed.⁴¹ In the same month, Schuller notified Hilmī Pasha about Wensinck’s acceptance.⁴²

As soon as the royal decree became known in the press, the Egyptian physician and health inspector Husayn al-Harrāwī launched a most virulent attack against orientalists, especially Wensinck. His first article appeared on the front-page of *Al-Ahrām*: ‘Orientalists and Islam: Arabic Language Academy Member Wensinck Ridicules Islam,’ in which he severely attacked the article on Ibrāhīm in the *EL*, and accused the Dutch scholar of ‘assuming a premise and then searching the Quran for those verses that support this premise, discarding any that contradict it so as to produce a conclusion that plants the seeds of doubt in the mind of the reader. This is the method that orientalists use in their studies on Islam, on the life of the Prophet or on any matter to which they wish to bring the Quran to bear as evidence. It is an old ruse, the purpose of which is to arm evangelists and colonialists with pseudo-logical arguments to shake the beliefs of the Muslim people and cause them to abandon their religion.’⁴³ Wensinck was also depicted as ‘a babbler who attacks our religion and who has been appointed as a member at our Language Academy in our country whose religion of state is Islam. And now after this, we ask what is the opinion of the Minister of Education Hilmī Pasha.’⁴⁴ The opposition *wafdist* paper *al-Jihād* took Harrāwī’s accusations one step further. Subsequent short articles, signed under the name *Muslim*, similarly portrayed Wensinck as a ‘tyrant’ and ‘enemy of Islam,’ and blamed the Egyptian government and Al-Azhar for their negligence and silence in protecting Islam.⁴⁵

Greatly alarmed by these accusations, Dutch diplomats immediately notified their authorities in The Hague about the press accusations. They sent them cuttings from different Arabic, French and English papers, which eagerly followed the issue or attacked Wensinck. At the same time, the Consulate also contacted Wensinck personally to ask him for his comments. It was planning, however, to seek support from the Shaykh Al-Azhar.⁴⁶ In his reply, Wensinck telegraphed back: 'My sympathy for Islam is well-known.'⁴⁷ In a more detailed letter, he admitted that his article was merely a reproduction of Snouck's theory, which was widely known in Europe. He defended his works, stating that these were purely scientific and have nothing to do with attacking Islam. As examples for his sympathy for Islam, he mentioned two of his famous works: *The Muslim Creed* and the *Concordance of Hadith*. 'On the other hand,' Wensinck wrote, 'it is understandable that the freedom of research as self-evident in Europe appears to writers of such articles like the ones which have been sent to me, as a lack of piety, when it is applied to the history of Islam as well. I hope that the Egyptian government would see my views, which are held by many other orientologists, in the way indicated. I shall highly appreciate my nomination as a member of the Academy and participate to the best of my abilities in its activities, but our freedom of research should obviously be presumed to remain.'⁴⁸

The reason behind the anti-Wensinck campaign was not completely clear to the Dutch officials in Cairo. In the very beginning, they had suspected that the *Al-Jihād* articles had been fuelled by one of the Indonesian students at Al-Azhar. Schuller had referred the case to the Governor-General of the Dutch East Indies, the Advisor of Native Affairs in Batavia and the Dutch Consulate in Jeddah.⁴⁹ Later, he demonstrated his conviction that the attack was probably stirred up by a group of Arab scholars who were disappointed that the decree did not leave room for other famous poets and writers. He suspected that the founder of *Al-Ahrām* was one of the disappointed candidates, and that he initiated the campaign for that reason.⁵⁰ However, the most plausible explanation, according to him, was the general political atmosphere in Egypt. Due to his deteriorating health and the bad functioning of his cabinet, the Egyptian Prime Minister was vulnerable to severe criticism. It was a favourable moment for the oppositional Wafd Party to press hard and play on religious sentiment for achieving political advantage by blaming the government for its failure to ward off foreign assaults on Islam. Wensinck's remark on Abraham was therefore the grist for its mill, just as its stance towards the question of Christian missionary work in Egypt.⁵¹ Wensinck attributed the attacks to

the same factors: hostility towards missions and foreigners and the 'agitation' by various people.⁵²

Having received Wensinck's reaction, Schuller immediately discussed the matter with Hilmī Pasha in his office. He clarified that the campaign was misleading the public opinion in Egypt regarding Wensinck's real feelings of sympathy towards Islam.⁵³ In an interview published in *Al-Ahrām* (November 3, 1933), he defended Wensinck in a similar way, explaining that his works were merely historical. The issue was, according to him, an interior one, and had no impact in any way on Dutch-Egyptian relations. However, he compared the Minister's decision of dismissing Wensinck with the religious protest against some phrases in Bernard Shaw's play *Saint Joan of Arc* (1925). Schuller reported that the Grand Shaykh of Al-Azhar had requested the editors of the *EI* to submit to him all publications relating to Islam before being printed.⁵⁴

In order to clear his name from any hostility against Islam, Wensinck sent the Consulate parts from his work *The Muslim Creed* on the Islamic views on predestination to be shown to the Egyptian Minister of Education.⁵⁵ Meanwhile the Minister appointed Ahmad al-^ʿAwāmīrī (1876-1954),⁵⁶ chief inspector of the Arabic language at the Ministry and also a member at the Academy, to study Wensinck's works and submit a report about it. The Egyptian newspapers reported confusing statements on ^ʿAwāmīrī's conclusions. *Al-Ahrām* maintained that he did not find anything hurtful to Islam in Wensinck's views. His work *The Muslim Creed* contained information related to the opinions of Muslim scholars and sects. The author spoke therein about the concept of monotheism in Islam without provocation, and did not go beyond the methods of scientific research.⁵⁷ *Al-Jihād* rejected *Al-Ahrām*'s report by stating that its correspondent confirmed that ^ʿAwāmīrī's report contained strong criticism against Wensinck's philosophical and religious points of view.⁵⁸ For his part, Schuller admitted the difficulty facing his Consulate in changing the attitude of the Egyptian government towards the press accusations. He did not have much hope, as the apparent success of *Al-Jihād*'s continuing campaign was ample evidence for why Hilmī Pasha hesitated to stand up for Wensinck by making a clear-cut announcement in the press.⁵⁹

A few days later, *Al-Ahrām* reported that high officials in the Ministry had reached a final decision, concluding that Wensinck's interpretations neither matched with the Islamic faith, nor corroborated with the views of mainstream Muslim theologians. What Wensinck undertook, the report went on, is considered a disparagement of Islam, but not an attack. It was rather similar to the attempt of what a Muslim would do who did not be-

lieve in the Christian Trinity. They also considered that the Minister had come to his decision remaining within the proper limits of his job. The report noted that the Ministry had taken the same position, in a previous incident concerning some lecturers at the University, who were teaching in accordance with similar principles adopted by Wensinck.⁶⁰

Schuller proposed to his Ministry in The Hague to publish a communiqué on Wensinck's response. De Graef, Wensinck and the Minister of Education, Arts and Sciences agreed that it should be an edited version of Wensinck's earlier letter of reaction. It should also add that Wensinck's views were not only generally accepted in the West, but held by some Arab scholars as well. As far as critical attitudes towards religions were concerned, one should not take into consideration the different convictions of their followers.⁶¹ Schuller forwarded the French translation of the proposed communiqué to Hilmī 'Īsā Pasha to be made public by the Egyptian government.⁶²

Apparently, the Ministry did not publish such a communiqué. In the meantime, however, *Al-Ahrām* further reported that the Ministry reached its definitive conclusion by taking another course, viz. Wensinck's statements on Islam were to be considered an 'attack' on Islam, although he sometimes presented his own remarks, and some other times based his arguments on Muslim historical sources. With regard to his membership at the Academy, two alternatives were put forward by the Ministry: 1) Wensinck would renounce his views and give ample written apologies for these statements, which should satisfy all religious bodies and end the dispute, 2) or Wensinck should be asked to resign, as his presence among other members would not be welcomed anymore, especially among his Muslim colleagues finding themselves together with a person who offended their sense of dignity: this would also eliminate the spirit of esteem and harmony among the colleagues.⁶³

In his meeting with Schuller, Hilmī 'Īsā Pasha explained that the ministerial report was not wholly negative. But after its release, the press campaign continued. The Egyptian government, therefore, was compelled to bring the case forward to Al-Azhar for consideration. The scholars responded that Wensinck's views on Abraham were contrary to historical facts, and consequently offended most Muslim believers. Wensinck's coming to Egypt was thus inadvisable, as his ideas now had become widely known to the majority of Muslims in Egypt and elsewhere.⁶⁴

The other four orientalist decided to take action against Wensinck's dismissal. Pressured by their diplomats in Cairo, they held back their strong initial objections on behalf of their colleague. They actively partici-

pated in the Academy, as a result of the official invitation sent to them by the end of November.⁶⁵ The idea of protest was at first suggested by Gibb, who was concerned that Wensinck's 'drop' might encourage the 'opposition' to take further efforts against the rest of the orientologists by causing more hostility against the Minister of Education.⁶⁶ He was convinced in the beginning that the only 'self-respecting' action would be to collectively resign.⁶⁷ Gibb and Massignon were not certain about the readiness of Fischer to take part in their collective protest. They feared that Fischer, who adhered to the Nationalist Socialist Party in 1920s, 'might perhaps be inclined to put the solidarity of European [...] scholarship after the rights of any nation to enforce in public education the teaching of the newly discovered national and racial dogmas.'⁶⁸ However, they strove to gain Nallino's support in case Fischer would remain silent. Approached by Nallino, Fischer finally accepted to take part in their collective protest.⁶⁹

Before their arrival to Egypt, they sent a letter to Hilmī 'Īsā Pasha in which they explained their solidarity with Wensinck. They assumed that the minister would never risk the abstinence of all orientologists, whose presence was particularly desired by the King, for the sake of gratifying a part of the opposition.⁷⁰ But later it appeared to them that it was certainly better not to resign immediately and individually, but merely to withhold their cooperation till they could do so collectively.⁷¹ Fischer, moreover, held the view that the time to have further negotiations with the Egyptian Minister was limited. Likewise, they would not have a proper view of the whole situation from a distance. He also believed that Hilmī Pasha was not going to make any concessions, and 'let [his government] be tyrannized by a group of Egyptian fanatics.'⁷² He made it clear that: 'at the request of my government I have to [...] observe a certain restraint. However, this cannot and will not force me to go to Cairo when I state that for me it is impossible to cooperate with the Academy under the given circumstances.'⁷³ The four orientologists travelled to Egypt, which greatly disappointed Wensinck and Sonuck Hurgronje (discussed below).⁷⁴

Schuller raised the question of the other foreign academics to Hilmī Pasha, and whether his decision would open the door for further protest against them in the future. The Minister did not give any clear answer, but insisted that the Egyptian resolution with regard to this case was contingent on the circumstances. Due to the popularization of Wensinck's ideas and the anxiety of public opinion, the Minister asked Schuller to convey his verbal message to his Dutch counterparts that they should understand the political difficulty the Egyptian officials were facing. Schuller stated that the Minister did not speak a word about the second alternative earlier

suggested in *Al-Ahrām*, namely that Wensinck should submit a written denial of his views. For unknown reasons, he also did not want to officially write to his Dutch counterparts. It also surprised Schuller that the Egyptian Prime Minister Yahyā Pasha did not concern himself with the matter. This would clearly affirm the rumours that there were no sincere religious convictions behind the press attack, but the campaign was backed by a group of minor journalists in opposition parties, personal enemies of the King and some members in the cabinet, whose intentions were to cause the government trouble.⁷⁵

The Chief Chamberlain of the King let Schuller know that since Wensinck's name was wrapped up in a controversy in which the scholars of Al-Azhar were involved, it became impossible for both the Egyptian Prime Minister and the Minister of Education to uphold his nomination. Egyptian authorities tried to convince Schuller that its decision was not directed against Dutch scholarship. They also showed their serious desire of nominating another Dutch scholar in Wensinck's place.⁷⁶

In a telephone conversation (January 7, 1933), Hilmī Pasha informed Schuller that the Egyptian diplomatic agent in The Hague had not reached an agreement yet about finding a Dutch substitute to Wensinck. But probably due to his quick departure back to Cairo, he did not state his government's point of view of their potential request with the Dutch authorities. De Graef and his colleague the Minister of Education, Arts and Sciences finally agreed not to substitute Wensinck, maintaining that naming any other Dutch scholar would surely be detrimental to the dignity of Dutch scholarship. The Egyptian Minister expressed his regret that his good intentions towards Dutch scholarship had been shipwrecked as a result of this incidental dismay against Wensinck in Arab scholarly circles, which were heavily influenced by public opinion.⁷⁷ As the Dutch authorities did not nominate any substitute, the Minister decided to replace him with another Egyptian or foreign nominee. Schuller had little faith in the 'platonian' statement made by Wensinck's Western colleagues, that they would forsake the opening session till they received a satisfying solution. If they had shown real solidarity, they should have remained absent altogether. In that case, they would probably have achieved real fruitful results. Schuller anticipated that if they went to Egypt, their protest would bring about no effect; and another European member would immediately be chosen to replace Wensinck.⁷⁸

Rumours were circulated that the post was to be given to a French scholar.⁷⁹ But on January 23, 1933, *Al-Ahrām* announced the Minister's decision of replacing Wensinck with the German orientalist Enno Littmann

(1875-1958).⁸⁰ Schuller promptly reported that it was Hilmī Pasha who had directly invited Littmann to act as one of the members. Fischer was not involved in the negotiations, which only took place between the German Consul and Egyptian officials. Littmann, who hesitated at first, accepted the post upon his consul's urgent request.⁸¹ Wensinck shared Schuller's pessimism that the protest of the four European members would then have any effect. He was also disappointed that Littmann had put his principles as a scholar aside by accepting the nomination. Littmann earlier informed Wensinck that he had been asked to come to Cairo without knowing anything about the nomination. There he was verbally invited to substitute the late Gotthelf Bergsträsser (1886-1933), who was originally offered the place of Wensinck.⁸² In his autobiography, on the other hand, Littmann reported that 'King Fu'ād, who as a prince established the Egyptian University, founded the Arabic Language Academy in 1934 and wished me to be one of its five European members.'⁸³

According to Schuller, Hilmī Pasha had made his quick decision to replace Wensinck, because he wanted to put an end to all the scruples felt by other foreign members about their participation. He had confronted the German scholar with a '*fait accompli*.'⁸⁴ Hilmī Pasha often argued that his government reserved for itself the freedom to break off any relations achieved through diplomatic representatives. The same holds true for withdrawing the appointment of any foreign scholar for the benefit of Egyptian scientific institutions, when internal circumstances become compelling.⁸⁵

Until 1914 the Germans managed to stake out the Egyptian National Library as their cultural preserve. Five successive German orientalist (L. Stern, W. Spitta, K. Volkers, B. Moritz, and A. Schaade) had directed the library since its foundation in 1870. Littmann was the only German orientalist at the Egyptian University, in the period before the war (1910-1912). He returned to Egypt in 1929 as a visiting professor in comparative Semitic languages and literatures. A. Schaade, the expelled director of the National Library, returned to Egypt to replace the departing M. Guidi at the University in 1930.⁸⁶

Schuller suspected that the German diplomats had played a role in the intrigues and the press campaign, which led to the nomination of a second German orientalist (in all probability involving bribery). The Arab press, he went on, had been thoroughly influenced by the German Consul in the last months in order to do anything that could promote his country's prestige and position as a great power in Egypt. In a wider context, his activities gave rise to an anti-campaign led by some parts of the French-

Egyptian press, which reproached him for his direct negotiations with both the Ministers of Labour and Communication in order to compensate for the Jewish boycott of German goods by acquiring important orders for German industry. Schuller therefore concluded that the reality did not match with the Minister's oft-repeated argument that Wensinck was dismissed for religious reasons, as a result of the agitation of the public against his articles.⁸⁷

In order to show his executives the nature and seriousness of the campaign, Schuller conveyed to them what he had confidentially heard from a Catholic clergyman in Cairo, namely that Father Karmalī was threatened with murder if he accepted a nomination at the Academy. He again affirmed his suspicion that Al-Azhar was behind the campaign. As an orthodox institution, he continued, it does not know how to appreciate any scholarly work, and it considered that everything related to Arabic should belong to its *shaykhs*. As a result Al-Azhar became the foremost adversary to any outside interference. He also believed that the Egyptian King, as the founder of the Academy, had not intervened to solve the problem, because he was worried about losing his power over Al-Azhar and the whole Arabic press in the country. Any positive attitude towards Wensinck would consequently endanger his position. His Majesty would rather 'sacrifice' Wensinck in order to preserve his good relationship with Al-Azhar.⁸⁸

Schuller later reported that, with the exception of the two German members, the other orientologists had applied for an accurate and written statement by Hilmī Pasha, in which it was guaranteed that they would never face the same fate in the future as that of their Dutch colleague. The Minister verbally assured them that they would not be called to account either for their already published or yet-to-be published works in the future.⁸⁹

Even after the opening ceremony of the Academy, the Dutch authorities were still seeking a solution to the problem. De Graef considered the Egyptian attitude biased. Having failed to solve the problem with the Egyptian Minister of Education, Schuller was then asked to take the issue to a higher level and direct his objections to Abd al-Fattāh Yahyā, informing him personally that the Dutch government was unpleasantly struck by the course of action taken by Hilmī Pasha, and his unfair treatment of Wensinck compared to the other western members.⁹⁰ He was also asked to confirm that the Netherlands strongly stands behind its professor's scholarly views and his undisputed academic reputation in oriental studies, and to state clearly that they were much grieved by the development of the whole affair. Dutch authorities still expected that the Egyptian government would find a way of inviting Wensinck for the further activities

of the Academy.⁹¹ Schuller immediately visited the Council of Ministers and passed the message to Yahyā Pasha, who only apologized in a diplomatic way. However, it had become impossible for Wensinck to take part in the Academy's activities: 'It astonishes me that the Dutch government persists in wanting to impose on the Egyptian government an orientalist, who, with his writing, opposed the official religion of Egypt'⁹² Schuller believed at this stage that the issue had reached a stalemate. He had the impression that the Egyptian authorities were determined in their attitude. They were not ready to re-nominate Wensinck, nor to appoint another Dutch scholar as a 'correspondent' member in his place.⁹³ In November 1934, another Egyptian cabinet had been established. Schuller made a renewed attempt by writing to the newly-appointed Minister of Foreign Affairs Ibrāhīm Kamāl Bey, asking him to approach his colleague Najīb al-Hilālī Bey, the Minister of Education to reconsider Wensinck's membership of the Academy. At the time the latter was planning to reorganize the structure of the Academy. But this also ended in a failure.⁹⁴

As has been hinted at earlier, Snouck Hurgronje and Wensinck considered the attitude of other orientalists as 'unjustifiable abandonment of solidarity'. They felt entirely excluded, because they were not kept updated on the later developments of the protest. Due to their promise to the Egyptian Minister to strictly keep their negotiations secret, and the diplomatic pressure imposed upon them, the four orientalists were not able to inform Wensinck about the developments in writing. They worried that any direct written correspondence with their Dutch colleagues would probably be used against them. In order to ease the tension, Massignon suggested that one of them should travel to Leiden on their behalf to inform Snouck and Wensinck of their earlier steps, and to show the relevant documents concerning their position.⁹⁵ Fischer was the only one who disagreed with Massignon's proposal, since verbal communication, in his view, could be also considered as breach to their promise: 'The promise that we made in Cairo has its limitation with respect to our duty towards Wensinck, who has the right to be informed by us, at least I have made this promise with this limitation. [...] I am [...] of the opinion, that a letter would be equally good, and maybe even better. [...] In case I hear nothing from him, I will write to Wensinck in about eight days that I cannot carry out my intention to inform him about our progress in Cairo.'⁹⁶ Massignon again suggested that Gibb should be delegated on their behalf to discuss the matter with Wensinck and Snouck personally, and to show them the dossier of all relevant documents, such as their correspondences with the Egyptian Minister and with their own legations in Cairo. Gibb should af-

terwards write a summary of their meeting, and send it back to Wensinck to sign.⁹⁷ Fischer accepted the solution that the protocol should be signed by all of them, and Wensinck should be informed that they had made use of every opportune moment to defend the significance of his works before the oriental members at the Academy. Wensinck was to understand that they did not leave him in the lurch, especially because he had to wait for such a long period without any authentic explanation for their attitude. He should be informed about the intervention of their governments in the case of the unexpected arrival of Littmann, and that they were also keen on protecting their position against any attack or suspicion.⁹⁸

At first, Wensinck and Snouck refused their request for a meeting. However, they accepted Gibb's arrival after he had written to them again, emphasizing the necessity of the visit.⁹⁹ Before his arrival at Leiden, Gibb met with Massignon at Le Bourget to ensure that the dossier of documents bearing on the situation was complete and to fill up any lacunae. On the morning of September 18, he arrived in Leiden and had a short informal conversation with Wensinck in order to ascertain his attitude more precisely, before their meeting with Snouck. During their official meeting, he explained to them the 'dilemma' that was forced upon them, when they received the unexpected telegraphic invitations.¹⁰⁰ The ineffective results of their personal interventions in Egypt convinced them of the necessity of maintaining a united front, in the hope of reaching a satisfactory solution upon their arrival at Cairo in this way. The sudden appearance of Littmann and the pressure exercised through diplomatic channels to make them withdraw their letter with objections, had made things more complicated and closed the door to any further progress.¹⁰¹ Gibb also referred to the ministerial situation in Egypt and the close personal interest taken by the King in the affairs of the Academy. He assured them that all these points were presented to Snouck and Wensinck as a plain narrative of fact, not casting them too much into the form of an apologia.¹⁰²

For the most part, Snouck and Wensinck remained silent and made little comment. Only with regard to the decision to maintain a united front did Snouck contend that there was no necessity to do so. Snouck was mostly hurt by the fact that no communication reached him about the reasons for the change of their attitudes and of later developments. Snouck confirmed to Gibb that 'by not drawing a bold line *they* had allowed the public to believe that European science had passed under the yoke of the '*Ulamā*' [...] It is too late.'¹⁰³ Gibb's personal response was that they all had 'a positive duty, namely to respond to the generous initiative of the King of Egypt in inviting orientalists to collaborate in the work of

the Academy.¹⁰⁴ This argument produced no favourable response. Gibb had the impression that Wensinck was guided in his actions by the views of Snouck Hurgronje. Both of them thanked Gibb for his visit, but neither of them expressed any appreciation for the efforts made to refute the unjustifiable charges brought against Wensinck. Gibb reported that just before his departure from Leiden, Wensinck made the following statement: 'I am not entirely convinced, and still think it would have been better to draw a bold line with the Egyptian Minister. But I now understand the position much better, and realize the dilemma in which you were placed. I can see that you believed in the advantage of preserving solidarity, and went to Cairo with the intention of seeking a solution there, but were prevented from carrying out your purpose.'¹⁰⁵

Having received a copy of Gibb's account of their meeting, Wensinck added two corrections. He would have appreciated any initiative of the Academy to re-nominate him, but this would not have 'altered his decision to decline a nomination, on account of *his* shrinking back from any further connection with the Egyptian government.'¹⁰⁶ Also, for Gibb to think that Snouck completely influenced his actions, would give quite a false impression stated Wensinck. As for the last statements, Wensinck corrected Gibb saying that although he understood their position better, he was still of the opinion that 'it would have been better not to go to Egypt before having received a satisfactory answer.'¹⁰⁷ Gibb was embarrassed by the whole situation. He reported to Massignon (probably not to the rest): 'You were quite right. I am afraid Snouck is implacable. He was most courteous, but rigid – Wensinck much more friendly. I cannot feel that I have done much good – and only hope that I have not done harm.'¹⁰⁸

Muslim Views on Wensinck and the *EI* in Egypt

In the wake of Wensinck's dismissal, the debate on the nature of orientalism and the *EI* intensified in Egypt. Sometimes, his case was used to discredit orientalism as a whole. Intellectuals from various groups started to publish their critical views either on the orientalist approaches or on technical problems in the Arabic translation of the *EI*. Most of them were not satisfied with what they considered a skewed portrayal of many Islamic issues made by many of its contributors, especially the Belgian-born Jesuit H. Lammens (1862-1937). It should, however, be added that from the beginning of its publication every article in the *EI* was to be signed by the author, and the editors were not to bear any responsibility.

M.Th. Houtsma (1851-1943),¹⁰⁹ its editor-in-chief, clearly expressed his concern that with exceptions, his collaborators were all Christians, and belonged to quite different peoples. He considered it his task to maintain the scientific and neutral character of the work on a high and impartial level, and to be very careful not to entrust articles to incompetent hands. On the other hand, any scholar whose scientific qualities were beyond suspicion could not be refused the right to publish in all liberty the results of his research, even if occasionally they were provocative. On that ground, the editorial staff members had accepted the articles by Lammens, although they personally did not agree with their spirit and tendency.¹¹⁰

Before the controversy, Wensinck's reputation among Muslim scholars in Egypt had been much connected to his *Handbook* more than to his contributions to the *EI*. The prominent Muslim jurist Ahmad Muhammad Shākir (1892-1958)¹¹¹ was perhaps the first Muslim scholar to pay attention to Wensinck's work. In October 1928 he received the *Handbook*, which he considered to be a treasure that should be known to Arab and Muslim readers. Two years later Shākir met Wensinck for the first time in the Salafiyya Library in Cairo, and requested his permission to embark upon translating the work into Arabic. In the same year, Shākir's enthusiasm about the work stimulated his teacher and the well-known Muslim scholar Muhammad Rashīd Ridā (1865-1935) to personally direct the same request at Wensinck, who replied in the affirmative: 'Yes, I wish that the book would be of much use, especially among the people of Egypt and the Hijāz whom I respect and love much.'¹¹²

It is worthy to note that Wensinck probably saw Ridā for the first time, when the latter was giving a lecture on February 9, 1930 at Jam'iyat ar-Rābita ash-Sharqiyya (the Association of Oriental Union) in Cairo. In his travel diary, Wensinck gives a caricatural description of Ridā: 'The Sayyid [Ridā] is a corpulent small man without legs,¹¹³ big turban, a fat nose, and a full beard, superb when he speaks. The subject of the lecture was: 'old and new'. The majority of the audience was enthusiastic. Before he started, a young man showing great approval had stood up and said: 'Yaḥyā [long live] al-Sayyid Rashīd Ridā.' This lecture [went on] with some interruptions, and sometimes the Sayyid would interrupt himself.'¹¹⁴

As Shākir could not finish the whole task of translation, Ridā recommended Muhammad Fu'ād 'Abd al-Bāqī (1882-1968) to continue with the translation work. The controversy surrounding Wensinck's writings on Islam did not influence the continuation of the translation work. Shākir however invited readers from all over the Muslim world to use the work.

ليدن هولندا في ١٥ ربيع الثاني الموافق ١١ سبتمبر ١٩٣٠

جناب الاستاذ العلامة السيد محمد رشيد رضا
المحترم منشئ مجلة المنار الشهيرة

بعد السؤال عن مهتكم والتحيات العسنى
فقد هلنى جوابكم الذى شرفتمنى فيه بالاستئذان
لنقل فهرست الاحاديث الشريفة الى اللغة الصربية
اما انا فلا مانع من جهتى من نقل

الفهرست الى اللغة الصربية نعم انى
ارجو ان يكثر نفع وفائدة الكتاب حضورها
لاهل مصر والحجاز الذين احترمهم واحبهم
وتفضلوا بقبول فائق احتراماتى
الى وسئلى

A letter to Rashid Rida written by Arent Jan Wensinck (September 1, 1930). The letter is preserved at the Rashid Rida family archive in Cairo.

ʿAbd al-Bāqī was able to publish the Arabic edition of the *Handbook* under the title *Miftāh Kunūz as-Sunna* (Key to the Treasures of Sunna).¹¹⁵ The work was published a few months after Wensinck’s dismissal from the Academy. In his introduction (written July 23, 1934), Shākir still expressed his appreciation for the work, and did not refer to the stormy debate about Wensinck.

It is interesting to know that Ridā was one of the founders of the Egyptian Language Academy in 1917, and his name appeared again on the list of selected candidates for the Royal Academy in the *Al-Ahrām* survey mentioned above. Although the journal *Al-Manār* was not directly involved in the controversy, nor did it express any explicit views about his dismissal, Ridā’s general attitude towards Wensinck and his *Handbook* was ambivalent. In the very beginning, he had highly praised the author’s meticulous efforts in compiling the *hadīth*. Wensinck’s greatest critic, Al-Harrāwī, probably belonged to Ridā’s circle. But he did not contribute to the *Al-Manār* journal with any anti-orientalist polemics during Ridā’s lifetime. His work was, however, published as a series of articles in Ridā’s journal and later in one volume by Al-Manār Press, a few months after the latter’s death.

In August 1934 (seven months after Wensinck’s dismissal), Ridā wrote the preface of the *Handbook* in which he positively praised the work. He maintained that due to his many commitments, he had not been able to fully participate in the editing of the work. He stressed the usefulness of the *Handbook* for Muslim scholars in tracing all kinds of traditions; and this work would have spared him ‘three-quarters’ of his preceding work and effort in the study of *hadīth*.¹¹⁶ He considered that ʿAbd al-Bāqī’s corrections and additions would make the Arabic edition more useful than the original English version. Ridā lamented the fact that the mastery of the science of *hadīth* had been waning in Egypt and Syria since the tenth century. In his view, without the superb efforts of his contemporary Muslim scholars in India, the science would have withered away in the East. As an orientalist, Wensinck had finished his work for the purpose of serving his career and for the sake of other orientalists, Ridā went on, but Muslims needed it more in having more knowledge about the sayings and traditions of their Prophet. He cited one *hadīth* stating that: ‘Verily, God will support Islam through men, who do not belong to its adherents.’¹¹⁷

One year later, however, in the introduction to his last work on the Revelation to Muhammad,¹¹⁸ Ridā all of a sudden renounced his appreciation of Wensinck’s efforts. According to him, most orientalists did not belong to the class of independent and fair-minded European scholars, because they did not study Arabic or the books of Islam in order to know

the truth about it. They were only seeking out its weak points by describing Muslims in a disfigured way so that their people would be driven away from Islam. The *EI* and Wensinck's *Handbook* were two key examples that had already disappointed his high expectations about their scholarship. Ridā recanted his earlier lofty impression and now rendered it as a futile piece of work. He believed that the translation of his work on the Islamic conceptions about the revelation would have the effect of influencing fair-minded Europeans and convert them to Islam. He sent copies of the book to all the orientologists he knew. Having received the work, it sufficed Wensinck to thank Ridā without giving any review of the book.¹¹⁹

Ridā had a similar attitude towards the *EI*. As soon as the Arabic translation appeared, he rushed to admit that Western scholars did Muslims a great favour by authoring this work. However, he pointed out that Muslims also had a record of early achievements in organizing such encyclopaedias, but had become stagnant in preserving their own heritage. He recommended Muslim readers everywhere to purchase the Arabic translation, as reading the *EI* in Arabic, the 'public language of Islam,' would be more useful than the English, French or German. He summed up some reasons: 1) man's prime need is to know oneself; it is very useful that Muslims better know themselves through the eyes of the fair-minded, biased or opponent among the orientologists. 2) The materials on which the authors depend are abundant in Europe, and orientologists follow scholarly lines of investigation. European public opinion depended on their analyses by which they make judgments on the Orientals. 3) The translation should be supplemented with corrections and analysis made by Muslim scholars in order to guarantee the 'adequacy' of the given data according to the mainstream of Islamic thought.¹²⁰

Ridā's main concern was that western historical and literary critical views on Islam should be criticized, in accordance with the mainstream of Islamic thought. Muslim scholars should thus take part in the project. A few years earlier (1926) he had welcomed an invitation provided by *Die Deutsche Gesellschaft für Islamkunde*, presided by Georg Kampffmeyer (1864-1936), inviting him and other Muslim scholars to cooperate with its editorial members. He had high expectations that their invitation to work together with Muslim scholars would result in great success.¹²¹ Ridā's suspicion of the *EI* concentrated only on two of his opponents, whom the committee had chosen in the advisory board: namely the anti-*Salafī* Azharī scholar Shaykh Yūsuf al-Dijwī (1870-1946)¹²² and the fervent Muslim propagandist and Egyptian nationalist Muhammad Farīd Wajdī (circa 1878-1954).¹²³ Dijwī's views as a traditionalist scholar were, according to

him, not to satisfy the minds of 'educated' Muslims, let alone orientalists. As for Wajdi's views, they do not directly 'refute the allegations.' Ridā requested the committee to appoint other scholars of higher scholarly position, such as Shaykh Al-Azhar Mustafā al-Marāghī (1881-1945) and the Mufti of Egypt ʿAbd al-Majīd Salīm (1882-1954).¹²⁴ Ridā, however, did not further develop any historical response to Wensinck's article on Abraham, nor did he critically study the views of Dijwī and Wajdī.¹²⁵

Very soon Ridā showed a completely different attitude by publishing a more severe article in which he talked about the 'corruption' of the *EI*. 'A deceiving name,' he wrote, '[...] for an encyclopaedia pieced together by a group of Western scholars for the sake of serving their religion and colonial states in the Muslim world. [It was intended] to destroy Islam and its forts, after all the failure of missionary attempts to attack the Quran and its prophet or spread false translations of the Quran.'¹²⁶ He harshly attacked the contributors of the *EI* of intentionally presenting Islam and its men and history in a 'twisted' way. In general he believed that 'Westerners are highly qualified in science, arts and industry, but their qualification in fabricating things is more effective.'¹²⁷ Ridā plainly revoked his earlier recommendation of the Arabic version, as the translators did not comply with his former advice of supplementing the criticisms of Muslim scholars to what he saw as 'distorting' information on Islam. He therefore believed that their 'useful' work had now changed to become 'harmful'. He requested its subscribers to appeal to the the editorial committee that the translators should add 'corrections' in the margins, otherwise they should end their subscription, by which they would be financially supporting those who attack Islam. For him, the publication of the Arabic version of the *EI* was even more dangerous than missionary books and journals. Missionary writings would hardly betray any Muslim, but the danger of *EI* was unavoidable, especially among the educated class.¹²⁸

In Ridā's journal, the Druze Prince Shakīb Arslān (1869-1946) acknowledged orientalist works to be one of the major sources of information on Islam and Muslims for Europe. Presumably Arslān's views in this regard had an impact on Ridā's hesitation. The orientalist, according to Arslān, is the *tarjumān* (translator), whose honesty or dishonesty would affect the public opinion. In case of dishonesty, his works could agitate European hatred against Islam. Arslān divided orientalists into three categories: 1) those who only searched for and enlarged the failings and weaknesses of Muslims in the eyes of Europeans. Their main intention was to serve Christianity by 'defaming' Islam and representing it as evil. Examples of this category were Lammens, Martin Hartmann (1851-1918), D. S. Mar-

goliouth (1858-1940) and Wensinck. 2) The second, whom he called 'sensible enemies', were those whose main concern was to serve European civilization and Christian culture and to spread them among Muslims, but with no 'deception'. Although they followed specific scientific methods, they never felt any restraint to write 'allegations' and 'poison' against Islam whenever needed. People in this category were Louis Massignon and Snouck Hurgronje. 3) A rare third class consisted of serious and objective scholars, who had no prejudice against Islam and whose critical approaches were produced after deep investigation. He counted among these Ignaz Goldziher (1850-1921), Kampffmeyer, Max Mayerhoff (1874-1945), and others. This group, according to him, knew perfectly well that they were raised with negative attitudes widespread in the West against Islam. They tried, however, to contribute in a positive way to lessen the remaining medieval perceptions and bad image of Islam in Europe.¹²⁹

Arslān never read Wensinck's work, but he included his name under his first category on the basis of Harrāwī's articles. He had nothing to say on his dismissal from the Academy, but considered the case an internal question associated with Egyptian policy. As he was no Egyptian, he preferred to remain silent on that point.¹³⁰ Arslān must have known Wensinck personally, as he attended and presented a paper on Arabic philology at the International Congress of Orientalists in Leiden, presided by Snouck Hurgronje in 1931.¹³¹ During this event he had a short discussion with Snouck, and concluded that his views on Islam in Java proved that he was 'a wise person', 'one of the less fanatic scholars', and 'a great orientalist'.¹³²

Arslān, on the other hand, deemed the Arabic translation of the *EI* a useful and necessary project for young generations, despite its many 'biased attitudes', 'mistakes' and 'grave scientific errors' on Islam. He assigned these errors to the first category of orientalists. Arslān made it clear to the translation committee that they should not underestimate the diversity of contributors in the *EI*, which would make their task more difficult. The advice of historians, chemists, geographers, jurists, philosophers, astronomers and theologians should be taken into consideration in order to be able to create a rather faultless translation, and to avoid the 'deluding' of young generations.¹³³

Farīd Wajdī, at the time the editor of Al-Azhar's mouthpiece *Nūr al-islām*, was more concerned with 'refuting the allegations' of the orientalists. He wrote two articles in which he discussed the entries 'Abū Bakr' and 'Ibrāhīm' in the *EI*. He was not satisfied that the translators would publish the 'allegations' of the orientalists without detailed critique of their negative views of Islam. He moreover advised them to stop translating these

‘allegations’ in their entirety; it would be enough to mention them in footnotes. He described the translators’ slight rejection of orientalist views without giving historical analysis as ‘passive resistance.’¹³⁴ In his comment on Wensinck’s article on Ibrāhīm, Wajdī did not mention the author by name, but referred to him as ‘al-Mustashriq’ (the orientalist). Wensinck was accused of being ‘ignorant’ of the essence of the Islamic message by postulating his theory only ‘out of his fantasy’. He aimed at ‘attacking the dignity of Islam’ and at proving that Muhammad had invented the Quran. He insisted that Abraham and his monotheistic faith had been a central point of the Prophet’s preaching since the earlier stages of his mission in Mecca. The figure of Abraham and his faith did not come into being as a response to the hostile attitude of the Jews in Medina towards Islam. The pre-Islamic Arabs and Jews alike were aware of the historical information that the Ka’ba had been built by Ibrāhīm.¹³⁵

Following Wajdī’s line of thought, the Azharī scholar Muhammad ‘Arafa, the Vice-Rector of the Faculty of Sharī‘ah, criticized the articles ‘Ihrām’ and ‘Ijmā’.¹³⁶ ‘Arafa entirely agreed with Harrāwī in his views about Wensinck.¹³⁶ He attacked Wensinck’s article ‘Ihrām’, which asserted that ‘the restrictions which were imposed by the *ihrām*, became too severe for Muhammad, so that during his stay in Mecca before the *hajj*, he conducted himself in a secular fashion.’¹³⁷ ‘Arafa was disturbed by what he called ‘inventions made by this author to deliberately offend Islam’. The discussions around the *hajj* in the *EI* were, according to him, selective in quoting Muslim traditions. Writers are always inclined to illustrate it as a very severe and ruthless ritual, while ignoring its spiritual and divine aspects. Therefore, Muslims must be cautious in solely depending on orientalists without verifying their information in authentic Muslim sources.¹³⁸ ‘Arafa was much troubled that the *EI* would be spread among the Muslim educated class. He similarly lamented the fact that Muslims did not have their own encyclopaedias or simplified references on Islamic themes. He also suggested that the translation committee should contain one or two Muslim scholars, who would be able to correct such ‘errors’.¹³⁹

The Egyptian Islamic writer Amīn al-Khūlī (1895-1966) found that rejoinders to the articles of the *EI*, such as of Wajdī and al-Dijwī, were based on arbitrary judgments. Contrary to Kipling’s notion ‘East is East and West is West, and never the twain shall meet’, al-Khūlī believed that they have already met in various fields. In fact, the translation of the *EI* is good evidence that both could meet.¹⁴⁰ The authors, in Khūlī’s views, lacked precision in formulating their premises and hypotheses; and therefore reached unconvincing results. Wajdī’s comments were mostly rhetorical,

and did not follow Wensinck's arguments one-by-one. Al-Khūlī at the end advised those writers to avoid any self-inclination or rhetorical analysis when they wrote on such subjects. They should, however, yield to the principles of ancient Arab logicians in their investigation of the *EI*.¹⁴¹

In his response to the anti-Wensinck campaign, the Egyptian man of letters and critic Zakī Mubārak (b. 1891) defended freedom of thought. Al-Harrāwī plainly warned him that his positive views on Wensinck would affect their friendship and be the cause of their separation. In *Al-Balāgh*, Mubārak maintained that any decision against Wensinck would seriously injure Egypt's scientific reputation. People in the modern age should be more inclined to freedom of thought, he stated. The only precondition restraining free research is ethics. In his view, Dutch orientalists were known to be meticulous and well-versed, since they were supported in their orientalism by a colony of fifty million Muslims. Although he had sometimes reached wrong conclusions, their most reliable scholar was Snouck Hurgronje. Mubārak encouraged his Oriental fellow-citizens to read orientalist works. 'Those people', he wrote, 'master Islamic Studies. They write in our absence and conclude without anybody checking them [...] If they communicate with us, they would be much more inclined to politeness and tact when being involved in writing on Islam.'¹⁴² Nevertheless, *Al-Jihād* criticized Mubārak for standing up for Wensinck, and attacked *Al-Balāgh* for its 'evil behaviour', and 'crooked policy in the name of defending freedom of thought'.¹⁴³

A suggestion was made by *Al-Hilāl* to Mubārak and al-Harrāwī to extend their debate on the 'advantages or disadvantages' of orientalists on its pages.¹⁴⁴ Al-Harrāwī reiterated his polemics against orientalism. Orientalists, he contended, portray Islam in an awful way, as they are generally ignorant of the reality of the East. He believed orientalists were trained in their countries of origin in order to serve their national policies, and not to have any sympathy with Islam or Muslims. That is why Western governments appropriate budgets for orientalist projects. In order to serve collective European policy, they have their international congresses. Also as soon as orientalist works appear, they are immediately translated into English, French and German.¹⁴⁵ Mubārak, on the other side, had no problem in admitting the 'favours' done to Islamic history and heritage by orientalist works. In his opinion, Muslims should engage with them in serious discussions as a group of scholars, by means of communication and cooperation. It was true that a group of orientalists might have served colonial policies, but they did not remain 'colonial tools' their entire lives. As a young man, he might have been attracted to finding a job as a diplo-

mat or translator in his country's colony, but in the course of time he might have changed his career to become a serious scholar whose imperial inclinations would gradually fade away.¹⁴⁶ Mubārak further argued that many of these orientalists dedicated the majority of their works to purely theoretical studies, which hardly served any imperial objective. It was not fair, therefore, to include them under this category.¹⁴⁷ As non-native speakers of Arabic, they were sometimes not able to grasp the subtle meaning of the language. Mubārak mentioned Margoliouth's work on *Yaqūt's Dictionary of Learned Men* as a good example despite its few mistakes.¹⁴⁸ Wensinck, in Mubārak's view, had greatly served Islam with his *Handbook*, a work which Al-Azhar Shaykhdom in its present state would be incapable of producing. Such works should be encouraged as they gave the history and culture of Islam more publicity in Europe and America.¹⁴⁹

The well-known Muslim writer Ahmad Amīn (1886-1954) admitted that the *EI* was the largest project ever embarked upon by orientalists in the modern time. It is the most important reference for students of Islam. Amīn was aware of the major difficulties perceived by Muslim intellectuals (especially the older generation) in translating this work. Among these difficulties were: 1) the alphabetical arrangement in Arabic, as the original work was not finished yet; 2) the difference in scholarly orientation between Western orientalists and Muslim scholars and the fact that some Western writers (such as Lammens) were imbued by fanaticism against Islam; 3) the changing character of scholarship due to new discoveries; 4) the fact that the authors sometimes devoted more space to insignificant items, while giving other important ones less attention. Amīn was critical to the translators' choice of Arabic terms, and maintained that their style of writing should be improved. Despite all these pitfalls, he believed that the young Muslim generation could acquire great benefits by reading the *EI*. In Amīn's view, the translation of this work would be an 'eye-opener' to the scholars in the East about how Westerners deal with their history and sciences. It would also be a stimulus to the coming generations to 'wake up'; and create their own glossaries and encyclopaedias instead of depending on the West.¹⁵⁰

The Egyptian revolutionary thinker Ismā'īl Mazhar (1891-1962) also praised the attempt of this group of young Muslims. The greatness of their work lies in the significance of the *EI* as a mine of information containing a huge variety of Islamic subjects including history, mysticism, theology, geography, etc. Mazhar, himself fond of encyclopaedic works, understood the complexity of their work. Like Amīn, he found that the translators still lacked knowledge and research in historical and linguistic

references. He carefully studied the Arabic translation, and raised many critical points concerning the technical Arabic equivalents to the English terms.¹⁵¹

In the same manner, the Muslim writer and former Egyptian imam in London ʿAbd al-Wahhab ʿAzzām (1894-1959) was impressed by the work done by the translators. However, he also found some technical mistakes in the first issue, especially with regard to names of people and places. ʿAzzām recommended Arab readers to support the publication of the *EI* by introducing serious remarks for the editor so that the translation would come out in its perfect shape. Therefore, he brought up these critical remarks so that the translators would avoid such errors in the remaining issues.¹⁵²

Conclusion

In this article, we have seen that many factors contributed to the ‘victimization’ of Wensinck’s partaking in the Egyptian Academy. One would conclude that a mixture of religious controversy and internal political interests in Egypt was the direct reason behind his dismissal. However, if we put the whole crisis in the context of *Weltpolitik*, another significant external political aspect could be assumed. As wartime brought out in the open the ties between orientalism and imperialism,¹⁵³ the interference of the European diplomats in Cairo in the Wensinck affair had negatively affected the so-called ‘academic freedom’ preached by other Western members. Entangled between the pressure of their governments and academic loyalty towards Wensinck, the four orientalists succumbed to the pressure to support the realization of their countries’ political aspirations and their sense of patriotism to the latter alternative.

The name of Snouck Hurgronje is hardly mentioned in the relevant remaining documents, while his name was the first on the list of Dutch candidates. He only appeared during the meeting with Gibb in Leiden. Snouck knew the risk of accepting an earlier invitation made by the Egyptian authorities for him to teach at the Egyptian University with other orientalists. He knew perfectly well the sensitivity among Muslims, especially regarding his conclusions about the place of Abraham in Islam. There are a few questions, which remain unsolved: had Snouck ever advised his student about the potential risk he was taking by accepting the membership at the Egyptian Academy? Was the appearance of Snouck’s name on the candidacy list a mere ‘cosmetic’ act of the Royal Dutch Acad-

emy? What was Snouck's response to the Royal Academy's decision to put his name on the list? Was he kept updated with all the developments?

In any case, Wensinck's name in the Muslim world remains much related to his works on *hadīth*, not to his dismissal from the Academy. After his death an anonymous contributor published an obituary in the Egyptian magazine *ar-Risāla* in which he praised his efforts in indexing the Prophetic traditions. The writer quoted Ridā's early positive view only. He decided not to give any elaboration on the crisis of the Academy saying: 'The story is well-known and the agitators are still alive. *Fī dhimmati Allah* (in God's hand) are those who devoted their lives to real science [...] and bringing the sources of Islam closer to its adherents.'¹⁵⁴

Nevertheless, one cannot ignore the fact that this campaign against Wensinck has had its impact on certain later Muslim attitudes. Usep Abdul Matin has studied a later interesting *fatwā* by the Azharī scholar Ahmad ash-Sharabāsī (1917-1980), who encouraged Muslims to use Wensinck's indices of *hadīth*.¹⁵⁵ Matin also indicated that some later Muslim scholars doubted Wensinck's views on Islam and depicted him as 'extremely malicious towards Islam.'¹⁵⁶ But Ahmad ash-Sharabāsī, who was more positive, concluded that 'whatever the case of the Dutch orientalist's religious convictions and reprehensible points is, he truly connected his name to the area of *hadīth* [...] Anybody immersed in the study of the tradition will continue to remember Wensinck with respect.'¹⁵⁷

Notes

- 1 My gratitude is due to my promoter Prof. Dr. P.S. van Koningsveld, Jason Caywood from Arizona and my colleague Drs. Muhammad Ghaly for reading and giving comments on the draft of the paper.
- 2 In 1933 the Egyptian Ministry of Education financed a committee for the translation of the *EI*. The Egyptian prince and well-known philanthropist Omar Tusun (1872-1944) was one of the supporters of the project. Three Egyptian graduates in history and philosophy, Muhammad Thābit al-Fandī, Ahmad al-Shantanāwī and Ibrāhīm Zakī Khurshid, were appointed to take up the task. In October the first issue appeared. The translation was mainly aimed at 'widening the horizons of Arab readers with regard to Islamic history and civilization'. The translators considered the role of the Encyclopaedia as more effective than the universities in shaping Muslim public opinion. Due to its deep investigation and easy style of structure and language, it was also proposed 'to sustain [Muslim] traditions and expose their high values'. They

- saw their contribution as important as all attempts of pan-Arabism and pan-Islamism, such as the Language Academy and the International Islamic Congress. See *Dā'irat al-ma'ārif al-islāmiyya*, Vol. 1, 1, October 1933, pp. 3-5.
- 3 About the Muslim perspective on Abraham, see, Khalil Athamina, 'Abraham in Islamic Perspective: Reflections on the Development of Monotheism in Pre-Islamic Arabia' in: *Der Islam*, Vol. 81, 2004, pp. 184-205.
- 4 F. Krenkow, 'Arent Jan Wensinck' in: *Islamic Culture: an English Quarterly*, Hyderabad-Deccan: The Islamic Culture Board, 1940, Vol. xiv, p. 234.
- 5 Snouck Hurgronje, *Het Mekkaansche feest*, Leiden, 1880. Cf. A. Sprenger, *Das Leben und die Lehre des Mohammad*, Berlin, 1869; A. J. Wensinck, 'Ibrāhīm' in: *EI1*, II, 432a. See the critical views, Y. Moubarac, *Abraham dans le Coran*, Paris 1958; Rudi Paret, 'Ibrāhīm' in: *EI2*, III, 980a.
- 6 Athamina, *op. cit.*, p. 185.
- 7 Ronen Raz, *The Transparent Mirror: Arab Intellectuals ad Orientalism*, unpublished PhD dissertation, Princeton University, 1997, pp. 135-136. Cf. Joseph H. Escovitz, 'Orientalists and Orientalism in the Writings of Muhammad Kurd Ali' in: *International Journal of Middle East Studies*, Vol. 15, 1, February 1983, pp. 95-109.
- 8 Donald Malcolm Reid, 'Cairo University and the Orientalists' in: *International Journal of Middle East Studies*, Vol. 19, 1, 1987, p. 59.
- 9 *Ibid.*, *Cairo University and the Making of Modern Egypt*, Cairo: The American University in Cairo, 1990, p. 42.
- 10 For more about the affair, see Reid (1987), pp. 62-64.
- 11 Alī Abd ar-Rāziq, *Al-Islām wa-Usūl al-Hukm*, Cairo, 1925.
- 12 Tāha Husayn, *Fī ash-shi'r al-jāhili*, Cairo: Matba'at Dār al-Kutub al-Misriyya, 1st ed., 1926. Cf. Muhammad al-Khidr Husayn, *Naqd kitāb fī ash-shi'r al-jāhili*, A. at-Tunusī (ed.), 2nd ed., Cairo, 1977.
- 13 My gratitude goes to Prof. Dr. P.S. van Koningsveld for giving me copies of this collection, which is presently found at the Library of Leiden University.
- 14 Bibliothek der Deutschen Morgenländischen Gesellschaft, Halle (Saale), August Fischer Nachlass, fi 063, fi 064 and fi 099. I am grateful to my friend Tarek Mohamed Ali, PhD candidate at the Germanistisches Institut in Halle, for sending me copies of these letters.
- 15 His full name is Cornelis Hendrik Joan Schuller tot Peursum, born in Renkum on July 6, 1885. In 1922-1925, he served as a secretary (second class) at the Consulate in Cairo. In 1925, he was placed in Budapest. He became the Chargé d'Affaires of the Netherlands in different countries, such as Rio de Janeiro, Madrid, Bogotá, Quito, and Cairo. My thanks to Mr. Paul C. Schuller tot Peursum for giving access to the website of his family's genealogy: <http://www.schuller-genealogie.com/genealogie/startpagina.htm>, accessed on January 5,

2007. His file is to be found in the Nationaal Archief – Den Haag, archief van het gezantschap in Egypte (Caïro) [1881] 1921-1954 [1961], Nummertoeegang 2.05.143, Inventarisnummer 632.
- 16 He was appointed as a Councilor in 1925. He was in charge of the situation of Dutch-Indian students in Cairo. In 1928 he was selected to stay for one month in Jeddah, arranged by the Dutch Council there, in order to get into contact with many of them, and to be acquainted with their lives. The file of his activities is also to be found in Het Nationaal Archief – Den Haag, Archief van het Gezantschap in Egypte (Caïro) [1881] 1921-1954 [1961], Nummer-toeegang 2.05.143, Inventarisnummer 634.
- 17 Nationaal Archief – Den Haag, archief van het gezantschap in Egypte (Caïro) [1881] 1921-1954 [1961], Nummertoeegang 2.05.143, Inventarisnummer 625.
- 18 Noord-Hollands Archief, Haarlem. Nummertoeegang 64, Inventarisnummer 25.
- 19 Ibrāhīm Madkūr, *Majma' al-lughā al-arabiyya fī thalathīn 'ām* (1932-1962), Cairo, 1964-1966; the third volume has been edited by Mahdī 'Allām.
- 20 Rached Hamzaoui, *L'Academie de langue arabe du Caire: histoire et œuvre*, Tunis: Université de Tunis, 1975, p. 69: 'Le cas de Wensinck posait en fait le problème de la présence des orientalistes à l'Académie ce qui mérite, d'être exposé ici dans la mesure où cette présence pouvait influencer sur la méthode de travail de l'Académie, sur la façon d'aborder les problèmes de la langue et de leur trouver des solutions modernes.'
- 21 P.S. van Koningsveld, *Snouck Hurgronje en de islam*, Leiden: Documentatiebureau Islam-Christendom, Faculteit der Godgeleerdheid, 1988, pp. 18-23. Van Koningsveld wrote his remarks as reponse to F. Schröder: 'Orientalistische retoriek: Van Koningsveld over de vuile handen van Snouck Hurgronje' in: *De Gids*, Vol. 134, 1980, 785-806. In that work, Schröder placed the latter's critique of Snouck in the ideological tradition of Muslim opponents to orientalists, such as those involved in the anti-Wensinck campaign (especially al-Harrāwī).
- 22 More about his life and works, see , for example, L Virginia Vacca, *Oriente moderno*, Vol. 19, 1939, pp. 673-675; J. Pedersen, *Acta orientalia*, 18, 1940, pp. 161-163; J. Huizinga, *Jaarboek der Koninklijke Nederlandsche Akademie van Wetenschappen 1939-40*, Amsterdam, 1940, pp. 214-224; W.C. van Unnik, 'Professor A.J. Wensinck en de studie van de oosterse mystiek' in: A.J. Bronkhorst (ed.), *Woorden gaan leven. Opstellen van en over Willem Cornelis van Unnik*, Kampen, 1979, pp. 238-263; Louis Massignon, 'A.J. Wensinck' in: *Journal Asiatique* (1941-1942), pp. 213-215; Krenkow, op. cit. p. 234; *Biografisch Woordenboek van Nederland* , Vol. 4, 1994, The Hague, available at: <http://www.inghist.nl/Onderzoek/Projecten/BWN/lemmata/bwn4/wensinck>; accessed on January 12, 2007.

- 23 See his brochure, *De Nederlandsch-Hervormde Kerk en de Gemeente van Christus: Gedachten naar aanleiding van de Reorganisatiebeweging*, Rotterdam: Voorhoeve, 1939.
- 24 Madkūr, *op. cit.*, Vol. 1, p. 16.
- 25 About the Academy and its activities, see, for instance, *Al-Manār*, Vol. 19, 2, Ramdān 1334/ July 1916, pp. 110ff; Vol. 20, 1, Shawwāl 1335/ July 1917, pp. 61ff.
- 26 Yunan Labib Rizk, 'Chronicles' in: *Al-Ahram Weekly*, No. 647, July 2003.
- 27 *Ibid.*
- 28 *Ibid.* Heading the list of the survey were Muhammad Farīd Wajdī, Tāha Husayn, Dawūd Barakāt, Ahmad Al-Iskandarī, Khalīl Matrān, Ahmad Lutfī Al-Sayyid, °Alī Al-Jārim, °Abbās Al-°Aqqād, °Abd al-°Azīz Al-Bishrī, Muhammad Husayn Haykal and Muhammad Rashīd Ridā. Of these, only two, al-Iskandarī and al-Jārim, had won in the survey conducted by *Al-Ahrām*.
- 29 Rizk, *op. cit.*
- 30 Rashed, *op. cit.*, p. 70. *Oriente Moderno*, 12, 1932, p. 460.
- 31 Rizk, *op. cit.*
- 32 *Ibid.*
- 33 *Ibid.*
- 34 Rizk, *op. cit.*
- 35 As cited in Van Koningsveld, *op. cit.*, p. 19.
- 36 For more about him, see, M. Rosen-Ayalon (ed.), *Studies in Memory of Gaston Wiet*, Jerusalem, 1977.
- 37 Letter Schuller tot Peursum to the Minister of Foreign Affairs, Cairo, January 19, 1933/ No. 78.34. NA. Gezantschap in Egypte, 205.143, Inv. No. 625. In this meeting the minister told Schuller about his plan of dispatching three Egyptian graduates from Al-Azhar and Dār al-°Ulūm to study Arabic philology in Europe, and whether it was possible to send one of them to study in Leiden. It seems that the whole idea was never put into practice due to the later developments around the Wensinck crisis.
- 38 Letter from the Koninklijke Akademie van Wetenschappen/ Afdeling Letterkunde to the Dutch Minister of Education, Arts and Sciences, Amsterdam, No. 16, March 18, 1933.
- 39 *Al-Ahrām*, November 3, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 40 Letter Schuller tot Peursum to the Minister of Foreign Affairs, Cairo, June 13, 1933/ No. 529/215 NA. Gezantschap in Egypte, 205.143, Inv. No. 625. Schuller did not forget to mention that each member was supposed to get reimbursement of travelling expenses, three Egyptian pounds for accommodation a day, and two pounds as allowance for each meeting.

- 41 Letter, Wensinck to Braat, October 16, 1933, Leiden – Witte Singel 21. NA. Gezantschap in Egypte, 205.143, Inv. No. 625. Braat was Wensinck's contact person at the Consulate.
- 42 Letter, Schuller tot Peursum to the Egyptian Minister of Education, Cairo, June 26, 1933, NNo. 562. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 43 Rizk, *op. cit.*
- 44 As cited in NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 45 *Al-Jihād*, October 30, 1933; November 3 and 4, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 46 Telegram, Bart to Wensinck, Cairo, October 21, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 47 Telegram, Wensinck to Braat, Leiden – Witte Singel, October 22, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 48 Letter, Wensinck to Braat, October 25, 1933, Leiden. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 49 Letter, Schuller tot Peursum to the Minister of Foreign Affairs, October 24, 1933, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625
- 50 'Aanvallen van de Arabische pers op Prof. Wensinck'; Letter, Schuller tot Peursum to the Minister of Foreign Affairs, No. 1097/428, November 7, 1933, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 51 Ibid. About the Wafd and religious issues and missionary work, see, Leland Bowie, 'The Copts, the Wafd, and Religious Issues in Egyptian Politics' in: *The Muslim World*, 67, 2, 1977, pp. 106-126. Cf. Umar Ryad, 'Muslim Response to Missionary Activities in Egypt: With a Special Reference to the Al-Azhar High Corps of 'Ullamā' (1925-1935)' in: Heleen Murre-van den Berg (ed.), *New Faith in Ancient Lands: Western Missions in the Middle East in the Nineteenth and Early Twentieth Centuries*, Leiden: Brill, 2006, pp. 281-307.
- 52 Letter, Wensinck to Braat, October 30, 1933, Leiden – Witte Singel. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 53 Letter, Schuller tot Peursum to the Egyptian Minister of Education, November 1, 1933, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 54 *Al-Ahrām* (November 3, 1933). NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 55 Letter, Wensinck to Braat, November 8, 1933, Leiden. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 56 About him, see, Madkūr, *op. cit.*, Vol. 2, pp. 21-22; Khayr ad-Din az-Zirikli, *Al-ʿĀlam*, Beirut, 2002, Vol. 1, p. 190.
- 57 *Al-Ahrām*, November 6, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 58 *Al-Jihād*, November 7, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.

- 59 'Aanvallen van de Arabische pers op Prof. Wensinck', *op. cit.*
- 60 *Al-Ahrām*, November 7, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 61 The Minister of Foreign Affairs to Schuller tot Peursum, No. 38431/195, The Hague, November 20, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 62 Schuller tot Peursum to Hilmī ʿĪsā Pasha, No. 1197, November 28, 1933, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 63 *Al-Ahrām* (November 28, 1933). NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 64 Letter Schuller tot Peursum to the Minister of Foreign Affairs, December 4, 1933, No. 1221/470, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 65 Letter Secretary General of the Dutch Minister of Foreign Affairs to Schuller tot Peursum, NNo. 40417./210, 4 December 1933, The Hague. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 66 Letter, Gibb to Massignon, December 18, 1933, Sutton, Surrey. Van Koningsveld's collection
- 67 Letter, Gibb to Massignon, December 22, 1933, Sutton, Surrey. Van Koningsveld's collection.
- 68 Letter, Massignon to Gibb, December 19, 1933, Paris. Van Koningsveld's collection.
- 69 Letter, Fischer to Massignon, December 25, 1933, Leipzig. Van Koningsveld's collection. Letter, Nallino to Fischer, December 22, 1933, Rome. Halle Collection.
- 70 Letter, Gibb to Massignon, January 6, 1934, Sutton, Surrey. Van Koningsveld's collection.
- 71 *Ibid.*
- 72 Letter, Fischer to Massignon, January 8, 1934, Leipzig. Halle collection
- 73 *Ibid.*: 'Ich muss [...] auf die Wünsche meiner Regierung eine gewisse Rücksicht nehmen. Aber dieses könnte und würde mich nicht zwingen nach Kairo zu gehen, wenn ich erklärte, dass mir unter gegebenen Umständen ein Zusammenarbeiten mit der Akademie unmöglich wäre.'
- 74 Letter, Gibb to Massignon, January 12, 1934, Sutton, Surrey. Van Koningsveld's collection.
- 75 Letter Schuller tot Peursum to the Minister of Foreign Affairs, December 4, 1933, NNo. 1221/470, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 76 Letter Schuller tot Peursum to the Minister of Foreign Affairs, December 8, 1933, NNo. 1222/471, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 77 Telegram, Ministry of Foreign Affairs to Schuller tot Peursum, No. 1, January 12, 1933, The Hague. Letter, A.M. Snouck Hurgronje, Secretary General of

- the Minister of Foreign Affairs to Schuller tot Peursum, No. 1890/16, January 17, 1933, The Hague. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 78 Letter, Schuller tot Peursum to the Dutch Minister of Foreign Affairs, No. 110/29, January 15, 1933, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 79 Ibid.
- 80 See, H.H. Biesterfeldt, 'Enno Littmann: Leben und Arbeit. Ein autobiographisches Fragment (1875-1904)' in: *Oriens*, Vol. 29, 1986, pp. 1-101
- 81 Letter, Schuller tot Peursum to the Dutch Minister of Foreign Affairs, No. 163/47, Prof. Wensinck, vertrouwelijk, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 82 Letter, Wensinck to Braat, February 14, 1934, Leiden – Witte Singel. NA. Gezantschap in Egypte, 205.143, Inv. No. 625. About Bergsträsser, see his obituary by Max Meyerhof 'Gothelf Bergsträsser (1886-1933)' in: *Isis*, Vol. 25, 1, May 1936, pp. 60-62.
- 83 Maria Höfner, *The Library of Enno Littmann (1875-1958)*, Leiden: Brill, 1959, p. xix: 'König Fuad, der als Prinz die ägyptische Univetsität geschaffen hatte, begründete 1934 die arabische Sprachakademie und wünschte, dass ich eins der fünf europäischen Mitglieder sein sollte.'
- 84 Letter, Prof. Wensinck, vertrouwelijk, *op. cit.*
- 85 Ibid.
- 86 Reid (1987), p. 55.
- 87 Letter, Prof. Wensinck, vertrouwelijk, *op. cit.*
- 88 Letter, Schuller tot Peursum to the Dutch Minister of Foreign Affairs, No. 469/151, April 18, 1934, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 89 Letter, Schuller tot Peursum to the Dutch Minister of Foreign Affairs, No. 788/239, June 25, 1934, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625. Schuller reported in the earlier letter that the Minister had handed them a written statement, but in this letter he corrected his information that it was only an oral statement.
- 90 Letter, the Dutch Minister of Foreign Affairs to Schuller tot Peursum, The Hague, No. 17089/94, June 19, 1934. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 91 Ibid.
- 92 Letter, Schuller tot Peursum to the Dutch Minister of Foreign Affairs, No. 1092/332, October 26, 1934, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625: 'Je m'étonne que le Gouvernement Néederlandais persiste à vouloir imposer au Gouvernement Egyptien un orientaliste qui avait écrit contre la religion officielle de l'Egypte.'
- 93 Ibid.

- 94 Letter, Schuller tot Peursum to Ibrāhīm Kamāl Bey, No. 1209, November 30, 1934, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625. Schuller only received a letter in which the Egyptian Minister would put this matter into consideration. Letter, Egyptian Ministry of Foreign Affairs to the Dutch Consulate, No. 21.29.9. 38, December 9, Cairo. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 95 Letter, Massignon to Gibb, Nallino and Fischer, August 21, 1934, Paris. Halle collection.
- 96 Letter, Fischer to Massignon, September 2, 1934, Leipzig. Collection Halle (Saale): 'Unser in Kairo gegebenes Versprechen hat seine Schranke an unseren Pflichten gegen Wensinck, der ein Recht hat von uns aufgeklärt zu werden, und wenigstens ich habe dieses Versprechen nur mit dieser Einschränkung abgegeben. [...] Ich bin [...] der Meinung, dass ein Brief ebenso gut, vielleicht noch besser sein würde. [...] Höre ich nichts Andres von Ihnen, dann schreibe ich in etwa 8 Tagen Wensinck dass ich meine Absicht ihm über unsre Schritte in Kairo zu berichten nicht ausführen kann.'
- 97 Letter, Massignon to Fischer, Nallino and Gibb, September 6, 1934, Paris. Collection Halle (Saale). Due to his lack of time and money, Fischer apologized that he could not visit Leiden; Massignon was hindered because of his wife's sickness, and Nallino due to the big distance.
- 98 Letter, Fischer to Massignon, Nallino and Gibb, September 9, 1934, Leipzig. Halle (Saale) collection.
- 99 Letter, Gibb to Massignon, September 12, 1934, Sutton, Surrey. Van Koningsveld's collection.
- 100 Letter, Gibb to Fischer, Massignon and Nallino, September 20, 1934, Sutton, Surrey. Halle (Saale) collection.
- 101 Ibid.
- 102 Ibid.
- 103 Ibid.
- 104 Ibid
- 105 Ibid.
- 106 Letter, Wensinck to Gibb, October 25, 1934, Leiden. Halle collection.
- 107 Ibid.
- 108 Letter, Gibb to Massignon, September 20, 1934, Sutton, Surrey. Van Koningsveld's collection.
- 109 About his life, see Daniel van der Zande, *Martinus Th. Houtsma, 1851-1943: een bijdrage aan de geschiedenis van de orientalistiek in Nederland en Europa*, PhD dissertation, University of Utrecht, 2000.
- 110 For more about the history of the *EI*, see: Ch. Pellat; Vesel; E. van Donzel, 'Mawsū'ā', in: *Encyclopaedia of Islam*, Brill Online. 14 December 2006 <http://>

- www.encyislam.brill.nl/subscriber/entry?entry=islam_COM-07181, see also, A.J. Wensinck, 'De Encyclopedie van den Islam' in: *Oostersch Instituut–Leiden, Jaarverslag 1927-1928*, Leiden 1929, pp. 15-7; M.Th. Houtsma and J.H. Kramers, 'De wordingsgeschiedenis van de Encyclopaedie van den Islam' in: *ibid.*, *Jaarverslag 1941*, Leiden 1942, pp. 9-20.
- 111 Ron Shaham, 'Egyptian Judge in a Period of Change: Qadi Ahmad Muhammad Shakir, 1892-1958' in: *The Journal of the American Oriental Society*, Vol. 119, 1999, pp. 440-455.
- 112 Letter, Wensinck to Ridā, September 1, 1930, Leiden; the letter is found among the personal papers of Ridā in his family archive.
- 113 In Dutch: zonder beenen. Wensinck probably he means that due to his thick body and the religious uniform it was difficult to see his leg.
- 114 See Wensinck's travel diary in Egypt, Jeddah, Syria and Jerusalem (end 1929-early 1930), Leiden University Library, p. 38. UB Bijzondere Collecties (KL) – Or. 25.686.
- 115 *Miftāh kunūz as-sunna*, Cairo: Matba'at Misr, 1934. As is indicated in his letter to 'Abd Al-Bāqī, Wensinck was pleased with the corrections made by the translator in the Arabic edition. Letter, March 5, 1934.
- 116 *Ibid.*, p. 3.
- 117 'Muqaddimat miftāh kunūz as-sunna' in: *Al-Manār*, Vol. 34, 4, Rabī' al-Ākhir 1353/ August 1934, pp. 296-297.
- 118 *Al-Wahy al-muhammadi*, Al-Manār Press, 1935.
- 119 *Al-Manār*, Vol. 35, 1, Rabī' al-Awwal 1354/ July 1935, pp. 36-37.
- 120 *Al-Manār*, Vol. 33, 6, Rajab 1352/ October 1933, p. 477.
- 121 See, *Al-Manār*, Vol. 26, 8, Rajab 1344/ February 1926, p. 638.
- 122 About their conflict, see: R. Ridā, *Al-Manār wa Al-Azhar*, Cairo, 1353, p. 15f; Yūsuf al-Dijwī, 'Sāhib al-Manār' in: *Majallat nūr al-islām*, Vol. 3, 5, Jumāda al-Ūlā 1351/1932, p. 337; Daniel Neil Crecelius, *The Ulama and the State in Modern Egypt*, Princeton University, PhD dissertation, 1967, pp. 314-315.
- 123 About his life and works, see Muhammad Tāha al-Hājirī. *Muhammad Farīd Wajdi: hayātuh wa-āthāruh*. Cairo: The Arab League, 1970.
- 124 *Al-Manār*, Vol. 33, 6, p. 478.
- 125 *Al-Manār*, Vol. 33, 8, Ramadan 1352/ December 1933, p. 630.
- 126 'Dā'irat al-ma'ārif al-islāmiyya wa-mā fihā min mafāsīd' in: *Al-Manār*, Vol. 34, 5, Jumāda al-Ākhira 1353/ October 1934, pp. 386-387.
- 127 *Ibid.*
- 128 *Ibid.*
- 129 Shakīb Arslān, 'Al-Mustashriqūn wa-mawqifuhum al-khatir min al-islām' in: *Al-Manār* (quoted from *Al-Jihād*), Vol. 33/6, Rajab 1352/ October 1933, pp. 435-440.

- 130 Ibid., p. 436.
- 131 Snouck Hurgronje (ed.), *Actes du XVIIIe Congres International des Orientalistes, Leiden, 7-12 septembre 1931*, Leiden: Brill, 1932.
- 132 See his article in *Hādīr al-‘ālam al-islāmī*, Vol. 3, Cairo: Matba‘at al-Bābī al-Halabī, 1352 AH., pp. 372-374.
- 133 Arslān, ‘Al-Mustashriqūn’, *op. cit.*, p. 439.
- 134 Farīd Wajdī, ‘Daḥd muftaryāt al-mustashriqīn: fī sirat Abī Bakr al-Siddīq’ in: *Nūr al-islām*, Vol. 5, 3, Rabī‘ al-Awwal 1353/ 1934, p. 213.
- 135 Farīd Wajdī, ‘Daḥd muftaryāt al-mustashriqīn’ in: *Nūr al-Islām* Vol. 5/9 (Ramadān 1353/ 1934), pp. 599-607.
- 136 *Al-Balāgh*, 26 October 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 137 Muhammad ‘Arafa, ‘Dā’irat al-ma‘ārif al-islāmiyya wa-l-khalt fī al-tārīkh wa-l-haqā’iq al-‘ilmiyya’ in: *Nur al-islām*, Vol. 5/8, Sha‘bān 1353/ 1934, pp. 556-566.
- 138 Ibid.; ‘Arafa incorrectly cited the title of Hurgronje’s thesis as *Die Mekkani-sche Feste*.
- 139 Ibid., ‘Dā’irat al-ma‘ārif al-islāmiyya: ra’yuhā fī Abī Hurayrah’ in: *Nūr al-islām*, Vol. 5/9, Ramadān 1353/ 1934, p. 646.
- 140 Amīn al-Khūlī, ‘Ash-Sharq wa-l-gharb yaltaqiyān’ in: *Al-Hilāl* Vol. 42/4 (February 1, 1934), pp. 444-448.
- 141 Ibid., p. 448.
- 142 *Al-Balāgh*, November 10, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 143 *Al-Jihād*, November 11, 1933. NA. Gezantschap in Egypte, 205.143, Inv. No. 625.
- 144 ‘Ra’yān muta‘āridān: hal darar al-mustashriqīn akthar min naf‘ihim’ in: *Al-Hilāl*, Vol. 42, 3, January 1, 1934, pp. 321-328.
- 145 Ibid., pp. 322-323.
- 146 Ibid., p. 325.
- 147 Ibid., pp. 325-326.
- 148 Ibid., pp. 325-326. D.S. Margoliouth (ed.), *The Irshād al-Arib ilā Ma‘rifat al-Adīb or Dictionary of Learned Men of Yāqūt*, 7 Vols., London: Luzac, 1923-1931.
- 149 Ibid., p. 326.
- 150 Ahmad Amīn, ‘Dā’irat al-ma‘ārif al-islāmiyya’ in: *Ar-Risāla*, Vol. 1, 19, October 15, 1933, pp. 37-38.
- 151 Ismā‘īl Mazhar, ‘Dā’irat al-ma‘ārif al-islāmiyya: naqd wa-taqdīr’ in: *Ar-Risāla*, 2 articles, Vol. 1, 19-20, October 15 – November 1, 1933. For instance, the word ‘schism’ is translated as ‘*qism*’, but it should be ‘*firqa*’; ‘heretics’ as ‘*kufr*’, while it should be ‘*hartaqa*’, etc.

- 152 ‘Abd al-Wahhāb ‘Azzām, ‘Dā’irat al-ma‘ārif al-islāmiyya: aghlāt al-karrāsa al-ūlā’ in: *Ar-Risāla*, Vol. 1, 20, November 1933, pp. 39-40.
- 153 Reid (1990), p. 41.
- 154 ‘Wafāt al-Mustashriq Wensinck’ in: *Ar-Risāla*, Vol. 7, 329, October 23, 1939. A part of it is also quoted by Raz, *op. cit.*, pp. 144-145.
- 155 Usep Abdul Matin, *The Fatwā of Ahmad al-Syrabāsī on Encouraging Muslims to use Wensinck’s Concordance and Handbook*, unpublished paper, Seminar Problems and Methods of Islamic Studies, Islam and the West: Their Mutual Relations as Reflected in Fatwā-Literature, MA programme, Leiden University, 1999, p. 38.
- 156 Matin, *op. cit.*, p. 38.
- 157 *Ibid.*

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5 The Historical Method of Biblical Interpretation: Its Nature, Use, Origin and Limitations

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This paper will deal with what is called the ‘historical method’ of biblical interpretation. It is the method now almost generally used in European and North American universities, but also in universities elsewhere. It is certainly the most successful and prestigious form of biblical scholarship at the present day. It used to be styled ‘the historical-critical method’, a term that originated in the seventeenth and eighteenth centuries and became current in the nineteenth and twentieth centuries.¹ But the designation of the method as ‘historical-critical’ is perhaps less fortunate since any discipline that asserts a claim to academic standing is supposed to be ‘critical’, that is, designed to promote discriminating analysis and understanding.² Nowadays the historical method also goes under the name of ‘contextual interpretation’, a rather happier term since the aim of the method is to understand ancient texts within the historical, social and cultural context in which they originated.

The rest of this paper will be divided into five sections. In the first section I shall discuss some important characteristics of the historical method. In the other sections I shall say something about the origins, the use and the limitations of this method. I shall take most of my examples from the Bible from its second part, that is, its more recent, Christian, part, the so-called New Testament; but my methodological observations apply equally to the first part of the Bible, known as the Tenach, the Hebrew Bible or the Old Testament.

Some Characteristics of the Historical Method

(1) First and foremost, the historical method does *not* aim to establish the significance of an ancient text for a present-day audience. The historical method does not try to determine the significance a text may have for the contemporaries of the interpreter. Instead, it tries to show what meaning the author of a given text intended it to convey to the original audience or readers, his contemporaries.³

Thus, one of the features of the historical interpretation method is that it tries to confine the audience of each particular book of the Bible to the readers and/or hearers the author had in mind, that is, to an audience defined in space and time. For it is this audience (often only an audience implied in the text) which occasioned the author to write *what* he wrote and to write it the *way* he wrote it. Consequently, the criterion for the correctness of any interpretation is the meaning the author wanted his text to convey to its first audience. It follows that it is of paramount importance for the interpreter to know as exactly as possible who the first addressees were.

True, one can also ask what a given text meant to certain later audiences. This question is dealt with in other disciplines, such as the 'history of exegesis' and 'reception history'. But it is extremely hard – in fact impossible – to establish objectively the significance of an ancient text for a present-day audience, because present-day audiences are an unlimited and indeterminable group of people, with very different backgrounds, perceptions, mind sets and expectations. And if the audience of a text cannot be determined, it is also impossible to establish what the author wanted this audience to understand.

Moreover, the ancient authors of the writings collected in the New Testament did not write their works for an audience of the twenty-first century at all. They expected the world to come to an end about the year 100 CE at the latest. Their writings cannot have been intended, therefore, to have any meaning to readers of our time. Consequently, from a methodological point of view, each endeavour to elicit from these ancient writings a meaning for an audience of the twenty-first century is *a priori* questionable. It is wrong to look in these writings for meanings other than the ones their authors wanted to have them for their direct addressees at the moment of writing. Take, for instance, Paul's letter to the Romans: in historical interpretation the question is: what did it mean to the Christian communities of Rome in 57 CE. The question is not: what does it mean to us in 2007?

Thus, the first feature of the historical method is that it seeks to ascertain the meaning the author wanted his writing to convey to the historically determined audience consisting of the first, direct addressees.

(2) The second characteristic of this method I want to mention is that, in interpreting the form or the contents of a biblical writing, the interpreter must never invoke the interference of transcendent causes to explain anything whatsoever. Take, for instance, the four Gospels. The New Testament opens with four accounts of Jesus's activity and teaching during his earthly ministry: the Gospels. These accounts differ both in outline and in the order and form in which they present the acts and sayings of Jesus. Yet they also show striking agreements in outline, order and form, and even verbal agreements for considerable stretches of text. How, then, should one explain both the differences and the agreements between the Gospels in one single theory? Ancient Christian authors, such as Augustine,⁴ argued that the agreements are to be explained as the result of the fact that the Spirit of God inspired the authors of the Gospels so that all four of them disposed all of the same information about Jesus. The differences are due, according to Augustine, to the fact that the divine Spirit induced each evangelist individually to retain and omit certain elements of their information and to determine the order and shape in which he wrote down the information he retained.

Such an explanation of the agreements and differences between the Gospels is no longer acceptable, for it is unconvincing to people who reject the idea that books come into being through supernatural interventions or to those who reject any notion of God and his Spirit. If they are to engage with such discussion partners, scholars involved in the study of the Gospels would do better to abandon the idea of divine guidance in the production of the Gospels. To explain the agreements and differences between the Gospels, another theory was developed in the eighteenth and nineteenth centuries, a theory in which no appeal at all is made to transcendent factors. This theory, down to earth and mundane, but satisfactory and widely accepted nowadays, explains the agreements between the Gospels partly as the result of the dependence of certain later Gospels on one or more earlier ones, and partly as the result of their dependence on common tradition. Their differences are accounted for as due to the changes the Jesus tradition underwent in different stages of its transmission and to the editorial interventions of the Gospel writers themselves. To understand the Gospels, one does not need the notion of divine inspiration any more.

(3) The third characteristic of the historical method which deserves to be mentioned here is that it avails itself of the ordinary means, procedures and arguments that are used in secular scholarship in the field of literature and history. The historical method of biblical interpretation assumes as its starting point that the religion of Israel and the origins of Christianity can be comprehended adequately by means of the ordinary methods of critical literary and historical scholarship. In order to understand the Bible, no specific method of interpretation for sacred texts is needed. Neither to explain the genesis of the biblical writings, nor to account for any events narrated within the biblical writings, does the historical method recognize the action of supernatural forces or the intervention of supernatural beings.

The reason why supernatural and miraculous interventions in the history of mankind are excluded from the discourse of biblical scholarship is not that any supernatural reality or transcendence is denied on principle; rather it is the case that in our modern, science-based world-view, we do not allow transcendent factors to serve as explanation of anything whatever. Once again, this is not because transcendent factors do not exist (this is something we simply do not know), but because we do not use them to understand what happens in the world around us. Now we generally understand events and phenomena of the past by comparing them with analogous, similar events and phenomena that we know from our own experience or from information which we consider absolutely trustworthy. For instance, the way in which Jesus came to be recognized by his followers as an ideal king of God's people in the near future, that is, as the Messiah of the Lord God, can be understood by referring to other prophetic charismatics who were active among the Jews in the first centuries BCE and CE. The fact that Jesus came to be regarded by some as the Messiah is something that can be understood and included in our reconstruction of history. However, we know of no reliable, absolutely trustworthy account of any supernatural event that has occurred in our own time, let alone in the past. This makes it extremely difficult, or rather impossible, to include any supernatural event narrated in the Bible in our critical reconstruction of history. It cannot be denied that the biblical narrative abounds with *stories* about supernatural events as well as with *interpretations* of events as supernatural. But stories about supernatural events cannot simply be taken as reliable records of these events. They can often be understood as an expression of trust in God's authority and power or, in the Gospels, as an expression of the high esteem in which Jesus was held. As to interpretations of earthly events as occasioned by supernatural causes, the interpreter who sticks to his historical method will duly register and describe

these interpretations, but he can neither endorse nor reject them. Historical knowledge alone does not enable him to pass judgment on the correctness of such interpretations. Within the methodological framework of historical exegesis, the interpreter can neither confirm nor falsify the validity of such interpretations. He has to suspend judgment. The decision can only be taken outside the sphere of historical research, not within it.

(4) The fourth characteristic of the historical method to be mentioned here is that, during the process of interpretation, the authority of the author whose work is interpreted is irrelevant. In Christian doctrine and in Christian creeds, the writers of biblical writings are regarded as specifically authoritative: they are considered to have been inspired by God or his Spirit. In the historical method of biblical interpretation, however, this doctrine of the inspiration of Scripture is suspended. It is temporarily put out of action. As a result, the biblical authors are not regarded as inerrant either. There are several reasons for this. First, the doctrine of inspiration does not work in discussions about the Bible with people who do not accept this doctrine. Second, we do not know such a phenomenon as divine inspiration from our experience with present-day authors; consequently, the notion of divine inspiration cannot help us to understand how the books of the Bible came into being. Third, there are undeniable inaccuracies in the historical books contained in the Bible: there is little point in denying the occurrence of such factual imperfections. Fourth, labelling certain writings as 'divinely inspired' was originally a way of qualifying their contents as the truth; it was a form of assent to their theological contents. It was not a literary-historical description of how such writings had come into being.⁵

(5) Finally, a fifth characteristic of the historical method of biblical interpretation may be mentioned. A number of books of the Bible profess to give an account of events that occurred in the past. If for some reason such an account raises our suspicion as to its historical reliability, the rule of thumb is that no story can be regarded as historically trustworthy unless it is confirmed by the attestation of another, independent source. The reliability of no narrative is beyond doubt unless attested by at least two independent witnesses.

To conclude this list of characteristics, let me observe that the historical method in biblical scholarship is a secular, religiously-neutral way of interpreting the Bible. Its fundamental attitude is, what is called, a 'tem-

porary methodical agnosticism'. 'Temporary', because this agnosticism lasts only as long as we are practising the method. Outside the radius of action of this method, the interpreter can easily be a devout believer, as is usually the case, Christian, Jew or whatever. It is a 'methodical' agnosticism because this agnosticism is not, or not necessarily, the interpreter's philosophy of life, or his world-view in everyday life. It is 'agnosticism', because the interpreter suspends his judgement on the question whether he endorses the religious ideas contained in the text at issue or not. This agnosticism is not a form of scepticism. It is the deliberate decision provisionally not to pronounce a judgement on the validity of religious claims made in ancient texts.

The intention of this provisional reticence is to further the study of the biblical texts and to prevent scholarly debate from being hampered by premature religious verdicts. The postponement of judgement enables interpreters of biblical texts to continue their historical and literary research and to prolong their scholarly discussion for a long time, that is, for as long as the communication is not cut short by categorical religious statements. Mental reservation is conducive to the sustained historical study of religious texts and to a lasting scholarly debate on these texts.

The Use of the Historical Method in the Interpretation of the Bible

What makes the method described above so useful is that it allows the Bible to be studied, investigated and discussed by all scholars interested in the subject, no matter to what Christian denomination or religious tradition they belong or to what non-religious conviction they adhere. If the research question is not what a biblical writing meant to its first addressees in the past, but what its meaning is to readers and hearers of the present day, each denomination will defend the meaning which best fits its theological doctrines and will reject any interpretation which suits the interests of other denominations. However, if expositors of the Bible, instead of looking for the meaning they deem best for their own time, try to establish the meaning biblical authors hoped to convey to their first addressees, then they can reconstruct and discuss the meaning of the writings at issue *in historical terms* and refrain from pronouncing on whether they subscribe to, or reject, the religious tenor of that meaning.

In that case the exegetical discussion is of a historical nature: its results are hypotheses of an historical character. They are, for example, of the following type: in this passage the author probably means to say this; in

that chapter he probably wants to say that. Normally, results of exegetical research have the epistemological status of hypotheses. If they are the results of *historical* exegesis, they are phrased as suggestions or proposals of an historical nature, not of a systematic-theological nature.

Now discussion of such propositions of an historical nature can be continued as long as no participant in the discussion brings forward an argument based on his religious conviction. To illustrate this by an example, if someone points out that the historicity of some event narrated in the Bible is warranted because the book in which the narrative occurs is divinely inspired, or because the characters involved in the narrated event are supernaturally gifted persons, the explanation immediately puts an end to the discussion. For if other participants in the discussion do not accept the notion of inspiration or that of supernatural causes, such an explanation breaks off the discussion. The common ground the participants need in order to pursue a useful discussion has suddenly fallen away. In a scholarly discussion of the meaning of sacred texts, arguments based on the interpreters' religious convictions should therefore be left unsaid. Such arguments must not be used, for they destroy the common ground which is necessary for a productive debate.

In science and scholarship, the common ground consists of generally acceptable presuppositions. For a scholarly debate to reach valid conclusions, it must be based on generally acceptable presuppositions.⁶ Truths based on the specific presuppositions of limited groups – for instance, religious communities or denominations – are of little value since they cannot successfully be maintained by one group against a dissentient group, if only because the latter group does not share the presuppositions of the former group.

A scholarly interpretation of sacred texts must therefore be a non-denominational operation. It must apply the historical method outlined above and according to the principles of a 'temporary methodical agnosticism'. Only then can the results of research on the sacred Scriptures lay claim to general validity; only then can they become the subject of a general scholarly discussion which goes beyond the group-oriented interests of religious denominations. Only then can the interpretation of our sacred texts become a scholarly discipline of academic standing.

However, the only presuppositions in this context which are generally acceptable seem to be premises of an historical nature. For instance, it cannot be denied, first, that the author whose work we try to interpret, wrote it with an historically definable audience in mind. Second, that the author intended his work to have a certain meaning for these addressees. And

third, that the author supposed that this audience would be able to understand what he wrote and that the meaning he wished to convey to his first addressees was reproducible in their consciousness (which implies that it must be reproducible also in the consciousness of later interpreters). These presuppositions seem to be acceptable to very many researchers of ancient texts, no matter whether they are Christian, Muslim, Jewish, Buddhist or atheist. It follows that, as long as they use a historical method of interpretation, all interested and competent scholars, irrespective of their religious allegiance or their non-religious view of life, can engage in a scholarly debate about the meaning of ancient religious texts. As long as interpreting such texts is explaining them in their historical context and trying to show what they meant to their first readers or hearers, scholars of all religious and non-religious denominations can participate fruitfully in the interpretation process and in the discussion about the best possible interpretation.

To conclude this section, the use of the historical method of textual interpretation is that it warrants the possibility of a sustained scholarly debate on the Bible (or any other sacred text) between scholars of different religious affiliations and non-religious convictions. The historical method creates a platform for a broad academic discussion of sacred texts which transcends religious and denominational prejudices and *partis pris*. This potential of the historical method seems to me a great benefit to society and a great cultural good, for it is better for the Bible and the Quran to be the object of long, extensive scholarly discussions in our secular universities than to be discussed here only briefly or not at all.

The Sub-Disciplines of the Historical Method

The historical study of the Bible comprises a wide range of sub-disciplines. We will mention here only the most important of them and characterize them briefly.

- (a) The literary-historical introduction to each separate book of the Bible. In this field of study such issues are studied as when and where each separate book was written, for what reason it was written, who precisely authored it and to whom the book was addressed. Is the attribution to the person who is said to be its author trustworthy? Is the book a homogeneous literary composition or a complex of different constituent parts? In short, the historical introduction examines all questions relating to how the book came into being.⁷ In addition, it

investigates the history of the formation of the Bible as canon, i.e., as a collection of authoritative books.

- (b) Textual criticism. This is the discipline which seeks to recover and establish as faithfully as possible the original, authentic text of each biblical writing as it was written down by the author. In the manuscripts and early translations in which the biblical writings have been transmitted, their textual form varies considerably. The textual witnesses present numerous variant readings. From these, textual criticism tries to restore the earliest form of the text.
- (c) Source criticism. This form of research aims to ascertain which earlier sources the author of a biblical writing used in composing his work.
- (d) Tradition criticism. Tradition criticism endeavours to identify the unwritten traditions underlying the theological and other ideas occurring in the biblical writings. Not all ideas presented in these writings are entirely new. In the earliest Christian writings, for instance, many ideas can be traced back to views and notions that were current in contemporary Judaism. In order to understand what the authors of biblical writings want to say, it is useful to try to establish which earlier traditions they drew on.
- (e) Redaction criticism. This method attempts to distinguish the editorial changes each biblical author made in the sources and traditions he used in writing his book. The objective of this method is to discover the specific theological views or literary motives by which the author was led in producing and editing his work.
- (f) Form criticism tries to understand certain passages of the biblical writings as having taken shape in specific social settings of ancient religious communities. It attempts to show that much of the material incorporated in the Bible still reflects the needs, problems and challenges with which these communities were faced. Such material can then be explained as shaped or even created because a religious community needed it for its teaching, preaching, moral exhortation, the explanation of its rituals, polemics, or for other activities or contexts in its communal life. Such material is called 'church creations' (*Gemeindebildungen*).
- (g) Finally, much research is being done on the reconstruction of the history and religion of ancient Israel, early Judaism and early Christianity. A special branch of this historical research is the search for the historical Jesus. The quest for the historical Jesus tries to ascertain what can be said, after strict critical sifting, about the historical person of Jesus of Nazareth, his ideas, teaching, activity, self-image and fate.

So much for the sub-disciplines of the historical study of the Bible. The enumeration is not exhaustive; several other methods and approaches could be mentioned.⁸ But those mentioned are the most widely accepted and most successful ones.

The Origins of the Historical Method

Ultimately, the historical method of textual interpretation goes back to the hermeneutics of classical philology as practised in Hellenistic Alexandria. The greatest of the Alexandrian philologists, Aristarchus of Samothrace (217-145 BCE), is on record as having repudiated the speculative allegorical interpretation of mythological data in Homer and to have demanded an interpretation which did justice to what the poet himself had intended to say in his time, even if this had become philosophically unacceptable to the rationalist minds of later times.⁹ But in modern times theologians have had to learn anew to explain texts not in accordance with their theology (*ad analogiam fidei*), but in accordance with the meaning intended by the author of the text under consideration (*e mente auctoris*).

It is impossible to review here what Christian Hebraists, humanists and rationalistic philosophers until 1800 CE have contributed to the development of the philological, literary and historical study of the Bible.¹⁰ There is, however, one late eighteenth-century episode in the history of biblical interpretation which deserves to be mentioned here; I am referring to the scholarly reaction of a number of enlightened German theologians to the radical scepticism of some deistic philosophers about the historicity of the Gospels.

In the seventeenth and eighteenth centuries, a small but influential group of philosophers, first in England, then also in Germany and France, held that, although God existed, he did not interfere in matters of this world. These philosophers are commonly referred to as Deists.¹¹ An important German representative of this group of thinkers was Hermann Samuel Reimarus (1694-1768), professor of Hebrew and Oriental languages at Hamburg.¹² The Deists denied that God had revealed himself through Jesus. Consequently, they had to argue that the accounts of Jesus's miraculous life and work in the biblical Gospels were untrustworthy. This is indeed what they did. According to Reimarus, the narrative about Jesus in the Gospels was totally distorted and corrupted. In his view, the Gospels are the product of the deceit of Jesus's apostles, who fabricated them after Jesus's death in order to secure their privileged and comfort-

able positions. As proof of the deceitfulness of the apostles, Reimarus adduced the discrepancies and contradictions between the Gospels. His conclusion was that the Gospels could no longer serve as a source of reliable knowledge about Jesus: the historical Jesus was unknowable.

In reaction to this radical scepticism as to the possibility of historical knowledge about Jesus, a number of German theologians undertook to try to find an explanation for the discrepancies between the Gospels. Among these scholars were Gotthold Ephraim Lessing and Johann Jakob Griesbach.¹³ They all believed that the agreements between the Gospels could be explained as the result of: (a) the dependence of the Gospels on one earlier, lost gospel; (b) the dependence of the Gospels on earlier, orally transmitted stories; or (c) the dependence of the later Gospels on the earlier (still existing) Gospels. Whatever their conclusions were, their method was to argue that the agreements between the Gospels are best explained as due to their literary relationships, whereas in their opinion the differences were the effect of the editorial interventions of the individual Gospel writers.

Thus these eighteenth-century theologians developed a literary-critical method, secular in nature, to explain both the agreements and the differences between the Gospels. Their specific results and conclusions have long been abandoned, but their methodology has remained and is still fundamental to the historical method in biblical scholarship. It should be noticed that eighteenth-century scholars like Lessing and Griesbach undertook their critical research of the Gospels in response to the hyper-criticism of the Deists, especially Reimarus. His opponents wanted to save what could reasonably be known about Jesus and to show that the discrepancies between the Gospels did not rule out the possibility of such knowledge. Thus, the historical method of biblical research which appeared at the end of the eighteenth century in Germany originated as an apologetic: it was an answer to the radical scepticism of the Deists.¹⁴ The significance of Reimarus is that he unintentionally triggered this apologetic reaction and thus contributed forcefully to the rise of biblical scholarship as a sophisticated literary-historical discipline.

In the first section of this paper I have characterised the historical method of biblical interpretation as a strictly secular procedure. Judging from this characterisation, one might believe that this method originated as a critique of the Bible and as a threat to the Christian faith. But this is not the case. In origin this method was not meant as an instrument to attack and criticize the Bible. Rather it was an instrument to distinguish between old tradition and recent editorial changes in the Gospels and

thus to defend the possibility of historical knowledge about Jesus. Literary and historical criticism is not a threat to Christianity, or to any religion whatsoever; it can even be a great support.

The Limitations of the Historical Method

As we have seen, the historical or contextual method tries to reproduce what a text, according to its author, had to mean to its first audience. This meaning, however, will necessarily be a product of the time in which the text came into being. It will be marked by the situation in which the author and his first readers lived. It will be context-bound and reflect the old world-view of the author and his addressees. In short, the meaning reconstructed with the aid of the historical method is completely dated. It belongs so much to the past that it has no significance in principle for an audience of the twenty-first century. The historical method helps to reconstruct the original meaning of a text, but that meaning was only relevant in a situation that has been gone for centuries. It cannot have an appeal for a present-day audience, for, as I said before, the results of the historical method of interpretation are propositions of a historical nature. They are not religious instruction, edifying sermons, encouragements, consolations or admonitions to a pious or a better life. Consequently, the outcome of the historical method is not something for which religious communities have an urgent need. Such communities need an exposition of their sacred texts which makes them relevant and appealing to hearers of this day. But that is precisely what the historical method cannot achieve.

In religious communities, teachers and preachers usually solve this problem by practising a hermeneutics which enables them to recast the religious ideas contained in writings belonging to an ancient culture, e.g. the Bible, into the language and concepts of a fundamentally different culture, notably that of the religious community to which they themselves, as teachers and preachers, belong. This hermeneutics enables the interpreters to remould what they take to be the essentials of an old religious text into a message which edifies the members of their community. The procedure is useful, but it has a serious drawback. The religious significance distilled out of the texts can only be of a limited validity, bound up as it is with the presuppositions and mindset of the group for which it was produced.

Thus, special hermeneutics is an indispensable instrument for the exposition of sacred texts in contemporary communities, but such hermeneutics cannot belong to the responsibilities of non-denominational pub-

lic universities. For here, science and scholarship have to be based on generally acceptable presuppositions, not on the suppositions of certain religious groups.

It follows that for the interpretation of sacred texts in modern secular universities, the appropriate method is the historical or contextual method. Special hermeneutics is needed to bring to light the significance sacred texts from the past may have for religious communities of today. This type of interpretation, however, which serves the needs of particular groups, cannot be the responsibility of a secular university.

Conclusion

What has all this to do with the theme of academic freedom? Academic freedom includes, *inter alia*, the freedom for teachers and researchers working in universities to act in accordance with their own scientific and intellectual insights, without being dependent on, or bound by, certain political, philosophical or epistemological tenets. Academic freedom does not exempt them, however, from the obligation to do their intellectual work in accordance with the rules of play in their discipline. 'Their research will have to comply with social and ethical norms and, of course, with the criteria recognized by their fellow researchers.'¹⁵ One of the basic rules of scientific and scholarly research, then, is that it should start from generally acceptable presuppositions. In present-day secular universities, science and scholarship cannot bring their research results in line with any particular ideology. Similarly, biblical scholarship cannot take the views of any religious community of the present day as a guideline for the interpretation of biblical texts. Otherwise the number of interpretations of the Bible would become as numerous and variegated as the religious communities whose ideas served as hermeneutical guidelines. The result would be an endless proliferation of competing interpretations, none of which can ever beat any other interpretation for lack of common ground in common presuppositions.

The most appropriate scholarly method for the interpretation of sacred texts is therefore the *historical* method, since this method seeks to recover the meaning of texts without allowing for the religious interests and needs of any particular group among the interpreter's public. True, the results of the historical method cannot satisfy the religious needs of present-day faith communities. This method does not make an appeal to the religious feelings of the audience. This is simply not its pursuit; here

we see its limitation. This imperfection can be made good, however, by the use of special hermeneutics and applicative forms of exegesis which serve the needs of religious communities. There is a constant, urgent need for such special hermeneutics and applicative forms of exegesis all over the world. But the development, theoretical underpinning and application of such methods of interpretation are the responsibility of religious communities, not of the secular university.

Notes

- 1 The earliest occurrence of the term 'historico-critical' known to me is in the title of a work by Samuel Basnage de Flottemanville, *De Rebus Sacris & Scholasticis Exercitationes Historico-Criticae*, Utrecht, 1692. Subsequently, the term figures in the titles of doctoral dissertations or other learned works by, among others, J. Masson (Leiden, 1708); C.H. Heegius (1723), J.W. te Water (Utrecht, 1761), E. Gerdes (Groningen, 1763), J.J. Semler (Halle, 1764), F.G. van Lynden (Leiden, 1802) and J.C. Schreiter (Leipzig, 1803). In the nineteenth and twentieth centuries the term occurs frequently.
- 2 J.C. O'Neil, art. 'Biblical Criticism' in: David Noel Freedman (ed.), *The Anchor Bible Dictionary*, New York: Doubleday, 1992, Vol. 1, pp. 725-730; see pp. 725-726.
- 3 On the difference between the (historically determined and fixed) meaning of a text and the (continuously changing) significance that meaning can have to more recent audiences, see E.D. Hirsch, *Validity in Interpretation*, New Haven & London: Yale University Press, 1967, esp. p. 255: 'There is a difference between the meaning of a text (which does not change) and the meaning of a text to us today (which changes). The meaning of a text is that which the author meant by his use of particular symbols. Being linguistic, this meaning is communal, that is, self-identical and reproducible in more than one consciousness. Being reproducible, it is the same whenever and wherever it is understood by another. However, each time this meaning is construed, its meaning to the construer (its significance) is different.'
- 4 Augustine, *De Consensu Evangelistarum*, c. 400 CE.
- 5 See, e.g., 2 Timothy 3:14-16, where the phrase 'Every scripture inspired by God is useful for teaching...' appears immediately after the author has exhorted his addressee to stick closely to what he has learned and believed, reminding him of the fact that he has known the sacred writings from childhood. Clearly, 'inspired by God' is said here of writings which according to the author of 2 Timothy contain the truth.

- 6 H.J. Adriaanse, 'Theologie' in: P.B. Cliteur, H.D. Papma and R.T.P. Wiche (eds.), *Overtuigend Bewijs. Over het Wetenschappelijke van de Niet-Exacte Wetenschappen*, Amsterdam/Meppel: Boom, 1994, pp. 82-94, esp. 88.
- 7 A good example of such an introduction is Eduard Lohse, *The Formation of the New Testament*, Nashville, Tennessee: Abingdon, 1981.
- 8 E.g., rhetorical criticism, the sociology of the Jesus movement and the earliest Christian communities, and the study of the material culture of Israel, Judaism and Early Christianity.
- 9 R. Pfeiffer, *History of Classical Scholarship from the Beginning to the End of the Hellenistic Age*, Oxford: Clarendon, 1968, pp. 226-227. Id., *Geschichte der klassischen Philologie von den Anfängen bis zum Ende des Hellenismus*, 2nd ed., München: Beck, 1978, p. 277.
- 10 For the essentials, see H.J. de Jonge, *Van Erasmus tot Reimarus*, Leiden: Rijksuniversiteit Leiden, 1991. The most relevant literature is listed there on p. 24. See also R.L. Colie, 'Spinoza and the Early English Deists' *Journal of the History of Ideas*, 20, 1959, pp. 23-46; H. Graf Reventlow, *Epochen der Bibelauslegung, III. Renaissance, Reformation, Humanismus*, München: Beck, 1997; id., *id. IV. Von der Auferklärung bis zum 20. Jahrhundert*, München: Beck, 2001; J. Sandys-Wunsch, *What Have They Done to the Bible? A History of Modern Biblical Interpretation*, Collegeville, Minnesota: Liturgical Press, 2005.
- 11 The classical study of Deism and its relevance for the study of the Bible is Henning Graf Reventlow, *The Authority of the Bible and the Rise of the Modern World*, Philadelphia: Fortress Press, 1985.
- 12 His *Apologie oder Schutzschrift für die vernünftigen Vereher Gottes* was not published in full until 1972, edited by G. Alexander, Frankfurt am Main: Insel Verlag, 1972. Fragments of this voluminous work were published by G.E. Lessing in the journal *Zur Geschichte und Literatur. Aus den Schätzen der Herzoglichen Bibliothek zu Wolfenbüttel*, Brunswick, 1774-1778. For an English translation of these so-called Wolfenbüttel Fragments, see Charles H. Talbert (ed.) and Ralph S. Frase (tra.), *Reimarus: Fragments*, London: SCM Press, 1971.
- 13 Other German scholars who participated in the debate were J.B. Koppe, G.C. Storr, F.A. Stroth and J.G. Eichhorn. On all these authors and their contributions to the debate, see M.H. de Lang, 'The Prehistory of the Griesbach Hypothesis' in: *Ephemerides Theologicae Lovanienses*, 69, 1993, pp. 134-139.
- 14 M.H. de Lang, 'Literary and Historical Criticism as Apologetics. Biblical Scholarship at the End of the Eighteenth Century' *Dutch Review of Church History*, 72, 1992, pp. 149-165; M.H. de Lang, 'Gospel Synopses from the 16th to the 18th Centuries and the Rise of Literary Criticism of the Gospels' in: C. Focant (ed.), *The Synoptic Gospels, Source Criticism and the New Literary Criticism*, Louvain: University Press & Peeters, 1993, pp. 599-607, esp. 605-607.

- 15 Thus the official explanation of the Dutch Higher Education Act, Article 1.6, which deals with 'academic freedom'. In the Dutch text of the explanation the phrase reads: 'Het te verrichten onderzoek zal voorts moeten voldoen aan maatschappelijke en ethische normen en uiteraard aan door de vakgenoten erkende maatstaven.' The section of the law itself reads as follows: 'Article 6. Academic freedom. In the institutions [namely, of Higher Education] academic freedom is observed.' (In Dutch: 'Aan de instellingen wordt de academische vrijheid in acht genomen.')

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6 Trial of Thought: Modern Inquisition in Egypt A Case Study

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There are many aspects to the story of Abu-Zayd that present an illustrative example of the price of 'free thinking'. First, there is the academic aspect of his story that addresses the necessity of raising new questions if the knowledge of any given field is to be advanced. The second aspect concerns the political implications of scholarship, particularly when the subject matter in question is a religion, namely Islam, which has been frequently subjected to political manipulation during its long history. Given the present social and political state of the entire Muslim world, and the plethora of Islamist political movements, any critical approach to Islamic thought is condemned, and the life of its perpetrator endangered. The third and the last aspect is a personal one, which will not be dealt with here.

Abu-Zayd began his career as an assistant teacher at the department of Arabic, Faculty of Arts, Cairo University, immediately after his graduation in 1972. Though highly unusual, the department committee decided that the newly appointed assistant should take 'Islamic Studies' as his major field of research in both his Master and PhD thesis. The faculty committee approved the decision. It is important at this point to record that the decision in question was intended to convince Abu-Zayd, who was himself reluctant to major in Islamic studies, that the need for a specialist in Islamic studies was very urgent. Abu-Zayd's reluctance was justified by three events of violation against academic research:

The first incident was the attack launched against ʿAlī ʿAbd ar-Rāziq (d. 1966), a prominent Azharī cleric who defended the abolition of the Caliphate by the Kemalists in 1924 and argued for the separation of 'Religion and State' on grounds derived from the traditional Quranic, Prophetic, and legal Islamic discourses and narratives. His book *Islam and the Principles of*

Political Authority (Al-Islām wa-Usūl al-Hukm, Cairo 1925) turned, at the time, into a major literary-religious scandal in both the Arab and Muslim World, leading to the author's expulsion from his position as a judge, as well as from the list of al-Azhar 'ulamā'.

The second incident was the intellectual battle provoked by Tāha Husayn's book *Pre-Islamic Poetry* (Cairo 1926), in which the author referred to stories from the Quran, such as the story of Abraham who took his son Ishmael and his wife Hagar to Mecca. According to Tāha Husayn's theory, this story was introduced before the emergence of Islam to ease the tension between the Arabs, the original inhabitants of Yathrib (present-day Medina), and the Jewish newcomers to the city. If the Quran used the story to situate Islam in the context of the Judeo-Christian tradition, it should not be taken, the author concludes, as a historical reality on the basis of which some assumptions concerning the linguistic situation in the Arab Peninsula are unquestionably accepted.¹ Although the issue of the historicity of the Quranic narratives had also been lightly questioned before by Muhammad 'Abduh (d. 1905), the father of modern Islamic reformation, Tāha Husayn's theory was rejected and he was officially accused of insulting Islam. Because of this accusation, Tāha Husayn was questioned by the Egyptian Attorney General before going to trial. The Attorney General, however, declared Tāha Husayn innocent of any criminal intentions against Islam.² Nevertheless, he had to suffer even though he removed the theory from the second enlarged edition of the book which appeared with another title.

The third, but not the last, incident concerned the rejection of a PhD thesis in Quranic Studies presented to the department in 1947, twenty-five years before Abu-Zayd's graduation, by Muhammad Ahmad Khalafallah. At the time, Khalafallah was an assistant lecturer who worked on his thesis under the supervision of Professor Amīn al-Khūlī. In his thesis *The Art of Narration in the Quran* (al-Fann al-Qasasī fī l-Qur'ān al-Karīm),³ he subjected the Quranic narrative to the literary approach formulated by his professor. The university refuted the thesis after a heated debate about the validity of such an approach when applied to the Muslim Holy Book. Following the rejection of his thesis, Khalafallah was transferred to a non-teaching job at the Ministry of Education and his professor was banned from teaching or supervising Islamic Studies. Some years later, in 1954, a governmental decree forced Professor Amīn al-Khūlī into early retirement along with many other professors. The decision, initiated by the new military authority, ironically called 'The Free Officers Movement', was presented to the public as part of a revolutionary process intended to remove corruption from Egyptian

society and to 'cleanse the universities'. The chair of Islamic Studies became vacant; al-Khūlī's remaining assistant working in Quranic Studies, Shukrī ʿAyyād, transferred to Linguistics in order to stay under the supervision of his professor.⁴ Being abandoned like this, the teaching of Islamic Studies at the undergraduate level fell to any professor interested in teaching it.

Abu-Zayd, aware of the consequences that might follow from the application of any non-traditional method in the field of Islamic Studies, tried in vain to convey his fears about the risks involved in majoring in Islamic studies to the department committee. The department countered his objections by stressing the need to put an end to the long period of vacancy by installing a specialist in Islamic studies. Abu-Zayd gave up his objections and set about examining the different methods of interpretation that could be applied to the text of the Quran. He started with the concept of 'metaphor', introduced at the beginning of the ninth century to Arabic Rhetoric by the rationalist school of theology known as the 'Muʿtazilites' in their effort to explain the anthropomorphic images of God in the Quran. Abu-Zayd took *The Concept of Metaphor As Applied to The Quran by The Muʿtazilites* as a title for his Master thesis.⁵

On the basis of the text of the Quran that declares that it contains 'clear verses', which form the backbone of the Book, and 'ambiguous verses', which should be interpreted in accordance with the clear ones, the Muʿtazilites used the concept of 'metaphor', as used in human verbal communication, to interpret the ambiguous verses of the Quran. This provided a powerful instrument to interpret the text of the Quran according to the Muʿtazilite transcendentalist standards: the text of the Quran was interpreted as non-metaphorical or 'clear', where it suited their ideas, and where it did not, it was considered to be metaphorical or 'ambiguous'.

By comparing both the Muʿtazilite and the anti-Muʿtazilite discourses, Abu Zayd reached the main conclusion at the end of his MA thesis that the Quran was the focal point of a fierce intellectual and political battle. That battle was centred around one of the most important junctures of the structure of the text of the Quran. Both the Muʿtazilites and their opponents agree on the principle, but they disagree when it comes to its practical implementation. The controversy does not only revolve around the meaning of the Quran, but it also involves its structure. What was considered 'clear' by the Muʿtazilites was considered 'ambiguous' by their opponents and vice versa.

Since this intellectual battle concerning the structure and the meaning of the Quran could be considered as the super-expression of a socio-political struggle involving different world-views, Abu-Zayd had to carry

the question of the 'hermeneutics' of the Quran to the context of Sufism (mysticism), which is supposedly void of political interests. The PhD thesis was, therefore, about 'The Hermeneutics of the Quran by Muhyī d-Dīn Ibn ʿArabī',⁶ a great Andalusian Sufi who was born in Spain, wrote his greatest treatise in Mecca (*The Meccan Revelations*), and died in Syria (638 AH / 1240 CE). Nevertheless, the conclusion was nearly the same, as socio-political and cultural factors always influence any process of interpretation. Ibn ʿArabī's project represented an attempt to integrate into the Quran all the knowledge that had occurred up to his time (from Plato to Averroës); he wanted to turn Islam into an open-ended project, one that could reconcile itself to, and at the same time contain, Christianity, Judaism and all other religions. It was to be 'a religion of comprehensive love' as Ibn ʿArabī expressed it in his poetry⁷.

This pantheistic system of Ibn ʿArabī includes an essential concept concerning the Reality of Muhammad as an inward hidden reality that manifested itself in all prophets, from Adam onwards till it reached its final and most complete manifestation in the person of the historical Muhammad of Mecca. This Reality of Muhammad is the epistemological parallel to Godhood, which is the ontological agent between Pure Absoluteness and the world of multiplicity. According to Ibn ʿArabī's theory, the Quran as revealed to the historical Muhammad of Mecca is only one of the manifestations, though the final, of the absolute speech of God. Ibn ʿArabī's project was very much a product of the contemporary Andalusian society that was based on linguistic, cultural and ethnic pluralism: provincial vernacular was spoken in the streets, Latin in the Church, classical Arabic in the divans, and a multitude of local dialects elsewhere. It was a project of reconciliation between all these elements and groups. It is needless to say that Ibn ʿArabī's project was to formulate a utopia of his own, a formula that gained its impetus from the increasing tensions and conflicts within his own society.

It came as an absolute shock when the Egyptian parliament decided to burn Ibn ʿArabī's books in 1978, almost 800 years after his death, arguing that these represented an anti-Islamic form of philosophy. Of course, for Abu-Zayd, it was a particular great shock, because he was in the middle of his research about Ibn ʿArabī's hermeneutics of the Quran.

As an Egyptian citizen, Abu-Zayd had witnessed a similar phenomenon concerning the 'meaning of Islam' in the contemporary religious discourse. In the course of his life he had observed the emergence of various interpretations of Islam, especially during the 1960s and '70s. In the '60s the dominant religious discourse was that Islam was the religion of social justice, and that it urged us to fight imperialism and Zionism. In the '70s, with the

open-door economic policy and the peace agreements with Israel, Islam became the religion that guarded private property and urged us to make peace with the Israelis. The question that started to worry Abu-Zayd at the time was: Is it possible to escape the impasse constituted by this type of pragmatic exegesis of the Quran? And if so, how? Abu-Zayd was highly aware of the fact that the interpretation of the Quran is not, and has never been, an innocent manoeuvre void of socio-political and cultural impact, and that it may sometimes even become a deliberate political manipulation of the meaning of the Text. With this in mind, Abu-Zayd brought the very 'Concept of the Text' back to the arena of academic investigation.

The Concept of the Text: Interpreting the Quran in the Light of Modern Hermeneutics

The premise of dealing with the questions of textual interpretation is that one must first define the nature of the text and then examine the laws that govern the study of that text. Not any and every interpretation is equally valid. The study of modern hermeneutics revealed to Abu-Zayd the dangers involved in leaving a religious text prey to its interpretation by just anybody. Religious texts, especially in Islam, profoundly influence social and cultural life; if they are left at the mercy of the ideology of the interpreter, without defining the extent to which the text lends itself to exegesis and what the limitations of its meanings are, then the text could be forced to speak for any ideology whatsoever.

By reading classical Quranic sciences in the light of modern theories about textual analysis, the Quran, while recognizing that it is a holy text, is also to be considered as a historically and culturally determined text from a linguistic perspective.⁸ This historical text is the subject of understanding and interpretation, whereas God's words exist in a sphere beyond any human knowledge. Therefore, socio-historical analysis is needed for its understanding and a very modern linguistic methodology should be applied for its interpretation. At present, only the philological approach is accepted and the socio-historical analysis is absolutely rejected, not only in the domain of the interpretation of texts, but also in the domain of scholarship in the field of Islamic thought. The notion that religious texts, although divine and revealed by God, are at the same time historically determined and culturally constructed is not only rejected, but also condemned as 'atheism'. This is due to the fact that the notion of the Quran as the 'eternal' verbatim utterance of God, which stems from a

specific classical theological school of thought, has become the accepted dogma in Sunni Islam. Scholars are aware that another school of theology existed that claimed that the Quran is 'created,' and cannot therefore possibly be eternal. Yet only very few of them presently accept the notion of non-eternity. As often in the history of Islam, these theological positions were closely associated with socio-political positions. Nevertheless, these positions are still taken in modern Islamic discourse and are analysed and evaluated in terms of 'right and wrong' or 'true and false'.

To present this issue in a greatly simplified way: if the Quran is not eternal, then it must necessarily be created in a certain context and the message it contains has to be understood in that context. This viewpoint leaves room for a reinterpretation of the religious law, because in this case God's word has to be understood according to the spirit, not according to the letter. The final consequence is that the public authorities and/or society are entitled the primacy in the interpretation and application of the law. If God's word, on the other hand, is eternal, uncreated and immutable, then the idea of reinterpretation within a new situation becomes anathema; in this case there is no difference between the letter and the spirit of the divine law and only theologians are entitled primacy in its maintenance and guardianship. In other words, an Islamic central authority is needed, and this is what almost happened in the socio-political and cultural history of Islam since the ninth century AD, when the notion of the 'eternity' of the Quran with all its implications was declared to be the 'true' faith by the political authorities.

Islam is a 'message' revealed from God to man through the Prophet Muhammad, who is the Messenger of God and who is himself human. The Quran is very clear about that. A message represents a communicative link between a sender and a receiver through a code or a linguistic system. Because the sender in the case of the Quran cannot be the object of scientific study, the scientific introduction to the analysis of the text of the Quran can only take place through its contextual reality and its cultural milieu. The contextual reality refers to the totality of socio-political conditions that formed the background for the actions of those who were addressed by the text and that embraced the first receiver of the text, namely the Prophet and Messenger of God. Culture, on the other hand, refers to the world of conceptions that is embodied in the language, the same language in which the Quran is embodied as well. Hence, to begin the analysis of the text of the Quran by investigating the contextual cultural reality entails in fact to start with the empirical facts. Through the analysis of such facts a scientific understanding of the Quran can be

accomplished. It should be very obvious and clearly understood, and it should need no further proof to say that the Quran is, from a linguistic perspective, a cultural product.

However, the matter is more complicated. Being a cultural product is only one aspect of the Quranic text, namely the aspect of its emergence as a 'text'. The other side is that the Quran has become a producer of a new culture. In other words, the Quran first emerged as a text from within a specific socio-cultural reality embodied in a specific linguistic system, Arabic, and, second, a new culture gradually emerged out of it. The fact that the text of the Quran was understood and taken to heart has had irreversible consequences for its culture. Speaking about the Quran as a message brings about the fact that, although embodied in the Arabic linguistic system, the text of the Quran has its own peculiarities. As a unique text, it employed some special linguistic encoding dynamics in order to convey its specific message.

It will always be necessary, however, to analyse and interpret the Quran and the authentic Traditions of the Prophet within the contextual background from which they originated. In other words: the message of Islam could not have had any effect if the people who received it first could not have understood it; they must have understood it within their socio-cultural context; and by their understanding and application of it their society changed. The understanding of the first Muslim generation and the generations that followed should not by any means be considered as final or absolute. The specific linguistic encoding dynamics of the text of the Quran always allows for an endless process of decoding. In this process the contextual socio-cultural meaning should not be ignored or simplified, because this 'meaning' is ever so vital as an indication of the direction of the 'new' message of the text. Having identified the direction of the text will facilitate moving from its 'meaning' to its 'significance' for the present socio-cultural context. It will also enable the interpreter to correctly and efficiently extract the 'historical' and 'temporal' aspects of the text that no longer carry any significance for the present context. As interpretation is an inseparable side of the text, the Quran, being decoded in the light of its historical, cultural, and linguistic context, has to be re-encoded into the code of the cultural and linguistic context of the interpreter. In other words, the deeper structure of the Quran must be reconstructed from the surface structure. Subsequently, the deep structure must be rewritten in another surface structure, which is that of today.

This entails an interpretative diversity, because the endless process of interpretation and re-interpretation cannot but differ in time. This is also

necessary, because otherwise the message will inevitably degenerate and the Quran will always remain as it is now, namely subject to political and pragmatic manipulation. Since the message of Islam is believed to be valid for all mankind regardless of time and space, diversity of interpretation is inevitable. The awareness of the difference between the original contextual 'meaning', which is almost fixed because of its historicity, and the 'significance' which is changeable, in addition to the awareness of the necessity that the significance is to be strongly related and rationally connected to the meaning, will produce a more valid interpretation. This interpretation is only valid as long as it does not violate the methodological rules mentioned above in order to jump to some 'desired' ideological conclusions. If the text is historical, though originally divine, its interpretation is absolutely human.

Contemporary Political Religious Discourse: The Case of Abu-Zayd

The Mu'tazilites, the Ash'arites, the Shi'ites, and the Sufis have all used their methods of interpretation to serve different socio-political ends, and this equally applies to contemporary political religious discourse. Abu-Zayd, as a scholar and a citizen, felt an urgent intellectual need to critically analyse modern Islamic discourse by contextualizing it as a political, anti-democratic, petrol-financed, and obscurantist discourse. The outcome of this analysis was the book which caused Abu-Zayd all his troubles. In his *Critique of the Islamic Discourse*, the distinction between 'moderate' and 'extreme' Islamists is considered as a matter of degree not of kind; they are like a sound and its echo. Both adhere to the same 'orthodox' theology, turning it into an ideology against the ill-established modern civil societies in Muslim countries. The dynamics of the modes of discourse in both ideologies are nearly the same.

In the introductory pages of the book *Critique of the Islamic Discourse*, Abu-Zayd brought to attention the relationship between modern Islamic discourse in Egypt and the social and economic scandal caused by the so-called Islamic Investment Companies. Abu-Zayd argued that without the help of some representatives of the political Islamic discourse, these companies could not have carried out the largest swindle operation in modern Egyptian history at the expense of hundreds of thousands of Egyptians who trusted the opinions of these representatives and had confidence in the religious emblems they used.⁹ First of all, these political Islamists, including some Cairo University professors and some prominent representatives of

official orthodox Islam headed by the late rector of Al-Azhar, started attacking the modern banking system and its normal interest rate on the grounds that this system is based on 'usury', which is prohibited in the Quran. The Islamic alternative to this non-Islamic dealing should, in their religious opinion, be these Islamic Investment Companies (although some high rates of self-interest were involved in these Islamic companies).

In May 1992, Abu-Zayd applied to the department of Arabic studies of Cairo University for the rank of full professor and submitted a list of his academic publications of the last five years. The list consisted of eleven papers and two books, one of which was *Critique of Islamic Discourse*. According to the university regulations, an advisory committee of referees is to evaluate the scholarly value of the publications and report to the Dean of the faculty. One of the three academic referees, appointed by the general advisory committee to evaluate Abu-Zayd's work, was a religious counsellor for one of the above-mentioned Islamic Investment Companies. He not only expressed a negative opinion about Abu-Zayd's works, but he basically condemned all his writings as heresy. The other two referees expressed a very favourable opinion on the scholarly qualities of the work. Nevertheless, the unfavourable opinion of the Islamist professor was endorsed to be the opinion of the entire committee, even though some members of the committee had refused to sign the report.

What happened within the academic committee would not have happened if the social and political environment had not been conducive to such a position. The fact that one person's opinion was able to persuade the entire committee to adopt it, thereby ignoring the other two favourable opinions, testifies to that. Without the atmosphere of terror that usually prevails whenever the issue of faith is brought to attention, it would have been impossible to conceive of such a farce taking place. The personal element involved in this specific case should however not be neglected either. The fact that the committee member who presented the negative report was a religious counsellor of one of the 'Islamic' Investment Companies that Abu-Zayd criticized in his *Critique of Islamic Discourse* could explain his insistence on labelling Abu-Zayd's academic work as representing apostasy. That critical remark in the book evidently had the effect of a red rag to a bull on the honourable member of the committee. He lost any sense of academic responsibility, to the extent that in his so-called 'academic' report he did not bother to examine the three chapters of the book, neither did he dedicate a single word to the method of analysis used. This was exactly the point that the committee of the Department of Arts emphasized in the letter of protest and denunciation to the Dean of the

faculty in response to the report. The report, according to their opinion, went beyond the formal tasks of the promotion committee, which were, according to the academic rules: 'to investigate exclusively the scholarly production without taking into account any other consideration.'¹⁰ Moreover, the report disregarded an objective scholarly evaluation and concentrated upon dogmatic aspects that had no connection with the task of the committee; it was transformed into a dogmatic accusation. That was obvious because the report contained phrases that doubted the faith of the candidate, and instead of passing judgment on his academic capabilities, the truthfulness of his belief in the Islamic faith was judged.

The academic procedure finally reached its last chapter when all the documents were handed over to the Rector of Cairo University, who had to take the final decision. And again the atmosphere of intellectual terrorism prevailed. The university Rector preferred to deal with the case as if the issue were an issue of a regular, ordinary promotion; he was very reluctant to admit that academic values, with freedom of research at their heart, were at stake. As the appointment to the position of a university rector is a political decision to be made by the Prime Minister, the Rector dealt with the matter in a way that was predominantly inspired by the soft political attitude of the state in dealing with the phenomenon of terrorism at the time. It was much easier for him to refute Abu-Zayd's promotion than to provoke the Islamists at the university. Abu-Zayd, the rector thought aloud, could reapply several months later and get promoted in the second round, but provoking the Islamists while the state was trying to reach a compromise with them would be very dangerous for all parties, including Abu-Zayd himself.

As the academic values and the reputation of the University were damaged by these political manipulations of the whole affair, the matter soon also became the subject of a political and intellectual debate outside academic boundaries. Only two weeks after the decision of the university, the same Islamist professor used the pulpit of a central Cairene mosque, the ʿAmr Ibn al-ʿĀs Mosque, to publicly proclaim that Abu-Zayd was an apostate. That was on Friday April 2, 1993. The following Friday, mosques all over Egypt, including a small mosque in Abu-Zayd's home village situated near the city of Tanta, declared Abu-Zayd an apostate. Ironically, the preacher of that mosque and Abu-Zayd grew up together learning and memorizing the Quran in the same traditional school called a '*kuttab*'. For this preacher and others, the source of these allegations against Abu-Zayd was a reliable and unquestionable authority, and the university decision surely added more credit to his opinion.

It appears that one person was able to single-handedly lead a serious campaign against not just one individual, but also against the intellectual school of thought represented by Abu-Zayd's writings. However, things could not have moved in that direction without a situation in which some individuals are treated as if they were sacred and as if they were protected by God Himself from committing any mistake. It was a context where the religious opinions of some individuals enjoyed an almost religious sanctity. In this specific atmosphere of intellectual stagnation, any fresh new explanation or interpretation of religion could easily be branded as blasphemous and proof of apostasy. Such a context, where the message was also constantly repeated before an illiterate audience, be that a real or cultural illiteracy, worked as a catalyst for the whole situation.

The next step after declaring Abu-Zayd an apostate was to prove it by a court verdict. The plan to do this was decided and organized in another mosque in the Pyramids neighbourhood where an associate professor of Cairo University preached. He proposed to carry the issue to the Family Court, requesting the marriage of Abu-Zayd to be invalidated on the grounds of his apostasy. An apostate is to be executed according to the opinions of traditional jurists, unless he or she repents and returns to true faith. Till the execution is carried out an apostate is treated as a dead person and should not be allowed to marry, let alone be married to a Muslim woman. According to the Associate Professor's own words, written in a book that was distributed free of charge to Abu-Zayd's students at the university, he had consulted the Dean of his faculty, *Dār al-ʿUlūm*, and other professors about the idea of raising a lawsuit. They had approved and had given him their consent and blessing. Some Islamist lawyers volunteered to carry the case to court and money was collected to cover the expenses.

They had chosen to base their action on personal status regulations, which allowed a request of separating a wife from her husband in case of his apostasy, because they had uncovered an old, but apparently still effective, article that permits such a case to be presented to the court and because Egyptian law does not incriminate apostasy. Although the Family Code was totally institutionalized as part of the Egyptian civil code when the Sharīʿa court was abolished, it was left open to the judge to apply the *Hanafī* predominant opinion in cases the civil code was silent about. The plaintiff indicated that the objectives of bringing Abu-Zayd's marriage to the Court under the old *hisba* principle were to defend religion and religious values. As an apostate, Abu-Zayd's marriage was against the *Sharīʿa*, and his wife was to be considered an adulteress if she insisted on

remaining married to him. As a Muslim woman she had to be protected from such an evil and unlawful marriage even against her will.

It was ironically obvious that the Islamists were not really concerned about Abu-Zayd's marital status. The leader of the plaintiffs openly declared that they intended to use this obscure article to have a judge of the state establish the apostasy of Abu-Zayd. If the judge would do this, then they could start to have him discharged from his teaching commitment at the university. This was also openly mentioned in the April 15, 1993, issue of the supposedly 'moderate' Islamic *Al-Liwā' al-Islāmī* weekly newspaper, published by the ruling National Democratic Party and intended to teach the true meaning of religion to fight against religious extremism and terrorism. In the editorial column, the editor cried out against the heretic Abu-Zayd who endangered the religious creed of his students and urged the rector of Cairo University to fire him. The same weekly newspaper of the ruling party proposed in its April 22 issue to apply the penalty of 'execution' in the case of Abu-Zayd by the official authorities.

When the court procedure started in May 1993, the case generated intellectual and public protest and attracted the attention of international human rights organizations and international mass media. The defence committee based its argumentation on the lack of individual or personal interest of the plaintiffs. The collective interest is the responsibility of the Public Prosecutor and not of an individual. The *hisba* was a traditional institution abolished alongside the *Sharī'a* Court by the introduction of the modern civil code. On January 27, 1994, the Giza Court of First Instance passed judgment and decided that the plaintiffs had no legal standing, because they had no personal and direct interest in filing this case, as was required by the Law on Civil and Commercial Procedures. The Court decided that the case could not be admitted as *hisba*, based on Islamic *Sharī'a*, as neither the prevailing personal status, nor the court regulations or any other law contained any rules on the conditions, procedures, content, and scope of this case. Therefore, the Law on Civil and Commercial Procedures should apply.¹¹

This judgment was subsequently appealed by the plaintiffs and on June 14, 1995, the Cairo Court of Appeal passed an unprecedented judgment, namely accepting the appeal, cancelling the First Instance judgment, rejecting all pleas related to the Court's jurisdiction and acceptance of the case and decided on these merits to divorce Abu-Zayd and his wife. The Court stated as grounds for its judgment, amongst other things, that in his books Abu-Zayd had allegedly denied the existence of certain creatures such as angels and devils referred to in the Quran. He had, further-

more, described certain images from the Quran about paradise and hell as 'mythical' and had also described the text of the Holy Quran as 'human'. He had also advocated the use of the intellect to replace the concepts derived from the literal reading of the text of the Quran by modern, more human and progressive concepts, in particular in texts relating to inheritance, women, the Christians and the Jews (*Ahl az-Zimma*), and female slaves.¹²

The judgment caused a terrible shock in the entire Egyptian society. A *fatwa* from a terrorist *Jihad* group that was dispatched by fax from Switzerland to many newspapers stated that Abu-Zayd should be killed. A similar *fatwa* was issued by a group of *al-Azhar* scholars called 'The Front of al-Azhar Scholars' (*Jabhat 'Ulamā' al-Azhar*). The government officially provided heavy security protection for the Abu-Zayds at home in addition to bodyguards to accompany each of them outside. The Public Prosecution challenged the judgment before the Supreme Court (Court of Cassation), because it represented a severe threat to the social order and stability. A coalition of sixteen of the most prominent Egyptian lawyers was formed to respond to the judgment in an unprecedented manner before the Supreme Court. All volunteered to handle this case recognizing that the judgment passed by the Court of Appeal represented an imminent danger to the stability and the security of Egyptian society.¹³ Admitting a case filed on the basis of *hisba* as was now done for the first time also represented a threat to the true spirit of Islam. It was against the law to raise an accusation against a scholar based on his academic research and publications, which had been accepted and commented upon by the Faculty of Arts, Cairo University, as a basis for his promotion as a full professor only two weeks before the judgment. This provided religious and terrorist groups with a legal mechanism to practice terrorism through the court system and oppose the principles of human rights, particularly the rights to freedom of thought, freedom of expression, freedom of scientific research, and freedom of religion, as well as the right to marry and found a family. International treaties and the Egyptian Constitution protect all these rights. There was also a request to a stay of execution of the Court of Appeal Judgment.

Meanwhile, the Egyptian Government, in an attempt to stop this type of abusive litigation, proposed a law which was approved and passed in Parliament in January 1996. This law prohibited filing any case based on the concept of *hisba* in personal status matters directly through the court. Any complaint should first be filed to the Public Prosecutor, who has the exclusive right to either reject the complaint or to file further proceed-

ings. However, this law, although a step in the right direction, was not sufficient to stop the abusive litigation threatening human rights and the freedom of expression by writers and artists and did not apply to Abu-Zayd's case and the nearly eighty other cases which were pending before the courts at that time.

Members of Parliament, therefore, in response to the advocacy campaign by human rights activists, proposed a new law, amending Article 3 of the Law on Civil and Commercial Procedures. This draft law was supported by the Egyptian Government and was passed on May 22, 1996 as Law 81 for 1996. The new law confirmed that any action, appeal or application is not admissible, unless it is filed by a person who has a direct and personal interest in the case. This law made such a rule a matter of public policy and obliged all the courts of Egypt, including the Supreme Court, to observe the rule of public policy and apply it in all pending cases.

On behalf of Abu-Zayd the defence also submitted an opinion to the Supreme Court from the Grand Mufti confirming that reading Abu-Zayd's books does not provide sufficient basis for a judgment separating him and his wife. The Grand Mufti stated that Abu-Zayd must be summoned more than once to appear before the Court, and that a thorough scientific and detailed discussion should be conducted with him personally concerning all his writings and the accusations made against him. The possibility exists, the Mufti said, that Abu-Zayd might change his opinion on the subject of the accusations, or that his opinions may be construed as valid interpretations, even in certain aspects.

On August 5, 1996, the Supreme Court passed another shocking and unprecedented judgment by confirming the Appeal Court Judgment divorcing Abu-Zayd and his wife. The Supreme Court recognized that the new Law 81/1966 was binding to the Supreme Court, but refused to apply it to this case without any further legal justification. The Supreme Court completely disregarded the Grand Mufti's opinion and rejected all defence presented on behalf of Abu-Zayd.¹⁴ This was supposed to be the end of the story.

The defence decided to apply for a stay of execution of the Court of Appeal Judgment that was now confirmed by the Supreme Court, divorcing the Abu-Zayds, based on Law 81 for 1996. According to this law, no individual person has the legal standing to request the enforcement of the judgment. On September 25, 1996, a 'stay of execution' judgment was passed.¹⁵ The Islamist lawyers appealed against it before the Court of Appeal, but this appeal was refuted.¹⁶ Accordingly, the divorce judgment became permanently stayed and unenforceable, thus maintaining the validity

of the marriage of the Abu-Zayds. However, the justifications contained in the divorce judgment alleging the apostasy of Abu-Zayd still threatened his security and constituted a precedent violating his constitutional rights to freedom of thought and scientific research. Hence, the defence carries on its attempts to nullify this judgment directly or indirectly.

Although Abu-Zayd and his wife insisted on fighting against this unjust judgment and against all kinds of abuse of Islam, they had to leave their homeland and their students and colleagues. The country they chose to live in is the Netherlands, where Abu-Zayd was first appointed as a visiting professor, was honoured the prestigious alternating Cleveringa Chair at Leiden University in 2000 and became the holder of Averroës Chair for Humanism and Islamic Studies at the University for Humanistics in Utrecht in September 2003. He was also appointed as a resource person in the project 'Rights at Home' at the International Institute of the Study of Islam in the Modern World (ISIM). He was a member of the 'Reflection Group' of the European Cultural Foundation (EUC) (2002-2004). Abu-Zayd received so many awards that he decided to stay in the Netherlands for the rest of his life; it became his second homeland to the extent that he did not accept an offer from the University of Berkley, USA, of a life-long magistrate chair for Islamic Studies.

Home is where your life is secure, your rights are guaranteed and your freedom is protected. This is my life story.

Nasr Abu-Zayd

Notes

- 1 See *Fī ash-shi'r al-jāhilī* (Pre-Islamic poetry). First published Cairo: Dār al-Ma'arif, 1926; second edition Cairo: Dār an-Nahr, 1994 and reprinted 1996, pp. 65-66.
- 2 See the text of the Public Prosecutor's report in the special documentary issue of the monthly magazine *Al-Qāhirah*, Cairo: Al-Hay'a al-Misriyya al-Āmma li-l-Kitāb, no. 195, February 1996, pp. 450-62.
- 3 First published Cairo: Maktabat an-Nahda al-Misriyya, 1951; several reprints in 1953, 1957, 1965, and 1972.
- 4 See my 'The Dilemma of the Literary Approach to the Qur'an' in: *ALIF, Journal of Comparative Poetics*, the American University Cairo (AUC), no. 23 (Literature and the Sacred), 2003, pp. 8-47.
- 5 It was published as *Al-Ittijāh al-ʿaqlī fī at-tafsīr: dirāsa fī qadiyyat al-majāz fī al-qurʿān ʿind al-muʿtazila* (Rationalism in exegesis: a study of the problem of the metaphor in the writings of the Muʿtazilites), Beirut and Casablanca: al-Markaz al-Thaqāfī al-ʿArabī, first edition 1982, 4th reprint 1998.
- 6 See *Falsafat at-ta'wīl: dirāsa fī ta'wīl al-qurʿān ʿind Muhyī ad-Dīn ibn ʿArabī* (The philosophy of hermeneutics: a study of Ibn ʿArabī's hermeneutics of the Quran), Beirut and Casablanca: al-Markaz al-Thaqāfī al-ʿArabī, first edition 1983, 4th reprint 1998.
- 7 Ibn al-ʿArabī, *Tarjumān al-Ashwāq* (The interpreter of desires): *a Collection of Mystical Odes*, trans. by Reynold A. Nicholson, London, 1911, p. 68.de
- 8 See my *Mafhūm an-naṣṣ: dirāsa fī ʿulūm al-qurʿān* (The concept of the text: a study of the Quranic sciences), First published Cairo: Al-Hay'a al-Misriyya al-Āmma li-l-Kitāb, 1991; reprint 1993; second edition Beirut and Casablanca: al-Markaz al-Thaqāfī al-ʿArabī, 1991; 5th reprint 1998.
- 9 *Naqd al-khitāb ad-dīnī* (Critique of the Islamic discourse), first edition Cairo: Dār Sīnā, 1993; second enlarged edition Cairo: Madbūli Publisher, 1995; third reprint 1998. pp. 8-9 of the first edition.
- 10 All the documents relating to the issue of promotion are published in a special issue of *Al-Qāhira*, op. cit. (note 2), issue no. 125, April 1993. See also Lutfī Al-Khūlī, 'Kuttāb sayyidinā aw jāmiʿat al-Qāhira' in: *Al-Ahrām*, April 7, 1993; besides publishing all the documents he declared the weekly page 'al-Hiwār al-qawmī' to be dedicated for the coming fourth months to the debate about the case. The debate continued till August 4, 1993.
- 11 Action no. 591 for 1993, filed by Mr. Mohamed S. Abdel Samad and others before the Giza First Instance Court/Personal Status Circuit against Dr. Nasr Abu-Zayd and his wife Dr. Ibtehal Younes, where judgment was passed on January 27, 1994 by the Giza First Instance Court/Personal Status Circuit

- rejecting the case. See for the full text of both the Action and the Judgment *Al-Qāhira*, op. cit., special issue dedicated to the trial documents, issue 152, July 1995, pp. 6-12 and 54-58.
- 12 Appeal no. 287 for the judicial year 111 (Appeals) filed by Mr. Mohamed S. Abdel Samad and others against Dr. Nasr Abu-Zayd and Dr. Ibtehal Younes before the Cairo Court of Appeal challenging the First Instance judgment passed on Action no. 591/1993 by the Giza First Instance Court on January 27, 1994, where Judgment was passed by the Cairo Court of Appeal on June 14, 1995, divorcing the Abu-Zayds against their will, on the basis of Abu-Zayd's apostasy. See *Ibid*, pp.87-102.
 - 13 It was the initiative of the late Mr. Ali Shalakani who offered his legal office and facilities to the committee. Attorney-at-Law and head of the office, Mona Zulficar, is the prominent coordinator of the committee (see her lecture (attached as an appendix) presented in Amsterdam on June 20, 2003; it will be published in the next issue of *Advocate*, the quarterly law magazine published by the Shalakani Firm. It should also be mentioned that all the defence lawyers of the First Instance Court and the Appeal Court were volunteers as well. The person who deserves special mention is the late attorney Shaykh Khalil ʿAbd al-Karīm who led the defence committee during these two stages and based his defence arguments on *Sharīʿa* literature.
 - 14 Actions no. 475, 478, and 481 for the judicial year 65 (Cassation) filed by Dr. Nasr Abu-Zayd, Dr. Ibtehal Younes, and the Public Prosecutor respectively before the Court of Cassation challenging the Cairo Court of Appeal judgment passed on Action 287 for the judicial year 111 (Appeals) on June 14, 1995, where Judgment was passed by the Court of Cassation on August 5, 1996 upholding the Cairo Court of Appeal Judgment.
 - 15 Action no. 2677 for the year 1995 filed by Dr. Nasr Abu-Zayd and Dr. Ibtehal Younes before the Summary Civil Court of Giza, where the mentioned court passed judgment on September 25, 1996 staying execution of the Cairo Court of Appeal Judgment divorcing the Abu-Zayds.
 - 16 Action no. 1780 for the year 1996 filed by Mr. Mohamed S. Abdel Samad and others before the Giza First Instance Court, appealing the judgment passed on Action no. 2677 for the year 1995 by the Summary Civil Court of Giza, where Judgment was passed on December 19, 1996 upholding stay of execution permanently.

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Appendix

My Testimony on the Case of Abu-Zayd

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When the Cairo Court of Appeal passed its unprecedented judgment on June 14, 1995 separating Dr. Abu-Zayd from his wife Dr. Ibtehal Younes, I, like the vast majority of the Egyptian people, suffered a shock. This shock developed into deep rage, anger and a sense of guilt for not having been involved in the case on behalf of Abu-Zayd.

I realized that the religious extremist and terrorist movement in Egypt had succeeded in using the legitimate mechanisms of law and justice in order to achieve its political and terrorist objectives. It was not enough to use machine guns and violence. Killing a liberal thinker and writer like Dr. Farag Fouda and attempting to kill the Nobel Laureate, Naguib Mahfouz and other Egyptian intellectuals, was also not enough.

Dr. Abu-Zayd represented a much more serious threat to the religious extremist movement and to the power structure of the religious establishment. He advocated re-opening the doors for *'Ijtihād'* and called for a liberal and modern reading of the Holy text, taking the historical context, and the rationale behind the text into consideration. Dr. Abu-Zayd reestablished the link between modern tools of linguistics and research methodologies applied to the Arabic language on one hand and the Holy text of the Quran on the other. He maintained that while the text of the Quran is holy, the language and meaning of the text is human and should be read and understood in the context of the prevailing cultural and social values which change from time to time. It is significant that Dr. Abu-Zayd developed the basic framework of his research in defence of and not in opposition to Islam. This made his research much more threatening to the existing power structure within the religious establishment. Not only that, Dr. Abu-Zayd also used discourse analysis to criticize the conservative and extremist religious discourse in Egypt and called for reform of religious thought and religious discourse as a necessary element of comprehensive social, economic and political reform.

It was not enough to destroy Dr. Abu-Zayd's reputation. His progressive approach which emphasized the dynamic and human dimension in the understanding and interpretation of the Holy text had to be targeted as well. This is why a group of religious extremist lawyers backed by members

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of the religious establishment thought of seeking a court judgment to discredit Dr. Abu-Zayd and declare his scholarly research work as apostasy.

Because Egyptian penal law does not recognize apostasy as a criminal offence, the claimants filed a case against Abu-Zayd using a loophole in the code of procedures and requested separation of Abu-Zayd from his wife, against their will. This was based on allegations that Dr. Abu-Zayd has, in his scholarly books, denied the existence of angels and devils referred to in the Holy Quran, described certain images in the Quran about Heaven and Hell as mythical and described the language of the Holy Quran as human, referring to the human understanding of the Holy text. Abu-Zayd advocated the use of intellect to replace concepts derived from literal reading of the text of the Quran, by modern and more progressive concepts, and in particular with respect to texts related to women, *'Ahl az- Zimma'* (Christians and Jews) and inheritance. Several prominent scholars in the religious establishment considered the foregoing as apostasy. As such, the claimants concluded that Abu-Zayd had no right to marry a Muslim or even a non-Muslim, as he should be considered in civil terms dead. Hence, he should be separated or divorced from his wife immediately.

The books in question were:

1. *A Critique of the Religious Discourse.*
2. *The Concept of the Text* (A Study in the Sciences of the Quran).
3. *Al-Imām Ash-Shāfi'ī and the Basis of the Moderate Ideology.*
4. 'Disregarding the Context in Interpretation by the Religious Discourse', a research paper.

On January 27, 1994, the Giza First Instance Court passed judgment rejecting the claim on procedural grounds that the claimants had no legal standing, for absence of a direct personal interest in filing the case. However, the Court of Appeal reversed the first instance judgment and decided to assassinate the scholarly work of Abu-Zayd. In its judgment of June 14, 1995, the Court found that the scientific research findings of Abu-Zayd which were commended by the Faculty of Arts, Cairo University, as basis for his promotion to full professor in 1995, as apostasy. On that basis, the Court of Appeal decided to divorce the Abu-Zayds against their will.

We had to defend Abu-Zayd, defend his right to freedom of expression, freedom of thought, freedom of scientific research and freedom of religion, as well as the right to marry and found a family, which formed basic principles protected and guaranteed by the Egyptian Constitution and international human rights treaties ratified by Egypt.

We had to defend the constitutional stability and security of the Egyptian society. We had to defend the true spirit of Islam and combat terrorism which was abusing the legitimate mechanisms of modernity, of law and justice, in order to impose oppression and terror.

We therefore formed a coalition of sixteen of the most prominent lawyers in Egypt who volunteered to challenge this judgment on behalf of Dr. Abu-Zayd and his wife Dr. Ibtehal Younes before the Court of Cassation. The coalition included prominent leaders like Prof. Dr. Abdel Moneim El-Sharkawy, Ali El-Shalakany, and Ahmed El-Khawaja. I served as the coordinator of the defence strategy and the coalition. We had strong arguments. However, in order to avoid any risk, we advocated and in fact succeeded in getting the Code of Procedures amended, in order to confirm that no action or appeal could be admitted by any court, unless the applicant had a direct and personal interest in the claims. This amendment was passed in May 1996 and constituted a matter of public policy that was binding on the Supreme Court. We also submitted to the Supreme Court an opinion from the Grand Mufti confirming that reading Dr. Abu-Zayd's books does not provide sufficient basis for a judgment separating between him and his wife. The Grand Mufti said that Dr. Abu-Zayd must be summoned more than once to appear before the court and 'that a thorough, scientific and detailed discussion should be conducted with him personally concerning all his writings and the accusations made against him, as it is possible that he might change his opinions subject of accusations, or that his opinions may be construed as valid interpretations, even in certain aspects.'

Nevertheless, and in spite of all those heroic efforts, on August 5, 1996, the Court of Cassation upheld the Court of Appeal judgment. This was, as a prominent weekly magazine declared on a full black page 'the darkest day in Egyptian history'. In retrospect, after years of continuous struggles, I think I can safely say that we have unfairly lost the battle before the Court of Cassation, but are to a great extent winning the war. The suffering and agony of Dr. Abu-Zayd and Dr. Ibtehal Younes have not gone astray. Although the battle of litigation is still continuing until this day before the Egyptian courts, the legal and cultural impact of the Abu-Zayd case has been extremely positive, as will be noted from the following analysis:

1. Because of the Abu-Zayd case, the defence coalition advocated and the Egyptian government supported an amendment to Article 3 of the Code of Procedures in order to close the loophole, which enabled the religious extremists to file this action against Abu-Zayd, based on the concept of *'hisba'* even though they had no personal or direct interest in the case. This amend-

ment which was passed on May 22, 1996 saved more than ninety Egyptian intellectuals, artists and writers against whom similar cases were filed. All those cases were not admitted by the courts automatically as a result of the said amendment. Thanks to Abu-Zayd, the religious extremist and terrorist movement could not terrorize any more scholars, intellectuals or artists through similar court cases and this loophole was closed forever.

2. The judgment passed by the Court of Appeal and upheld by the Court of Cassation, separating the Abu-Zayd's, was stayed permanently on September 25, 1996. The defence pleaded that according to the newly-introduced amendment to the Code of Procedures, no person had legal standing to request enforcement of the divorce judgment. The stay represented a breakthrough as it suspended the execution of the separation judgment permanently. An appeal was lodged by the opponents and a judgment was passed on December 19, 1996, confirming the stay of execution. This judgment is final and subject to no appeal. In other words, the stay is permanent and the marriage of the Abu-Zayds is no longer threatened in any manner.

3. The Supreme Constitutional Court has in an important judgment on July 7, 2002, assigned exceptional status to the 'freedom of scientific research,' among the other constitutional rights and liberties in Egypt. This responds to the debate raised in connection with the Abu-Zayd case, over the right of a scholar to exercise his freedom of scientific research and whether there are any legal, cultural or religious limitations to this type of freedom:

Freedom of scientific research cannot exist or be separated from the researcher himself. The essence of this freedom is that it is absolute and indefinite, as any restriction or limitation on this freedom, however small, cannot be but a negation of such freedom, and any obstruction to such freedom, however minor, cannot be but an aggression thereon... Article 49 of the Constitution has not only guaranteed freedom of scientific research for all citizens without exception, in absolute terms, and without any limitations, but has also obliged the State to provide the necessary means to ensure and protect the freedom of scientific research...

The above principle forcefully supporting the absolute nature of the freedom of scientific research is valid against and binding on all the legislative, executive powers as well as all the courts of Egypt.

4. The Abu-Zayd case has confirmed a well-recognized lesson of history. In all cases where a scholar was put on judicial or political trial to judge

his conscience or condemn his scientific or intellectual findings, the name and work of such a scholar has not only survived such judgment and condemnation, but also gained momentum and strength. Socrates, Galileo, Copernicus, Joan of Arc, Averroës or Ibn Rushd and El-Hallāj are but a few examples. Nobody remembers the names of the judges or the details of the claims or judgments passed, but the contributions of such scholars and scientists have made a significant difference in history.

Such trials have, contrary to the intended objectives, consistently given the new ideas or research advocated more strength and visibility and resulted in consolidating broader support for them.

Abu-Zayd is no exception. The judgment condemning his scholarly work and separating him from his wife has given him the sympathy and support of all the ordinary people of Egypt, who rejected the religious extremist attempt to abuse the concept of *'hisba'* in order to justify interference in Abu-Zayd's private and family life. Many groups of intellectuals, writers and NGOs held meetings or wrote articles and books in support of Abu-Zayd.

The coalition of Egyptian lawyers is still in the court fighting in order to directly or indirectly invalidate the judgment declaring the scholarly work of Abu-Zayd as apostasy. This is intended not only to liberate Abu-Zayd from any potential threat on his life by any terrorist but also to eliminate this dark spot from Egyptian judicial history.

Nobody remembers the names of the judges or plaintiffs in the Abu-Zayd case, but the scholarly research of Dr. Abu-Zayd has gained more recognition domestically and internationally and a greater number of more interested readers. The ideas advocated by Abu-Zayd have gained support in Egypt and many other Arab and Islamic countries, and the judgment condemning his scholarly work, shocked liberal intellectuals and the Egyptian government into a movement to address religious extremism and terrorism through education, raising awareness, and comprehensive reform, including economic, social, cultural and political reform. The Egyptian President has, during the last few years, been calling consistently for 'innovation of the religious discourse' and the Egyptian government is sponsoring a campaign for such purpose. The Book Organization, which is the government agency responsible for publication of books in Egypt, has resumed publishing Dr. Abu-Zayd's books and published his book on Ibn 'Arabī in 2003.

Above all, the students of Abu-Zayd are still carrying his mission and Abu-Zayd has not and will not stop teaching, thinking and writing, not only in Egypt but in all the enlightened countries of the world. As one of our prominent Egyptian artists recently said 'Ideas have wings and nobody can stop them from flying ...'

7 Academic Freedom in Islamic Studies and the Surveillance by Muslim Activists in Indonesia

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Introduction

The establishment of higher religious education does not automatically ensure the establishment of the 'academic' study of Islam, especially when its main objective is to train religious workers and when the religion in question is considered a perfect and unchangeable doctrine coming from God. In the latter case, the obligation of a human being is to obey God's orders and to avoid His prohibitions as formulated by the doctrine. It is impossible under such circumstances to question the truthfulness of these God-given rules and their relevance to contemporary modern circumstances, let alone to question how these rules came into existence in the course of history. In the case of Islam, it is believed that the past generations of *'ulamā'* have perfectly well formulated the guidance of the pious generations and their understanding of the main sources of Islam, i.e. the Quran and the Tradition of the Prophet, following his exemplary actions.

The very nature of the academic institution, however constitutes of 'freedom of thought and inquiry.' This means that the process of finding the truth should not be hindered, nor should the institutions be hindered in educating or in inviting persons who take the task of thinking and studying the subject matters dealt with in the institution seriously. Two different approaches to religion and Islam are represented here. This may result in tensions between the academic institutions and 'defenders of the genuine faith.'

This is the situation of Islamic higher education in Indonesia, which finds itself repeatedly under the surveillance of Muslim activists, defending the true faith and fervently rejecting academic methods. This article

will describe this situation in some detail. It will discuss the nature of the criticism of these Muslim activists and also offer suggestions for the way this type of critique could be dealt with.

At present there are at least forty-seven state institutions of Islamic higher education and approximately the same number of private ones in Indonesia. There are five state Islamic universities or UIN's (Universitas Islam Negeri in Jakarta, Yogyakarta, Bandung, Malang and Makassar) where not only Islamic study programmes are offered, but also 'secular' ones. There are also ten State Institutes of Islamic Studies or IAINs (Institut Agama Islam Negeri) offering Islamic study programs in at least three faculties, and thirty-two State Colleges of Islamic Studies or STAINs (Sekolah Tinggi Agama Islam Negeri) with one or two faculties.

The main reason behind the establishment of Islamic higher education in 1950 was to teach Islamic knowledge to students with a general high school degree and to teach general knowledge to those with an Islamic high school degree. Another reason was to equip Muslim 'religious workers' with the technical and administrative expertise and the Islamic knowledge they need in their service work.¹ In due course, however, Islamic higher education became involved in discussions and research activities that questioned some of the 'doctrines' that are considered unchangeable by many Muslims. Scholars started posing questions about the relevance of certain aspects of the doctrine, the way in which these were formulated, the connection to a historical context with its specific problems and demands, and the relation to the revealed sources etc. Such questions often arose when a gap was perceived between formulated doctrine and a specific need to solve the problems faced by the religious community in the present times.

As in all other traditions, the religious tradition is always open to new interpretations and change. This is predominantly because the adherents themselves are changing. This does not only result from a change of circumstances, but also from a continual influx of newcomers into the community of adherents. Quite often, these newcomers have different ideas about the practice of life, including the tradition; hold views distinct from those of the old adherents; and think of matters the older generation may not even be aware of. Their attitude towards tradition is often different from that of their predecessors. On the other hand, there will also always be persons who cling to the tradition and consider it as their task to protect it from any external intrusion. The existence of these two factions in the community may result in tensions or even collisions.

A New Way of Studying Islam in Indonesia

From early times onwards, adherents of Islam have voiced criticism on the traditions or practices of Islam. Two examples concern the recorded historical criticisms on the philosophy of *wahdat al-wujūd* in Aceh in the seventeenth century² and also the movement of Puritanism³ that emerged in West Sumatra at the turn of the nineteenth and twentieth centuries.⁴ The first faction considered the mystical *wujūdiyya* philosophy to be heretical, while the second considered some elements of the religious practices in the country as deviations from a true Islam based on the Quran and the *hadīth*. It was inevitable that when the adherents of the criticized practice persisted in their practices that conflict resulted.

Also from outside the religious circles criticisms on the religious practices was expressed. The writer Ki Pandjikusmin's wrote a short story entitled 'Langit Makin Mendung' (The Sky Becomes Cloudier), published by the literary magazine *Sastra*, ed. August 1968, is one example that caused much commotion at the time, resulting in the prosecution of its editor.⁵ The objective of the short story was to criticize the situation of Jakarta in the last years of Soekarno's presidency in a satirical way. It only coincidentally concerned Islam, Yet, certain elements were interpreted by some Muslims as targeting their religion, such as the tendency to use violence in dealing with practices of disbelief. It seems to me that their reaction was not primarily directed at the criticism itself, but at the fact that the writer dared to use characters in the narration that were very dear to them (such as God, Muhammad, and Jibril) in a way they thought compromising their sacred status. Take for example the depiction of God as an old man wearing glasses and the description of Mohammad getting bored of living in Paradise without being able to do any business and wanting to visit earth.

With the establishment of IAINs (State Institutes of Islamic Studies, now some of them have become State Islamic Universities) the academic study of Islam was first introduced in Indonesia. In the 1960s Prof. Dr. H.A. Mukti Ali, former Vice-Rector of IAIN Sunan Kalijaga (1968-1971) and former Minister of Religious Affairs (1971-1977)⁶ established the study programme of the Comparative Study of Religion at the Faculty of Theology. He advocated the use of socio-historical methods in combination with philosophical methods for the study of Islam at IAINs.⁷ With the first method, he said, the formation process of the Islamic doctrines in the course of history can be reconstructed and the connection to historical events and problems can be retraced. The second philosophical method

can be helpful in understanding the essence of Islam. To those who were worried that these methods might lead to the dilution of Islam, he replied that the study of Islam should be *scientific cum doctrinaire*. With this he meant that Islam should be studied scientifically in order to provide it with a sociological and historical foundation, but in the end, the study should result in religious guidance for Muslims.

It is true that some individuals misunderstand and misuse the academic freedom in Islamic studies to do whatever they want to this religion and to the traditions of its adherents. Such incidents may strengthen the resistance of those who believe that Islam is a perfect and unchangeable religion. Such individuals may, by acting in an irresponsible and provocative way, offend the religious sensibilities of Muslims. An example of this concerns the case of a young lecturer in IAIN Surabaya who was reported to have written the word '*Allāh*' on a piece of paper, throwing the paper on the ground, stepping on it, claiming that it was not God he stepped on but only one of His creations, very similar to grass and other things.⁸ Being asked why he had done this, the lecturer replied that he had not intended to commit blasphemy against Islam, but that he had only wanted to illustrate that his intention was purely academic. He even said that he wanted the students to understand that paying homage to God's creation was a kind of idolatry.⁹ He had not anticipated the subsequent anger of the Muslim community. Of course, it is true that paper and writing are products of human civilization, but one should not deny the fact that these may come to be valued dearly by some people because of their beliefs. Respecting the sensitivities of another person belongs to the characteristics of a civilized person. Institutions of higher education, as a place of learning, of studying the inheritance of human civilization, and of seeking and formulating matters that may improve the human condition, should take this into consideration. Academic freedom needs to be operative within the ethical framework of a given society.

Harun Nasution, rector of IAIN (now UIN) Syarif Hidayatullah Jakarta between 1974 and 1988¹⁰ considered the backwardness of the Islamic community in Indonesia to be caused by irrational thinking and therefore tried to introduce 'rational Islam' in the curriculum of IAIN, especially in the graduate programme. He introduced, or rather reopened, the study of the Mu'tazilite thought that had been sentenced as un-Islamic by the majority of the Muslims. He did not aim to study this specific rational group of Muslims of the past, but wanted to illustrate that Islam was not unchangeable. His books on Islamic theology, philosophy and mysticism and on vari-

ous aspects of Islam¹¹ reflected his efforts to break through the intellectual standstill of Islam in the country. They became classics in the field of Islamic Studies in the 1970s and 1980s. His main concern in his books is to present the inherent dynamics of Islam. Islam is not stable, but always changes under the influence of the changing circumstances of its adherents.

It is only natural that with the introduction of new approaches of studying Islam, such as the socio-historical and philosophical methods in combination with the examination of rational Islam, many long-prevalent doctrines came to be criticized. These approaches aim at analysing the struggle of Islam with the problems the community faced in the past. Because the doctrines are now perceived as resulting from worldly circumstances formulated in a worldly language, some of the doctrines lose their sacredness. The question then also follows: why it is not allowed to change these doctrines?

An illustrative example concerns the Rukun Iman, the pillars of faith (from the Arabic *arkān al-īmān*). These consist of a total number of six, i.e., believing in: (1) God; (2) His Angels; (3) His Messengers; (4) His Books; (5) the Hereafter; and (6) God's Decision on Human Destiny. According to Harun Nasution, the last pillar is not based on strong evidence, reducing the total number to only five. Islam does not explicitly fix the pillars of faith at either five or six, he argued. The Quran specifies only the belief in God, His Angels, His Books, His Messengers and the Hereafter. There is no statement in the Book concerning the belief in God's decree; it is only found in the Traditions of the Prophet. The *'ulamā'* turned it into the sixth pillar. The *hadīth* is not *mutawātir*,¹² so many accepted this sixth pillar, while others rejected it. The Mu'tazilites rejected, while the People of Tradition accepted.¹³

For those people who adhere to the prevailing formulation of the Islamic doctrine, such an opinion is considered as blasphemous. However, Nasution's criticism is in fact directed at the formulation of the doctrine by the people of the past and not necessarily at Islam itself. The objective is not to attack the doctrine or the faith of Muslim people, but to change some aspects of the belief that cannot be proven to be based on a solid foundation and hinder Muslims to cope with modernity.

At the same time, it cannot be denied that some people – from the inside of the circle of IAIN or from the outside – act recklessly and so provoke the anger of the Muslim community. Most likely, it is not their intention to disrespect Islam or to commit apostasy. However, this kind of behaviour does affect those aspects of the traditional belief of the community that are valued most dearly.

The case of the TV-journal *Monitor* that published poll results of the persons most favoured by its subscribers, is a good example.¹⁴ The Prophet Muhammad turned out as number eleven (instead of number one). Although, in fact, the poll results were only based on the responses of the subscribers of the journal, the reaction of certain Muslims was still fierce, since it involved a person that is dearly loved by them.

Besides the above-mentioned case of a lecturer of IAIN Surabaya stepping on a piece of paper with the word 'God written on it, another incident concerns the IAIN (now UIN) Yogyakarta. In this case a few students were collectively put on trial for blasphemy against Islam. They were reported to have played guitar in the office of the student journal *Arena*, at the time when people were performing the Friday-prayer in the mosque above it.¹⁵

Defenders of Islam: Rejection of the Academic Study of Islam

During the last century, some scholars trained in the Middle East criticized certain practices of Islam in Indonesia in order to purify the religion from corrupting ideas and practices. Now, some scholars working in the field of Islamic higher education do the same thing – purify the religion, but in this case with the intention to purify the Muslim practices and ideas that hinder Muslims from coping with modernity or that are no longer in accordance with the contemporary circumstances. Criticism of the belief in God's decree on human destiny is an example of the first, while that of providing a daughter half of the son's share of the inheritance is an example of the second. This kind of criticism or reforms has always been confronted with strong resistance, for the reason that it is considered a kind of humiliation of religion or that it undermines its longstanding tradition. Also a general atmosphere of distrust of the academic tradition coming from the West can be detected.

For some of those who resist the academic study of Islam, there is only one true religion, namely Islam and they also believe that the doctrine was formulated once and for all by the *'ulamā'* of the past generations. They remain very loyal to the way in which *as-salaf as-sālih* (the pious previous generations) observed their religious obligations. One of the most articulate 'defenders of the genuine Islamic faith', Hartano Ahmad Jaiz, states in his book on this subject: *Ada Pemurtadan di IAIN* (There are cases of encouraging students to commit apostasy at State Islamic Universities):

It is strange that the generation that is never mentioned by the Prophet (peace and blessings be upon him) as a good generation, let alone the best, dares to violate the verses of the Quran [meaning making new interpretations] and persist in having it published. There are people who persist in inserting or even teaching Bible exegetical methods in the interpretation of the Quran. Do they think that their Islam and their knowledge of Islam is better than that of the Followers?¹⁶ Or is the hermeneutics that originates from the mythology of the idolatrous Greeks more reliable than the sayings of the Followers, which are considered by the Prophet as one of the best generations in Islam?¹⁷

Scholars, who use these scientific methods, state, in response, that what matters is not whether the student is faithful or not, but that the methods of studying Islam have improved over time. Scientific research has revealed many historical facts that were previously unknown. However, these methods are not accepted in matters of religion by persons like Jaiz.

The rejection of the socio-historical method in studying Islam is also put forward in the following statement (also by Jaiz): ‘They [the IAINs] orient Islamic education and teaching to what is called socio-historical, but they do not realize that the socio-historical understanding of Islam is never true if infidels interfere. Islam never advances with the support of infidels.’¹⁸ Here one may find illustrated two things, namely that the understanding of the socio-historical method is confused with the socio-historical reality (or what appears to have happened) and also that they are suspicious of what comes from outside the Islamic community.

Pursuing this line of thinking, another critic of academic methods, Falah, stated: ‘Thus, the product of IAINs, their thinking, is inspired by a mixture of Liberal and Mu‘tazilite thought, or else Shī‘ī and mystical thought. All these are prototypes of the orientalist of the West.’¹⁹

In the mind of those who resist the academic study and criticize the present methods of the IAINs in studying Islam, the role of Islamic higher education institutions is to safeguard and spread the practice of the pious ancestors, *as-salaf as-sālih*, in living the religion. There will be no inquiry into what is considered established religion, even if certain doctrines, as is shown by the application of socio-historical methods, are the result of the Islamic communities’ historical struggle with specific problems of the past.

One of these established doctrines concerns the Quran as the verbatim word of God, sent to the Prophet Muhammad (peace and blessings be upon him) via the archangel Jibrīl. It seems that this article of faith was the reason behind the fact that when the present writer (Machasin)

translated Mohamed Arkoun's *Lectures du Coran* into Indonesian, he had to sign an agreement containing a clause stating: 'The translation of this book will only be published if there is no objection from the Minister of Religious Affairs of Indonesia.' This is the standard procedure for publications of lectures (concerning Islam) or the Quran and Islamic textbooks at the Ministry of Religious Affairs, but generally not for academic and scientific publications. In brief, the message appears to be that the Quran should not be studied with historical and literary methods that may stain its divine status.

Another issue concerns the status of certain *hadith*. For Islamic teaching any sound *hadith* is considered as proof, even when it is not *mutawātir*.²⁰ Anyone who questions a sound *hadith* as proof is considered an unbeliever, even if he/she does this based on thorough research that fulfils the scientific qualifications.

The six pillars of faith and the five pillars of Islam are also considered as established doctrines. One may not question these very basic tenets of Islam as formulated by the '*ulamā*'. Even if one comes with scientific-religious arguments, the number and content of these pillars may not be questioned.

The same accounts for the performance of formal prayers (*salāt*) in Arabic. It is based on the following saying of the Prophet directed at his companions: 'Perform the prayer the way you see me performing it.' A convert in Malang, East Java, was reported to be performing them in two languages: Arabic followed by Indonesian. The Fatwa Commission of Central MUI (Council of Indonesian '*Ulamā*') stated that it was forbidden. A professor of Islamic Exegesis of UIN Jakarta, however, considered it valid.²¹

Next, there is the belief that the Prophet Muhammad is not an ordinary human being and may not be compared to another human being, in spite of the fact that the Quran said: 'Say, "I am but a man like yourselves, (but) the inspiration has come to me..."'²² Any research on his humanity is forbidden, let alone making him the object of satirical criticism.

Many other articles of faith are considered unchangeable doctrines of Islam; some of them are not built on any tenable proof, except that the Muslims of the past considered them as established.

It is strange, then, that any critique on the opinions or decisions of the '*ulamā*' of the past generations that have been incorporated in the doctrine, is considered as critique on Islam itself. Jaiz is reported to have said: '...a lecturer of the Faculty of Islamic Laws of UIN Jakarta dismissed the '*ulamā*' who forbade inter-religious marriage (in fact he dismissed Islam).'²³

The Islamic activists are concerned about the way in which Islam is studied and taught by UIN/IAIN/STAIN.²⁴ Jaiz stated that the activities of those centres of Islamic higher learning can be considered as encouraging student to commit apostasy. In his view this entails:

1. Destroying Islamic belief by replacing the concept of *tawhīd* (unity of God) by the belief in pluralism, in which any religion is true;
2. Systematically destroying Islamic understanding by substituting reference to the Quran and *hadīth* with the methods of the West that are programmed to denounce Islam and to destroy Islamic understanding;
3. Shifting the teaching of Islam from learning the Quran, the Tradition and Islamic belief (*tawhīd*) to studying the history of Islamic thought and cultures;
4. Replacing the teaching of Islam by its experts, i.e., the *‘ulamā’* and in its proper place, i.e., the Middle East, with the teaching by infidels, i.e., the Jews and the Christians or from those who pretend to be Muslims but in fact adhere to the secular thought and unusual ideas from the universities of the West;
5. Changing the Islamic teaching institutions. The actual objective of these is to draw Islamic generations that understand Islamic teaching into the Western camp, which aims at a systematic destruction of Islam, thereby helping the West to destroy Islam. The institutions are referred to as ‘a camp and factory of westernization.’²⁵

Interaction between Defenders of Islam and Academic Scholars

Is there any interaction between both sides of the divide, between those who practice academic freedom in the study of Islam and those who consider it as their obligation to defend Islam from any intrusion? There are many interactions, but these mostly take place in an indirect way. Some students who study at Islamic universities learn or have learned Islam from persons outside of these universities. It very often happens that they still cling to the teachings of these persons and feel uncomfortable when they hear something unusual or different about Islam from their professors, but they have no strong argument to contest it. In that case, they report what they have heard to their outside masters, who most likely are not accustomed to the academic type of inquiry. The masters then give a reaction that may reach the professors through the students. It happens

also that a 'defender of Islam' publishes his/her reaction on a statement or article of a professor in a newspaper or journal. Sometimes, due to this indirect interaction, an opinion of one of the parties can be misunderstood by the other. On very rare occasions, professors can even be collectively put to trial. This is what happened to the current writer Machasin when he tried to soften the aversion of many participants of the 30th assembly of Nahdlatul Ulama – the biggest Muslim organization in Indonesia that is considered to be traditional and conservative – against the use of hermeneutics in deducing rulings from religious sources, in Boyolali, Middle Java, in November 2004.²⁶

The reactions of the religious masters may make professors in the field of Islamic studies realize the seriousness of the problem and of the sensitivity of religious people when their religion is at stake. They may then decide to change their strategy by, for example, using more gentle or indirect language. However, sometimes these academics just cling to their own opinion considering it their right as academic professionals to practice academic freedom, which they interpret as the freedom to study whatever subject and to publish whatever result they wish.

Not all unusual opinions found within the walls of Islamic universities get such bitter reactions from outside. Some even get no reaction at all. An example of this is the publication of the translation of Arkoun's *Lectures du Coran*, (first translated by the current writer Machasin and published by INIS, and then by another translator and by a publisher in Bandung, West Java) containing many unusual opinions on the Quran. This has not invoked a reaction yet. It seems that the complexity of the questions discussed in the book makes it inaccessible to people.

To conclude; there are interactions between both sides. How much both sides influence each other remains unknown so far. Indifference is not a proper attitude of civilized people in this case, although withdrawing from what is believed to be true is not a proper attitude either. A more careful choice of words and to take the sensitivities of other persons into consideration, is one of few possible middle paths. As the Javanese wisdom puts it: '*Kena-a iwaké, aja nganti buthek banyuné*', which means literally: 'Take the fish but do not make the water muddy.' To indecently play with the sensitivities of others will only intensify needless reactions and may blur the objective we aim at.

The Importance of Academic Freedom

Why is academic freedom important? It is not, of course, here just for fun or out of curiosity. Higher education is a place in which to educate people, to transmit the values of the community and to find out ways to improve human life. Academic freedom is a very basic requirement for success in this mission. Only in this case, the tradition can be reviewed, developed and then spread in society. Without this freedom, many defects of the tradition cannot be discovered and corrected. However, it should not be neglected that outside the academic community there are people who believe in the tradition as something perfect and final, which can never be questioned. This fact has to be taken into consideration at the moment the results of academic inquiries and experiments are published.

If the objective of higher education is to solve the problems of humanity, provocative action will only create new problems and will turn out to be counterproductive. What then should the course of action be, when the source of the problem is something that is highly valued and very dear to the people, which is the case with Islam? Wisdom is the answer, meaning in this respect that academic freedom should be practiced from within the ethical framework of the community.

When a person working in the field of Islamic Studies ridicules or harasses sacred figures of Islam in the name of academic freedom, especially if the reason is ignorance of what really happened in history, it does not benefit academic freedom. Using wise language and having a wise attitude, in combination with respect for the sensitivities of people, belong to the ethics of someone who works in an Islamic institution of higher education. On the other side, a quick and angry response for the reason of defending religion is not a proper attitude of a good Muslim either, particularly if the reason is a lack of knowledge of the matter in question and the presented arguments. Faith and academic freedom should not need to collide within a civilized community.

The surveillance of the defenders of Islam of the application of academic freedom in the UIN/IAIN/STAIN has been exerted incidentally without a well-organized movement. They have not yet managed to use force to impose their opinion. It is true that one may be brought to trial for the accusation of committing religious blasphemy, as has happened to the editor of the journal *Sastra* in the case of Ki Pandjikusmin's short story and to the editor of the TV magazine *Monitor* in the case of the poll. However, as far as I know, no professor at the Islamic universities has been sentenced for his/her research result or for his/her way of teaching

Islam. The publication of Hartono Ahmad Jaiz's book *Ada Pemurtadan di IAIN* (There are cases of committing apostasy at State Islamic Universities) is the most of what has been done thus far. Many articles written in reaction to the scientific study of Islam can also be found.

Can the situation be expected to remain like this? No one can give a definite answer. There is not, so far, anything that points at the victory of the defenders of academic freedom in Islamic studies and neither of the triumph of the defenders of Islam over the 'assaults' of those who are trained in Western academic methodology. These circumstances can be considered positive, since the ultimate decision will be made by the people who watch the show.

Notes

- 1 Cf. my 'The Indonesian State Institute For Islamic Studies (IAIN) Viewed from the Perspective of Arkoun's Applied Islamology' presented at the First International Conference on Islam and the 21st Century, Leiden University, the Netherlands, June 3-7, 1996; and 'Sunan Kalijaga State Islamic University as an Institution of Islamic Leader Training in Indonesia' presented at the Workshop on the Education of Southeast Asian Islamic Leadership, ISEAS Singapore, May 19-20, 2005. These articles have not been published yet.
- 2 Cf. Azyumardi Azra, *Jaringan Global dan Lokal Islam Nusantara*, Bandung: Mizan, 2002, pp. 100-101.
- 3 This movement is called Gerakan Pemurnian in Indonesian.
- 4 Cf. Deliar Noer, *The Modernist Muslim Movement in Indonesia 1900-1942*, Oxford: Oxford University Press, 1973. I used the Indonesian version: *Gerakan modern Islam di Indonesia 1900-1942*, Jakarta: LP3ES, 1980, pp. 37-113.
- 5 Cf. 'Heboh Ki Pandjikusmin' in: http://cybersastra.net/edisi_ultah2001/pandji.shtml.
- 6 He wrote many books, the prominent are: (1) *Ilmu perbandingan agama: sebuah pembahasan methods dan sistima* (The science of comparative religion: discussion on its method and system, 1970), (2) *Ilmu perbandingan agama di Indonesia* (The science of comparative religion in Indonesia, 1988), (3) *Pelbagai persoalan agama di Indonesia dewasa ini* (Complexities of religion in present-day Indonesia, 1971), (4) *Alam pikiran Islam modern* (Modern Islamic thought, 1970), and (5) *Memahami beberapa aspek ajaran Islam* (Understanding some aspects of Islamic teaching, 1991).
- 7 Cf. A. Mukti Ali, 'Beberapa pertimbangan tentang peningkatan mutu I.A.I.N. dan kurikulum' in: *Al-Djāmi'ah*, No. 1/X, January 1971, pp. 3-10.

- 8 Cf. 'Pelecehan Islam di IAIN' in: *The Journal of Sabili*, No. 23, tahun XIII: <http://www.sabili.co.id/telut-e23thXIII05.htm>.
- 9 Ibid.
- 10 Harun Nasution (1919-1998) was Rector of IAIN (now UIN) Syarif Hidayatullah Jakarta (1973-1984) and Director of Graduate Studies of the university (1984-1988). Cf. Lukman S. Thahir, 'Harun Nasution (1919-1998): interpretasi nalar teologis dalam Islam' dissertation defended at the Graduate Program of IAIN Sunan Kalijaga Yogyakarta, 2003, p. 49.
- 11 His prominent books are: (1) *Teologi Islam: aliran-aliran, sejarah, analisa, perbandingan* (Islamic theology: schools, history, analysis and comparison; 1972); (2) *Filsafat dan mistisisme dalam Islam* (Islamic philosophy and mysticism; 1978); (3) *Filsafat agama* (Philosophy of religion, 1973); (4) *Islam ditinjau dari berbagai aspeknya* (Study of Islam from its various aspects; 1974); (5) *Pembaharuan dalam Islam; sejarah pemikiran dan gerakan* (Islamic reform: history of thought and movement; 1975); (6) *Filsafat dan mistisisme dalam Islam* (Islamic philosophy and mysticism; 1978).
- 12 I.e., transmitted through various channels reducing the possibility of forgery
- 13 Cf. Hartono A. Jaiz, *Ada pemurtadan di IAIN*, chapter 'Menengok kembali Harunisme' (Reviewing Harunism): <http://mcb.swaramuslim.net/index.php?section=25&page=9>.
- 14 Cf. 'Muslims Denounce Monitor' in: *Apakabar*, October 31, 1990: <http://www.hamline.edu/apakabar/basisdata/1990/10/31/0001.html>.
- 15 The present writer does not precisely remember the date of the accident, but he was the imam of the Friday-prayer right before the incident.
- 16 I.e., the generation after the Companions of the Prophet.
- 17 Cf. Jaiz, *Ada pemurtadan di IAIN*, chapter 'Rusaknya pemahaman mereka akibat program penjarahan dari manhaj yang benar' (The corruption of their understanding as a result of the programme of keeping away from the true method): <http://mcb.swaramuslim.net/index.php?section=25&page=17>.
- 18 Ibid.
- 19 Cf. Falah, 'Inilah teroris jenis baru: pemurtadan di IAIN' (This is a new form of terrorism: committing apostasy at IAIN), as can be read in: <http://www.tempointeraktif.com/komentar/?berita=brk,20051114-69163,id.html&act=read>.
- 20 I.e., transmitted through various separate channels so that the possibility of forgery may be excluded.
- 21 Cf. for example, Suwarjono, 'Komisi fatwa MUI: salat berbahasa Indonesia ajaran sesat' (The *salāt* in Indonesian is heresy) in: *Detikcom*, May 4, 2005: <http://jkt1.detiknews.com/index.php/detik.read/tahun/2005/bulan/05/tgl/04/time/161408/idnews/355410/idkanal/10>; Muhammad Atqa, 'Ahli tafsir

- UIN: salat bahasa Indonesia sah-sah saja' (An exegete of UIN: the *salāt* in Indonesian is valid) in: *Detikcom*, May 4, 2005: <http://jkt1.detiknews.com/index.php/detik.read/tahun/2005/bulan/05/tgl/04/time/123921/idnews/355136/10>.
- 22 Sura 18, al-Kahf: 110. Cf. also sura 14, Ibrāhīm: 11; 41, Fussilat: 6.
- 23 Cf. Jaiz, Ada Pemurtadan di IAIN, 'Menengok kembali Harunisme': <http://mcb.swaramuslim.net/index.php?section=25&page=9>.
- 24 Universitas Islam Negeri (State Islamic University), Institute Agama Islam Negeri (State Institute of Islamic Studies) and Sekolah Tinggi Agama Islam (State Higher School of Islamic Studies) offer almost the same in the study of Islam. The first differs from the other two in offering secular studies, while the second have more religious study programmes than the last.
- 25 Cf. 'Pemurtadan di IAIN': <http://www.mail-archive.com/islamkristen@yahoo.com/msg09997.html>.
- 26 Cf. The documentation is not available yet. A description of the publicity concerning this trial can be found in an article 'Hermeneutika ditolak di komisi Diniyah' (Hermeneutics was rejected in the religious commission of the Assembly), in *NU Online*: <http://www.nu.or.id/page.php>.

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8 Historians of Religion as Agents of Religious Change

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When Yezad Chenoy, one of the main characters of Rohinton Mistry's absorbing novel *Family Matters*, returns to his Parsi heritage and Zoroastrian religion, he not only visits the fire-temple to be instructed by the resident priest how to pray, but also avidly reads books about his religion. The books he reads, we are told by his son Jehangir, are not only religious writings, but include a fair amount of Western scholarly works on Zoroastrian history:

For the last few years [...] Daddy has been reading nothing but religious books, as though making up for lost time. In addition to the holy cabinet, my parents' bedroom has filled up with volumes about Parsi history and Zoroastrianism, various translations of the Zend-Avesta, interpretations of the Gathas, commentaries, books by Zaehner, Spiegel, Darukhanawala, Dabu, Boyce, Dhalla, Hinnells, Karaka, and many, many more.¹

By relying not only on primary sources and on religious writings emerging from his own community but using also writings about his community by scholarly outsiders,² Yezad illustrates a pattern of behaviour that seems to be common among readers of such scholarly works, but has rarely been investigated by those who write them.

Students of religion in fact, like many other scholars in the humanities, often complain that – their closest colleagues apart – no one appears to be interested in the findings of their research. This mood was expressed unforgettably by Jonathan Z. Smith when he recalled how his colleague William Scott Green, a noted specialist in Hellenistic and Rabbinic Judaism, once complained that: 'In preparation for Easter news reporters

always contact the local bishop to inquire about the significance of the holiday, while they call the local college's department of religion to find out why there are Easter bunnies and Easter eggs.³ This sentiment fits the contemporary Western context well, since in common speech the word 'academic' has – in addition to its loftier meanings – come to express the notion of something that serves no practical purpose and is of theoretical interest only. A cynic reader of the present volume will have little difficulty in extending that particular usage of the adjective to 'academic freedom' itself, as a lofty wish that is rarely put into practice.

The impression that no-one appears to be interested in the results of research in the history of religions can only persist, however, by ignoring the wide audience we do have, but only rarely seem to cherish: the believers themselves, those about whom and about whose history, beliefs and rituals we write. It is clear that they are not the *prima facie* intended audience of scholarly works. Although reliable statistics do not exist, it is equally clear that these scholarly works are avidly read by at least some of them.

Only occasionally one finds explicit evidence for awareness of this situation, usually as a kind of apology to those who may be offended by the book in question, in the rhetorical tradition of *captatio benevolentiae*. A good example can be found in the preface to a highly controversial book from the 1970s in which everything that was commonly accepted – by scholars and believers alike – about the earliest history of Islam was questioned or rejected. The authors write the following:

[...] the account we have given of the origins of Islam is not one which any believing Muslim can accept: not because it in any way belittles the historical role of Muhammad, but because it presents him in a role quite different from that which he has taken on in the Islamic tradition. *This is a book written by infidels for infidels*, and it is based on what from any Muslim perspective must appear an inordinate regard for the testimony of infidel sources. Our account is not merely unacceptable; it is also one which any Muslim whose faith is as a grain of mustard seed should find no difficulty in rejecting.⁴

This was a special case, and we shall have occasion to return to it briefly below, but there are other examples of the same awareness of an audience that is both wider and more directly, personally, involved than the circle of scholarly colleagues. Tanya Luhrmann, in her equally controversial ethnography of the contemporary Parsi community of Mumbai, more or less opens the work with the words: 'The Parsis will not like this book.

Many of them, if they read it, will say that it is not true.⁵ (This prediction has since proven to be correct.) On a perhaps more personal level, Mary Boyce, in her superb work on the Zoroastrians of Sharifabad, has expressed her 'keen regret' to the Muslim family that first hosted her at Yazd and, by implication, to other Iranian Muslims, that 'it is impossible to write about the Zoroastrians of Yazd without casting the Moslems in the role of villains, just as it is impossible to write an account of Jews in Europe without showing Christians in a hateful light.'⁶

These examples suffice, it is hoped, to show that many scholars are aware of the wider extent of their audience, and are likely to be embarrassed by the prospect – at least in the two Zoroastrian cases – of offending those who had earlier extended hospitality and information to a Western observer. The experience of actually meeting those about whom one writes will doubtless make this prospect more acutely felt. Although there are many publications on ethical and methodological problems in anthropological fieldwork, these are most often concerned with issues of secrecy and betrayal (discussing the merits of covert fieldwork, for example); with the impact of the fieldworker's presence in the community during the fieldwork; and with the broad field of representation in the writing up of research findings.⁷ The possible impact of such work on the communities studied *after* publication are a much less studied subject. A fairly recent study of the practice of writing ethnography, for instance, conceives of three different 'audiences': colleagues in anthropology; other social scientists; and the 'general public' – but devotes no attention to the possibility of the objects of ethnography reading what has been written about them (let alone how this would influence them or their culture).⁸ In other words, the effort of such studies is devoted mainly – and not unjustly – to refining and safeguarding the quality of the research itself, and much less to assessing an unintended possible afterlife of the work.⁹

When it comes to historical research, other complications emerge. Getting acquainted with the material that is studied, in our case texts and material remains of a religious nature from the past, by no means involves direct involvement with the (living) community of 'believers'. In many cases this is wholly impossible since there is no longer such a community in existence, as is the case with most of the religions of the ancient world (Greek, Roman, Egyptian, Mesopotamian). When it comes to religions that are still living traditions, it is again entirely possible to study their earlier history without ever getting involved with their living adherents, studying old texts and material culture with the instruments of philology, archaeology and history. It is easy and, indeed, sometimes attractive to ignore the believers:

their perception of history and of the historicity of key elements in their religious tradition is certain to differ from ours. Our refusal to recognize supernatural agency ('divine guidance', etc.) in human history may hurt their religious sensibilities. And a comparative perspective on important items of their religious beliefs and practices undermines the supposedly 'unique' quality of what they consider to be truly important.

By way of illustration, a final example from a preface to a scholarly work may be given. In the recent book in which he argues forcefully for the 'mythological' interpretation of Zarathushtra, the founder of Zoroastrianism (i.e. that such a person never existed), Jean Kellens writes the following:

One has written about my *Essays on Zarathustra and Zoroastrianism* that my interpretations run the risk of hurting contemporary Zoroastrians. I feel free to answer simply that scholarship does not have to be concerned with this, for that would amount to censorship. But I also have too much respect for the Zoroastrians to feign belief in the historicity of their origins and to imagine that they cannot understand that modernity does not allow for eluding historical criticism. All religions of the modern world have to deal with it [...].¹⁰

Although I do not share his rejection of the historicity of Zarathushtra,¹¹ Kellens makes a number of valid points: there can be no room for a scenario in which the religious sensibilities of any community can decide the subject, questions and methods of research, even if it concerns that community itself and what it considers sacred. In other words, communities of believers do not 'own' their religious texts and ideas. And it is impossible, indeed wholly unimaginable, in modern times for any religious community to escape scrutiny of their history, texts, beliefs, and practices by outsiders. The outcome of such scrutiny can be offensive and painful for believers, but for this there does not seem to be a remedy.

The historical reliability of sources claiming to document the earliest stages of Judaism, Christianity, Islam, and Buddhism have been researched and debated as freely as those pertaining to Zoroastrianism. In all cases, there have been scholars and there will be scholars who produce largely negative results: that the sources we have, for all these religions, do not allow us to reconstruct with any confidence what really happened and that the stories on the central figures in the early days of these religions – Moses, Jesus, Muhammad, the Buddha and Zarathushtra – cannot be considered historically reliable.¹² The opposite position, that the sources *do*

in fact allow us to make statements on these early times, and that they *do* suggest that there is a historical core to them, is, of course, also frequently taken.¹³

Whatever the outcome of research, there is a generally shared scholarly approach to the study of (ancient) texts that departs considerably from how such texts are often read and applied by communities of believers. At the risk of oversimplifying, there are two core aspects of the academic study of religious texts that must seem problematic from a religious point of view. The first is that these texts are studied as human products, written with a specific goal, in a specific social, geographical and historical context by human authors and transmitted by (many) other humans, so that no 'original' version of the text survives (or exists). The second aspect is the point blank refusal to read these ancient texts through the (canonical) early commentarial literature that has grown out of them or around them or through any other secondary source (such as Mishna and Talmud in Judaism, collections of *hadith* and *tafsir* in Islam, the Church Fathers in Christianity), even though this may have been the way these texts have been read for centuries or millennia. Scholarly interpretations of foundational texts of many religions therefore differ considerably from religious interpretations, especially in those cases where scholars declare themselves unable to discover the meaning of many passages (something religious traditions rarely allow for).¹⁴

Of the many religions that have existed and still exist among the various cultures of mankind, there are actually only a few that attach much importance to the kind of historical reliability that seems a central concern in modern scholarship. Many believers simply cannot be bothered with questions about their history, or have a view of history that is so far removed or so detached from the documented parts of human history that questions of the historical reliability of the sources seem laughable. A good example, much discussed in recent times, is the religion of the Mandeans, a small community religion in Iraq and Iran, with a considerable Western diaspora caused by the tragic history of the area in the past three decades.¹⁵ In scholarly reconstructions of their genesis and (early) history, they are often believed to go back to a sectarian group within the world of Palestinian Judaism, who were forced out of their homeland by the turmoil of the first century CE and sought refuge in the Parthian Empire.¹⁶ Other scholars believe that theirs is a local Mesopotamian tradition that somehow absorbed ideas and rituals from Zoroastrianism, Judaism, Christianity and other religions.¹⁷ In their own perception, or at least that of much of their literature, this 'recent' stage in their religion is comparatively unimportant: they

consider themselves bearers of the original religion, that of Adam and his son Šitil, that has always existed in the world.¹⁸ If I am not mistaken, many modern Mandaean are willing to accept any historical scenario suggested by Western scholars for their origins, while continuing to consider it utterly irrelevant to who they are and what they believe.

The question to be asked in this contribution – whether there are observable patterns of the impact of scholarly writings on the history of religions on the development of religious ideas and practices – has only rarely been raised. This is due, no doubt, to the fact that many historians would consider the outcome of such an investigation irrelevant for their own work, or because they cannot believe that such an impact really exists. If it does, however, even only modestly, it surely presents us with a real theoretical and methodological dilemma. For if we, as a community of scholars, are to be inscribed into the history of the religion we believe we are merely documenting, are somehow part of it, some of us at least are studying ourselves or those who taught and inspired us. To be sure, there are areas of research where this question has been squarely faced. Two examples are relevant: the impact of ‘concepts’ and the impact of ‘power’.

The Impact of Concepts

The first subject concerns works that touch upon the impact of concepts that were developed (or re-developed) chiefly by students of religion, on self-identity and self-interpretation in modern religious traditions. The two most prominent concepts are the concept of ‘religion’ itself, and that of ‘ritual’. These will be briefly explored here.

Although it is sometimes claimed as ‘ours’ (to use and to define),¹⁹ the concept of ‘religion’ was obviously not invented by students of religion. Its long history has been charted many times,²⁰ with different results,²¹ but there seems to be wide agreement that the emergence of the academic discipline of the history of religions in the nineteenth century has greatly contributed to its current interpretation and general usage. The notion that Christianity, Islam, Zoroastrianism, Greek religion, Shinto, Wicca and countless others can all be called ‘religions’ and all be used to further define or explain the concept of ‘religion’ is the most visible result.²²

A telling sign of the impact of this idea – of ‘religion’ as a generic concept – is the current wide-spread phenomenon of believers claiming that theirs is *not* a religion, but something else. The best-known spokesman of that idea is probably the Swiss theologian Karl Barth,²³ with his famous

statement that *Religion ist Unglaube* (religion is faithlessness, a phrase no doubt frequently misunderstood).²⁴ But a quick scan of the Internet shows that modern believers of various denominations frequently and confidently express that theirs is not ‘a’ religion:

‘Christianity is not a religion. [...] Christianity is a relationship with God through the power and grace of His Son, Jesus Christ.’²⁵

‘Comparisons are futile; Judaism is not a religion, the synagogue is not a church, and the rabbi is not a priest. Judaism is not a mere adjunct to life: it comprises all of life.’²⁶

‘Islam is not a religion in the common, distorted meaning of the word, confining its scope only to the private life of man. [...] it is a complete way of life [...]’.²⁷

‘Buddhism is not a religion [...] Buddhism is a way of life, a philosophy, a psychology, a way of thinking [...]’.²⁸

Such statements aside, it is clear from many more statements that most modern Western believers – of whatever denomination – *do* in fact hold the view that theirs is one among the world’s many religions; they may consider it the only true one, the one that feels best suited to their emotional and social preferences, or the one that provides them with a sense of connection with earlier generations, but would easily recognize that other people have other religions.

This seemingly trivial fact – how a scholarly construct has come to be widely accepted in Western societies – has been explored as a vital subject of inquiry for students of religion in a groundbreaking essay by the German sociologist E.H. Tenbruck, unfortunately tucked away in a place where it is unlikely to reach the wide audience it deserves.²⁹

By tracing, yet again, the history of the concept of ‘religion’, Tenbruck argues that it is a uniquely European concept that has had a pervasive influence on the way ‘religion’ as such is experienced by ordinary European believers. As a one-line summary, we may quote a statement to this effect that comes quite early in his essay:

It is quite obvious that the sciences of religion, where they exist, have influenced the situation and the development of religion in Europe considerably and have caused it to change profoundly, perhaps decisively,

and that they will in the future also do this in in non-European countries that take over these sciences.³⁰

In a helpful way, though without any concrete examples, Tenbruck sketches how such a development would have taken place:

But their (i.e. of the sciences of religion) concepts and theories became and still become current all the time, first challenging theologians, then involving educated people, then causing anxiety among the believers, developing into a fixed part of speaking and thinking about religion, thus changing the understanding of religion of the people and finally entering the self-identification of the religions.³¹

To the present writer's knowledge, this is the only attempt to deal with this 'obvious' fact, and it certainly deserves a follow-up, but it seems to overstate the case, especially in the final part of the essay, where Tenbruck uses his findings to raise the question whether it will be possible in the future to speak of 'religion' (as a sociologist) at all.

Similar observations, but less dramatically put, have been made with regard to the notion of 'ritual', yet another highly successful concept that has moved from the academy to circles of believers.³² Here again, it is easy to find a statement that the impact of the notion on contemporary 'religious' interpretations of ritual is obvious, in this case in an introductory work by Catherine Bell:

Approaching ritual as a universal medium of symbolic expression has had significant consequences for the very practice of ritual in Europe and America. In other words, the concept of ritual has influenced how many people in these cultures go about ritualizing today. As parts of the public have come to share an awareness of the cross-cultural similarities among rituals within very different doctrinal systems, social organizations, and cosmological worldviews, 'ritual' has emerged for them as a more important focus of attention than the doctrines that appear so tied to particular cultures and histories. [...] Hence, the study of ritual practices and the emergence of 'ritual' as an abstract universal have the effect of subordinating, relativizing, and ultimately undermining many aspects of ritual practice, even as they point to ritual as a powerful medium of transcultural experience.³³

The Impact of 'Power'

The area where the impact of scholarship on the development of culture has been explored most incisively is that of the power relations underlying the very practice of Western scholarship. It is also, as will be evident, an area about which the present writer has chronically mixed feelings.³⁴ Since the publication of Edward Said's controversial *Orientalism*,³⁵ we have witnessed an explosion of 'post-colonial' ('subaltern', etc.) studies of history, culture, and religion.³⁶ In these works, serious questions have been raised about the nature and impact of scholarly inquiry into 'other' civilizations. These are found to be deeply problematic, in various ways, but chiefly in the manner in which scholars have constructed 'essential' ('hegemonic') ideas about Hinduism, Buddhism, Islam, etc. and imposed them on the subjects they were writing about. The process is not just one of shaping manageable, unchanging, notions of the 'otherness' of the objects of inquiry, but essentially of robbing them of their history, of their own voices and hence, of their very existence.

A famous example is the idea that 'Hinduism' as a concrete 'religion' was the product of Western bureaucrats and scholars, that it was, in other words, 'invented' in the academy and does not correspond to any observable reality. This idea has become so common that it has even percolated to general introductions in the academic study of religion.³⁷ There is no doubt that, in such a simple formulation, it is wrong, as has been demonstrated frequently.³⁸

Similar factual errors, especially in the work of Said, have often been highlighted,³⁹ but this has not deterred many scholars from applying post-colonial theory to the study of religion.

What is important for the present article is to assess whether such studies aim to contribute to a better understanding of other cultures and how they develop under the impact of scholarly writings, or to a refinement of Western academic work. It is the writer's impression that the latter question has consistently had the upper hand, and that much of the work in this field is a critique of Western civilization (it has been characterised as 'pathological self-examination')⁴⁰ above all else. It loses, as a consequence, much of its explanatory potential and will not be drawn upon in what follows.

Let us return, therefore, to our question: are there observable cases of scholarly historical work determining – in whatever degree – the development of religions? The answer will not be given in a catalogue of cases; that would be extremely useful, but cannot be condensed in so short a presentation, nor can it be credibly presented by a single scholar. Instead,

three types of relations between the community of scholars and the communities of believers with, it is hoped, relevant examples of how they interact will be given. These have been given names, but one should not attach too much importance to these labels. They will be referred to as the 'parasitic', the 'apologetic' and the 'reform' modes of interaction. We shall start with the least problematic: the 'parasitic' mode.⁴¹

The Parasitic Mode of Interaction

This can be seen as the least problematic because in this case there has been some scholarly discussion. The parasitic mode of interaction between scholars and believers consists of religious ideas and practices that are directly taken from scholarly reconstructions. It shows itself chiefly in the development of new religious identities and the re-invention of perceived inherited traditions. Several examples immediately come to mind. The religion known nowadays as 'Wicca' ('modern witchcraft', etc.) was designed, it is well known, by Gerald Gardner between the late 1930s and the mid-1950s, chiefly on the basis of a combination of names, rituals and ideas from earlier occultist movements – such as the Hermetic Order of the Golden Dawn – and from scholarly historical reconstructions of the pre-Christian religious history of Europe.⁴² One cannot miss the influence especially of the works of the folklorist C.G. Leland,⁴³ the anthropologist J.G. Frazer,⁴⁴ and especially – some would say fatally – the historian Margaret Murray.⁴⁵

In the subsequent development of Wicca since its origins in the 1950s – and since the demonstration that Murray's reconstruction of the pre-Christian religious culture of Western Europe was untenable⁴⁶ – one can trace, it seems, a diminishing impact of such scholarly reconstructions of European witchcraft and of the importance of that history, and a growing impact of freer invention, experiments, or innovation based on supposed inspiration. But the torch of using scholarly historical work for the development of religious ideas has been passed on to those movements that aim at a revival of other extinct religious traditions. These are usually tiny groups dedicated to the re-invention (or revival) of Germanic (Nordic) and Celtic religion in Europe and America,⁴⁷ and of Gnosticism in its perplexing variety worldwide.⁴⁸ That it is not a strictly Western phenomenon is clear from the revival (partly based on the work of Mircea Eliade) of 'traditional' shamanism in parts of Russia, the Caucasus and certain circumpolar regions.⁴⁹ The number of examples is truly staggering, but what they have in common is that they use whatever information is available,

from historians, archaeologists and historians of religion, in addition to a wide range of popular writings and ideas and, indeed, creative invention. To give an example, certain neo-Gnostic churches that are chiefly active on the Internet include as their sacred literature everything scholars have ever assigned to the (problematic) category of 'Gnostic' writings: not only the Nag Hammadi codices (the publication of which has produced a whole realm of modern spirituality), but also Manichaean and Mandaean texts.

Although a negative term has here been chosen for it, it is not meant to convey the impression that scholars should be concerned. There is little we can do about it and perhaps, since the influence of academic work is so patently obvious, it should not cause many problems. It is, on balance, a highly interesting phenomenon.

The Apologetic Mode

Things are different with the second mode, the 'apologetic'. This is far more difficult to deal with, although it is obvious to spot, especially (again) on the Internet. This mode shows itself in the often extremely hostile reactions of believers to scholarly works questioning vital elements of their religious traditions and history. It takes on many different shapes and is well worth studying in its own right, but the problem from the perspective of the present article is whether it merits being studied in the context of the impact of the 'history of religions' on the development of religious traditions.

There are several reasons for believing that it does. First of all, it is clear that those who fight us cannot do so without taking over some of our vocabulary and interpretive strategies and one can trace the trickling down of these words and ideas to wider circles of believers. This has been briefly dealt with above. An important example is the language of pluralism. The Church of England, in a letter by the Archbishop of Canterbury, famously refused to take part in the 1893 World Parliament of Religions in Chicago because it was not in the least prepared to concede that it was in any way, shape or form comparable to other religions. It was not alone in this, but joined by similar reactions from the Roman Catholic Church, American Presbyterians and the Turkish Sultan, then the spiritual head of most of the world's Sunni Muslims.⁵⁰ More recent communications from several successive Archbishops of Canterbury are often clad in the language of dialogue and pluralism. It would be laughable to suggest that this change was brought about by the work of scholars of comparative religion, but it would be premature to simply state that their work contributed nothing to it.

Something similar seems to be the case with discussions of history. There are various examples, all of them explosive, and all of them so far inconclusive. The most important of them all, in the current age, is the debate that has been raging over interpretations of early Islamic history. As is well known, several Western scholars have professed an extremely sceptical view of the reliability of the Islamic sources available for the reconstruction of the first two centuries of the history of Islam.⁵¹ Some have even rejected all of them outright (and are, therefore, sometimes referred to as ‘revisionists’).⁵² The impact of this on the development of contemporary Islam still awaits serious evaluation. Obviously, there is no direct influence in the sense of an adaptation of the tradition even by a small number of believers (that scenario belongs to the third mode and does not apply here). There seem to be two traces of a different kind of impact, however. The first is in the increasing awareness among Muslim intellectuals of the historical contextualisation of early Islamic literature, including the Quran.⁵³ This has, to be certain, always been part of traditional Islamic learning (for example in the literature studying the precise reasons for the revelation of individual *Suras*, known as *asbāb an-nuzūl*), but one senses in some circles a widening of contexts and a willingness to include in the traditional Islamic sciences of Quranic exegesis and Islamic history the findings of non-Muslim historians (albeit not those of out-and-out revisionists).⁵⁴

On the other side, there are many hostile reactions to such historical work, ranging from questioning academic competence through general vilification of individual scholars or of all of Western scholarship to conspiracy theories. At the same time, extraordinary amounts of time and energy have been spent in proving these scholars wrong.⁵⁵ The least one can say is that many of them have not gone unnoticed, but where this is going to lead is, to the present writer at least, unclear.

The Reform Mode

The third and final mode, which has been named the ‘reform’ mode, is the most interesting one and also the one that is most difficult to trace. This would consist of believers using the findings of scholarly outsiders (self-consciously or not) to advocate a change in their own tradition. One good example will be discussed here, which shows that it is necessary to take a *longue durée* view of the subject.

In the middle of the nineteenth century, the German indologist Martin Haug, Professor of Sanskrit in Pune in India and later in Munich, showed

that the Gathas, a tiny portion of the Yasna, the text of the daily high ritual of the Zoroastrians, were composed in a different, more archaic, dialect than the rest of the Yasna and that these five hymns (in seventeen chapters) were the only texts from the whole of the Avesta (the sacred literature of the Zoroastrians) that could be attributed to Zarathushtra himself.⁵⁶ In addition, Haug found in these hymns evidence of a purely ethical, monotheistic religion that rejected ritual and presented this 're-construction' as the original core of Zarathushtra's message.

By that time, the Parsis, the Zoroastrians of India, had already become a wealthy community, with good relations with the British administrators of India, and with a 'modern' outlook.⁵⁷ They had, one generation before, been rewarded for all this by British Christian missionaries, some of whom came armed with textual and philological knowledge of Zoroastrian literature that treated Zoroastrian texts differently from the way they were used by Zoroastrian priests.⁵⁸ There was a spirit of uncertainty over various crucial issues: who are we, what do we believe, what is the purpose of ritual, and other elements. From a community that was grouped around a high ritual tradition, the Parsis were suddenly required to reinvent themselves and their religion in terms presented by the British establishment.

Many of them were plainly unprepared to do this, many more were indifferent, and some sought a way out of the dilemma by developing an esoteric interpretation of their holy texts, but there was also a group of reformers who almost immediately warmed to Haug's discovery.⁵⁹ A century and a half later, all these groups – the orthodox, homebred occultists, the indifferent – are all still there, as are the reformists who have staunchly advocated basing Zoroastrianism on the Gathas and the Gathas alone.⁶⁰ The very least one can say is that there are very few Parsis nowadays who reject the notion that the Gathas are different from the rest of the Avesta, and none who would still espouse the pre-British orthodoxy, that the whole of the Avesta *and* its commentaries belonged to the Revelation Zarathushtra brought on the earth.

In the recent history of Zoroastrianism, there are examples of all three modes of interaction: the adoption of Western ideas in a process of re-inventing earlier forms of the religion is evident from the revivalist movement known as 'Zoroastrian Studies', led by Khojeste Mistree and well-known for the enthusiasm with which it has received the works of Mary Boyce.⁶¹ The apologetic mode is found frequently on the Internet and examples have been given especially from North America, where non-Zoroastrians were at one moment not invited to address a Zoroastrian congress.⁶² The reform mode has already been discussed.

Martin Haug never intended to change Zoroastrianism. Revisionist historians of early Islam do not mean to insult, enrage or hurt Muslims, and J.G. Frazer never would have wanted to become a founding father of a new religious identity, least of all one that would enshrine the concept of 'magic' as its core. Some of these things have happened, though, and what has happened must, in the future, be analysed carefully, with an eye both to questions of academic ethics and, of course, in the interest of improving the ways in which we write history by refining our observations. It is a way of doing justice to those whom we now also know as our readers, and it will enable us to spot and deal with those contaminations we may have introduced ourselves.

Notes

- 1 R. Mistry, *Family Matters*, London: Faber and Faber, 2002, p. 463.
- 2 Of the authors mentioned, the Parsi writers H.D. Darukhanawala and D.F. Karaka are mainly known for their works on Parsi history (and prosopography); K.S. Dabu and M.N. Dhalla for works on theology and history. Fr. Spiegel (1820-1905) was one of the founding fathers of Middle Persian philology and a nineteenth-century authority on early Zoroastrianism; R.C. Zaehner (1913-1974) was a well-known specialist on Zoroastrianism, Hinduism and comparative religion; M. Boyce (1920-2006) was the world's leading specialist on Zoroastrianism; J.R. Hinnells is an authority in the field of Parsi history and diaspora Zoroastrianism.
- 3 J.Z. Smith, 'God Save this Honourable Court: Religion and Civic Discourse' in: idem, *Relating Religion. Essays in the Study of Religion*, Chicago/London: University of Chicago Press, 2004, 375-390, p. 375.
- 4 P. Crone & M. Cook, *Hagarism. The Making of the Islamic World*, Cambridge etc.: Cambridge University Press, 1977, pp. vii-viii (emphasis added).
- 5 T.M. Luhrmann, *The Good Parsi: The Fate of a Colonial Elite in a Postcolonial Society*, Cambridge MA: Harvard University Press, 1996, p. ix.
- 6 M. Boyce, *A Persian Stronghold of Zoroastrianism*, Oxford: Clarendon Press, 1977 (Lanham 19892), p. viii.
- 7 Since these issues are central to all anthropological handbooks, I may be forgiven for referring to just one: H.R. Bernard, *Research Methods in Anthropology: Qualitative and Quantitative Approaches*, Lanham etc.: AltaMira Press, 20064 (see the index, s.v. 'ethics'). Illuminating step-by-step introductions (by different authors) of starting, doing, and ending fieldwork can be found in W.B. Shaffir & R.A. Stebbins (eds.), *Experiencing Fieldwork. An Inside View of Qualitative Research*, Newbury Park etc.: Sage, 1991.

- 8 J. van Maanen, *Tales of the Field. On Writing Ethnography*, Chicago: University of Chicago Press, 1988, pp. 25-33.
- 9 An interesting exception is J. Jackson, 'Is There a Way to Talk About Making Culture Without Making Enemies?' in: *Dialectical Anthropology*, 14, 1989, pp. 127-143.
- 10 J. Kellens, *La quatrième naissance de Zarathushtra*, Paris: La librairie du XX^e siècle, 2006, p. 14: 'On a écrit, à propos de mes *Essays on Zarathustra and Zoroastrianism* (2000), que mes positions risquaient de blesser les zoroastriens d'aujourd'hui. Je me sens libre de répondre simplement que la science n'a pas à se préoccuper de cela, qui équivaut à une censure. Mais aussi je respecte trop les zoroastriens pour feindre la foi en l'historicité de leurs origines et imaginer qu'ils ne peuvent pas comprendre que la modernité ne permet pas d'éluider la critique historique. Toutes les religions du monde contemporain doivent, comme on dit, faire avec.'
- 11 See A. de Jong, 'Zarathushtra' in: L. Jones (ed.), *The Encyclopedia of Religion. Second Edition*, Detroit: Macmillan Reference USA, 2005, pp. 9933-9937.
- 12 Buddhism may be an exception, since there do not seem to be modern scholars who contest the historicity of the Buddha. There is, however, considerable debate about his date and most other subjects pertaining to early Buddhism. An important collection of articles on the matter are the three volumes edited by Heinz Bechert, *The Dating of the Historical Buddha/Die Datierung des historischen Buddha*, Göttingen: Vandenhoeck & Ruprecht, 1991; 1992; 1997.
- 13 Thus, Michael Witzel (M. Witzel, 'Yājñavalkya as Ritualist and Philosopher, and his Personal Language' in: S. Adhami (ed.), *Paitimāna. Essays in Iranian, Indo-European and Indian Studies in Honor of Hanns-Peter Schmidt*, Costa Mesa: Mazda Publishers, 2003, pp. 103-143, p. 104, n. 6) wisely remarks (on the subject of yet another early religious figure, Yājñavalkya): 'The pendulum shifts every few decades between blind credulity in statements made in ancient texts to absolute denial of the existence of such figures as Yājñavalkya, the Buddha, or Zarathustra, – a trend very much seen these days. Methodologically, it is better to take the information provided by older texts at face value, and *then* investigate whether they contain internally consistent or contradictory materials, anachronistic information and some clear divergence in language [...].'
- 14 See the contribution of H.J. de Jonge to the present volume.
- 15 For the Western diaspora (and many glimpses of Mandaean history), see J.J. Buckley, *The Mandaeans. Ancient Texts and Modern People*, New York: Oxford University Press, 2002.
- 16 A broad overview of the question, with copious references to earlier literature can be found in K. Rudolph, *Die Mandäer I. Das Mandäerproblem* (Forschungen zur Religion und Literatur des Alten und Neuen Testaments 74),

- Göttingen: Vandenhoeck & Ruprecht, 1960. For more recent developments, see J.J. Buckley, *The Great Stem of Souls. Reconstructing Mandaean History*, Piscataway: Gorgias Press, 2005, esp. pp. 297-341.
- 17 E. Lupieri, *The Madaeans: The Last Gnostics*, Grand Rapids/Cambridge: Eerdmans, 2005, pp. 144-165 (= E. Lupieri, *I Mandeï. Gli ultimi gnostici*, Brescia 1993, 172-195); C. Müller-Kessler, 'The Madaeans and the Question of their Origin' in: *ARAM*, 16, 2004), pp. 47-60.
- 18 For the early Mandaean sources on the question, see K. Rudolph, *Theogonie, Kosmogonie und Anthropogonie in den mandäischen Schriften* (Forschungen zur Religion und Literatur des Alten und Neuen Testaments 88), Göttingen: Vandenhoeck & Ruprecht, 1965, pp. 310-338. For a local version of Mandaean origins and history (from the 1930s), see E.S. Drower, *The Madaeans of Iraq and Iran. Their Cults, Customs, Magic, Legends, and Folklore*, Leiden: Brill, 19622, pp. 259-264.
- 19 Famously by J.Z. Smith in several different publications. See, as a summation, Smith, 'Religion, Religions, Religious' in: idem, *Relating Religion*, Vandenhoeck & Ruprecht, pp. 179-196, pp. 193-194: "'Religion" is not a native term; it is a term created by scholars for their intellectual purposes and therefore is theirs to define. It is a second-order, generic concept that plays the same role in establishing a disciplinary horizon that a concept such as "language" plays in linguistics or "culture" in anthropology'.
- 20 The most ambitious of these projects is doubtless E. Feil, *Religio*, Göttingen: Vandenhoeck & Ruprecht, 1986-2001 (3 vols. to date).
- 21 A broad selection of recent studies is given in J.G. Platvoet & A.L. Molendijk (eds.), *The Pragmatics of Defining Religion. Contexts, Concepts and Contests* (Numen Book Series 84), Leiden: Brill, 1999.
- 22 For some of the mechanisms at work, contrast A.L. Molendijk, *The Emergence of the Science of Religion in the Netherlands* (Numen Book Series 105), Leiden: Brill, 2005, with T. Masuzawa, *The Invention of World Religions: Or, How European Universalism was preserved in the Language of Pluralism*, Chicago: Chicago University Press, 2005.
- 23 See the sections on the early Barth in F. Wittekind, *Geschichtliche Offenbarung und die Wahrheit des Glaubens: der Zusammenhang von Offenbarungstheologie, Geschichtsphilosophie und Ethik bei Albrecht Ritschl, Julius Kaftan und Karl Barth (1906-1916)* (Beiträge zur historischen Theologie 113), Tübingen: Mohr Siebeck, 2000.
- 24 See G. Green, 'Challenging the Religious Studies Canon: Karl Barth's Theory of Religion' in: *The Journal of Religion*, 75, 1995, pp. 473-486.
- 25 <http://www.allaboutreligion.org/religion-comparison.htm> (accessed August 23, 2007).

- 26 Rabbi S.R. Hirsch, quoted on http://www.ucalgary.ca/~elsegal/363_Transp/Orthodoxy/SRHirsch.html (accessed August 23, 2007).
- 27 http://www.islamonline.net/servlet/Satellite?cid=1123996015894&pagename=IslamOnline-English-AAAbout_Islam/AskAboutIslamE/AskAboutIslamE (accessed August 23, 2007). It is remarkable that the statement 'Islam is not a religion' is, in fact, quite hard to find on Internet pages written by Muslims; it is very frequently found on the pages of those whose aim seems to be to insult Islam (as in 'Islam is not a religion, it is a Satanic cult / terrorist ideology / a political-religious identity' etc.).
- 28 http://www.buddhistinformation.com/is_buddhism_a_religion1.htm (accessed August 23, 2007).
- 29 F.H. Tenbruck, 'Religion im Maelstrom der Reflexion' in: J. Bergmann, A. Hahn & T. Luckmann (eds.), *Religion und Kultur* (Kölner Zeitschrift für Soziologie und Sozialpsychologie, Sonderheft 33), Opladen: Westdeutscher Verlag, 1993, pp. 31-67. See also, in the same volume, J. Matthes, 'Was ist anders an anderen Religionen? Anmerkungen zur zentristischen Organisation des religionssoziologischen Denkens', pp. 16-30.
- 30 Tenbruck, 'Religion', p. 32: 'Es liegt ganz offen zutage, daß die Religionswissenschaften, wo sie existieren, die Lage und Entwicklung der Religion in Europa beharrlich beeinflußt und tief, vielleicht sogar entscheidend verändert haben and das in Zukunft auch in außereuropäischen Ländern tun werden, die diese Wissenschaften übernehmen.'
- 31 *Ibidem*: 'Stets aber kamen und kommen ihre Begriffe und Theorien im Umlauf, werden zuerst zur Herausforderung der Theologen, beschäftigen bald die Gebildeten, beunruhigen dann die Gläubigen, werden zum festen Bestand des Sprechens und Denkens über die Religion, verändern so das Religionsverständnis der Menschen und gehen schließlich in das eigene Selbstverständnis der Religionen ein.'
- 32 The history of the concept is conveniently traced by J.N. Bremmer, 'Religion', 'Ritual', and the Opposition 'Sacred vs. Profane': Notes towards a Terminological 'Genealogy' in: F. Graf (ed.), *Ansichten griechischer Rituale. Geburtstags-Symposium für Walter Burkert*, Stuttgart/Leipzig 1998, pp. 9-32.
- 33 C. Bell, *Ritual. Perspectives and Dimensions*, New York/Oxford: Oxford University Press, 1997, pp. 262-263.
- 34 Some of these have been expressed already in A. de Jong, 'Secrets and Secrecy in the Study of Religion: Comparative Views from the Ancient World' in: B. Scheid & M. Teeuwen (eds.), *The Culture of Secrecy in Japanese Religion*, London/New York: Routledge, 2006, pp. 37-59, pp. 37-39 (with references).
- 35 E. Said, *Orientalism*, New York: Pantheon Books, 1978 (and countless reprints).
- 36 See, for example, R. King, *Orientalism and Religion: Postcolonial Theory, India, and 'the Mystic East'*, London: Routledge, 1999, and the debate over this

- book in *MTSR*, 14, 2, 2002, pp. 231-292 (with contributions by R.T. McCutcheon, J.E. Llewellyn, F. Settler, D. Wiebe, and a response by King).
- 37 H.G. Kippenberg & K. von Stuckrad, *Einführung in die Religionswissenschaft*, München: Beck, 2003, pp. 37-47.
- 38 See, *inter multos alios*, D. Lorenzen, 'Who invented Hinduism?' in: *CSSH*, 41, 1999, pp. 630-659; R. King, 'Orientalism and the Modern Myth of "Hinduism"' in: *Numen*, 46, 1999, pp. 146-185; W. Sweetman, "'Hinduism" and the History of "Religion": Protestant Presuppositions in the Critique of the Concept of Hinduism' in: *MTSR*, 15, 2003, pp. 329-353.
- 39 A whole book has been devoted to 'unmasking' Said's work as one of 'malignant charlatanry': R. Irwin, *For Lust of Knowing. The Orientalists and their Enemies*, London etc.: Allen Lane the Penguin Press, 2006. The book is a joy to read and shows a lot of difficulties in Said's work, but one cannot escape the impression that it simultaneously fails to raise a number of pertinent questions, especially on the subject of 'representation'.
- 40 R.W. Lariviere, *Protestants, Orientalists, and Brāhmanas: Reconstructing Indian Social History*, Amsterdam: Royal Netherlands Academy of Arts and Sciences, 1995.
- 41 S. Wasserstrom has pointedly warned us against using such half-digested biological metaphors in historical work, while continuing to apply one himself (S. Wasserstrom, *Between Muslim and Jew. The Problem of Symbiosis under Early Islam*, Princeton: Princeton University Press, 1995, pp. 3-10). See also M.A. Williams, *Rethinking 'Gnosticism'. An Argument for Dismantling a Dubious Category*, Princeton: Princeton University Press, 1996, pp. 80-95, for the use (or abuse) of the 'parasite' metaphor in the study of ancient gnosticism.
- 42 See L. Jencson, 'Neopaganism and the Great Mother Goddess: Anthropology as Midwife to a New Religion' in: *Anthropology Today*, 5, 1989, pp. 2-4; W.J. Hanegraaff, *New Age Religion and Western Culture. Esotericism in the Mirror of Secular Thought* (Numen Bookseries 72), Leiden: Brill. 1996, pp. 77-85; and, magisterially, R. Hutton, *The Triumph of the Moon: A History of Modern Pagan Witchcraft*, Oxford: Oxford University Press, 1999.
- 43 C.G. Leland, *Aradia, or, the Gospel of the Witches* (first publication London 1899; revised edition by M. Pazzaglini *et alii*, Blaine 1998). Leland's work, presented as the 'inherited' traditions of North Italian witches, is generally considered a mystification (Hutton, *Triumph*, pp. 144-149).
- 44 J.G. Frazer, *The Golden Bough: A Study in Magic and Religion*, London: Macmillan, 1913-1915 (third, revised, edition; 12 vols.).
- 45 M.A. Murray, *The Witch-cult in Western Europe: A Study in Anthropology*, Oxford 1921; *eadem*, *The God of the Witches*, London: Faber and Faber, 1931.

- 46 N. Cohn, *Europe's Inner Demons: An Enquiry inspired by the Great Witch-hunt*, London: Heinemann for Sussex University Press, 1975. On the controversy over the Murray thesis among Wiccans, see M. Adler, *Drawing down the Moon: Witches, Druids, Goddess-Worshippers, and Other Pagans in America Today*, Boston: Beacon Press, 19862, p. 47 ff.
- 47 Such as Druidry and Ásatrú. See, for example, N. Goodrick-Clarke, *Black Sun. Aryan Cults, Esoteric Nazism and the Politics of Identity*, New York/London: New York University Press, 2002, pp. 257-278 (on Nordic racial paganism).
- 48 For one such group, see M. Introvigne, 'Neo-Catharism' in: W.J. Hanegraaff *et alii* (eds.), *Dictionary of Gnosis and Western Esotericism*, Leiden: Brill, 2005, pp. 826-828.
- 49 Examples are given in D.C. Lewis, *After Atheism: Religion and Ethnicity in Russia and Central Asia*, London 2000.
- 50 D. Lüddeckens, *Das Weltparlament der Religionen von 1893: Strukturen interreligiöser Begegnung im 19. Jahrhundert*, Berlin: De Gruyter, 2002. See pp. 192-194 on those who were absent because they refused to take part: Anglicans, Catholics and Muslims. There were also those who were not invited, but that is a different subject.
- 51 A balanced overview with regard to the Quran is M. Schöller, 'Post-Enlightenment Academic Study of the Qur'an' in: J.D. McAuliffe (ed.), *Encyclopaedia of the Qur'an*, Vol. 4, Leiden: Brill, 2004, pp. 187-208.
- 52 A selection: J. Wansbrough, *Quranic Studies: Sources and Methods of Scriptural Interpretation*, Oxford: Oxford University Press, 1977; *idem*, *The Sectarian Milieu: Content and Composition of Islamic Salvation History*, Oxford: Oxford University Press, 1978 (on Wansbrough and his work, see the special issue of *MTSR*, 9,1, 1997); Crone & Cook, *Hagarism*, Cambridge etc.: Cambridge University Press, 1977; P. Crone, *Meccan Trade and the Rise of Islam*, Oxford: Blackwell, 1987; G. Hawting, *The Idea of Idolatry and the Emergence of Islam: From Polemic to History*, Cambridge: Cambridge University Press, 1999; K.-H. Ohlig & G.R. Puin (eds.), *Die dunklen Anfänge: neue Forschungen zur Entstehung und frühen Geschichte des Islam*, Berlin: Schiller, 2005.
- 53 A broad selection of examples is found in S. Taji-Faroukhi, *Modern Muslim Intellectuals and the Qur'an*, Oxford: Oxford University Press, 2004.
- 54 An outstanding example is the work of N.H. Abu Zayd (see his contribution to the present volume).
- 55 This is most evident from Islamic websites such as www.islamic-awareness.org; www.mereislam.info; www.answering-christianity.com, most of them chronically (and programmatically!) failing to distinguish between Christian missionaries and Western scholars.

- 56 M. Haug, *Die fünf Gâthâ's oder Sammlungen von Liedern und Sprüchen Zarathustra's, seiner Jünger und Nachfolger*, Leipzig: Brockhaus, 1858-1860; see also his *Essays on the Sacred Language, Writings, and Religion of the Parsis*, London 19044. For Haug, see A. Hintze, "Haug, Martin" in: *Encyclopaedia Iranica*, 12, 2004, pp. 61-63.
- 57 See the overview in J.S. Palsetia, *The Parsis of India: Preservation of Identity in Bombay City*, Leiden: Brill, 2001.
- 58 The most famous of these missionaries was John Wilson. See his *The Pârsi Religion as contained in the Zand-Avastâ, and propounded and defended by the Zoroastrians of India and Persia*, Bombay 1843. On Wilson, see especially M. Stausberg, 'John Wilson und der Zoroastrismus in Indien: Eine Fallstudie zur interreligiösen Kritik' in: *Zeitschrift für Religionswissenschaft*, 5, 1997, pp. 87-114.
- 59 The best discussion is M. Stausberg, *Die Religion Zarathushtras: Geschichte – Gegenwart – Rituale*, Band 2, Stuttgart: Kohlhammer, 2002, pp. 99-111.
- 60 Their voices can all be heard in Ph.G. Kreyenbroek & S. Munshi, *Living Zoroastrianism: Urban Parsis Speak about their Religion*, Richmond: Curzon, 2001.
- 61 J.R. Hinnells, *The Zoroastrian Diaspora. Religion and Migration*, Oxford: Oxford University Press, 2005, pp. 106-109; Stausberg, *Religion II*, pp. 141-144.
- 62 Hinnells, *Zoroastrian Diaspora*, pp. 531-533.

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9 A Passing Storm or a Structural Shift? Challenges to Academic Freedom in the United States After September 11¹

Beshara Doumani

In the mid-1880s, the president of Cornell University, Professor Henry Carter Adams, was unceremoniously dismissed after he delivered what was perceived to be a pro-labour speech that irritated a businessman who was a major benefactor of the university.² In 1900, the president of Stanford University fired the economist Edward E. Ross upon the express request of Jane Stanford, co-founder (along with husband, Leland Stanford) and proprietor of Stanford University, who objected to what she considered to be 'socialist' views of Professor Ross. Professor Ross supported, among other things, municipal ownership of utilities and a ban on the importation of cheap Asian labour. Two years earlier, in 1898, Mrs. Stanford, a devout Christian, caused the firing of H.H. Powers, a political science professor who gave a speech on religion that she did not like.³ In 1917, the president of Columbia University, Nicholas Murray Butler, threatened to dismiss faculty members who '...are not with whole mind and strength committed to fight with us to make the world safe for democracy.' Parroting government officials and the mainstream press at the time, he directly equated opposition to the war with treason and sedition.⁴ And in 1925, national attention was riveted on the so-called Scopes Monkey Trial in which John T. Scopes was convicted for teaching Darwin's theory of evolution in contravention of a law passed in the state of Tennessee: '...that it shall be unlawful for any teacher in any of the Universities, Normals and all other public schools of the State which are supported in whole or in part by the public school funds of the State, to teach any theory that denies the story of the Divine Creation of man as taught in the Bible, and to teach instead that man has descended from a lower order of animals.'⁵

These examples speak to the key challenges to academic freedom at the turn of the twentieth century: The transparent subservience of university administrations to the dictates of big business and conservative political elites unencumbered by social and moral restraints; the unwelcome intrusion into university campuses of a hyper-nationalist public discourse, a corrosive politics of fear cultivated by a powerful president bent on imperial adventures, and the ideological policing of thought by fundamentalist religious movements determined to impose their messianic vision on a reluctant society. It was in response to these threats, eerily similar to the current political climate in the United States, that progressive and liberal scholars in the top private universities, such as John Dewey and Arthur Lovejoy, banded together to establish the Association of American University Professors (AAUP) and to craft the 1915 *Declaration of Principles on Academic Freedom and Academic Tenure*.⁶

Drawing on the positivist German idea of *Lehrfreiheit*, the freedom of teaching and inquiry, this declaration laid out the philosophical foundations of academic freedom as later institutionalized and practiced in the United States.⁷ At the heart of the Declaration is the argument that the mission of higher education – defined as the production of expert knowledge for the social good (i.e., not for private gain, nor for the advancement of sectarian religious or partisan political agendas) – requires that scholars be considered as professional appointees not as employees-at-will. In the same way that justice is best advanced by judges who can freely exercise their professional judgment even though they are employees of the state, the scientific pursuit of truth is best advanced by scholars who enjoy a fundamental right to three key freedoms – research and writing, teaching, and extra-mural utterance – even though they are employees of private institutions.

Academic freedom is thus a professional, not an individual, privilege based on a codification of a set of understandings governing employer/employee relations that allows faculty to regulate their affairs according to their own standards.⁸ These standards constitute the shield that protects academic freedom while internally regulating and constraining it through a process of peer review. The institutional translation of this vision took two primary forms: shared governance and tenure. Shared governance gives faculty the right to participate in formulating the structures and trajectories of knowledge production through a variety of practices such as decisions on hiring, promotions, the establishment and oversight of departments and programmes, and the like. Tenure provides security of employment, without which critical thinking and creativity would be undermined.

The move from a conservative insistence on freedom *for* universities to a liberal demand for freedom *within* universities was precipitated by a radical transformation in the institutional structure of higher education that had already taken place. According to Hofstadter and Metzger, there was a revolution in higher education between 1865-1890. During that single generation, emphasis shifted from the teaching college to the research university; from religion to science; and from holistic approaches to specialization, codification, and professionalization.⁹ All fit with the reform culture of the Progressive Era which looked to 'scientific' solutions (in the sense of universal and objective) to the social problems caused by run-away Capitalism and an 'undisciplined wealthy elite that thought itself mightier than the laws and threatened democratic institutions.'¹⁰ It is not surprising, therefore, that this particular vision of academic freedom quickly gained ground, becoming a majority position among scholars.

For those who believe in progress and the linear march of history, the triumph of an objective and universal notion of academic freedom over the particularistic interests of capital and the ideological predispositions of religious groups seems pre-ordained and irreversible. Truth marches steadily on as scientific knowledge accumulates and societies become ever more prosperous, democratic, and tolerant. For many decades, this almost religious faith in rationality and modernization seemed justified. As the twentieth century wore on, the US academy internalized the philosophical approach that animated the 1915 *Declaration of Principles* and institutionalized shared governance and tenure. Universities became homes to the experts who in the 1930s and 1940s participated in the formulation of the social and economic programmes of the New Deal State and who contributed to great technological and scientific advances. In the 1950s, US universities expanded greatly in size and resources, and dominated the ranks of the best in the world. They became 'multiversities' in that they offered a wide array of services to the government, the public, and the private sector.¹¹ They also became much more accessible to women, working-class people and minority groups. To the chagrin of some within and outside academia, universities also became a central arena in the free speech, civil rights, feminist, environmental and, most of all, anti-Vietnam war movements in the 1960s and 1970s. The loyalty oath controversies and the repressions of the McCarthy era were seen as the exceptions that proved the rule. In short, academic freedom became hegemonic: an organic part of campus life and public consciousness. Forgotten, except by a few, was the fact that the structure of academic freedom as it exists today is a relatively recent development that took root in specific histori-

cal circumstances. This structure and its meanings were and continue to be shaped by many factors including the changing political economy of academic institutions and prevailing intellectual and cultural trends. Like democracy, academic freedom is a process that must be reproduced on the level of everyday life if it is to survive.

This process is in danger of being reversed. The rise of a powerful conservative political movement over the past generation, beginning with the election of Ronald Reagan in 1980, has fundamentally challenged the philosophical foundations of the liberal New Deal State and, by extension, the above-described notion of academic freedom. The conservative ascendancy (often referred to as a 'revolution') did not suddenly materialize, nor is it part of a cyclical phenomenon. Rather, it is the product of an enormous investment of resources; the patient building over many years of a dense network of institutions such as think tanks, media outlets, universities, legal firms, and lobbying groups; and the skilful organizing of both local and national grassroots campaigns ranging from fielding candidates for local Boards of Education, to large demonstrations against legalized abortion and affirmative action. Not least, it was the result of strong leadership that coordinated a broad coalition of disparate groups and interests. In short, the conservative revolution was not so much a shift in the worldviews of most Americans as it was a successful capture of the language of public discourse and the machineries of government.¹²

The consequences are enormous. Americans have experienced unprecedented income and social inequalities caused by privatization of the public sector and reduction in government social services. And, despite the end of the Cold War, this past generation witnessed a dramatic expansion of the military-industrial complex. This expansion was initiated by Reagan in 1980 both as a way of heating up the Cold War against the Soviet Union, and as a response to the strategic vacuum in the oil-rich Gulf region created by the 1978 Islamic Revolution in Iran. Since then, the United States has vastly increased its military presence in the Middle East, especially in the regions surrounding Iran: Afghanistan and Iraq on the east and west, and the Caspian Sea and the Gulf on the north and south. In the process, it became indirectly involved in the 1980-1988 Iran-Iraq war, and it has launched three invasions: two of Iraq in 1991 and 2003, and one of Afghanistan in 2001.

On the cultural level, the conservative revolution directly challenged the mission and organization of higher education as articulated by the authors of the *1915 Declaration*. Virulently opposed to the civil rights, feminist, environmental, and peace movements, which they saw as having weakened

and corrupted the country, conservatives unleashed what became known as the 'culture wars' over issues such as multiculturalism, abortion, affirmative action, prayers in school and gay rights. Not surprisingly, universities became a major theatre for these wars during the 1980s and 1990s.

The terrorist attacks of September 11, 2001 crystallized these institutionally dense and long-term developments into a formidable political force which has allowed the Bush administration to make radical changes in how the government works, in its relationship to society, and in the role of the US in the international arena. Briefly put, the War on Terrorism launched by the Bush administration heralded an unprecedented deepening and consolidation of the national security state that emerged after WWII and it signalled the political triumph of a highly ideological coalition of evangelical social fundamentalists, militant nationalists, and neo-conservatives that now dominates, among others, the Presidency, much of the Congress (until the 2006 elections), the judiciary, the top civilian ranks of the Pentagon, and is imposing itself on the intelligence services and much of the mainstream national press.

In policy papers published before 9/11 as well as in specific decisions after 9/11, this coalition has explicitly made clear that it seeks to impose four major agendas in foreign and domestic policies: global domination through the doctrine of pre-emptive military intervention with special focus on the Iran in the Middle East and North Korea in the Far East; dismantling of the programs of New Deal society such as social security and medicare; reversing the gains of the various civil rights and environmental movements; and blurring the lines between church and state.

The glue that keeps this disparate coalition together is a common new enemy, Islam. True, the politics of fear had begun to shift from Communism and the nuclear bomb to Muslims and terrorism since the end of the Cold War, but a structural lock did not take place until 9/11. Reminiscent of the times of the Crusades or the Ottoman sieges of Vienna, Islam and Muslims are routinely represented in public discourse as the 'Other' of Western civilization. Seen as a target for intervention, Muslims are organized in three concentric circles: the large external circle of non-Arab Muslims who are considered as potentially liberal and tolerant; the middle circle of Middle East/Arab Muslims, said to be fanatical, violent, and incapable of self-reform; and the innermost circle of Palestinian Arab Muslims, considered to be by definition a terrorist people.¹³

As the innermost circle indicates, an important element of the conservative coalition currently in power in the United States is a deeply intimate strategic, military, and ideological relationship with Israel. Millenarian

evangelicals – who constitute the core electoral base of the conservative movement and its most dynamic organizational force – see Israel as key to the coming of the messiah; militant nationalists see it as the pioneering model of defiant and uncompromising war against terrorism and as a model for a US foreign policy based on military might rather than international law; and neo-conservatives subscribe to the worldview of the Israeli Likud party, which calls for a fundamental transformation of the political order in the Middle East in line with Israel's long-term strategic interests. This explains why there seems to be a severe allergy to any criticisms of Israeli government policies in the media or academia, and why the public relations machineries of this coalition routinely accuse critics of Bush's War on Terrorism as being unpatriotic and anti-Semitic.

In pursuit of its domestic and international agendas, the Bush administration has skilfully manipulated fears of terrorism and Muslims for the larger goal of concentrating enormous and unprecedented power in the office of the president and vice-president.¹⁴ With Congress and the corporate press unable or unwilling to fulfil their roles as the watchdogs of democracy, the spotlight soon turned on academia which, as the bastion of socially-valued dissent, found itself attracting a great deal of unwanted negative attention. As a result, academic freedom in the United States is facing its most serious threat in a century as institutions of higher learning are being subjected to an increasingly sophisticated infrastructure of surveillance, intervention, and control. Indeed, some of the more radically conservative elements in this coalition view universities and scholars of the Middle East in much the same way that right wing European parties view mosques and imams: as constituting a danger to the body politic.¹⁵

The challenges to academic freedom after 9/11 come at a vulnerable time for academia for it is in the midst of an accelerated economic and institutional transformation driven by the commercialization of knowledge and the information revolution. The influence of corporations, donors, and the state on what universities do has grown dramatically and university administrations are adopting a top-down corporate culture that is corroding the institutional underpinnings of academic freedom. Buffered between the conflicting but intimately related forces of anti-liberal coercion and neo-liberal privatization, colleges and universities are much more vulnerable to the ways in which external forces are aggressively reshaping the landscape of intellectual production inside campuses. Indeed, universities are in the process of internalizing that very infrastructure of surveillance and control, which operates on three distinct but intertwined levels: government, private advocacy groups and foundations.

The Government: Civil Liberties, Area Studies, and Scientific Research

The passage of the Patriot Act in October 2001 and subsequent similar measures in the years since have undermined academic freedom in the same way they have eroded other pillars of democracy after 9/11 such as the constitutional protections of civil liberties.¹⁶ The undermining of Habeas Corpus; illegal wiretapping; surveillance of library records; denial of visas to foreign scholars who are critical of US or Israeli government policy; the Deemed Exports Act's severe restrictions on the circulation of scientific information; and cumbersome reporting procedures for foreign students are but some of the many examples that led the AAUP to conclude in 2003 after a thorough investigation that the Patriot Act has negatively impacted academic freedom in structural ways that will be very difficult to roll back in the future.¹⁷ The deterioration of civil liberties has deteriorated at an even faster pace since 2003.

When it comes to Islamic and Middle East Studies, the biggest danger is the proposed legislation on the federal level to amend the Higher Education Act of 1964 so as to facilitate political intervention on campus, with specific focus on area studies research centres funded through the Title VI program. HR 609 passed the House on March 30, 2006 and awaits approval by the Senate. If passed as it is, this legislation would establish an entity called the Advisory Board, which would monitor area studies centres in order to ensure that they advance the 'national interest,' and would investigate the content of their programs, class syllabi, and statements by professors to see if they present 'balanced' and 'diverse' perspectives. While the law would apply to all 123 centres funded under the federal Title VI program, the target is clearly the nation's seventeen centres for Middle East Studies. The AAUP, the American Civil Liberties Union (ACLU), the Middle East Studies Association (MESA) and most professional educational organizations have raised alarms about what could be an unprecedented government invasion of the classroom. Among their concerns are the Board's sweeping investigative powers, lack of accountability, and makeup, which would be composed in part from two national security agencies.

Several universities have indicated that they will not accept federal funding under these conditions.¹⁸ This is because this legislation, if it becomes law, would effectively replace professional academic standards with arbitrary political criteria, thus unravelling what Amy Newhall has called the 'Devil Bargain' between academia and the government that,

since WWII, has been primarily based on the exchange of money for expertise and training.¹⁹ On the one hand, financial largesse has been and continues to be the most powerful instrument in the hands of the state for shaping the production of knowledge. On the other hand, government investment paradoxically creates an ambiguous space that allows for the emergence of critical perspectives.²⁰

This relationship is not without its problems. In the early 1970s, for example, the Nixon administration, stung by criticisms from area studies scholars of its policy in Vietnam, sought to eliminate Title VI programs altogether using arguments similar to those advocates of HR 609, who were upset at criticism by academics of US policies in Iraq and of the Israeli military occupation of Palestinian lands.

The relationship between the government and the sciences is no less tortured, especially when it comes to global warming, evolution, biotechnology, and reproductive health. Scientists whose research or political opinions on these issues do not fit with the ideological positions of the Bush administration have faced many difficulties in the free pursuit of their research. Many scientists recruited to serve on government advisory panels were subjected to political litmus tests including questions about their views on abortion and voting records. The findings of others were ignored or deliberately erased from government websites. The blatant arm-twisting reached such a point that in 2004 hundreds of scientists, including twenty Nobel laureates, signed a statement condemning the White House for deliberately and systematically distorting scientific fact in the service of policy goals and warned of great potential harm to future generations. The statement is part of a report by the Union of Concerned Scientists that details how the White House censors and suppresses its own scientists, stacks advisory committees and disbands government panels for political and not academic reasons.²¹

Private Advocacy Groups

In contrast to the McCarthy era, private advocacy groups not the government are playing the lead role in the campaigns to police thought on campus, to dominate the framing of public discourse, to transfer pedagogical authority from educational institutions to politicians and the courts, and to re-channel the flows of knowledge production by making some field of inquiry radioactive while encouraging the expansion of others. This is done through highly capitalized and professionally organized ‘Take Back

the Campus' campaigns that target specific professors, curricular offerings and programs of study. The following five brief examples suggest the scope and tactics of these national campaigns and key political forces involved.

In 2002, the American Council of Trustees and Alumni (ACTA), founded by Lynn Cheney (former head of the National Endowment for the Humanities and spouse of Vice-President Richard Cheney) and Democratic Senator Joseph Lieberman (vice-presidential candidate with Al Gore in 2000), among others, issued a report titled *Defending Civilization: How our Universities are Failing America and What Can Be Done About it*.²² The report accused the universities of being the weak link in the war against terror and a potential fifth column.²³ It cautioned that 'when a nation's intellectuals are unwilling to sustain its civilization' the enemy is emboldened.²⁴ Specifically, the report criticized the addition of courses on 'Islamic and Asian cultures' rather than 'ensuring that students understand the unique contributions of America and Western civilizations.'²⁵ As if the general hint at treason was not enough, an appendix to the report listed the names of 117 'Un-American' professors, staff and students along with the offending statements they allegedly made. ACTA is an influential and well-funded advocacy group that seeks to achieve its militant nationalist goals from the top down by changing the very leadership and educational missions of colleges and universities.

A related long-term strategic initiative based on a partnership between right wing advocacy groups and like-minded politicians is the multi-million dollar campaign to pass the so-called 'Academic Bill of Rights' in all fifty state legislatures. Like the ACTA report, this campaign argues that the universities have been hijacked by a leftist and anti-Semitic professorial class who teach hatred of America and Israel to their captive students. The proposed legislation, which has already been submitted in twenty-two states, calls on state governments take control of colleges and universities in order to rescue students from 'indoctrination' and to ensure that the educational system is 'balanced' and 'diverse.'²⁶ This campaign cynically appropriates the terminology invoked by civil rights, feminist and free speech movements in order to roll back the gains these movements made in democratizing the curricula of and students' access to higher education during the 1960s and 1970s. Unable to persuade most academics, university administrators and students as to what the contents and approaches of higher education ought to be, the organizers of the Academic Bill of Rights campaigns have resorted to external political intervention under the cover of phrases such as 'student rights,' 'balance,' and 'intellectual diversity.'²⁷ They have also set up black-listing websites that include pic-

tures and distorted biographies of ‘dangerous’ academics, and organized nation-wide campaigns targeting specific individuals.

The touchstone of most campus controversies, however, is the Palestinian-Israeli conflict; and the overwhelming majority of external interventions in the academic freedom of scholars is done by pro-Israel advocacy groups such as the American-Israel Public Affairs Committee (AIPAC), the Anti-Defamation League (ADL), the American Jewish Committee (AJC), the Zionist Organization of America (ZOA) and others.²⁸ These organizations, whose right-wing politics are unrepresentative of the much more liberal Jewish communities in the United States, have a long history of intimidation campaigns against students and professors who voice criticism of Israeli government policies, and they routinely equate such criticism with anti-Semitism. The tragedies of September 11, 2001 have emboldened these organizations to undertake ever more aggressive campaigns to police thought on campuses and to target specific academics and programs.²⁹ These campaigns have steadily become more numerous and more ambitious in the years following 9/11. Consequently, in U.S. today there is no field more radioactive than Middle East Studies and nothing more frowned upon than expressions of support for Palestinian rights and criticism of Israeli government policies.³⁰

Academic Freedom and Private Foundations

Decisions by big foundations on what lines of inquiry to fund and which ones to ignore have a major influence on research trends and academic programs. In the heyday of the post-WWII period, the big foundations, elite universities and intelligence agencies constituted a veritable *ménage à trois*, at least when it comes to language and area studies.³¹ Until fairly recently, however, the importance of universities was such that there was a wide space for a politics of ‘moral ambiguity,’ as John Lie calls it, which allowed area studies experts and other academics a certain freedom to come up with their own questions and even to take up public political positions that challenged US foreign policies.³² Foundations, elitist and patronizing as some can be, have been instrumental in expanding this space, especially during the civil rights and anti-Vietnam war periods.

After 9/11, that space contracted considerably as evidenced by the new language added to standard grant letters. In the case of the Ford Foundation, for instance, grantees must sign a document that forbids them to promote or engage in ‘violence, terrorism, bigotry or the destruction of any state.’

Those familiar with public debates on the Palestinian-Israeli conflict long before September 11 will instantly recognize the phrasing, for it is identical to the public relations language of pro-Israel advocacy groups which represents critics of Israeli government policies as bigoted anti-Semites, and which brands serious discussion of such issues as the Palestinians right of return or a constitution that guarantees full equality for Arab citizens of Israel as tantamount to calling for the destruction of Israel as a Jewish state. No surprise, for the new grant language came about as a response to criticisms from (and then in lengthy consultations with) several major Jewish organizations upset by the fact that some of the human rights groups at the Durban Conference on Racism who criticized Israeli policies had received funds from the Ford and Rockefeller foundations.³³

Several private elite universities objected to this language, prompting some minor changes.³⁴ So minor, in fact, that in 2004 the ACLU, the major civil rights organization in the U.S., turned down a one million dollar grant from Ford and a \$150,000 grant from Rockefeller. The ACLU press release stated that it was ‘a sad day when two of this country’s most beloved and respected foundations feel they are operating in such a climate of fear and intimidation that they are compelled to require thousands of recipients to accept vague grant language which could have a chilling effect on civil liberties.’³⁵

Commercialization and Privatization of Academic Knowledge

There is by now a large literature on the impact of the commercialization of knowledge on academia, on how corporate culture has permeated the top administrative ranks, and on the ways that neo-liberal assumptions are shaping the consciousness of the young generation.³⁶ Briefly put, university administrations after WWII began to be organized along the model of managerial capitalism, a development that took place in the corporate world at the turn of the twentieth century when a rationalized hierarchy of experts began replacing family-run empires. Flush with large infusions of money from the government and corporations, university administrators re-tooled their institutions to serve as knowledge factories that produced the human resources, technological advances and ideological environment under-girding the United States’ economic and military prowess. The Bayh-Dole Act of 1980 – essentially a profit-sharing scheme on patents – was a turning point in corporate investment in and control of university science research. In a single decade, corporate

sponsorship of research jumped from \$850 million in 1985 to \$4.25 billion in 1995.³⁷

One of the most troubling consequences is that this new 'bottom Line' managerial culture has very little patience for input from faculty, much less students. For instance, this culture has little appreciation for the importance of shared governance and for tenure, which lie at the heart of academic freedom. Hence, the percentage of tenured faculty positions in US universities has declined dramatically, and there is much greater reliance on the cheap labour of graduate students, who now teach the majority of classes and under-graduates. Just as troubling, these administrators, desperate to make their institutions more competitive in the race for government and corporate funds, have entered into contractual relations with major corporations, government agencies, private donors, and foundations that blur the boundaries between the public good and the private good.

Knowledge production driven by market forces that reflect the hierarchy of power relations slowly restructures institutions of higher learning by promoting specific academic endeavours and quietly burying others. Unwritten red lines of what is fundable and what is not are bureaucratically internalized and modalities of self-censorship act as a filter for condoning or shunning proposed research, teaching, and extra-mural utterance. The operative dynamic, in short, is who is hired, not who is fired. Consequently, the commercialization of education is producing a culture of conformity decidedly hostile to the university's traditional role as a haven for informed social criticism. In this larger context, academic freedom is becoming a luxury, not a condition of possibility for the pursuit of truth.

Contending Visions of Academic Freedom

It is too early to tell whether the dark clouds hovering over academic life in the United States betoken a passing storm or whether they are the harbingers of a structural shift. Much depends not just on understanding the forces of coercion or privatization within the larger historical and institutional contexts, but also on a rethinking of the philosophical foundations of what constitutes academic freedom and how we conceive of our role as public intellectuals.

Social and intellectual movements as well as legal developments have expanded and confused the meanings of academic freedom as initially articulated in the United States at the turn of the twentieth century. For example, and especially since the 1950s, most people have come to under-

stand academic freedom not as a professional privilege but as an individual right based on the First Amendment of the United States Constitution that guarantees free speech. The Supreme Court has thus far upheld this right by using the pragmatic rationale of ‘social benefit,’ but only when it comes to public universities, not necessarily private ones. It is also unclear whether this right resides in individuals or institutions, as the court has frequently referred to both.³⁸

At the same time, it has become difficult to conceive of academic freedom in the absence of fundamental critiques of professional norms, national identity and hierarchal power relations. Can there be real academic freedom without a historical and sceptical approach to professional norms?³⁹ To what degree is it possible to conduct a relentless critique of Enlightenment categories of knowledge – such as the assumptions that truth exists and can be objectively discovered – that give academic freedom as we know it its specific structures, while maintaining professional standards stable enough to act as pillars for academic freedom?

I am sympathetic to Joan Scott’s position on this matter. She argues persuasively for the need to put ethical praxis at centre-stage. ‘Academic freedom,’ Scott writes, ‘lives in the ethical space between an ideal of the autonomous pursuit of understanding and the specific historical, institutional, and political realities that limit such pursuits.’⁴⁰ Scott deliberately substitutes ‘understanding’ for ‘truth’ in order to stake a middle ground between knowledge and interpretation. It is precisely in that distance between contradictory spaces – ideal/history, knowledge/power, and disciplinary norms/criticism – that academic freedom operates. Academic freedom, in other words, is built, reinforced and changed one controversial case at a time through an ethical practice that eschews dogmatism and appreciates the historical specificity of the moment.

For Scott’s bridging proposal not to err too much on the side of conservative pragmatism and accommodation, a particular understanding of what it means to be an intellectual needs to be emphasized. It is Edward Said’s understanding of academic freedom as a ‘ceaseless quest for knowledge and freedom’ based on an auto-critique of one’s own national identity even if, as in the case of the Palestinians of which he is one, national self-determination has yet to be achieved.⁴¹ Adopting the image of the academic as traveller who ‘depends not on power, but on motion’ unlike that of the academic as potentate who ‘survey[s] all...with detachment and mastery,’ he defines academic freedom ‘as an invitation to give up on identity in the hope of understanding and perhaps even assuming more than one.’ ‘We must always view the academy,’ he continues, ‘as a place to

voyage in, owning none of it, but at home everywhere in it.⁴² This insistence on a compassionate and humanistic auto-critique has the virtue of anchoring ethical praxis inside the academic world while guiding political action outside of it.

Conclusion

It is to be expected that threats to academic freedom would increase when a national crisis inspires fear, hyper-nationalism and intolerance, as September 11 did. The extraordinarily long list of repressive but often short-lived measures imposed on the US population after previous crises is sobering and, in many ways, makes the post-9/11 period look tame in comparison. The 1919-1920 Red Scare following the Bolshevik Revolution in Russia, the internment of American citizens of Japanese descent and the McCarthy inquisitions at mid-century are cases in point.⁴³ It is also to be expected that attacks on academic freedom will meet determined resistance that can have the paradoxical effect of making this concept even more deeply rooted in the public consciousness. In fact, the two most authoritative statements on academic freedom in the United States were both articulated by the Association of American University Professors (AAUP) one year after the outbreak of major wars. The first was the 1915 *Declaration of Principles on Academic Freedom and Academic Tenure*. The second was the 1940 *Statement of Principles on Academic Freedom and Tenure*.

The transformation in the political economy of institutions of higher education combined with a War on Terrorism without end have created a situation that demands a new statement on academic freedom that can meet the challenges of the twenty-first century. This statement must possess not just the reactive liberal language of protection from coercion in the name of scientific truth, but also a socially engaged pro-active language that challenges neo-liberal privatization. At stake in the battles for academic freedom is whether institutions of higher education will be a regulated public trust in the service of the social good, or a for-profit business for private gain; and whether academia is a bastion of informed, independent, innovative, and critical thinking, or a cookie cutter for experts in the service of empire and elite privilege.

At this crossroads, the question is not how to preserve a century-old vision of academic freedom, but to figure out how to best use the important insights and institutions that this vision has provided us in order to reinvent it. The time is ripe for a full and open discussion about the

role of universities in this troubled world. Ideally, the government would support higher education for all instead of restricting access by pushing universities and colleges down the river of privatization; private capital would recognize that creativity and economic development require autonomy, freedom, and the free flow of information instead of ownership for a profit; administrators would cultivate meaningful shared governance with faculty and students instead of imposing Wall Street rules of consolidation and structural adjustment that especially target small departments in the liberal and social sciences; and, finally, academics could retain their academic freedom privileges by earning the public trust through an ethical pursuit of knowledge instead of accommodating the highest bidder by hanging the sign 'Have Knowledge, Will Travel'.

It is fitting that the University of Leiden publishes this volume. Founded in 1575, it is, according to Robert B. Stutton, 'the earliest university of Europe to follow an intentional and consistent policy of academic freedom.'⁴⁴ As its long experience since then shows, attempts to silence the voices of dissent and critical thought through the stick of coercion or the carrot of funding do have long-term negative consequences, but they can be overcome through collective action. Complacency is dangerous, for it deprives society of independent and alternative perspectives crucial to understanding the world we live in. If teachers and students cannot think and speak freely, who can?

Notes

- 1 This article draws on a more detailed and comprehensive account I published in 2006: 'Between Coercion and Privatization: Academic Freedom in the Twenty-First Century' in: Beshara Doumani (ed.), *Academic Freedom After September 11*, New York: Zone Books, 2006, pp. 11-57. It also draws on the insights of the contributors to this anthology: Robert Post on the legal structures of academic freedom, Judith Butler on academic norms, Philippa Strum on the Constitutional context, Kathleen Frydl on the post-WWII university, Amy Newhall on the government role in area studies programs, and Joel Beinin on the new McCarthysim.
- 2 Richard Hofstadter and Walter P. Metzger, *The Development of Academic Freedom in the United States*, New York: Columbia University Press, 1955, p. 419. This elegantly written, comprehensive, and thoughtful book is still the definitive account of the history of academic freedom in the United States even though it was penned over half a century ago. It is also a remarkably

dispassionate book considering that it was composed during a period dominated by the politics of fear (the Cold War and the nuclear arms race) and by the political repression of dissenting voices in many spheres of life, including academia, that was orchestrated by Senator Joseph McCarthy whose 'Anti-American' committee targeted an alleged communist fifth column .

- 3 Ibid., pp. 436-445. Unfortunately for Mrs. Stanford, these two cases became a catalyst for the codification of academic freedom in the United States. In Stanford, seven professors resigned in protest to the firing of Powers and an inquiry into the case led to the formation of the American Association of University Professors (AAUP). See below for more details.
- 4 Ibid., p. 499. Hofstadter and Metzger document how Butler harassed and tried to force out of the university vocal critics of the war. Charles Beard, one of the most eminent historians in the United States, resigned from Columbia University in protest to Butler's policies. Ibid., pp. 499-502.
- 5 State of Tennessee, House Bill No. 185, passed March 13, 1925. The text and related information can be accessed on the following web site: <http://www.law.umkc.edu/faculty/projects/ftrials/scopes/tennstat.htm>.
- 6 AAUP became and is still the leading organization that defends academic freedom in the United States. As befits the modernization perspective and belief in linear progress that animates their book, Hofstadter and Metzger culminate their narrative with the rise of the AAUP and the ideas behind the 1915 Declaration. The texts of the AAUP statements on academic freedom can be found at: <http://www.aaup.org/AAUP/pubsres/>.
- 7 Along with *Lernfreiheit* (freedom of learning), this idea embodied the essential nature of the German research university, which became a more attractive model of higher education for US scholars during the second half of the nineteenth century than that of the denominational teaching college. The German ideals were not borrowed wholesale, however. In the United States, the freedom of learning did not gain much traction. For an in-depth discussion see: Hofstadter and Metzger, Chapter 8, especially pp. 386-387, and p. 398.
- 8 For a detailed exposition see Robert Post, 'The Structure of Academic Freedom,' in: Beshara Doumani, (ed.) *Academic Freedom after September 11*, New York: Zone Books, 2006, pp. 61-106.
- 9 Hofstadter and Metzger, *The Development of Academic Freedom in the United States*, pp. 277-278.
- 10 Ibid., p. 417.
- 11 Clark Kerr, former Chancellor of the University of California, Berkeley and former President of the University of California System, is credited with coining the term 'multiversity.' For a fuller discussion of the institutional transformation of higher education after WWII see Kathleen J. Frydl, 'Trust to the

- Public: Academic Freedom in the Multiversity' in: Beshara Doumani (ed.), *Academic Freedom after September 11*, op. cit., pp. 176-202.
- 12 For an insightful and persuasive analysis by two prominent political scientists, see Jacob S. Hacker and Paul Pierson, *Off Center: the Republican Revolution and the Erosion of American Democracy*, New Haven: Yale University Press, 2006.
 - 13 Revealing in this regard is the Bush administration's attempt to foment an 'Islamic Reformation' by quietly funneling tens of millions of dollars to '... Islamic radio and TV shows, coursework in Muslim schools, Muslim think tanks, political workshop, or other programs that promote moderate Islam' in over two dozen countries. A key player in what is being called the Muslim World Outreach strategy is Karen Hughes, formerly the communications guru of Bush, and now the new head of the public diplomacy office of the State Department. David E. Kaplan, 'Hearts, Minds, and Dollars,' *US News and World Report*, April 25, 2005. The demonization of Muslims, Arabs, and Palestinians is generated by the increasingly intimate alliance between many pro-Israel advocacy groups and Christian evangelical organizations. This alliance has been the subject of numerous publications and documentaries. For an overview, see the Public Broadcasting Station (PBS) show NOW with Bill Moyers, *God and Politics in the Holy Land*, which aired on February 20, 2004. A case study of the political implications of this alliance on the Palestinian-Israeli conflict is Gershom Gorenberg, *The End of Days: Fundamentalism and the Struggle for the Temple Mount*, Oxford: Oxford University Press, 2002.
 - 14 Geoffrey Stone correctly reminds us that 'declaring a "war" on terrorism was more than a rhetorical device to rally the public, for it enabled the Bush administration to assert the extraordinary powers traditionally reserved to the executive in wartime.' Geoffrey R. Stone, *Perilous Times: Free Speech in Wartime from the Sedition Act of 1798 to the War on Terrorism*, New York: W.W. Norton & Co., 2004, 1st ed., pp. 554-555.
 - 15 These elements walk under the banner of fighting against what they call 'Islamofascism' and they often publish material that blends images of Hitler and a bearded Muslim and superimpose the Swastika with the Crescent. See, for example, the video 'Islamic Mein Kampf' and other material on the far right-wing web site, <http://www.terrorismawareness.org/>.
 - 16 An overview of the examples that follow can be found in Beshara Doumani, 'Between Coercion and Privatization,' in Beshara Doumani (ed.), *Academic Freedom after September 11*, op. cit., pp. 18-23.
 - 17 'Academic Freedom and National Security in a Time of Crisis' in: *Academe*, 89, 6, November-December, 2003, p. 57. The authors of the AAUP study correctly note that, with some exceptions, universities have supported their fa-

- culty. But the number of external interventions has increased, not decreased since 2003, so the long-term picture is still ambiguous.
- 18 In fact, an explicit goal of the organizations that have drafted and pushed for this legislation, is the de-funding of these centres and their replacement with partisan think tanks which they have founded as alternative centers of knowledge production. For details, see Beshara Doumani (ed.), *Academic Freedom after September 11*. op. cit., pp. 283-297.
- 19 Amy Newhall, 'The Unraveling of the Devil's Bargain: The History and Politics of Language Acquisition,' in: *Ibid.* pp. 203-236.
- 20 John Lie, 'Moral Ambiguity, Disciplinary Power, and Academic Freedom' in: *Bulletin of Concerned Asian Scholars*, 29, 1, 1997. 30-33.
- 21 For an overview of tensions between scientists and the Bush administration, see Andrew C. Revkin, 'Bush vs. the Laureates: How Science Became a Partisan Issue' in: *New York Times*, October 19, 2004.
- 22 Jerry Martin and Anne Neal, *Defending Civilization: How Our Universities Are Failing America and What Can Be Done About It*. Washington, DC: ACTA, 2002.
- 23 www.goacta.org. ACTA was founded in 1995. Its stated goal is to 'mobilize concerned alumni, trustees, and education leaders across the country on behalf of academic freedom, excellence, and accountability at our colleges and universities.' Out of ACTA came the conservative National Scholars Association that played an important role in the culture wars of the 1990s.
- 24 *Ibid.* 7. The report referenced a 1933 Oxford Student Union debate 'whether it was moral for Britons to fight for king and country.' The authors claimed that the result of the debate emboldened Adolf Hitler with the belief that the West would 'not fight for its survival.'
- 25 *Ibid.*, 7.
- 26 The AAUP and other professional organizations have taken a strong stand against this and related campaigns. The AAUP position is articulated on its web site: <http://www.aaup.org/AAUP/issued/ABOR/>. Thus far, the campaign has largely failed in producing legislation, but it managed to set the terms of the debate.
- 27 In a number of striking and witty examples, David Hollinger shows the absurdity of accusations made against the academy by right wing groups. David Hollinger, 'What Does It Mean to be "Balanced" in Academia?' in: *History News Network*, February 8, 2005. <http://hnn.us/articles/10194.html>.
- 28 For an overview of attacks on Middle East scholars and programs see Joan Scott, 'Middle East Studies Under Siege,' in: *The Link*, 39, 1, January-March 2006, pp. 1-12. Joan Scott is an author of the AAUP study mentioned above and served as chair of academic freedom Committee A of the AAUP for several years.

- 29 A fairly detailed example is Rachel Pomerance, 'Jewish Groups Coordinate Efforts to Help Students "Take Back Campus"', in: *Jewish Telegraphic Agency*, August 28, 2002. http://www.clevelandjewishnews.com/display/inn_news/JTA/ytrain0103.txt On August 1, 2005, AIPAC's web site stated that 'AIPAC's mission in 2005-2006 is nothing short of repositioning the American campus to be a tangible asset to the pro-Israel movement.'
- 30 A judicious and persuasive account of the politics of this field is Zachary Lockman, *Contending Visions of the Middle East: The History and Politics of Orientalism*. Cambridge: Cambridge University Press, 2004. See especially the chapter, 'After Orientalism?' for a comprehensive analysis of the political struggles to dominate and police knowledge about the Middle East.
- 31 In the 1950s, for example, some of the foundations were used to launder money from intelligence agencies to universities, so as to minimize the degree to which the academy was perceived to be willing servant of the nation state. For this and other details when it comes to area studies, see Bruce Cumings, 'Boundary Displacement: Area Studies and International Studies during and after the Cold War,' in: *Bulletin of Concerned Asian Scholars*, 29, 1, 1997.
- 32 John Lie, 'Moral Ambiguity, Disciplinary Power, and Academic Freedom' in: *Bulletin of Concerned Asian Scholars*, 29, 1, 1997. 30-33.
- 33 The key articles in the campaign against the Ford Foundation appeared as part of an investigative series, 'Funding Hate,' published in *Jewish Telegraphic Agency*. Edwin Black wrote the articles. See <http://www.featuregroup.com/fgarchive/jta.org/> for more details. See also Daniel Golden, 'Colleges Object To New Wording In Ford Grants' in: *The Wall Street Journal*, May 4, 2004. In addition to the new language, Ford funded a major new initiative to combat anti-Semitism, with a focus on Europe.
- 34 They are: Harvard, Yale, Princeton, Cornell, Columbia, Stanford, the University of Pennsylvania, Massachusetts Institute of Technology and the University of Chicago. All but Stanford relented after the initial round of changes which declared respect for individual academic freedom and focused instead on 'official speech' by colleges and universities. This is a dangerous development as it ratchets up the already tense situation between faculties and administrations over issues of governance. Now administrations have even more cause to discipline the research and speech of professors and students when it comes to hot-button issues, which is one of the central aims of those groups who pressured the foundations in the first place. Further changes, still ambiguous as of this writing (early 2005), were found satisfactory by Stanford. Scott Jaschik, 'The Price of Academic Freedom,' January 24, 2005. http://www.insidehighered.com/insider/the_price_of_academic_freedom.
- 35 Dated October 19, 2004.

- 36 A sample arranged chronologically: David F. Noble, *America by Design: Science, Technology, and the Rise of Corporate Capitalism*, Oxford, New York: Oxford University Press, 1979. Rebecca S. Lowen, *Creating the Cold War University the Transformation of Stanford*, Berkeley: University of California Press, 1997; Christopher Simpson, *Universities and Empire: Money and Politics in the Social Sciences During the Cold War*, New York: New Press, 1998; Derek Curtis Bok, *Universities in the Marketplace: the Commercialization of Higher Education*, Princeton, N.J.: Princeton University Press, 2003; Eric Gould, *The University in a Corporate Culture*, New Haven Conn.: Yale University Press, 2003; Christopher Newfield, *Ivy and Industry: Business and the Making of the American University, 1880-1980*, Durham: Duke University Press, 2003; Roger L. Geiger, *Knowledge and Money: Research Universities and the Paradox of the Marketplace*, Stanford, Calif.: Stanford University Press, 2004; Sheila Slaughter and Gary Rhoads, *Academic Capitalism and the New Economy: Markets, State, and Higher Education*, Baltimore: John Hopkins University Press, 2004; Jennifer Washburn, *University, Inc.: the Corporate Corruption of American Higher Education*, New York: Basic Books, 2005.
- 37 Washburn, *University, Inc.*, pp. 59-72. Not surprisingly, a slew of scandals followed on corporate censorship of and meddling in scientific research at the expense of truth and the public. Newman, et al, *The Future of Higher Education*, pp. 61-63.
- 38 For a detailed analysis see Philippa Strum, 'Why Academic Freedom? Theoretical and Constitutional Context' in: Doumani (ed.), *Academic Freedom after September 11*, pp. 143-172.
- 39 For an extended argument in favor of a critical approach to academic norms see Judith Butler, 'Academic Norms, Contemporary Challenges: A Reply to Robert Post on Academic Freedom' in: *Ibid.* pp. 107-142.
- 40 Joan Scott, 'Academic Freedom as an Ethical Practice' in: *The Future of Academic Freedom*, edited by Louis Menand, Chicago: The University of Chicago Press, 1996, p. 177.
- 41 Edward Said, 'Identity, Authority, and Freedom,' in: *Ibid.*, p. 228.
- 42 *Ibid.*, p. 227.
- 43 For an historical overview of free speech issues at times of crisis, see Stone, *Perilous Times*.
- 44 Robert B. Stutton, 'European and American Backgrounds of the American Concept of Academic Freedom, 1500-1914,' PhD dissertation, University of Missouri, 1950, pp. 41-42. I took this quote from Hofstadter and Metzger, *The Development of Academic Freedom in the United States*. p. 71.

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10 In the Wake of the Cartoon Crisis: Freedom of Expression of Academics in Denmark

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Prelude. The Cartoons: Islam-Bashing, Freedom-Fighting or Raising a Debate?

On September 30, 2005 the Danish daily newspaper *Jyllands-Posten* (*JP*) published the article ‘The Face of Muhammed’ containing the now (in-) famous twelve cartoons,¹ including the one of a man with a bomb and the Islamic creed in his turban. Having identified what he considers examples of self-censorship as a result of fear for Muslim reactions, *JP*’s culture editor Flemming Rose concluded:

The public space is being intimidated. Artists, authors, illustrators, translators and people in the theatre are therefore steering a wide berth around the most important meeting of cultures in our time – the meeting between Islam and the secular society of the West, which is rooted in Christianity. [...] Some Muslims reject modern, secular society. They demand a special position, insisting on special consideration for their own religious feelings. It is incompatible with secular democracy and freedom of expression, where *one has to be ready to put up with scorn, mockery and ridicule.*²

‘The Face of Muhammed’ inspired heated debates both in Denmark and around the world.³ To name only a few of the issues: about freedom of expression *vis á vis* or versus religion and religious sensibilities (especially Islam and Muslim sensibilities); about religious versus secular worldviews in general; about democracy versus theocracy; about the Muslim world (or Islam) versus the West; about the ‘clash of civilisations’ versus ‘alliance of civilisations’.

These fierce debates are still going on, often including issues pertaining to integration and globalisation and often framing controversies in terms of 'culture wars'. In many countries the debates seem to divide the citizens into sharply opposed camps. Since the public sphere and debate is dominated by the news media, editors, journalists, experts and opinion makers play key roles in these debates, and mass media thrive on these often highly polarized debates. Besides, dailies just like political parties, increasingly market themselves by appealing to the values, world-views and lifestyles of different groups of readers.

The reasons for the events, including the crisis and the violent events⁴ that unfolded in late January and early February 2006 following the publication of the cartoons, are many.⁵ One obvious reason, though, is that quite a few Muslims, in Denmark and elsewhere, actually *did* feel provoked and offended, and that some of them saw the publication of 'The Face of Muhammed' as part of a wider defamatory and discriminatory campaign directed against Islam and Muslims⁶.

Another reason is that quite a few of the *non*-Muslims, either outspoken anti-Muslim or 'averagely' Islamophobic, considered some of the Muslim's reactions, especially the violent ones, as a proof that they and *JP* had been right from the beginning: freedom of expression (and democracy, civilisation, peace, etc.) *was* under siege, threatened by fanatic Muslims or Islam *as such*. In their view the cultural war against these Muslim demands must be intensified.⁷

Other non-Muslims, who were also critical about the violent protests and in favour of freedom of expression, warned that freedom of expression should not be taken as an absolute right. They pointed out that it was a postulate (not to say a 'lie') that freedom of expression (in Denmark and elsewhere) was seriously threatened by Muslims, quite the opposite. And, in Denmark at least, the dominant discourses on Islam and Muslims had tended towards legitimating almost any kind of verbal attack on Islam and Muslims. The publication of the cartoons in *JP* was an unnecessary, patronizing demonstration of power and cultural hegemony directed against an already marginalized minority. The publication of the cartoons, in their view, was but one more example of Islam-bashing dressed up as freedom fighting.⁸

The cartoon controversy was also played out, in Denmark and elsewhere, in legal systems and in courts. In Denmark, individual Muslims as well as Muslim organisations charged *JP* for violation of sections 140 and 266b of the Criminal Code aimed at, respectively, protecting reli-

gions and religious sensibilities against mockery and scorn (blasphemy) and groups against scorn and degradation on account of, *inter alia*, their religion (racism and discrimination).

The Director of Public Prosecutions in Denmark decided on March 15, 2006 *not* to institute criminal proceedings against *JP*.⁹ Since his decision cannot be appealed, it put an end to hopes that *JP* could be legally prosecuted and taken to trial for blasphemy and discrimination. This is not the place for a closer and critical look at the analysis, arguments and conclusions of the Director. One of the main arguments was that *JP* did not, according to the Director's analysis, intend to provoke for the sake of provocation but only to instigate a public debate about freedom of expression. Along the way, moreover, the Director in the mentioned argumentation (cf. note 9) reasoned that 'a direct and informal form of debate is not unusual in Denmark'.

Following this decision some Muslims filed another charge, this time against the editor-in-chief and the culture editor of *JP*. The editors were accused of defamation and slander with reference to the Criminal Code, sections 267 and 268. On October 26, 2006, a city court acquitted *JP* of this charge. This case, though, has not been finally decided. The decision has been appealed.

At the time when the affair was turning into a crisis (late January 2006) with violence, street fighting, and the boycott of Danish goods, *JP* published a statement saying that, although the publication of the cartoons was not against Danish law, *JP* regretted that the cartoons had been offensive to Muslims. That had never been the intention. 'At the time they had not,' editor Rose wrote in the *Washington Post* on February 19, 2006, 'realized the extent of the issue's sensitivity for the Muslims, who live in Denmark and the millions of Muslims around the world...'. He had only 'tried to test the limits of self-censorship by calling on cartoonists to challenge a Muslim taboo'. And, repeating what he had written in the article of September 30, 2005, he added that Muslims, like everybody else, have to put up with 'scorn, mockery and ridicule'.

JP has been adamant in insisting that they never intended to insult or offend Muslims. Interpretations and opinions differing from this official statement have either been totally rejected or labelled as 'mean lies' and *JP* has proven to be extremely vigilant and zealous in countering (with an almost 'god-like' wrath) opinions differing from their own.¹⁰ The publication of the cartoons was solely intended to provoke a debate on the conceived threat to freedom of expression. It was an act of resistance to this threat and an act of freedom fighting.¹¹

Amongst those who have been severely attacked by *JP* is the author of this article. Jensen has been attacked by *JP* in articles, editorials and cartoons, and *JP* at a point threatened to sue him. Also, letters of complaint and formal complaints were sent to Jensen's boss, the Vice-Chancellor, and to the Practice Committee of the university dealing with good scientific practice.

In spite of the many pitfalls implied in using material that can be read as part of an autobiographic narrative, this case, i.e. *JP* vs. *Jensen*, constitutes the core of the empirical basis for this paper. This case is combined with a discussion of two comparable incidents, where accusations were raised in public against Jensen and a colleague from the University of Copenhagen, Jørgen Bæk Simonsen. The first concerns the leading MP, Naser Khader; the second leading MPs from *Dansk Folkeparti* (The Danish People's Party).

The case(s) and debates are interesting because, directly or indirectly, they deal with key issues concerning academic freedom and freedom of expression in general and with the freedom of expression of the scholar who goes public in particular. The debates touch upon fundamental methodological and philosophical questions about scientific 'objectivity' or 'neutrality'. They raise vital questions about what happens (or may happen) to the 'neutrality' and credibility of the 'experts' when they take on the roles of experts and qualified public opinion makers and share their knowledge about political issues, such as religion in general and Islam (and attitudes to Islam) in particular, with society at large.

Before focussing on the particular incidents, two articles by *JP* journalist Kim Hundevadt will first be discussed. Though greatly simplified, the articles address some of these mentioned questions.

The Cases: *Jyllands-Posten*, Khader et al versus Jensen et al

Scholars as Experts: Oracles or Undercover Politicians?

On September 3, 2006, almost a year after *JP* published the cartoons, *JP* journalist Kim Hundevadt presented a 'top 20-list' of academic experts most frequently quoted in the national Danish media in the first eight months of 2006, thus including the period of the cartoon crisis.

The article, 'Experts: Oracles', containing interviews with some of the twenty experts, claims that the influence of these experts on public opinion is considerable and it raises the question of to what degree the experts 'fall prey to the temptation of propagating political messages under cover of an academic title'. Each of the listed experts is evaluated according to the (un-

disclosed) criteria of the journalist: To what degree does s/he present academic neutral analyses and to what degree private or political opinions?

An expert on terrorism and the Middle East, Erslev Andersen from the Centre for Middle Eastern Studies of the University of Southern Denmark tops the list followed by historian and Islamologist from the Carsten Niebuhr Institute of the University of Copenhagen, Bæk Simonsen. The number four on the list is another expert on the Middle East, Lykke Rasmussen, from the same centre as Erslev Andersen. Tim Jensen, also University of Southern Denmark, but from the Department of the Study of Religions, appears as number ten. Jensen is said, with another scholar of religion, M. Rothstein, to 'swing the baton in a more general debate on religion.' While Erslev Andersen and Lykke Rasmussen are judged to be predominantly 'objective' analysts and commentators, Bæk Simonsen is said to be predominantly a debater. Jensen is judged to be fifty-fifty. Bæk Simonsen and Jensen and a few other experts are said to have been 'among the most severe and unrelenting critics of the drawings of *Jyllands-Posten* and the way the Danish government handled the situation.'

In the article, Bæk Simonsen is said to admit that he is not only acting as a scholar and expert, but also as an opinion-maker when criticizing the tenor of the debate on migrants and Muslims. He says, for example, that his scholarly work on Muslims has provided him with knowledge of the problems they face, knowledge he wants to share with the public. He adds that he thinks his opinions are well-founded. When asked whether his critics are right stating that he 'misuses an academic title to confound the role as scholar and politician', he expresses his confidence in the capability of the readers to distinguish between his different roles.

This article foreshadows the core of the criticism and accusations raised against several scholars in the next period. Half a year later (*JP*, February 4, 2007), the same journalist claims in the article 'The New Battlefield of the Culture Wars' that Danish scholars 'have moved to the frontline of the culture wars', and that the 'list of subject matters that fuse science and ideology (make them become one) is getting longer and longer: the climate, the Cold War, and the connection between Islam and terrorism.'

Case 1. Cartoons revisited: JP vs. Jensen

On October 14, 2006, the Danish daily newspaper *Politiken*,¹² published the article 'From Scorn to Hysteria?'. It contained interviews with a legal scholar, a scholar of religion (Jensen), and a philosopher. The differences and similarities between *JP*'s Muhammad cartoons and some re-

cent incidents were discussed. The first incident concerned a (at the time) newly-released video showing members of the youth organisation of the right-wing *Dansk Folkeparti* competing in drawing ridiculing caricatures of Muhammad during a party at a summer camp. The second incident was a review article in the official magazine of the *Dansk Folkeparti* recommending a German book and its representation of Muhammad as a paedophile. The text was accompanied by a drawing showing a lusty Muhammad ready to 'devour' a young girl. The third incident was a story about members of the youth organisation of a left-wing political party also having fun drawing portraits of Muhammad. Jensen, who had originally turned down the journalist first wanting him to provide his personal opinion on the cases, in the interview tries to provide his qualified opinion as a scholar of religion on how 'insightful Muslims in Denmark' may think of the later cases in comparison to what they thought of the publication in *JP*. Jensen and the article can, however, be read also as expressing Jensen's (own) understanding of and opinion on the publication of the cartoons.

Three days after the publication of this article, the editor-in-chief of *JP*, Carsten Juste, wrote Jensen an angry letter, with a copy to *JP*'s lawyer as well as to the Vice-Chancellor of Jensen's university. Juste wrote:¹³

With your mean accusations (*Politiken*, October 14, 2006) about *Jyllands-Posten*'s motives for publishing the Muhammad cartoons, you come close to the limit of what we will tolerate. It is not true that the cartoons were 'published deliberately to mock and ridicule an altogether central and sacred figure in Islam', and 'to lecture other people and to say 'You have not at all reached our level of civilisation, and now we will teach You how to act', and [that they, the drawings; TJ], furthermore, 'were produced to openly and in public tread on somebody's toes.'

We have, time and again, denied this, and you will find not a shade of proof in confirmation of such behaviour. Who, in fact, do you think you are? This is not the first and only time,¹⁴ under the cover of your academic title and with the use of dirty tricks and shady methods, that you try to cast aspersions on *Jyllands-Posten*, and promote certain political ideas. I find it extraordinarily objectionable that you use your office – with no reservations whatsoever – to pass judgment on my newspaper and a series of fellow-workers.

In expectation of your answer.

Jensen did not want to respond to Juste. Instead, he wrote to the Vice-Chancellor that he had no intention to do so, at the same time asking the Vice-Chancellor to consider to send, on behalf of the university, a letter to Juste expressing the university's unanimous support of Jensen, stressing Jensen's and other scholars' right to express themselves freely in the media.

A week later (October 30), the Vice-Chancellor responded, stating that 'if one participates in the Islam-debate, one can doubtlessly not avoid running into trouble [...]'. He continued:

As you probably know, when you give your statements, you do so as a private individual, not as a representative of the university. For that reason, the university cannot have any opinion about your statements. This is precisely an aspect of the freedom of expression and of the free exchange of opinions taking place at the universities.

The Vice-Chancellor added – as his 'personal opinion' – that he finds it important that we all do our best to make sure that our opinions are based on facts more than on (personal) attitudes. 'I know', he concluded, 'that it is hard to strike that balance, and that not all readers agree whether the balance has been struck or not.'

On December 17, 2006 in a large interview with journalist Kim Hundevadt of *JP*, Juste attacks Jensen and several other named scholars, Bæk Simonsen included, in all but polite terms. 'They lie about the motives of *JP* for publishing the cartoons', he says, 'and they abuse their titles to pursue political aims.' In the case of Jensen, Juste continues, then we are dealing with nothing but common political points of view, with no sound scientific basis, points of view which Jensen might as well have 'drawn from an automat'. Juste is furious that 'some charlatans get away with hurling false and undocumented statements into the public debate.'

In the meantime, having received no response to his first letter to Jensen, Juste wrote a letter directly to the Vice-Chancellor. In his reply, the Vice-Chancellor repeated what he had written to Jensen (cf. above), advising *JP* to file a formal complaint to the Practice-Committee in case they accused Jensen of 'scientific dishonesty'. On December 17, *JP* filed an official complaint.

Though in less rude language, the complaint repeats the mentioned accusations, this time arguing that Jensen's statements are even more absurd and outrageous now that a court has acquitted *JP* of the charge filed against it for defamation (court ruling of October 26; cf. note 10). There

is, according to both the court ruling and *JP*, 'no evidence in support of an opinion that *JP* intended the drawings to be insulting [...]'.

In the complaint, *JP* stresses that it does not, irrespective of the validity and content of his opinions, question the right of Jensen to freedom of expression. The complaint is solely directed at his behaviour as a scholar. Trying to prove that Jensen *did* actually express himself as a scholar, Juste refers to yet another interview with Jensen in *Politiken*, where Jensen is quoted for saying that his opinions on matters pertaining to religion, in general are based upon his generalist academic knowledge about religion.

JP concludes by requesting the Practice-Committee to judge whether the employee has deliberately abused his academic background and credibility as an expert to propagate his personal opinions in public. The committee, furthermore, is asked to clarify what measures the university will take to ensure that its scholars do not abuse their positions to pursue personal, subjective, and political goals.

Jensen and his legal advisers were of the opinion that the committee could and should have declined to deal with the complaint in any substantial way. The issue evidently had nothing to do whatsoever with 'scientific dishonesty' or 'scientific malpractice' as defined in the rules and mandate for the Committee. The Committee, however, opened the case requesting Jensen to respond to the complaint.

In his response, sent by the Committee also to (the lawyers of) *JP* for comments, Jensen (formally his union's representatives) first stated that the Committee should not have dealt with the complaint at all. In addition, Jensen says that the affair and the complaint raised interesting and relevant methodological questions, familiar to the philosophy of science and of great importance to scientists, the community of scholars, and to universities. It is, furthermore, pointed out that scholars, according to the University Act of 2003, are obliged to share their knowledge with the wider community, and that the university is obliged to encourage employees to engage in public debates. Finally, the response states that Jensen had had (good) reasons for saying what he did in the article in *Politiken*, adding that nothing prevents Jensen from expressing interpretations of *JP*'s motives differing from the declarations by *JP* itself. In the same accord, Jensen is not restricted to silence himself or to change his opinion because of the rulings of a court.

The response of *JP* was never shown to Jensen. In a letter (March 14, 2007) Jensen's Vice-Chancellor informed him that the Practice Committee had come to the conclusion that the issue raised in the complaint did not fall within the mandate and authority of the Committee.

[...] the present case has nothing to do with the scientific work/research of the employee, the Committee can reject to deal with it. The case is not covered within the competence of the Committee, and the Committee, consequently, has not dealt with the case *realiter*.¹⁵

JP immediately responded in an editorial (March 18, 2007) called *I Løgnens Tjeneste* (In the Service of Lies or Serving Falsehood). Part of the editorial read:¹⁶

Tim Jensen [...] has stated in public a series of mendacious and highly insulting accusations against *Jyllands-Posten*. Now he has, in addition, his Vice-Chancellor's, as well as the so-called Practice Committee's word that he is allowed – in his capacity of scholar – to come forward with such impudent remarks without conflicting with the authority represented by his office.

In spite of the fact that Tim Jensen has publicly announced that he expresses himself on the basis of years of research, the Committee does not consider these statements as part of his research, and, consequently, it has decided not to deal with the official complaint filed by *Jyllands-Posten*. [...] That it was not the purpose of the daily newspaper to scorn a minority, but to highlight an exciting and growing problem of self-censorship as a result of Islamist threats is well known to anybody who has taken the trouble to attend to the matter.

Like everybody else, Tim Jensen has the right to criticize *Jyllands-Posten*. The problem is, however, that he persists in his mendacious accusations in spite of his knowing better, and, even worse, he does so 'on the background of years of research', therewith dressing up his lies with a cloak of scientific authority.

And here we thought that a scholar holding an university office was supposed to strive for the truth.

With this statement, Juste and JP, the defenders and champions of freedom of expression, for the moment, seem to have 'rested their case' against Jensen.¹⁷

Case 2. Naser Khader Versus Jensen and Bæk Simonsen

First a few words on Naser Khader. During and after the cartoon crisis, Khader, with family ties to Palestine and what might be termed a 'traditional Muslim background', was often mentioned as a potential future

leader of his left-to-centre political party (*Det Radikale Venstre*). Khader had climbed to the top of this party, as well as Danish politics in general, in a very short time. In May 2007 Khader again made headlines by breaking away from his old party and establishing another, called *Ny Alliance* (The New Alliance). 'King Khader', as one of the daily newspapers called him, has generally been considered a 'darling of the media'.¹⁸

Most observers agree that Khader took the final step to the top during the cartoon crisis. At the time he seemed to be in close contact with the Prime Minister, offering him advice and support. Khader condemned the incidents of violence in the Muslim world and turned vehemently against the most high-profile of the Danish imams. Khader's popularity peaked twice during this time: once when he withdrew from the public eye declaring that he was on the edge of a nervous breakdown due to (factual or fictitious) threats and a second time when he established *Demokratiske Muslimer* (Democratic Muslims). This non-political association aimed to give a voice to moderate and democratic Muslims in Denmark, a voice that, so it was claimed, had hitherto been overruled by the imams and other 'fanatic voices'.¹⁹ Khader presently claims the same position for his new political party, *Ny Alliance* (New Alliance).

Khader always distanced himself in a loud and clear manner from Islamists, militants or not, from Muslims whose opinions on *Shari'a* differed from his, from what he called fanatics and, to judge from his famous best-seller *Honour and Shame* (*Ære og skam*), also from quite a few 'traditional' Muslims said by Khader to know next to nothing about true Islam.

Khader, in another bestselling book, the autobiographical *khader.dk*, also coined the phrase 'halal-hippie', invented to characterize and ridicule scholars and intellectuals who are (seen as) too tolerant, defending or embracing Islam and Muslims in the name of tolerance and multi-culturalism.²⁰

And now to the case: at the beginning of October 2006, Khader (cf. note 11) like Rose, Hirsi Ali, and Pipes, was awarded a freedom of expression prize. The prize, awarded by the Foundation of *Jyllands-Posten*, was awarded to Khader with reference not least to his role during the cartoon-crisis as well as to his establishing the Democratic Muslims.

During that time Khader clashed with Jensen (October 8, 2006). *Nyhedsavisen*, a Danish newspaper, published a front page story about what was called the 'flop of *Demokratiske Muslimer*'. In the article, Jensen is quoted for saying that Khader has frequently behaved in a patronizing and condescending manner to other Muslims and that quite a few Muslims had therefore turned their backs on him. Although many Muslims in Denmark are in favour of democracy, they do not favour *Demokratiske*

Muslimer. Jensen concludes that Khader's stepping down might actually be a step towards getting more members.

Khader immediately responded by accusing Jensen on public television and in *Nyhedsavisen* of 'scientific dishonesty', stating that Jensen does not know what he is talking about and that Jensen's statements are clearly those of a politician, and not of a scientist. Jensen rebutted, declaring that his statements were based on observation of the public debate [...] and his knowledge of the Muslim milieu.²¹ Jensen also sent a private e-mail to Khader explaining matters. But Khader was not satisfied. He wanted 'documentation'.

Later in October, Khader sent a letter directly to Jensen's Vice-Chancellor complaining that Jensen (never very positive about Democratic Muslims) had recently put forward undocumented statements about Khader and *Demokratiske Muslimer*. Khader sums up Jensen's statements from a series of newspapers and asks for 'documentation' for each quote. In conclusion he wants to know whether Jensen's statements are based on the results of a completed research programme about Democratic Muslims and Khader. If this is *not* the case, Khader continues, he may conclude that the statements of Jensen are but his private opinions. In that case Jensen is not speaking as a scholar, but as a private opinion maker and Jensen therefore is abusing his academic title.

The Vice-Chancellor responded to this complaint by stating that Jensen had not represented the university. The matter will only become a matter for the university, if Khader decides to file a formal complaint to the Practice Committee. The Vice-Chancellor, furthermore, expresses his hope that Jensen and Khader can find a solution by dialogue. Besides, he asks Jensen to write to Khader directly and personally.

Jensen did so on October 30 but he also contacted his union and its legal experts. Khader did not respond to Jensen's letter. Khader's 'response', however, came in a long feature article in a magazine called *Fokus* (2006/45). The article contains an interview with Khader and E. Vesselbo, another well-known MP from the leading government right-wing party Venstre. The two MPs accuse Jensen as well as Islam-expert Bæk Simonsen of abuse of their academic positions.²²

Case 3. Blacklisting and Politicizing Research: *Dansk Folkeparti* vs. Jensen & Simonsen

With this article out in the kiosks, the other media soon picked up on the story. The snowball kept rolling. Almost at the same time, the government and its parliamentary support basis, *Dansk Folkeparti*²³ presented their

fiscal budget. Some ten billion DKK was earmarked for a research centre meant to focus on the connection between ‘the spiritual background, Islam, Islamism, and terrorism.’ The project, quite extraordinarily, but very similar to a research centre (established at the wish of the same party) that was meant to study Danish left-wing ‘flirtations’ with communists during the Cold War, was to be located with a new research institute under the Ministry of Defence. A committee of independent scholars was to be appointed to assess the applications of scholars applying for the job.

However, leading member of the *Dansk Folkeparti* and minister in the established Lutheran-Protestant Church, Jesper Langballe, as well as other leading members of the party, stressed in several interviews²⁴ that certain, well-known but much too ‘politically correct’ scholars on Islam, especially Jensen and Bæk Simonsen, were not ‘wanted’. Neither Jensen nor Simonsen, it was stated, had ever studied Islam and Muslims in the way needed to provide the results wanted. Khader supported the idea of the research centre, and openly agreed in public that these two scholars were not suitable for the job.²⁵

These statements, together with those mentioned above from Juste and Khader, created quite some discussion, behind the scenes as well as in public. This time, though, the debate not only focused on the scholars accused of politicization, but also on the politicians controlling and politicizing research.²⁶ Some heads of institutes, deans and vice-chancellors expressed their concern about this and the black-listing of certain scholars, primarily on the grounds of their *public opinions*. Some, but actually fairly few, colleagues also protested against the politicization of research and the efforts to delimit academic freedom as well as the freedom of expression of academics.

Discussion: Academic Freedom and Freedom of Expression of the Scholar Expert

In the abovementioned interview by *JP* journalist Hundevadt where Juste attacks Jensen and other scholars, Juste in the end is asked whether he understands that somebody may think that he, the editor-in-chief of *JP*, should be the last to act in a way that can be seen as an effort to restrict freedom of expression. Juste answers that he does, adding, though, that he is ready to run that risk. In his opinion it is time for a debate. But what if the consequence of this, he is then asked, is increased self-censorship, i.e. exactly what *JP* (had said it) warned against in the Muhammad case?

To this question Juste replies that this is not where he wants things to end. All he wants is to start a public debate.

Once again, then, just as with the cartoons, *JP* has a noble aim. *JP* did not intend to intimidate scholars who express opinions that differed from *JP*'s. It only wanted to provoke a debate. And, once again, there can be no doubt that it *did* provoke a debate. And, it was not the relatively balanced article by Hundevadt 'Experts: Oracles' that did the trick, but Juste's angry and aggressive letters, complaints, and interviews.

The Danish debates, running from October 2006 up to May 2007, were fierce and numerous.²⁷ Partly because they were spurred on by other 'stories' related to academic freedom, freedom of expression, freedom of the press, including incidents seen as examples of double-standards of some of the prominent 'champions of freedom of expression', besides *JP* and Khader, the government and the Prime Minister. To mention but a few of the most relevant 'stories' and questions discussed:

- In Denmark, public universities have increasingly been merged with public research institutions that stand under the authority of various state institutions. Will fear of loss of funding not lead to more self-censorship and so restrict and reduce freedom of expression, now that the universities have lost their more independent status?
- The increase in state funding of *strategic* research at the expense of *free* research. What happens to the academic freedom, i.e. to the right to choose research areas, when more and more money goes to projects favoured by politicians?
- While formally providing universities with more freedom (in the form of privatization), the government, so the critics say, actually limits their freedom. Universities now have to draw up contracts and sign five-year plans with the state, something affecting and delimiting free research at all levels, including the individual.

On a more general level, several ministers, including the Prime Minister, have expressed themselves in ways which, according to some critics, bordered on intimidation with the aim of silencing criticism and controlling the free press.²⁸

The Legal, Political, and Administrative Framework

Before taking a closer look at some of the fundamental issues raised by the incidents discussed in this article, a few comments about the legal, political and administrative framework may be timely.²⁹

The basic legal framework for matters pertaining to freedom of expression is provided by the Danish Constitution of 1849. Paragraph 77 grants the right of freedom of expression to everybody. This freedom is not unlimited of course: everybody also has to adhere to the law in general as well as to e.g. laws on blasphemy and discrimination.

Relevant in this case is the University Act of 2003. According to paragraph 2.2, the university has the right to freedom of research. Of particular interest in this context is paragraph 2.3 which states:

The university must, as a key bearer and institution of knowledge and culture, share (or: 'exchange') knowledge and competences with the society at large *and encourage employees to participate in the public debate*.³⁰

In his New Year's address to the nation, the Prime Minister explicitly referred to the cartoon affair and stressed the paramount importance of freedom of expression in general.³¹ The Danish Minister of Science also repeatedly assured sceptics that the University Act and the government guarantee both academic freedom as well as freedom of expression.³² In a speech in Parliament on November 2006, the same minister commented on the ongoing debates and referred explicitly to this section of the University Act of 2003 stressing the responsibility of the universities to encourage them to participate in the public debates.

Also important are the Practice Committees at the universities and the corresponding committees at the Ministry of Science that deal with 'good scientific practice'. The rules and mandates of these committees cannot be rendered, but mention should be made of the fact that it is stated clearly that good scientific practice has nothing to do with 'political correctness'.³³

Also relevant for the discussion is the fact that scholars, at least at Jensen's university, have the obligation to include in their annual reports a section on their 'sharing of knowledge with the wider community'. This sharing can take the form of writing textbooks for schools, teaching audiences outside the academy, or participating in public debate. Although it is not quite clear how these activities are evaluated in comparison with strictly academic activities, there can be no doubt that universities normally consider it an asset to have scholars with a high public profile. One university recently decided to give such scholars an extra honorarium.

The importance (and risks?) of this type of external communication is recognised in several other ways as well. Recently some universities

started to offer in-service training on how to deal with the press, and one university hired a former editor to be in charge of all 'sharing of knowledge with the wider community'.

Issues Related to the Cases Mentioned

Though tempting to treat the attacks by *JP*, Khader and *Dansk Folkeparti* as one concerted, strategic, and politically motivated 'joint venture' orchestrated to silence Jensen and other scholars, I find it important not to succumb to this temptation. I will return, ever so briefly though, to that possibility later.

Accepting, therefore, that *JP* with its attacks on Jensen did indeed intend to provoke a public debate, as editor Juste stated, a question, however, comes to mind: a debate about what?

It is my contention that Juste did not make it clear what it was that he wanted to debate more exactly. Or, perhaps he and Khader did not quite realise the complexity of what they claimed they wanted to discuss.

One thing *JP* and Khader seemed to want was a public debate on the limitations on the public statements of academic scholars functioning as experts. Can they be allowed to express their private personal and political opinions? Underlying this question is the postulate that some scholars operate as 'undercover politicians'. Engaged in public debates they abuse or trade on their academic titles and positions to falsely give credit, authority and legitimacy to opinions that in fact are no more than personal, political opinions. More or less explicitly, these accusations imply a demand: scholars who operate within the public domain as 'experts' must not be allowed to do so unless they are able to demonstrate to the reader that their statements are based on facts, sound arguments, the results of a specific research project, etc.

Behind this demand lurks a particular concept of science and of the role and function of the scientist in the community of scholars and the society at large. This concept entails that science, the scientific research process, as well as the communication of the research results, including the communication in the public mass media, should and can be 'objective', 'neutral' and 'value-free'.

In this view, science must be kept completely separated from all personal and political opinions of the scholar in question. If it is not *Dr. Jensen*, the historian of religions from the University of Southern Denmark who is putting forward the objective facts and conclusions derived from

objective research in an objective and a-political manner, but (just) *Mr.* Jensen propagating his personal opinion, then this must be made explicit. One cannot and must not rely on the capability of the reader to tell where the *Dr.* starts and stops and the *Mr.* takes over (as Bæk Simonsen said in the cited article by Hundevadt).

Included in this concept of science is also the notion of a clear distinction between the scientist, the private person, and the citizen making it possible and even desirable to keep these 'roles' separate from each other. One is either a scholar or a debater. Also included is a similar notion of a clear distinction between 'scientifically based knowledge' and 'personal/private opinions or attitudes'. This, of course, is closely related to the notion of science and its alleged neutrality, objectivity, etc.

Another underlying presumption is that the 'scholar as expert' is in control of the media representations of what s/he says in an interview, in control of the role(s) s/he plays in the media, and in control maybe even of the decoding of his or her statements and roles. Sometimes, it even seems as if *JP* as well as Khader assume that it is the scholar who takes the initiative to contact the media and not the other way round. This is, of course, not the way things work normally.

It is not possible to deal with all of these issues in detail. I will therefore restrict myself to a few aspects.³⁴

A first comment already indicated above: neither *JP* nor Khader seem to realize how complex these issues are. In this respect too, there appears to be a 'gap' between the community of scholars and the media, – something which is in itself worth noticing. It is as if the discussions within the philosophy of science and within the various sciences, about the concept of 'science', about 'objectivity', about the relationship between 'facts' and theories and 'objective' knowledge and 'subjective' opinion or attitudes are unknown to the media and to a politician like Khader.

As noticed also by Kærgård et al.,³⁵ the discussion about what scholars can and cannot say in public reflects a notion of science that science itself has left behind, namely that Science with a capital 'S' holds the ultimate truth, something that would place its results high above the public debate.

On the other hand, the idea (or ideal) of a clear separation of fact and value and the corresponding (Weberian) ideal of a 'wall of separation' between science and politics is not only cherished by *JP* or Khader. It is also shared by many academics. Judging from several recent debates, this is for instance the case in my own field, the history or comparative study

of religions.³⁶ This idea or norm actually seem to be as widespread and dominant as that of the separation of religion and politics, a notion or dogma dominating public opinion and debates about religion, politics, Islam etc. in many countries. In practice, however, it is, as also concluded by Kærgård et al,³⁷ *not* always possible to separate ‘factual’ knowledge from personal opinion.

On the same account it is not that easy either to keep the role of the ‘scholar’ separated from the ‘private person’. A scholar is not just a scholar for eight hours a day, but rather for twenty-four hours a day. To claim and demand that scholars should not have or express ‘personal opinions’ is as absurd as to demand that politicians should function without any ‘factual’ knowledge of the world.³⁸ Demanding scholars to express something in public only if they know the ultimate truth will for sure silence all scholars in most fields (especially the more decent ones).³⁹ This is exactly the point Jensen made in his reply to Juste via his union, and to Khader and in several interviews. The expert scholar does of course have to be able to argue for his interpretations and qualified opinions in such a way that these can be inter-subjectively verified, controlled and discussed by other scholars, as well as the public. Yet, also this is not always as simple as it sounds. First of all, one has to consider the very medium of the news media. It should not come as a surprise that science speaks a different language than the language of the news media.⁴⁰ In practice this simply means that there is little time and space for many arguments or nuances. Footnotes, by some considered the hallmark of science, very rarely find their way into interviews with scholar experts.

Second, within the human sciences, interpretations cannot be easily ‘proven’ to be either true or false. No matter how objective the scholar tries to be in the *process* of research, in the interpretation and the communication of these interpretations a total elimination of any kind of subjectivity, personal attitudes and opinions is hardly ever possible.

During the debate in Denmark, it was suggested that scholars should only be allowed to express themselves in public about their scholarly work if and when their work had been through a peer-review process. This suggestion was emphatically rejected by others, stressing that it only makes sense in quite specific cases. For instance, it can hardly be considered good scientific practice if a scientist, immediately following a first successful experiment in his laboratory, rushes into the streets proclaiming that he has found a miraculous new medicine.⁴¹ Yet, it does not make sense either to demand that a scholar who wants to participate in the public debate or is asked to answer some questions by a journalist has to

send his arguments to a peer-review panel of an American journal before he can express himself in public.

Thirdly: an expert like Jensen is sometimes asked to provide particular 'facts.' For example, the journalist may ask: 'How many people out of the total population belong to the established church?' In this case Jensen can provide a fairly accurate and factual response and mention the number drawing on reliable statistics. However, in quite a few cases the scholar is asked to provide something else. It may be thirty seconds of information about, for instance, Shī'ī Islam in contrast to Sunnī Islam or a five-line explanation of why Scientology is considered a religion by most religion scholars. It should go without saying that the answers given in these cases cannot be judged by the same standards as a dissertation or an article in a peer-reviewed international journal.

What is more: very often the scholar functioning as an expert is asked to come up with an opinion about contemporary issues related to religion. In doing so, the scholar often bases his opinion not on a highly specialized knowledge of a particular aspect of the religion field but on his *generalist* knowledge of a religion or religions and the contemporary scene.

Such an 'expert opinion' is different from the opinion of an ordinary citizen and private person who is not a scholar of religion. It is to be considered a *qualified*, expert opinion. Yet it is, of course, still an opinion.

Such a qualified opinion, however, is *not* something the scholar could as well have 'drawn in an automat', as editor Juste insinuated. On the contrary. It is likely based upon a fairly sound knowledge of the whole field, in Jensen's case, of religion, public discourses on religion, and public discourses on Islam. It is also based on the scholar's general competences in interpreting texts and contexts; in this case the text of 'The Face of Muhammed' as well as the texts produced by Muslim voices and the public debates.

Another issue is relevant for this discussion: The questions asked today by journalists often concern contemporary religion (be it Islam, the Established Church, Scientology) and the public debate on religion *in relation* to issues of ethics, integration, politics of identity, neo-nationalism or others. These are highly politicized issues. Consequently, it is almost inevitable that a qualified expert opinion is interpreted as a political opinion. Religion *is* a public and political phenomenon and a highly politicized public issue. The scholar expressing himself about religion in public will therefore have a hard time *not* to enter politics at the same time.

This remains so, even if he tries his best to provide the public with only facts. Not least if the scholar is in the business of sharing knowledge about

Islam. For example: if it is the opinion of the general public or the leading politicians warning against the Muslim threat to Danish security and democracy that all 400,000 Muslims in Denmark pray five times a day and all want a theocracy based on *Sharī'a*, then a scholar correcting this with more 'neutral' and accurate information on the number of Muslims (200,000) and the estimated (much smaller) number of Muslims practising their religion on a regular basis, inevitably moves deep into politics. He or she can be sure that his statements are seen by many as a political statement and that it functions as a statement in a political debate.

The scholar who insists that scientifically based *knowledge* about Islam within the public domain is to be preferred to politically biased *guesswork* or fiction and who argues against a policy and debate based on fear and fiction rather than facts is, of course, participating in the political debate in an even more direct way.

An example: in a debate about the politicians wanting to blacklist Jensen and Bæk Simonsen, Jensen pointed out that it was their duty to tell politicians and the public that most scholars specialized in Islam agree that it is wrong to see Islam and Islamism as monoliths. Not all Muslims are Islamists and Islamists appear in more than one shape. Furthermore, a research project on Muslims and terrorism should have a much broader scope than the so-called 'spiritual background' of Muslim terrorists.

About the scholar's lack of control of the way his statements are interpreted or (misunderstood) just these few words: the scholar is *not* in control of the context within which he is quoted, in the newspapers or elsewhere. He can check the quotes, but it is complicated, if not impossible, to control other factors, such as the rest of the text, the rubric or headline, the location of the article in the newspaper etc. It must also be remembered that a 'two-line quotations' is often the (poor) result of a two hours conversation with a journalist. His quotes are not *verbatim*.

And, as Jensen learnt in the cartoon affair, even if the quotations are checked, it may come as a surprise to read the text the next day. It may have become one of the top stories on the front page, or a single, yet important word may have been added to the text that was accepted by the scholar the day before.⁴²

When Hundevadt and other journalists, as well as scholars discuss the possible roles of the scholar in the public (as expert, opinion maker, oracle, etc.), they also often seem to assume that it is up to the individual scholar to decide and control what *roles* he wants to play. This is not the case. Quite often the scholar will find out that he is cast in a specific way in several possible roles within a specific script. For example, in Hun-

devadt's article 'Expert: Oracles' it is not the expert who plays the role of oracle, but rather the journalist who makes him play that role. There are many other roles than 'oracle' that the journalists can make the experts play. One, of course, is the role of 'opinion maker' – a very smart move because it allows the journalist to stand back as the 'neutral' reporter.

All these complicated matters and challenges must be stressed in introductions to young scholars on the art of 'sharing their knowledge' with journalists. One could, however, have thought that it was common knowledge among journalists like Juste. That journalists and editors like Juste were masters in reading a text in its context.⁴³ And, there are, of course, observers who think that Juste is capable of this, but that he deliberately did not want to. This leads to the final remarks.

End of Discussion: Opening a Debate or Silencing Critique?

It can, as hinted earlier in this article, be argued that *JP* and Khader were never really interested in raising a debate about the interesting issues that have been discussed in the previous section: The scholars under attack were not chosen because they were expressing personal or political opinions 'under cover of [an] academic title'. They were chosen because they were expressing the 'wrong' opinions about controversial and highly politicized matters: about the motives and meanings of the publications of the cartoons, or about Khader and Democratic Muslims. Or, in the case of *Dansk Folkeparti*, the wrong opinions on Islam and Muslims in general.

Be that as it may, one thing is for certain: there can hardly be any doubt that the issues would not have been raised if the scholars had not been dealing with these highly controversial and politicized matters.

It may also be argued that both *JP* and Khader were extremely keen on all this because they were so eagerly safeguarding their public images. *JP* has, as mentioned, been particularly vigilant in defending itself against any criticism implying that it intended to insult or offend (some) Muslims. Moreover, it is, as noticed, interesting to see *JP* use terms such as 'lies' and 'honour'. Those with some knowledge about honour and sacredness, for example among the ancient Greeks, may actually be tempted to argue that *JP* has talked and acted in ways not dissimilar to what was the case in ancient Greece and in other 'shame cultures', past and present. It may even be tempting to propose that *JP*'s reactions be compared to the reactions of some of the Muslims who claimed that the publication several of the drawings of Muhammad were mean lies and slander.

Considering that *JP* and Juste no doubt have been under a lot of pressure ever since the cartoon affair turned into a crisis, these reactions are in a way understandable. However, one may well add, just like the *Politiken* editor-in-chief did, that clearing oneself of accusations by accusing and casting aspersions on others is not always the wisest thing to do.⁴⁴

Furthermore, to Jensen as an ‘observant participant’, it does of course seem somewhat ironic that it is the famous ‘champions of the freedom of expression’ who warned most against the consequences of ‘intimidation of the public space’ who are now pleading for limitations to the freedom of expression, – at least for scholars and debaters who express opinions contrary to *JP*, Khader, and the *Dansk Folkeparti*. On the same accord, it seems a little strange that neither Juste nor Khader seem to see that writing the kind of letters they did, especially when addressed to Jensen’s boss, the Vice-Chancellor, may be seen as an explicit example of intimidation. Not least if one considers the fact that Juste represents one of the most powerful Danish newspapers and Khader is one of the most popular and powerful politicians.

Another question linked to this as well as to whether *JP* wanted to *start* a nuanced debate rather than to *stop* it, concerns the *means* used to start such a debate: the journalist interviewing Juste also raised this question, and so did several other observers, including Jensen. All warn that the result of what may look and feel like a (smearing) campaign could very well be that scholars become fearful to participate in the public debate and to share their knowledge with wider society by means of the mass media. Seeing the results of the engagement in the public debates even for experienced scholars, quite a few younger scholars most likely decide not to participate.

True. In most cases the universities are pleased when scholars engage in the debate as debaters and experts. But, what if the scholar expert, fairly or unfairly, rightly or wrongly, is made into a charlatan (cf. Juste’s terms) or is accused of abusing the academic title? What, furthermore, happens at the next negotiations about a raise in salary? How much support does the ‘suspect’ or (as Beshara Doumani termed it in his contribution) ‘contaminated’ scholar get from the head of the institute, the Dean, the Vice-Chancellor, colleagues, if his public appearances, lack of political correctness or the smearing campaign directed against him have really contaminated him? To refer to one of the cited cases: to what degree can a responsible head of e.g. the Carsten Niebuhr Institute support the right of Bæk Simonsen to express himself freely about Islam and integration if Simonsen’s public appearances (or a powerful politician’s opinion on

Simonsen) may jeopardize the chances of the institute getting ten billion DKK to do research on Islam and terrorism?

No doubt about it, then: the scholar who popularizes scientific knowledge, not least via the newspapers, may 'become' political and controversial to such a degree that he becomes a problem for the university and himself. The scholar who deals with the mass media in ways discussed in this article always runs the risk of putting not only his own reputation, but also the reputation of his university at risk.

His engagement also poses a risk for the reputation of science as something valuable, something 'pure' and 'neutral' highly elevated above the dirty business of politics and power. The sharing of knowledge in ways discussed here can lead to a devaluation of the value of science and the scientist.

Having said so, I hasten to finally add that I find it absolutely necessary that *some* scholars *do* go public to share their knowledge with the wider society – also in these more risky ways. Not just because they are urged to do so according to the Danish University Act, but because the public debate will suffer if they do not. It will be a loss to the public debate and even put the welfare and development of democratic society at risk. The scientifically based knowledge, the qualified opinions, the facts, the questions and the problematizing that scholars add to the public debate and the political process are all vital to the well being and development of the society.

Hopefully the cases presented here may help future generations of scholars master the art of 'sharing of knowledge' with the mass and news media in such a way that the benefits are greater than the losses.

Notes

- 1 Though 'drawings' might be preferable to 'cartoons' (or 'caricatures'). I use 'cartoons' because this seems to be the word most frequently used to refer to the drawings and the 'affair' in question. The letter from Rose to members of the union of Danish newspaper illustrators invited them to 'draw' Muhammad as they 'saw' him (twelve out of forty responded positively by submitting the published drawings).
- 2 Translation from the 'Decision on Possible Criminal Proceedings in the case of Jyllands-Posten's Article "The Face of Muhammed"' by the Director of Public Prosecutions, March 15, 2006, File No. RA-2006-41-0151. Italics Jensen.

- 3 For analyses, relevant documents and debates with specific regard to the Danish situation see T. Jensen, 'The Muhammad Cartoon Crisis: The Tip of an Iceberg,' *Japanese Religions*, Vol. 31, 2, 2006, pp. 173-185; *Ibid.*, 'The Cartoon Crisis Revisited: A Danish Perspective,' *ARI 65/2006 – Análisis*, June 2, 2006; A. Jerichow & M. Rode, *Profet-affæren. Et PEN-dossier om 12 Muhammed-tegninger – og hvad siden hændte: Dokumenter & argumenter*, København: Dansk PEN, 2006; K. Rothstein & M. Rothstein, *Bomben i turbanen*, København: Tiderne Skifter, 2006; Engelbreth R. Larsen, & T. Seidenfaden, *Karikaturkrisen: En undersøgelse af baggrund og ansvar*, København: Gyldendal, 2006. Cf. also M. Repp, 'The Caricature of Caricatures' – Communicational Strategies in the Danish Cartoon Conflict,' *Japanese Religions*, Vol. 31, 2, 2006, pp. 129-162; and T. Modood et al, 'The Danish Cartoon Affair: Free speech, Racism, Islamism and Integration,' *International Migration*, Vol. 44, December 2006.
- 4 The fact that the controversy was also played out in threats, violent protests, street fighting, and even in killings, must be mentioned. Also, because this became a part of the debates. Mention, however, must also be made of the fact some of these violent incidents were blown out of proportion by the media. The number of Muslims running amok in the streets was next to zero compared to those who watched this happening on TV. In Denmark, the crisis, so far, did not lead to any violence.
- 5 Cf. T. Jensen, 'The Muhammad Cartoon Crisis: The Tip of an Iceberg,' *Japanese Religions*, Vol. 31, 2, 2006, pp. 173-185; and *Ibid.*, 'The Cartoon Crisis Revisited: A Danish Perspective,' *ARI 65/2006 – Análisis*, June 2, 2006 for interpretations of some of the reasons and contexts, in Denmark and elsewhere.
- 6 This is true for the Danish Muslims travelling to the Middle East in late 2005 as well as for the eleven ambassadors who wrote a letter (October 12, 2005) to the Prime Minister referring to what they saw as an 'on-going smearing campaign'.
- 7 A rather well-defined group of intellectuals and dominant opinion makers holding and promoting such opinions are gathered in the so-called *Trykkefrihedsselskab* (cf. below), and quite a few of them (H.M. Brix, L.Hedegaard, T. Hansen, R. Pittelkow) have published rather influential books on the perceived Islamic threat (cf. references). Also, of course, similar opinions are found amongst several politicians and political parties. Dansk Folkeparti (The Danish People's Party) is the most famous, but the viewpoints of several politicians from this party seem to be shared, if not expressed in the same words, by many others, not only within the government but also among the opposition, Cf. R. Andreassen, *The Mass Media's Construction of Gender, Race, Sexuality, and Nationality: An Analysis of the Danish News Me-*

dia's Communication about Visible Minorities from 1971-2004, Dissertation, University of Toronto: Department of History, 2005; C. Allen & J.S. Nielsen, *Summary Report on Islamophobia in the EU after 11 September 2001*, Vienna: EUMC, 2002; T. Jensen, 'The Muhammad Cartoon Crisis: The Tip of an Iceberg,' *Japanese Religions*, Vol. 31, 2, 2006, pp. 173-185; and T. Jensen, 'The Cartoon Crisis Revisited: A Danish Perspective,' *ARI 65/2006 – Análisis*, June 2, 2006; P. Hervik (ed.), *Den generende forskellighed: Danske svar på den stigende multikulturalisme*, København: Hans Reitzels Forlag, 1999; Ibid., *Mediernes muslimer: En antropologisk undersøgelse af mediernes dækning af religioner i Danmark*, København: Nævnet for Etnisk ligestilling, 2002; Ibid., 'The Misrecognition of Muslims in Danish Television News' (version prepared for internet Lyngby) Denmark, February 2006; and M. Hussain, 'Islam, Media and Minorities in Denmark,' *Current Sociology*, Vol. 48, 4, October 2000, pp. 95-116 on the many instances of Islamophobic discourse in Denmark.

- 8 This view comes close to the qualified opinions of e.g. former minister of Foreign Affairs, U. Ellemann-Jensen (Uffe Ellemann-Jensen, 'Ytringsfrihed og ømme tæer,' *Berlingske Tidende*, March 3, 2007; Cf. M. Repp, 'The Caricature of Caricatures' – Communicational Strategies in the Danish Cartoon Conflict,' *Japanese Religions*, Vol. 31, 2, 2006, pp. 129-162 on Ellemann-Jensen), editor-in-chief of *Politiken*, a Copenhagen based newspaper, Seidenfaden, T., 'Jyllands-Postens Monomani,' *Jyllands-Posten*, February 12, 2007, p. 8; and to the interpretations in Engelbreth R. Larsen & T. Seidenfaden, *Karikaturkrisen: En undersøgelse af baggrund og ansvar*, København: Gyldendal, 2006; U. Hedetoft, 'Denmark's Cartoon Blowback,' *Open Democracy*, March 3, 2006; K. Rothstein & M. Rothstein, *Bomben i turbanen*, København: Tiderne Skifter, 2006; and Thorsen S. Skadegaard, 'Muhammedkrisen – Symptom på en syg stat' in: H. Nielsen et al (eds.), *Verden i forandring IX- Our changing World. Tematikler om Muhammedkrisen, ytringsfrihed og andre menneskerettigheder. Articles on the Mohammed Crisis, Freedom of Expression and other Human Rights*, Odense: Syddansk Universitetsforlag, 2006, pp. 78-105. T. Jensen, 'The Muhammad Cartoon Crisis: The Tip of an Iceberg,' *Japanese Religions*, Vol. 31, 2, 2006, pp. 173-185; and T. Jensen, 'The Cartoon Crisis Revisited: A Danish Perspective,' *ARI 65/2006 – Análisis*, June 2, 2006 is in line with these, though he notices that *JP* probably had several motives, incl. the one claimed by the newspaper itself.
- 9 See <http://www.rigsadvokaten.dk/Default.aspx?id=176&recordid176=887>
- 10 Ironically, *JP* in some cases accused the 'offender' of defamation and slander. Such is the case with the lawyer who filed the mentioned complaint against *JP* for defamation and slander on behalf of some Muslims. The lawyer had been quoted as saying, after the first ruling in the case, that *JP* had, without

a doubt, intended to insult and offend Muslims, adding that *JP* had turned to one of their own illustrators (the one drawing the face with a bomb and the creed in the turban) to make sure that at least one cartoon would be ‘really’ or sufficiently offending.

- 11 Consequently, *JP*, Rose and supporters were pleased when Rose was awarded the ‘Sappho Prize’ by the mentioned *Trykkefrihedsselskabet* (‘Free Speech Society’) March 27, 2007. *Trykkefrihedsselskabet* was established in 2004 with the aim of defending freedom of expression, not least against attacks from religious groups. Many of the present leading members, as well as the founding fathers and mothers, are among the persons mentioned in note 7. Cf. the English presentation of the society at <http://www.trykkefrihed.dk/FREE%20PRESS%20SOCIETY.htm>. On March 10, 2007, Daniel Pipes was the winner of the ordinary Free Speech Prize 2007, awarded by the same society. In 2004, Venstre, the leading right-to-centre political party within the government awarded a similar prize to the then member of the Dutch parliament, Ayaan Hirsi Ali. This prize was handed over to her a year later, during the cartoon crisis, by the Prime Minister, who was also the leader of Venstre.
- 12 *Politiken*, represented by its editor-in-chief, T. Seidenfaden, has been persistent in its critique of the publication of the cartoons. Seidenfaden recently (*JP* February 12, cf. also the editorial the same day), following the *Charlie Hebdo* trial in France, characterised the publication of the cartoons as ‘Muslim-Bullying’, a ‘provocative caricature stunt’, and a ‘distasteful insult, another instance of Islam-bashing’.
- 13 Translation by Tim Jensen.
- 14 It is my guess that this refers to one (but only one) incident, the one described in its totality only by Jensen in T. Jensen, ‘From a Prophetic Warner to a Villain,’ *Japanese Religions*, Vol. 31, 2, 2006, pp. 163-171; and T. Jensen ‘Another Melancholy Dane,’ *Religion in the News*, Vol. 9, No. 1, Summer 2006, pp. 5-7: At the peak of the cartoon crisis, *Politiken* phoned Jensen saying that they had received an e-mail saying that Jensen warned *JP* against publishing the cartoons. Jensen confirmed that he told *JP* that some Muslims would find drawings of the Prophet wrong and that Jensen would advice *JP* not to do so, mainly, however, because Muslims in Denmark were already victims of severe public Islam-bashing and publishing drawings would make many Muslims think that this was but another instance of this. *Politiken* served up the story the next day on the front page in a highly spectacular manner, also adding a word Jensen did not say. *JP* got very angry with *Politiken* and with Jensen. It later turned out that Jensen had been interviewed by *JP* on the very same day they published the cartoons, not before. Jensen, though, was not told so, had

- no chance of knowing it, and later had very good reasons to remember it the way he did. Besides: had Jensen been told it was not just innocent drawings but cartoons, his warnings would no doubt have been much stronger.
- 15 Translation by Tim Jensen.
- 16 Translation by Tim Jensen.
- 17 *JP*, though, involved Jensen in a recent smearing campaign directed at M. Rothstein, another scholar of religion. In this case *JP* tried to ridicule Rothstein and Jensen by way of making the two appear in a series of cartoons.
- 18 The exception to this was a documentary on the turbulent lives of Khader and one of the leading imams (A. Akkari), one of the two imams Khader disliked the most, during the crisis. The documentary shows less flattering versions of Khader (authoritarian, calculating, vain and dominant) and takes a sympathetic view on the imam. Khader in vain tried to prevent the movie from being shown on public TV in 2007.
- 19 Though it is, of course, true that the number of Muslim voices in the public debate has been limited and that some imams have been very attractive to the media, it must be remembered that no imam has ever been just half as prominent in the media as Khader himself.
- 20 The phrase has entered the Danish vocabulary for good. From an analytical-critical point of view it helps to marginalise critics of Khader and of the government and its politics towards immigrants and Muslims, whilst at the same time positioning Khader and like-minded as the moderate voice, in the midst of the spectre of attitudes to immigrants and Muslims. In this spectre the Dansk Folkeparti occupies the opposite end of the 'halal-hippie'.
- 21 *Nyhedsavisen*, October 9, 2006.
- 22 Khader also demands documentation from Bæk Simonsen, who had said, *inter alia*, that it would be a loss to Denmark if Abu Laban (a famous, now late, imam) would leave the country as a consequence of the cartoon crisis.
- 23 Cf. T. Jensen, 'The Muhammad Cartoon Crisis: The Tip of an Iceberg,' *Japanese Religions*, Vol. 31, 2, 2006, pp. 173-185; and *Ibid.*, 'The Cartoon Crisis Revisited: A Danish Perspective,' *ARI 65/2006 – Análisis*, June 2, 2006 for a brief introduction to some of the attitudes and sayings of this political party on immigrants, Muslims, and Islam.
- 24 Cf. e.g. *Berlingske Tidende*, November 9, 2006 and November 11, 2006; *Information*, November 10, 2006; and *Kristeligt Dagblad*, November 18, 2006.
- 25 Cf. e.g. *Berlingske Tidende*, November 9, 2006. See also the editorial in *Berlingske Tidende*, November 10, 2006 where editor-in-chief, E. Meier Carlsen, welcomes the (new) 'alliance' between Khader and Langballe (both agreeing on blacklisting the mentioned two scholars) and between *Det Radikale* and *Dansk Folkeparti*. Thinking about this editorial and this 'alliance' adds its

- own irony to Khader's newly established political party, The New Alliance, launched as a means to counter the influence of the *Dansk Folkeparti*.
- 26 One out of many examples from the mass media, serving also to contextualise the mentioned examples of politicization of research, is the editorial in *Information*, January 16, 2007, the editorial in *Politiken*, December 17, 2006, and the op-ed by R. Engelbreth Larsen ('McCarthy på dansk'), *Politiken*, March 17, 2007. For discussions in journals and newsletters for academics and university teachers mention may be made of *Forskerforum* 200-2004, *Magisterbladet* 5 and 7, and *Ny Viden* 4 and 5. For contributions from e.g. *The Danish Association for History of Religions* and scholars, cf. *Forskerforum* 203, *Jyllands-Posten*, March 20, 2007 and March 29, 2007. Cf. also N. Kærgård, *Forsknings- og ytringsfriheden på universiteterne*. København: The Royal Danish Academy of Sciences and Letters, 2007.
- 27 Cf. the sources mentioned in note 26 plus those mentioned in the list of literature. The listed sources, however, are but a few examples.
- 28 The most conspicuous case was related to a public service broadcasting that took a critical stance towards the government and the Danish army in its engagement in the wars in Iraq and Afghanistan. The angry response by the Minister of Defence to criticism of the way the government handled the criticism is revealing: 'Well, I see. In Denmark there are two things one cannot criticize: Muhammad and DR (public service broadcasting).'
- 29 More information is given in N. Kærgård et al, *Forsknings- og ytringsfriheden på universiteterne*. København: The Royal Danish Academy of Sciences and Letters, 2007 where the Danish rules and regulations are also located in a wider European context and compared to other countries.
- 30 Translation and italics by Tim Jensen.
- 31 New Year speech, January 1, 2006.
- 32 The Danish Minister of Science is H. Sanders. (e.g. *JP* November, 20, 2006).
- 33 It may be added that Jensen's Vice-Chancellor following the Jensen case expressed a wish to revise the statutes to make it possible to deal in substance with complaints like the one filed by *JP* (*Forskerforum* 204).
- 34 I have dealt in more detail with some of the same issues as well as with others back in the 90s. Cf. T. Jensen, 'Mod en kontemporær religionsvidenskabelig religions-, kultur- og samfundskritik' in: *CHAOS*, 27, 1997, pp. 129-150; *Ibid.*, 'The Scholar of Religion as a Cultural Critic: Perspectives from Denmark,' *CSSR*, Vol. 27, No. 2, 1998, pp. 40-43.
- 35 N. Kærgård et al., *Forsknings- og ytringsfriheden på universiteterne*. København: The Royal Danish Academy of Sciences and Letters, 2007, p. 25; 28.
- 36 Cf. J.L. Cox, *A Guide to the Phenomenology of Religion*, London and New York: Continuum, 2006, 225 ff; S. Führding, *Culture Critic oder Caretaker?*

- Marburg: Diagonal-Verlag, 2006; T. Jensen & M. Rothstein (eds.), *Secular Theories on Religion: Current Perspectives*, Copenhagen: Museum Tusculanum Press, 2000; H.G. Kippenberg & K. von Stuckrad, *Einführung in die Religionswissenschaft*, München: C.H. Beck, 2003, pp. 14-15; R.T. McCutcheon, 'Affinities, Benefits, and Costs: The ABC of Good Scholars Gone Public' in: *Method & Theory in the Study of Religion*, Vol. 17, 1, 2005, pp. 27-43; K. Rudolph, 'Die Religionswissenschaft zwischen Ideologie- und Religionskritik,' *Klinkhammer*, 1997, pp. 67-76; I. Strenski, *Thinking about Religion*, Oxford: Blackwell, 2006, 339 ff.; and D. Wiebe, 'The Politics of Wishful Thinking,' *Teomenos*, Vol. 41, 2005, pp. 7-38, for relevant discussions, also about criticism of religion as *legitimate* (if the kind of criticism is implied by way of an analytical, explanatory outsider academic approach to religion) as opposed to *illegitimate* (if turned into explicit, anti-religious partisan criticism of religion aimed at emancipation from religion and eradication of religion).
- 37 N. Kærgård et al., *Forsknings- og ytringsfriheden på universiteterne*. København: The Royal Danish Academy of Sciences and Letters, 2007, p. 26.
- 38 *Ibid.*, p. 29.
- 39 *Ibid.*, p. 27.
- 40 See T. Murphy, 'Speaking Different Languages: Religion and the Study of Religion' in: T. Jensen & M. Rothstein (eds.), *Secular Theories on Religion: Current Perspectives*, Copenhagen: Museum Tusculanum Press, 2000 for a lucid discussion on this subject.
- 41 See also the publication issued by the *Royal Danish Academy of Sciences and Letters* (N. Kærgård et al., *Forsknings- og ytringsfriheden på universiteterne*. København: The Royal Danish Academy of Sciences and Letters, 2007, p. 28).
- 42 See T. Jensen, 'From a Prophetic Warner to a Villain,' *Japanese Religions*, Vol. 31, 2, 2006, pp. 163-171; *Ibid.*, 'Another Melancholy Dane' in: *Religion in the News*, Vol. 9, No. 1, Summer 2006, pp. 5-7.
- 43 In relation to the article in *Politiken* (October 14, 2006) that made Juste react, it is actually strange that Juste seems not to have read the subtext to the rubric of the article. If he had, then he would have discovered that Jensen did not primarily put forward his own qualified opinion on the meaning and motives behind the publishing of the cartoons. What he did, cf. above, was to provide the journalist with his qualified opinion on how some Muslims might conceive of differences and similarities between the instances of drawing pictures and making fun of Muhammad.
- 44 Seidenfaden, T., 'Jyllands-Postens Monomani,' *Jyllands-Posten*, February 12, 2007, p. 8.

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Part Two

THE ACADEMIC TRAINING OF MUSLIM CLERGY IN EUROPE

11 History of the Institutionalized Training of Imams in Bosnia-Herzegovina

Mustafa Cerić, Raisu-l-ulama and Grand Mufti of Bosnia

I

If one says: 'If it is permissible that God commands man something he does not understand by reason, why is it not permissible, then, that He says to him something he does not understand either.' He should be told: there is no difference between these two, and, so, it is not right to treat them the way you have mentioned. There is nothing that God would command man unless He caused his reason to understand it. Likewise, there is nothing that God would say to man unless He bequeathed him with means to comprehend it. Therefore, if man falls short of understanding the gist of the command, he is excused from it. However, the principal modes to that (understanding) differ. These different modes can be determined by speculative thinking (*nazar*) and intellectual exercise (*fikr*) – Abū Mansūr al-Māturīdī.¹

We have no need to know the meaning that God intended by His attributes; no course of action is intended by them, nor is there any obligation attached to them, except believing them, and it is possible to believe them without knowledge of their intended sense. For indeed faith, with ignorance, is sound – Ibn Qudāma.²

These two citations clearly illustrate the two faces of the one spiritual structure of Islam – the face of Reason and the face of Tradition. However, this is not to say that al-Māturīdī does not appreciate tradition, nor that Ibn Qudāma ignores reason. On the contrary, both reason and tradition must be included in any serious debate about the fundamental tenets of

Islam. The difference is more on the emphasis of one over the other than on the denial of one or the other. Al-Māturīdī's emphasis on reason should be understood in the context of his attempt to show that in the final analysis it is reason, as common sense of all rational men, that will resolve the unreasonable dispute about the religious truth:

Ash-Shaykh Abū Mansūr, may Allah have mercy on him, said: furthermore, we find that all people, with all their different religious opinions and sects, agree on one statement, namely, that whatever one holds to be true is valid, and, consequently, that whatever others believe, is invalid. (This stems from the fact) that they all agree that each one of them has his own predecessors (*salaf*) whom he follows. Therefore, it is taken for granted that blind following (*taqlīd*) excuses its embracer from holding a different view on the same question. This, however, only accounts for the multiplicity of number (i.e., a number of his concerned predecessors). The only way out of this is that one of them bases his ultimate argument on Reason, so that his truth can be understood, and that he has demonstrative proof, so that he can persuade the fair-minded people to accept his truth.³

Likewise, Ibn Qudāma's emphasis on tradition should be taken as an attempt to save Islam from the extreme rationalization of the nature of God (*ta'atīl*) of some Mu'tazilites. Hence, the latent tension between rationalism and traditionalism in Islam has finally resulted in an orthodox synthesis of tradition and reason.

One conclusion is very clear in Islamic religious history. Islam is, first and foremost, a nomocracy. The highest expression of its genius is to be found in its law; and its law is the source of legitimacy for other expressions of its genius. The traditionalists themselves had to find expression in the School of Law; and the Hanbalī School is the ultimate expression of their triumph. In Islam, law, which is perennially a conservative force, is both the legitimizing agency and the agency of moderation, for it must rest on both authority and reason. Legitimacy was sought by various movements through association with one of the Schools of Law; as for instance, the Mu'tazilis who infiltrated the Hanafī School and the Ash'aris, the Shāfi'ī.⁴

However, it must be said that whenever the genuine reason of Muslim scholars has not been active enough, the weak tradition prevailed. Thus,

Muslims today are once again faced with an artificial conflict between the argument of reason (*al-hujjah al-‘aqliyyah*) and the argument of tradition (*al-hujjah as-salafiyyah*). In this paper we are trying to show that the way out of this conflict, especially in the context of a European experience of Islam, is in the institutionalized learning of Islam. It is said that nothing can be generated in human history without man, but nothing can last without institution. Thus, in order to have a genuine Muslim and a good citizen, the process of institutionalization of Islam in Europe must be open so that the synthesis between Islamic tradition and reason becomes indivisibly part of the overall European spiritual tradition.

II

The root (*slm*) of the word ‘islam’ means ‘peace.’ Hence, the term ‘Islam’ has been used in a very broad sense of faith, morality and religion⁵ to designate the totality of peaceful submission to the will of God. But what is the will of God? The theologians of all three Abrahamic faiths – Judaism, Christianity, and Islam – would answer this question by saying: the will of God is the Law of God. It is revealed in the Books of God – the Torah, the Gospels, and the Quran. But who is eligible to understand God’s Law? Who is authorized to interpret the Law of God? The Messenger of God is the most eligible and the most authorized person to understand the true meaning of the Divine Message. But what happens after the death of God’s Messenger? Who is the real heir to God’s Messenger? Who is the legitimate representative of his legacy? How does personal faith shape man’s morality? How does personal morality affect the formation of collective religious consciousness?

It is rightly said that ‘prophets are not theologians,’⁶ but theologians are not prophets either. The post-prophetic period of Islam has witnessed different approaches to the legacy of the Prophet Muhammad (peace and blessings be upon him). Some saw in it an opportunity for standardizing personal and social Muslim life in accordance with the Prophet’s way of life – the *sunna*, while others saw in it a sign of continuity of God’s immediate guidance through the fixed spiritual lineage of the Imamate.

There have been many individual candidates claiming the legitimacy to interpret the will of God as a final expression of the Law of God. There have been some five hundred personal schools of law in Islam until the beginning of the third/ninth century. But they all disappeared to leave

the floor for 'only the four Sunni Schools which have survived down to our time... The four surviving 'personal' Schools of Law are those of Abū Hanifa (d.150/767), Mālik (d. 179/795), Shāfi'ī (d. 204/820) and Ibn Hanbal (d. 241/855), and are named, after their eponyms, the Hanafī, Māliki, Shāfi'ī and Hanbalī Schools of Law'.⁷ Hence, from the process of the standardization of those four schools of law we can perceive the idea of the institutionalization of learning in Islam.

Thus the *madhhabs* receiving the approval of the community's consensus were all considered equally Sunnī, equally orthodox. The teaching authority rested in the hands of the doctors of the law, acting individually. The *madhhab*, on the other hand, served as the umbrella of orthodoxy, the legitimizing agency whose shelter was sought by all who coveted the stamp of legitimacy.⁸

Although some would argue that the standardization of Islamic learning into the four Schools of Law (*madhhabs*) has reduced academic freedom, it has maintained, on the other hand, the necessary unity of the Muslim community. In addition, it has encouraged the desirable internal tolerance by leaving room for the existence of different opinions within the framework of Islamic orthodoxy. By this, the road to institutionalized learning at the *madrassa* was widely open:

In classical Islam the *madrassa* was the institution of learning *par excellence*, in that it was devoted primarily to the study of Islamic law, queen of the Islamic sciences. The *masjid*, from which it developed, continued to be used for the teaching of various Islamic sciences, including that of law. The *masjid* could be devoted to any one of these sciences, according to the wishes of the founder. The *madrassa*, on the other hand, was devoted primarily to law, the other sciences being studied as ancillaries.⁹

As we can see there is a difference between the *madhhab* and the *madrassa*. The *madhhab* is the line of thought or the doctrinal path that follows a certain methodology. Thus, the Hanafī *madhhab* is known as the *madhhab* of free judgment (*ashāb ar-ra'y*), while the Hanbalī *madhhab* is known as the *madhhab* of tradition (*ashāb al-hadīth*). The *madrassa*, on the other hand, is the institution of learning. In other words, the *madhhab* is an ideology while the *madrassa* is the site of the institutionalized training of preachers (*imāms*) and intellectuals (*muftīs*¹⁰) according the *madhhab* of their choice:

As Islamic Law was basically individualistic, its practice was accordingly characterized by freedom of the individual. The *muftī*, juriconsult, was free to come to his opinion and to profess it [...] The system of education was also characterized by freedom: freedom of the professor, and freedom of the student [...] The choice of college determined the *madhhab*, or school of law, to which one would belong, since each college represented one of the *madhhabs*. One was free to choose his *madhhab* which could well differ from that of his father and forefathers [...] The professor was likewise free to teach a method on his own, profess his own opinions, choose his own graduates as fellows, and set his own standards for the granting of a license to teach and issue *fatwās*, completely independent and free of any outside force.¹¹

The centrality of the *madrasa* in the institutionalized learning of Islam led George Makdisi to the pre- and post-*madrasa* periodization of history of the institutions of learning in Islam.¹² Thus the pre-*madrasa* institutions of learning are: *maktab* and *kuttāb*, *jāmiʿ* (Friday mosque), and *masjid* (mosque). The word ‘*maktab*’ indicates the place of writing, the place of learning how to write and read. ‘The *maktab* existed in all parts of the Muslim world, including Spain and Sicily in the West. The traveler Ibn Hawqal (d. 367/977) reports having found 300 such schools in the city of Palermo alone [...] The *maktab*, or *kuttāb*, is usually portrayed as a school of elementary education only.’¹³

Although its primary purpose is to provide a proper place for prayer (*ʿibādah*), the *jāmiʿ* (Friday mosque) is also ‘used for the teaching *adab*-studies along with religious sciences.’¹⁴ The *masjid* (mosque), which is smaller than the *jāmiʿ* (Friday mosque), is also the place of pre-*madrasa* learning in the sense of spreading the message of Islam as well as teaching *adab*-studies. ‘From early times on, grammar, lexicography, poetry, history, genealogy, and other *adab*-studies were taught in the mosques, small as well as great.’¹⁵

III

Although the pre-*madrasa* institutions, i.e., the *maktab* or *kuttāb*, the *jāmiʿ* (Friday mosque) and the *masjid* (mosque), have played an important role in Islamic education throughout history, the institution of the *madrasa* became more important when the political authorities realized that the Mosque, where the *ʿulamāʾ* had full freedom to teach and the common

people to learn, was having more influence on the Muslims than desirable. ‘These religious leaders were in the closest contact with the common people [...] The power of the *‘ulamā*’ came from their close contact with the people whom they advised with their legal opinions on all matters of day to day life. It was in their religious leaders that the common people put their trust; they had no trust in the central power’.¹⁶

Thus the *madrasa* was established when the central power needed to take control over both the teaching and learning process of Islam. But in order to achieve that, the *waqf* (endowment) of the *madrasa* had to be founded. This foundation ‘allowed the founder to retain control over his foundation’.¹⁷ This is exactly what Nizām al-Mulk (d. 485/1092) the Prime Minister of the Saljuk Sultan did. ‘He founded his *madrasa* (college) for his own control...’.¹⁸ It is at the Nizāmiyya Madrasa that the great scholar al-Ghazālī (d. 505/1111) earned his fame and through al-Ghazālī’s teachings the name of the Nizāmiyya Madrasa became known.

Hence, in the process of the institutionalized learning of Islam, the institution of the *waqf* (endowment) of the *madrasa* became extremely important because of the fact that the very document of the foundation (the *Waqfiyyah* or *Waqfname*, Book of Endowment) stipulates the conditions of the establishment and the maintenance of the *madrasa* in all of its aspects. Below some important stipulations are listed of the Nizamiyya Madrasa which Nizam al-Mulk included in his *Waqfiyyah* ‘at the insistence of the professor of law, Shirāzī’,¹⁹ as George Makdisi has quoted:

1. The Nizamiyya constitutes an endowment to the benefit of the members of the Shāfi‘ī madhhab in both *fiqh* (positive law) and in *usūl al-fiqh* (legal theory and methodology);
2. The property with which the Nizamiyya is endowed is also to the benefit of those who are Shāfi‘ī in both *fiqh* and *usūl al-fiqh*;
3. The following members of staff must be Shāfi‘ī in both *fiqh* and *usūl al-fiqh*;
 - a) the professor of law (i.e. of juridical theology),
 - b) the preacher-teacher of academic sermons (*wa‘z*),
 - c) the librarian (who taught humanistic studies),
4. The Nizamiyya must also have a teacher of Quranic science to teach the Quran;
5. It must also have a grammarian to teach the Arabic language;
6. Each member of staff receives a definite portion of the endowment revenue.²⁰

The third important element in the structure of the institutionalized learning of Islam is a library (*maktaba*) which is also part of the *Waqfiyyah* stipulations of the *madrassa*. Thus the *waqf* (endowment), the *madrassa* and the *maktaba* (the library) constitute the basic pillars for the training of the *faqīhs* (judges and lawyers), the *muftīs* (intellectuals), the *imāms* (preachers) and the *mudarrises* (teachers) of Islam. But to obtain any of the mentioned professions one must go through very strict procedures of learning and training. One must receive the *ijāzah* (the licence) from an individual *Shaykh* (a master) or from a recognized institution, i.e., the *madrassa*.

Long before the *licentia docendi* appeared in the medieval Christian university, it had already developed in Islam, with the same designation, expressed in Arabic, word for word: *ijāzat at-tadris, al-ijāza bi-t-tadris*, ‘the license to teach’. Thus the doctorate may be said to have travelled through three periods of history, from the Middle Ages down to modern times, under three main designations: (1) the classical Islamic-Arabic *ijazat at-tadris*, (2) the medieval Christian-Latin *licentia docendi*; and (3) the modern doctorate. In its first and third periods, this license shared the same essential attributes; whereas in the middle period, the Christian-Latin Middle Ages, it was subjected to modification required by the circumstances of its new environment. The modern doctorate involves not only the ascertainment of the doctoral candidate’s competence in a given field of knowledge. Competence was always a requirement for teaching in any intellectual culture worthy of the name. It involves also the doctor’s right to do research and to publish his findings in the classroom, as well as in public through his publications. It is this right that is referred to as ‘academic freedom’ based on the authority to teach, called in Medieval Latin, the *magisterium*.²¹

IV

Now, before we start talking about the training of imams in Bosnia-Herzegovina, we should be reminded of the fact that all of the three Abrahamic faiths – Judaism, Christianity and Islam – are universal and thus missionary religions.²² Also, each of these three has come to Europe from the East at a certain time and for different reasons, claiming the ultimate divine source of inspiration brought to human attention through God’s messengers such as Adam, Noah, Abraham, Moses, Jesus, and Muhammad (peace and blessings be upon them). The three main Holy Scriptures

– the Old Testament (*Tawrāt*, or the Torah), the New Testament (*Injīl*, or the Gospels), and the Quran have had a vast impact on the minds of Jews, Christians, and Muslims.

The arrival of Islam in Europe is as natural and as important for European history and culture as the arrival of both Judaism and Christianity. It is a fact that none of the messengers of God are of European origin. Hence, no one has the right to claim the priority in terms of the originality of his faith in Europe. But, everyone has the right to say that his predecessors had the freedom to choose one of the three Abrahamic religions – Judaism, Christianity, or Islam. The point here is to say that all these three religions belong to Europe and thus Europe has the right, nay, the obligation to treat them as its own. No one should feel as a ghost in Europe. We are all hosts in Europe in one way or another.

Islam arrived in Europe through two main gates: the gate of the Iberian Peninsula in the eighth century²³ and the gate of the Balkan Peninsula in the fourteenth century.²⁴ Eight centuries of Islamic presence in Andalusia, Spain, produced a unique culture of religious and cultural tolerance²⁵ as well as academic freedom which greatly helped Europe on its way to humanism and renaissance.²⁶ Unfortunately, the ideas of Andalusian tolerance did not survive in European history. By the end of the fifteenth century, King Ferdinand and Queen Isabella became so intolerant towards the Jews and Muslims that they had to leave the Iberian Peninsula by 1492.²⁷ About seventy thousand Sephardic²⁸ Jews of Andalusia migrated to Sarajevo, bringing with them their unique Haggadah manuscript²⁹ which is today an important symbol of Jewish-Bosnian history.

In its long history, Europe has witnessed many monarchs, just and unjust, humble and arrogant, great and small. Two of them, however, attracted my attention because of their influence on European Islam at different times and in different ways. They are Ferdinand and Isabella in Spain and Francis Joseph I in Bosnia. The crucial year of the former was 1492 and for the latter it was 1882. The difference between these two Catholic monarchs in their approach to Islam and Muslims is as big as the time distance of 390 years between them. As we have said, Ferdinand and Isabella could not tolerate Islam in the Iberian Peninsula and, therefore, the Moorish Muslims had to leave their home forever after eight centuries of their uniquely productive cultural life. On the other side, the Catholic Monarch Francis Joseph I not only showed his tolerance towards Islam in Bosnia and Herzegovina, but he also did not spare his time and energy to help the Bosnian Muslims to make further progress in their endeavour to adapt to the European life with their strong Islamic identity.³⁰

By recognizing the positive attitudes of Francis Joseph towards the Bosnian Muslims, one should not forget the fact that the vitality of the Bosnian interpretation of Islam in light of the rationality of Māturidī's *kalām* and the practicality of Hanafī *fiqh*³¹ has played a major role in the process of an Islamic reformation in Bosnia.³² In addition to that, the letter and spirit of the Gazi Husrev-bey Madrasa in Sarajevo laid down in the *Waqfiyyah* of the *waqf* of the *madrassa*, which is similar to that of the Nizami's *Waqfiyya*, represent a milestone in the institutionalization of Islamic learning in Bosnia-Herzegovina.

In the *madrassa* (of Gazi Husrev-bey) – which the *wāqif* (endower) wants to build, establish, erect, and devote to those from among the students and the common people who shall obtain knowledge and improve morality, and to those who shall be occupied with rational and traditional knowledge – there shall be the someone, who is knowledgeable, virtuous, excellent and competent, who will uncover the veils of truths by verbally uttered and written words, and who will combine the particular and universal as well as comprehend rational and traditional knowledge. He shall teach *tafsīr* (Quranic exegesis), *hadīth* (Islamic tradition), *ahkām* (basics of *Sharī'a* law), *usūl* (the theory of law), *bayān* (Arabic stylistics), and *kalām* (Islamic speculative theology) as well as all other things that **the custom (or time) and the place require** (*mā yaqtadīhi al-^curfu wa-l-maqāmu*).³³

It is this magic phrase of the *Waqfiyyah* of Gazi Husrev-bey of Bosnia,³⁴ which reads that the students of his *madrassa* should learn 'all what is required by time and place', that has determined the course of an open and progressive face of Islam in Bosnia and Herzegovina. Unlike his predecessor Nizām al-Mulk of Baghdad who stipulated in his *Waqfiyyah*, as we have seen, that only the Shāfi'ī *madhhab* should be taught in his Nizamiyya, Gazi Husrev-bey left the door of his *madrassa* open to all possible sources of knowledge which 'time and place require'.

It is not only useful to compare Gazi Husrev-bey to his Eastern competitors but also to the Western or European school founders, such as Robert de Sorbonne (1201-1274) who was the court chaplain of the French king Louis IX, while Gazi Husrev-bey (1480-1541) was the grandson of the Ottoman Sultan Beyazid II. Both of them established a school based on religious beliefs. However, the history of their schools is different. Instead of extending its curriculum to all possible disciplines of knowledge 'as time and place require', the Gazi Husrev-bey Madrasa narrowed its scope

and thus did not develop into a University similar to today's Sorbonne University in Paris. This is not because the Gazi Husrev-bey Madrasa did not have Descartes, Spinoza, Voltaire, Rousseau and other students of the Sorbonne who had difficulty with the narrow-mindedness of Robert de Sorbonne, but because Muslims have lost sight of people like al-Farābī, Ibn Sīnā, al-Ghazālī, Ibn Rushd, and Ibn Khaldūn who did not have difficulty with the open-mindedness of Gazi Husrev-bey.

In the same way, the Gazi Husrev-bey Madrasa of Sarajevo can be compared to the early school of Oxford (founded in the twelfth century) which received the inspiration for its establishment from the Sorbonne. It is also interesting to note that the Harvard School was founded by the Puritan priest John Harvard (1607-1638), a member of the English Protestant Church. Oxford and Harvard are today internationally-renowned universities and their *waqf* (endowment) is permanently increasing. They offer studies in all fields of knowledge, or as the Gazi Husrev-bey *Waqfiyyah* formulates it 'all what is required by time and place', including Islamic Studies, whereas the Gazi Husrev-bey Madrasa decreased its *waqf* due to the political and social turmoil of the last century to the extent that it cannot maintain its *madrasa* which had been established on the basis of its permanent *waqf* revenues. Nevertheless, the Gazi Husrev-bey Madrasa is alive and is active in training *imāms* and *khatibs* (ministers and preachers) who have acquired a good reputation for their work, not only in Bosnia and Herzegovina, but also in Europe, America, Canada, Australia etc..

The Gazi Husrev-bey Madrasa is proud of the fact that some of the greatest names of Bosnian spiritual, intellectual, cultural and political life have graduated from it, such as Ahmed Burek (theologian), Muhamed Emin Dizdar (doctor of Islamic law), Muhamed Seid Serdarević (a great teacher of *fiqh*), Hamdija Kreševljaković (historian), Šakir Sikirić (Arabic grammarian), Muhamed Kantardžić (mathematician), Mehmed Handžić (theologian and historian), Alija Nemetak (writer), Kasim Dobrača (theologian), Husejn Džozo (theologian-reformer), Mustafa Busuladžić (historian of religion and culture), Kamil Avdić (preacher-intellectual), Hazim Šabanović (historian of Bosnian culture), Fejzullah Hadžibajrić (great Sufi), Kasim Hadžić (intellectual), the current member of the Bosnian Presidency Haris Silajđić (politician), etc.

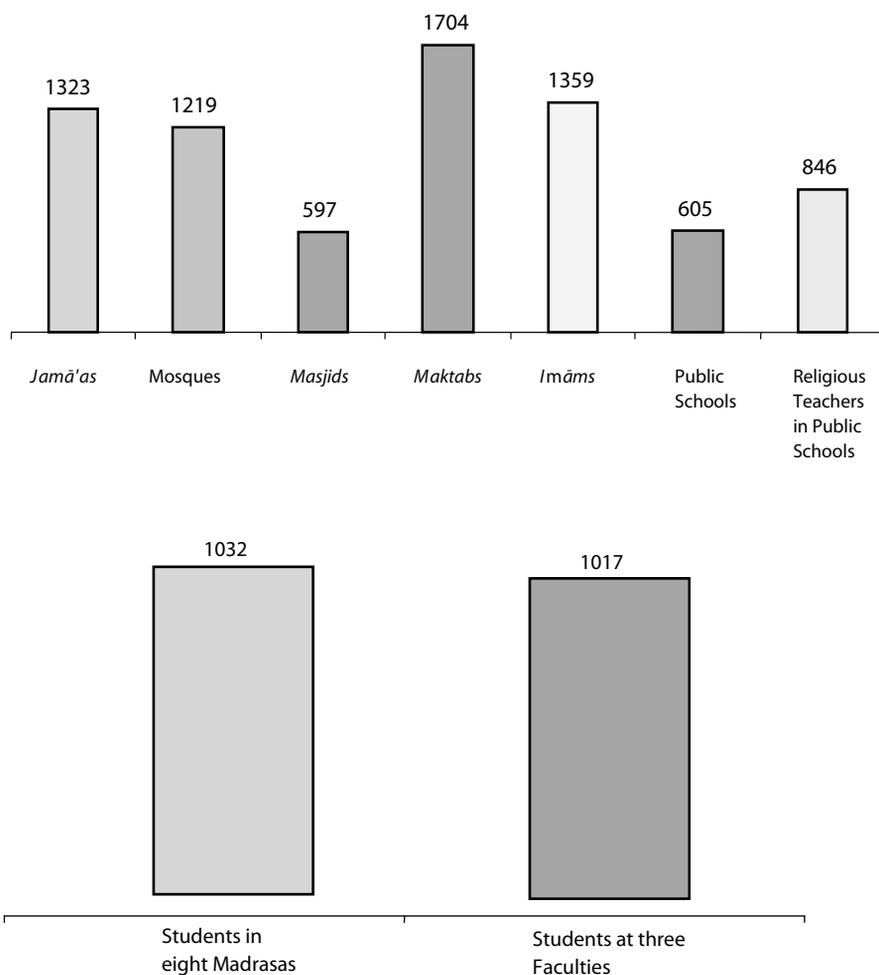
Just last year the 456th generation of the Gazi Husrev-bey Madrasa students graduated and received diplomas that allow them to continue their studies at any of the universities of Bosnia-Herzegovina. This year the Gazi Husrev-bey Madrasa celebrates its 470th anniversary (1537-2007), a fact that shows that the Gazi Husrev-bey Madrasa is by all records one of

the oldest learning institutions in the Balkans, and perhaps in Europe as well. The observation of the famous Croat author Miroslav Krleža (1893-1981) forms an interesting testimony to the historical significance of the Bosnian *madrasas*:

Modern history begins when Bosnia was part of Austria, thereby neglecting its Catharian (or Bogumil) history. Its Turkish era has been neglected and overlooked as well, especially in the field of extraordinary culture, architecture, and literature. But, please, take into consideration the amount of educated people, books, libraries, and schools at that time. Some of the oldest schools have been active in Bosnia, thus when we celebrate the emergence of universities from Jesus' school institutions in Zagreb, we should not forget the Bosnian *madrasas* which are much older.³⁵

Due to the recently increasing number of the *madrasas*,³⁶ the Islamic Community in Bosnia-Herzegovina decided in the academic year 2004-2005 that the diploma of the *madrasa*, as an Islamic High School designated to give the *licentia docendi* for *imāms*, *khatībs* (preachers of the Friday prayers) of the Islamic Community in Bosnia-Herzegovina, is not sufficient. Hence, future *imāms* and *khatībs* in Bosnia-Herzegovina, Sandzak (Serbia), Croatia and Slovenia³⁷ must go through a specially-designed program of three years at the Faculty of Islamic Sciences in Sarajevo to receive the *licentia docendi*.

It is worth noticing here that one of the characteristics of the Hanafī tradition, to which Bosnian Muslims are holding fast, is that the Friday prayer (*Juma-namāz*) is not valid without an *ijāzah* (license) of the Caliph. 'The conduct of the *Juma-namāz* is not allowed except by the Sultan himself or by a person he appoints' (*La yajūzu iqāmatahā illa li-s-sultāni aw li-man amarahū as-sultān*).³⁸ But since there is no caliph, the office of Raisu-l-ulama in Bosnia-Herzegovina is the caliph's surrogate. Thus each and every *imām* and *khatīb* must have a written decree signed by the Raisu-l-ulama which allows him to teach, preach and conduct Islamic services in his designated jurisdiction – the *jamā'a* (congregation), the *jāmi'* (mosque), the *Masjid* and the *Maktab*. In order to get a glance of the dimension and spread of the activities of the Islamic Community in Bosnia-Herzegovina through its *jamā'as*, mosques, *masjids*, *maktabs*, *imāms*, *khatībs*, and public school teachers the following graphics are a good illustration:



V

As we have said, after obtaining the diploma of any of the eight mentioned *madrasas*, the future *imāms* and *khatibs* of the Islamic Community of Bosnia-Herzegovina are trained for three years at the Faculty of Islamic Sciences in Sarajevo. This Faculty is the heir of the old Islamic educational institutions in Bosnia and Herzegovina, which go back to the time of the Ottoman rule (1463-1878, 415 years of reign). It is known that the Ottoman Sultans had invested a great deal in the Bosnian sacral, educational, traffic and commercial infrastructure. They built mosques, *madrasas*,

khanikahs (hostels for Sufis), *bazistans* (marketplaces), *hammams* (public baths), bridges etc. However, the *madrasa*, based on the *waqf* institution, and the library received their special attention as they tried to maintain law and order in society on the basis of *Sharīʿa* principles.

However, the most important legacy the Ottomans left behind in Bosnia was the unique Islamic tradition of the Hanafī-Māturīdī line of theology (*kalām*) and law (*fiqh*), which had been transmitted from its cradle in Arabia via Transoxiana and Istanbul to Bosnia.³⁹ Despite the fact that Bosnia had held a reasonably high rung in the educational system of the Ottomans, Bosnian students at that time had to go to Istanbul for their Master's and Doctorate degrees. The Bosnian *ʿulamāʾ* who had sought knowledge in Istanbul during the Ottoman time were trained very well in all the three languages of Islamic civilization: Arabic, Persian and Turkish (i.e. *Osmanl-i yazisi*).⁴⁰ Muhamed Džemaludin Čaušević, the fourth (1913 – 1930) of the Bosnian *Raisu-l-ulamās*⁴¹ after the Berlin Congress (1878), was one of the last *Raisu-l-ulamās* who had studied in Istanbul and thus mastered the Turkish language very well.⁴² He was able to carry out the most resolute Islamic reform⁴³ or transition from 'the Ottoman cultural zone of influence to the European zone of rapid reform'.⁴⁴ By that time, especially after the cancellation of the office of the Caliphate of Istanbul (1924), all contacts between Sarajevo and Istanbul ceased to exist. Bosnian Muslims had to look for an alternative in order to keep their spiritual and religious education up to date. They had to make a sort of 'spiritual by-pass' by seeking higher Islamic knowledge at the Al-Azhar University⁴⁵ in Cairo, Egypt. By moving from Istanbul to Cairo, the Bosnian *ʿulamāʾ* became Arabized in the sense that they lost fundamental touch with the Turkish language. Thus the history of the last century of the training of *imāms* and *khatibs* of Bosnia and Herzegovina is a history of Arab-Islamic education, not only in terms of language but also in terms of philosophy and culture.

VI

Trying, on the one hand, to attract the loyalty of Bosnian Muslims by showing care for their educational needs, but preventing students from going to Istanbul for higher Islamic education, on the other hand, the Austro-Hungarian authorities opened the process of what they called 'the emancipation of the Mohammedan *intelligencia* from foreign influence'. Thus in 1881 the decree was issued for the foundation of the Maktab-i

nuvvab in Sarajevo (the Higher School of *Sharī'a* (Islamic Law)) with a purpose of training *qādīs* (Muslim judges and lawyers). It is worth noticing that the authorities of the Austro-Hungarian Empire did concede to the Bosnian Muslim request for religious autonomy which led to the emergence of *Sharī'a* Courts in Bosnia and Herzegovina. These courts lasted until 1946 when the Yugoslav communist government cancelled all institutions that had anything to do with religious activities. The idea of the foundation of Maktab-i nuvvab in Sarajevo received support from the Muslim leadership at the time to the extent that all *waqf* land became designated for the building of the Maktab-i nuvvab. The architectural design for the Maktab-i nuvvab was made by the Czech architect Karlo Paržik. The construction of the building of the Maktab-i nuvvab was completed in 1887, which means that this year (2007) is its 120th anniversary. There is no doubt that the Maktab-i nuvvab played a significant role in the Islamic reformation in Bosnia-Herzegovina. Built in the pseudo-Moorish style, the building of the Maktab-i nuvvab symbolizes the presence of Islam in Europe. Unfortunately, the Yugoslav communist regime closed the Maktab-i nuvvab in 1945, and expropriated and nationalized all *waqfs* of the Islamic Community, including the *waqf* building of the Maktab-i nuvvab. The Maktab-i nuvvab was reopened only in 1993 and is now one of the most impressive architectural creations in Sarajevo after a renovation that was funded by the State of Qatar. Until 1977 the Islamic community of Bosnia-Herzegovina had neither undergraduate nor graduate educational tracks in Islamic Studies. Only the Gazi Husrev-bey Madrasa in Sarajevo existed as an Islamic high school to serve the religious needs in ex-Yugoslavia for both Bosnian and Albanian Muslims. After many years of struggle the communist regime allowed the Islamic community of former Yugoslavia to open the Islamic Theological Faculty of Sarajevo in 1977 (this year is its 30th anniversary). It was situated within the premises of the Gazi Husrev-bey *madrassa* nearby the Gazi Husrev-bey Mosque. In 1993 it was moved to the premises of the Maktab-i nuvvab and renamed the Faculty of Islamic Sciences. Today, it functions as the highest Islamic learning institution of the Islamic Community in Bosnia-Herzegovina and offers both undergraduate and graduate studies in three main departments: Theology, Religious Pedagogy and the Department of *imāms* and *khatībs*.

The primary aim of the Department of *imāms* and *khatībs* is to grant future *imāms* (Islamic ministers) and *khatībs* (preachers) a full religious, intellectual, moral, social, and cultural training. The *imām-khatīb's* programme is designed in such a way that it provides would-be *imāms* and

khatibs with the necessary theoretical and practical knowledge that is needed for the leadership of the Muslim congregation (*jamā'a*). Enrolment at the *imām-khatib* Department is reserved for diploma holders of one of the eight *madrāsas* of the Islamic community of Bosnia-Herzegovina. Students ought to complete forty-eight courses of theory and practice in six semesters of study.

VII

If identity means 'continuity of memory', then all that we have said so far is a product of our regressive memory of the Ottoman, Austro-Hungarian, Yugoslavian and post-Yugoslavian times. Of course, all that is extremely important and helpful because: 'History is not a social science but an unavoidable form of thought. That 'we live forward but can only think backward' is true not only for the present (which is always a fleeting illusion) but for our entire view of the future: for even when we think of the future we do this by *remembering*'.⁴⁶ This is why I thought it useful to present a follow up to my paper consisting of two Appendices which illustrate the Bosnian regressive memory of the *Waqfiyyah* of Gazi Husrev-bey for his *madrasa* that can serve as a good foundation for the Bosnian-European progressive memory of the Gazi Husrev-bey University where future *imāms* and *khatibs* should be trained for an Islamic life in the United, Secular, Multicultural and Democratic States of Europe.

Having said that, we may end up our paper with the following conclusions:

1. Islam is an Abrahamic religion that claims the Divine revelation that has brought to human attention the principles of monotheism (*tawhīd*) and the rule of God's Law (*Sharī'a*);
2. The Messengers of God are true interpreters of God's Law and after their death only knowledgeable and experienced scholars who have obtained true knowledge of the interpretation of God's Law and thus have received *ijāzat at-tadrīs* (*licentia docendi*) are eligible to teach religious sciences and lead believers in their religious and social life;
3. The institution of the *madrasa* is the central point of the institutionalized learning of Islam and the foundation of *waqf* (endowment) is the necessary supply for the *madrasa* to play its central role;
4. Today Islamic learning in Europe is in the phase of the pre-*madrasa* institutions whereby the *jāmi'* (Friday mosque), the *masjid* (mosque),

the private *maktab*, and private houses take the lead in Islamic education which is not always compatible with an overall social and cultural environment in Europe;

5. It is time for Europe to move from pre-*madrassa* to post-*madrassa* institutions of Islam whereby the learning and teaching of Islam will have an official face that is approved by the procedure of *ijāzat at-tadrīs* (*licentia docendi*);
6. With its five centuries of institutionalized learning of Islam, Bosnia-Herzegovina may be a paradigm for the future Gazi Husrev-bey University for the training of *imāms* and *khatibs* for the Muslim-European integration with special emphasis on the role and function of Islamic institutions in the secular state.

Notes

- 1 Abū Mansūr al-Māturīdī, *Kitāb at-tawhīd*, ed. by Fath Allāh Khulayf, Beirut: Dār al-Mashriq, 1970, p. 137. See also, Mustafa Cerić, *Roots of Synthetic Theology in Islam: A Study of the Theology of Abu Mansur al-Maturidi* (d. 333/944), ISTAC, Kuala Lumpur, 1995, pp. 69-70.
- 2 Ibn Qudāma (d.620/1223), 'Tahrīm an-nazar fī kutub ahl al-kalām', in: G. Makdisi, *Ibn Qudāma's Censure of Speculative Theology*, Arabic text edited with English translation and introduction, E.J.W. Gibb Memorial, n. s. 23, London: Luzac, 1962, p. 22, 32, §55. This work was written in refutation of a fellow Hanbali, Ibn 'Aqīl (d. 513/1119). [Cited from *Ethics in Islam*, ed. Richard G. Hovannisian, Malibu: Undena Publications, 1985, p. 47].
- 3 Abū Mansūr al-Māturīdī, *Kitāb at-tawhīd*, op. cit. pp. 3-4; M. Cerić, *Roots of Synthetic Theology in Islam*, op. cit. pp. 67.
- 4 G. Makdisi, *The Rise of Colleges: Institutions of Learning in Islam and the West*, Edinburgh: Edinburgh University Press, 1981, p. 8. One should be aware of the other Schools of Law in Islam as well, such as the Zāhirī of the Sunnīs and the Ja'fari of the Shī'īs, but the four mentioned represent the majority of orthodox Sunnīs.
- 5 By 'faith' we mean God's gift of a personal belief; by 'morality' we mean man's inner understanding of the difference between good and evil; and by 'religion' we mean a theology as 'the study of God and his relation to the world especially by analysis of the origin and teachings of an organized religious community' (See *Webster's New Collegiate Dictionary*, 1981, art: 'Theology'. Thus, morality implies some kind of religiosity, but religiosity is not necessarily consistent with morality.

- 6 I. Goldziher, 'Les prophètes ne sont pas théologiens', in: *Le dogme et la loi de l'Islam*, traduction de Félix Arin, Paris: Librairie Paul Geuthner, 1920, p. 61.
- 7 George Makdisi, *The Rise of Colleges*, op. cit., p. 2.
- 8 Ibid., p. 9. For more on the development of Islamic Law, see: Joseph Schacht, *An Introduction to Islamic Law*, Oxford: Clarendon Press, 1964.
- 9 G. Makdisi, *The Rise of Colleges*, op. cit. p. 9.
- 10 'The Mufti was the first Muslim intellectual. He came into existence as early as the need for him arose; that is, as soon as the need arose for authoritative opinions to guide the community after the death of the Prophet. The first muftis were the Companions of the Prophet, including the first caliphs whose special designation was "The Rightly Guided Caliphs".' See G. Makdisi, 'Institutionalized Learning as a Self-Image of Islam', in: George Makdisi, *Religion, Law and Learning in Classical Islam*, Philadelphia: Variorum, 1991, p. 75.
- 11 Ibid., p. 82.
- 12 George Makdisi, *The Rise of Colleges*, op. cit., p. 9.
- 13 George Makdisi, *The Rise of Humanism in Classical Islam and the Christian West*, Edinburgh: Edinburgh University Press, 1990, p. 48.
- 14 Ibid., p. 50.
- 15 Ibid., p. 52.
- 16 G. Makdisi, 'Institutionalized Learning as a Self-Image of Islam', in: G. Makdisi, *Religion, Law and Learning in Classical Islam*, op. cit., p. 83
- 17 George Makdisi, *The Rise of Humanism*, op. cit., p. 39.
- 18 Ibid.
- 19 Ibid., p. 40
- 20 Ibid.
- 21 Ibid., p. 27.
- 22 Judaism probably has more of a political missionary character today in the sense of seeking political support for the state of Israel rather than for a religious conversion to Judaism. Cf. Theodor Herzl, *The Jewish State*, New York: Dover Publications, 1988.
- 23 Cf. C. E. Bosworth, *The Islamic Dynasties*, Edinburgh: Edinburgh University Press, 1967, pp. 14-41.
- 24 Cf., Mehmed Handžić, 'Islamizacija Bosne i Hercegovine' (Islamization of Bosnia Herzegovina) in: *Izabrana djela II – Teme iz opće i kulturne historije*, Sarajevo: Ogledalo, 1999, pp. 7- 46; Muhamed Hadžijahić, *Porijeklo bosanskih Muslimana* (The Origin of Bosnian Muslims), Sarajevo: Bosna, 1990.
- 25 See María Rosa Menocal, *The Ornament of the World: How Muslims, Jews, and Christians Created a Culture of Tolerance in Medieval Spain*, New York: Little, Brown & Company, 2002.

- 26 See, *Averroës and the Enlightenment*, ed. Mourad Wahba & Mona Abousena, New York: Prometheus Books, 1996.
- 27 Cf. Washington Irving, *A Chronicle of the Conquest of Granada*, 2 vols., London: Darf Publishers, 1986.
- 28 Sephardim – Jews descended from those who lived in the Iberian Peninsula before 1492 (hence the name Heb., *Sefarad*, Spain). However, the term ‘Sephardim’ is often used to indicate all non-Ashkenazi Jews. (Cited from: ‘Sephardim’ in *The Oxford Dictionary of World Religions*, ed. John Bowker, Oxford: Oxford University Press, 1997.
- 29 Ibid., ‘Haggadah’.
- 30 Cf. Mustafa Cerić, ‘New Europe in Dreams of an Ancient European Muslim’, lecture presented at the Imams’ Conference in Graz, 13–15, 6. 2003, under the title: *The Role of Islam in Europe: Human Rights and Education*. Also, *Speech by Dr Mustafa Cerić on the Occasion of the One Hundred and Twentieth Anniversary (1882-2002) of the Office of Raisu-l-ulama and the Institution of Riyasat in Bosnia and Herzegovina* (in Bosnian and Arabic language as well), Sarajevo, 2002.
- 31 Islam came to Bosnia via the Ottoman Turks who had adopted Abū Mansūr al-Māturīdī’s *kalām* in matters of ‘*aqā’id* (creeds) and Abū Hanīfa’s *fiqh* in matters of ‘*ibādāt* (rituals). One of the reasons why the Turks adopted Māturīdism in theology and Hanafism in Islamic law is that they accepted Islam in Transoxiana (*mā warā’ al-nahr*) which was the centre of Hanafism and Māturīdism at the time. In addition to that, Abū Hanīfa being himself of Persian origin (i.e., ‘*ajam* meaning non-Arab) had a more flexible approach to *fiqh* issues which helped newcomers to adapt easier to their new religion – Islam. Cf., W. Madelung, ‘The Spread of Maturidism and the Turks’, in: *Actas do IV congresso de estudos Arabes e Islamicos: Coimbra-Lisboa 1968*, Leiden: E. J. Brill, 1971, pp. 109-168.
- 32 Islamic reform in Bosnia started by Raisu-l-ulama Džemaludin Čaušević (1870-1938), see *Reis Džemaludin Čaušević – prosvjetitelj i reformator* (Rais Džemaludin Causevic – Enlightener and Reformer) ed. Enes Karić & Mujo Demidović, Sarajevo: Ljilja, 2002, and continued by Husein Džozo (1912-1982), see *Husein Džozo – izabrana djela* (Husain Džozo – Selected Works), 4 vols., Sarajevo: El-Kalem, 2006.
- 33 The *Waqfiyya* or the *Waqfname* of the Gazi Husrev-bey Medrasa in Sarajevo was written in 943/1537. See *Spomenica Gazi Husrev-begove četiristote godišnjice* (The Reminiscence of the Four Hundredth Anniversary of the Gazi Husrev-bey Madrasa), Sarajevo: Islamska dionička štamparija, 1932.
- 34 Gazi Husrev-bey son of Ferhatbeg was born in Serez of Rumalia c. 1480. His mother was of Saljuk origin, i.e., Sultan Bayazid’s daughter. Gazi Husrev-bey

- had ruled Bosnia three times: 1521-1525, 1526-1535 and 1536-1541 when he died. He did not leave behind any progeny and it is not known if he was married. His prominent tomb is on the left side of his Gazi Husrev-bey Mosque in Sarajevo. See *Ibid*.
- 35 Enes Černgić, *S Krležom iz dana u dan (1975-1977) – trubač u pustinji duha*, Zagreb: Globus, 1986, p. 32.
- 36 During Tito's regime only the Gazi Husrev-bey Madrasa in Sarajevo trained *imāms* and *khatībs*. All other *madrasas*, tens of them, were closed. After communism had come to an end, the Islamic community re-opened five old *madrasas* in Mostar, the Karadžoz-bey Madrasa in Tuzla, the Behram-bey Madrasa in Cazin, the Džemaludin Čaušević Madrasa in Travnik, the Elči Ibrahim-bey Madrasa in Novi Pazar, the Isa-bey Madrasa, two new ones in Visoko, the Osman Redžović Madrasa in Zagreb, and the Dr. Ahmed Smajlović Madrasa.
- 37 Although *de jure* the administration of the Islamic communities in Sandzak, Croatia and Slovenia are independent, they are *de facto* dependent on the Islamic community in Bosnia-Herzegovina in matters of the training of *imāms* and other intellectual needs. Sandzak, Croatia and Slovenia have their delegates in the legislative body of the Islamic community in Bosnia-Herzegovina, which elects the *Raisu-l-ulama*, the Supreme Head of the Islamic Community, who in turn recommends a *mufti* for Sandzak, Croatia and Slovenia.
- 38 *Al-Fatāwā al-hindiyyah fī madhhab al-imām al-a'zam Abī Hanīfah al-Nu'mān*, 4th edition, Beirut: Dar Ihya' at-Turāth al-'Arabī, p. 145.
- 39 It is Fikret Karčić's conclusion that 'a historical and geographical analysis of Hasan Kafi Pruščak's *Silsilah* (Line of transmitters) discloses the following line of transmission of the Hanafī school from Arabia (1/6th century) to Bosnia (10/16th century): Hijaz → Iraq → Transoxiana → Cairo → Aleppo → Anatolia → Istanbul → Bosnia. This conclusion might be put under further scrutiny by a research of biographies of the Bosnian '*ulamā*' of the early Ottoman period and their *ijazājat at-tadrīs (licentia docendi)*. In any case, some difference might appear in regard to the transmission of knowledge from Anatolia or Rūmeli (the territory of Rūm, the geographical name given to the Balkan peninsula by the Ottomans), but not in regard to the transmission of the Hanafī school of law from the cradle of Arabia to the Ottoman Turks'. Fikret Karčić, 'Kako je hanefijski mezheb došao u Bosnu – interpretacija *silsile* Hasana Kafija Pruščaka' (How the Hanafi Madhhab came to Bosnia – an interpretation of the *Silsilah* of Hasan Kafi Pruščak) in: *Novi Muallim*, Sarajevo: Udrudzenje ilmijje, Vol. III, No. 8, January 5, 2002, pp. 20-25.

- 40 For more on the Bosnian *‘ulamā’s* participation in Ottoman spiritual and cultural life, see: Hazim Šabanović, *Književnost Muslimana BiH na orijentalnim jezicima*, Sarajevo: Svjetlost, 1973; Muhamed Ždralović, *Prepisivači djela u arabičkim rukopisima*, 2 vols., Sarajevo: Svjetlost, 1988; Abdurahman Nametak, *Hrestomatija bosanske lhamijado književnosti*, Sarajevo: Svjetlost, 1981.
- 41 The office of *Raisu-l-ulama* (the Grand Mufti of Bosnia) in Bosnia-Herzegovina is a unique institution of the Islamic authority that was established in the post-Ottoman period as a result of the Berlin Congress (1878) when Bosnia-Herzegovina was given to the Austro-Hungarian Empire for administration and annexation. The current Bosnian *Raisu-l-ulama* is the twelfth in row.
- 42 It should be said that the fifth *Raisu-l-ulama* Hafiz Ibrahim Maglajlić (1930-1936) was trained in Istanbul as well, but Istanbul’s influence on Islamic learning in Bosnia has been decreasing.
- 43 Among other things, Raisu-l-ulama Čaušević replaced the Arabic by the Latin alphabet and ordained that the Friday *khutba* (ceremony) be read in Bosnian language after it was read in old Turkish and Arabic.
- 44 See, Fikret Karčić, ‘Šta je to »islamska tradicija Bošnjaka«?’ (What is ‘The Islamic Tradition of the Bosnians?’) in: *Rezolicija Islamske zajednice o tumačenju islama*, Sarajevo: El-Kalem, 2006.
- 45 For more about Al-Azhar see Bayard Dodge, *Al-Azhar: A Millennium of Learning*, Memorial Edition, Washington: The Middle East Institute, 1974; Jonathan Berkey, *The Transmission of Knowledge in Medieval Cairo: A Social History of Islamic Education*, Princeton: Princeton University Press, 1992.
- 46 John Lukacs, *At the End of an Age*, New Haven: Yale University Press, 2002. p. 53.

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Appendices

Appendix 1

Introductory Notes

In Islamic law the *waqf* means the act of founding a charitable trust, and, thus the trust itself. The *Waqfiyyah* (or *Waqfname* – the Book of Endowment) is the act of writing both the will and the stipulations of the *wāqif* (endower) in a document of a special style, form and content. Hence, the *Waqfiyya* or *Waqfname* is not a simple legal document like a testament or final will. The writing of the *Waqfiyyah* is a matter not only of literary art, but also of formal procedure. Thus, when the *wāqif* (endower) expresses his intention to endow something of his own property as an act of a charitable trust, he may later revoke this decision and reclaim the ownership of the property (the *waqf*). In such a case the lawsuit arises between the *wāqif* (endower) and the appointed *mutawallī* (agent of the *waqf*) concerning the liability of the *waqf* because of the different opinions among the *Sharī'a* lawyers. Some, like Imām Abū Hanīfa (d. 767), are of the opinion that the *wāqif* has the right to revoke his *waqf*, while his student Muhammad al-Shaybānī (d. 805) believes that he does not have that right once he has endowed it. In the case of the Gazi Husrev-bey's *Waqfiyyah*, the *wāqif* Gazi Husrev-bey did revoke his *waqf*, but his appointed *mutawallī* Duke Murat opposed his claim. As a result, the case was artificially brought to the *Sharī'a* Court where an authorized *qādī* (judge) delivered a final verdict, in front of legal witnesses, in favour of the opinion of Imām Muhammad al-Shaybānī, who is against the revocation of the *waqf*, once founded as an act of charitable trust. Gazi Husrev-bey's *Waqfiyyah*, presented here for the first time in English translation, is the result of the lawsuit that ended up with the *Sharī'a* Court verdict that the *wāqif* has no right to reclaim his *waqf*. This decision is final and mandatory for all, including the *wāqif* himself who has no right anymore to revoke his *waqf*, or to use it in disagreement with the established *waqf*-stipulations, confirmed by the judge.

Pages 300-311: Facsimile of text of the *Waqfiyyah* (endowment document) of the Ghazi Husrev-bey Madrasa of Sarajevo (1537). The manuscript is preserved at the Ghazi Husrev-bey Archive in Sarajevo, nr. Ghb 1303.

هذه صورة الوقفية المرصية منقولة من صورة المرعية
حرره الفقير الورى الى عضوه سبحانه وتعالى
محمد رفيع بن علي بن الحاج عبدالله المفتش

لامور الاوقاف غفر لهم
نعم الرفيق محمد

الحمد لله الذي غر بيط الغداه بحجارس العلوم الرضية ولهاها
ونور محيط الحضرة بمصباح السنية واسماها وعلم ادم الاسماء في مدرسة
الاعينهم وانزل منه الساء الكتاب المستقيم ودفق قهقور الخبز على التوليد
للانعام الصالحات والحسنات وسبل حوائج النعم للباديهم هو المرم في
سبيل البر والاهلانة ودفقة منه امد من العباد لادهار الزاد واعتاد
العناد لميعاد المعاد ويسر لهم تيسر انشاء وانشاء الخيرات والكتابات
الحسنة واتقوا المبرات وضاعفوا اجور حسناتهم حدرت عنهم وفور الرغبة وخلص
الحجة كسفن حبة انبتت سبع سنابل في كل سنبلة مائة حبة والصلوة والسلام
عن محمد الهادي للعلم الى سواد السبيل الموراني علماء امته كانبيا
بنبي اسرائيل وعملوا البرة الكرام وصحبه الظلام والتابعين
لهم من العلماء ماتوا وبقوا الفضلاء الابرار في درس الحكمة وكشف
الاسرار ونجادوا في جامع العلم اطهار الحمد بالليل والنهار ولب

فإن هذه صحيفة شرعية الأصول والمباني ودقيقة دقيقة مرعية
الاحتياط والمعاني يفصح مضمونها ويوضح مضمونها همه ذمرا ما حضر
على الشريعة الشريفة الفراء ومفضل الطريقة الزهراء مولانا محمد السيد
بهم قائم الامام وكيل بالافراء بانوفه والقبول على الوجه الذي
بذكر آتيا همه جناب الملائح الاعظم والاميد البني المظلم قدوة الاعاظم
والاعالي هادي المكارم والاعالي ذي القدر الرضيع والمطرب الحظير الملائح
الراي والتبديت بنيران المدفنة الباهرة مسموعة قواعد الدولة
الظاهرة ارفع اعلام الاسلام بالثقة الشامحة قاصص اصناف الكفرة
بالصولة الصاعلة غازي الفراء والمجاهدين قاتل الكفرة والمتركة
صاحبه الخيرات الطيبة واضلع الحنساء الملية حضرت خردوبه اسم المرحوم
ذرهاد بك الذي بلوا برسنة زسه الله بساتيم الامارة بازهار ابيه
الصباية وصبغ امور صبور منتظمة بانامل افكاره الشاوية فاقتر
داغرف بعه تبوت الحكمة بشهادة سماعهم جليا دردي ودرعطين
بهم حسن بان الموهول الموصي اليه لما دفنوه منه دفنهم من قبل الملائح الممان
واضنان قلبه بالايمان وعلم ان الاعمان الصالحات تنفع صاحبها
بدم الرضي

يوم العرسه والميزان خصوصا فيها تعليم الفقه وتفسير القرآن
زاد في المحامد الاصالحات زيادة في الثوبات والمناسات فوقف
وهو في حال هيوته وصحة وكمال عقله ونفاذ تصرفاته و
جواز تبرعاته ابتغاء لوجه الله الكريم وطلب مرضاة الرب الرحيم
يوم لا ينفع مال ولا بنون الى من اتى الله بقلب سليم :-
ما هو له ذلكم وبيده قبضة وتحت يده الى صمد وهذا
الواقف عنه وذلك جميع المنزل الكاظم في محلة جعفر بن محمد
محلته سرك المحروسة الحادي عشر بينه ودر داب واصطبل ونبته
وخانوته ومخزنه ودكانه وقها بالشرية بمك طوره وده المحمود
بمقابله المسجده والطريقه العامه وملكه كمال ديوم والمنزل
الارض الكاظمه ثم المعروف بملك محمود ابيه جهته فواجه المحمود
به كاكيم محمود الصغرى ووقفه عيسى بك المرحوم بالوالمه المنقل
عن ردايه وبيت ونبته ونسقه فواينه متلاصقة والخانوتيه
الارضيه الكاظميه في سوره الاخرجه من سوره المحروسة المنفورة
المنفنيه عن القميه والبساطه لشهرتها لدى اهل المكاتب

والبقيع المقصية الى الخاتمة المزبورة والبقية الاخرية الذرية
بناها الواقف المشار اليه حديثا المقصية بالبقية المزبورة قبل
هذين والمنزل الاخر الطامية ايضا في المحبة المنيرة الواقعة محاذيا
لانها بقية المتباعد من الذرية الاخرية المدعوة دونه بنت
جاءت في الشمل على بيته ورواها المستغنية كليمها عمه القوية
والتعريف شهرتها لدى الوضع والشرف وجميع مبلغي سبحانه
الارزاق درهم فضي يري من خالص ماله مفردا من سائر اموال
يحمه ماله الاوقاف المزبورة من الحد والمقطوعة والمجودة المشروعة
وتواريخ الوصية والمراحم والمراحم ويكن هو لها ذكر او لم يذكر
سطر او لم يسطر وقفا شرعيا وجبا مرعيا وشرطا انه يستغل
المخاض والاعمال المزبورة على وجه الشرف والاسلوب وان يبنى
باربعة الاف درهم من البع المفقود من رتبة شريفة رفيعة البناء
جليلة القدر بغير الخواص والاعطيان في ارض المحاذية لباي الجامع
العالي الذي بناه واعلاه الواقف الوالي المستغنية عمه القوية و
تبينها لاشتهارها بانسائها الى وقفها شملت باننى
مكتوبة

عشره مرة يسكن القبول منه الطلبة دون الفواصة من المحسنين بينا و
شبهه اسلوب مؤيد كما هو المرسوم في مدارس الوزراء والامراء
فراهم الله ثواب الاستفادة وافادة العلم والفضل وما يفضله
منه فخرج البناء والمزود ببنائه في الكتب العجدة تستعمل في المدرسة
المذكورة يتفقد بها من رعاها من المتفدين وتسخر من
يستخرج من المحصلين ويسترجع الباقي من المبلغ المفقود
وهو ثمانمائة الف درهم بالرهن القوي والكفيل المسمى صاحب
يكون ربع كل عشرة دراهم من في كل عام درهما فيما من على نهم
ترعى انبيهم وطريقه مرضى اسمه لا يتوب فيم شائبة الربوا ولا يظهره
اليه الرضايع والنوايا من باهل التجار والصناع والزراعي من ربله
الملل المعرف فيهم باليسار المتولين ذرى الاقتدار على علم انا
الاعانة سيما الاستقامة والحيانة ويكون شراهم بهم الناس
بحسن المعاملة لا بالثمن والتوفيق والمحاكمة ولا برفع الالراء
والولاء والمدح منهم والقضاة ولا على الجندية وسائر الجيوش
دار باب التيامر والفقرة والفجار ولا الى الاعونة واهل البرية

وما يمدح المسعفة دلالاته من يتهم بالتزوير والطعن
 اى فرقة كانه فاجب من غلات الارواقه المزبوره ومحولات
 الالههم المنذوره جعله الوافه المزبور نفعه بالرهه الرب العفو
 قاننا يرحم اليه وسو بايتمه عليه لاسبيل لاهه الى تقيده القانوه
 رتبه به ولا مجال لشخص الى تحريف هذه الاسباب وتحويله ما دم
 الاصل للمزوج وانما ذلك لافضل للصرف كانبيا حيثه شرط ان يكون
 فيها عبده متولى ابيه ذواتى رصيه ساع في الفل عن واضع
 المسعفة كانه في الخروج منها امكن ببط العلاته مجده الى الامانة
 ومجنبا عن الاحكام والخيانه وانظر حاجب موصوف بالبهمة واهل
 الارواح في حقه علمه باحوال الوفا كلها ولا يفاد شيئا من الامور
 المتعلقة بالارواقه مصاحبا ومحلها ولا يعرف الموتى الا بغيره
 ولا يباشر في شئ من مصاحح الوفا الا بزيه وشورته وان يكون
 في المراته التي يبره انساها وتشيدها واعلاوها ودققها
 للذيهم يهن العام ويكلمونه انفسهم اهلها والعباد ويشغلون
 بالعلم العقبة والنقلية من يمه العباد عالم فاضل كامل خبر كانه
 مستأ

استحقاقه بالتفسير والتعمير جامع بالفردعي والاصول
هادي بالمعقول والمنقول بيري بهم دروس التفسير والحديث والاحكام
والاصول والحامى والبيان والكلام ومنه سائرها ايضا حسب ما يفضيه
المرز والمقام لا يفوت دروسهم الاربعة شرحي والاهم بقوتونه ألا
بوجه مرعى فيه أيام التطهير والتوضيح بما في العادة. غاية ما لا حاجة
الى التوضيح ويقع الالهام بما يستفوت منه المسائل الشرعية بقوى الملاحظة
والاقتوال بالنقل والافه منه كتب الضادى في علم الاصول شرطنا يضم
اليه نظارة المحبة للاذواق في جميع الازمان ومعانيه بها في علم الازان
والاصحاح ومعنى يعنى وتبني الاعادة على ما هو المقرر في القانون
والعادات وبواب يقيم فقه هذه مادة المدونة من كتبها ومما نظرت
اسبابها ونتم بها وانغلاقها وعلمه للمتنوع ما عيهم من غير الاذواق
المذكورة وللناظر الجاني ما تبيهم منه ايضا وعيهم للمدرس
كل يوم ضميمه درهما من الاذواق المذكورة ولجميع اربته درهم
ولكل واحد من الطلبة كل يوم درهمين وللجواب ايضا درهمين
وعيه الباقي قليلا كان أو شيرا لتكسب المبلغ المزبور ان انقص

لحادثه سه طوره الحمدان ثم ليخرج ما ينتفعن من اطعمة عمارة
 الواقف المنكر تقبل الله حسنة الملائكة الشكور ثم لمرة
 عامة اوقاف فيحفظ مع سائر الزوايد من سائر الاوقاف به المتولى
 بمعرفة الناظرية المذكور به ويرزق الى المصارف المرفوعة وقت
 الاحتياج وعيهم لكل من يسكن في المدينة من الميعه والطبقة
 والمبدا ان يعطى لهم من الاطعمة المطبوخة في مطبخ العمارة المارة
 في الصباح والمساء وكفيلهم زاهد من المردن مع قطفه طم رابع
 فواحد رابع في شهرهم ليلالي الجمع والايام الاعياد باعدهم ثم
 المطبوعات على ما هو المشاع المعتاد وترط تولية الاوقاف
 الخيرية والشرعية فيها والنفقة عليها والقيام على مواجها
 ولوازمها اذ لا ينفس النفية مادام ردها شريفه مع وكان
 انبه تم لاعد له عبيده وادلاهم واعمالهم عمدة فوامه مراد
 ويوم به عباده ثم لاصح عتقا والواقف المنذر ثم لاصح
 ادلاهم واعفادهم ثم وتم نسلا بعد نس وخرما بعد فروع الاصل
 فالاصح فيقتدم الارش والافلح ثم لاداد بناتهم ثم لابناء
 البنات

ابتناهم بطناً بطناً وقرناً بقرناً ما تناسلوا وتماقبوا فإذا
 كان احدكم الاصلح متولياً يكون الارثه الاثره ناظرأً وحبابياً فإذا
 انقضت قبيلتهم ورضوا بسيلهم بولي عليها من يكون حالاً بانفساً
 المحروسة المريرة جلا معروفه بالامانة والديه بانه مصوناً بالاستقام
 والصبانة وقليل ما هم فان المتولين لما زالهم وترط للستر ان
 يطن عدوى صدهم في دبرهن الى المستحقه مستحقه من غير محسب ونقض
 ولو من عمرة بنفس مادام الامل للفرج ذنيا والاصل في الفرع كاذبا
 وان دخل نطفان في الرحم وانحطاط في الاصل مجازته من حوادث الزمن
 وصاحبه من طوره الفقه يدفن الكسرى جميع المصارف وان يرضى بحسبه
 في رأسه على ثلاث سنين على من يكون حالاً عنه فيعصبه على النقيض العظيم
 ويستد منه القليل والكثير ويفرض منه الزيادة والنقصان والارتفاع
 والاختصاص والنقص والخسران وينظر في الهول الذم نسيم ونسبهم
 فقبحهم وينبذهم مسرهم ومورهم وينفذ من الهول المتولى هل
 اعنى اشراف الهل اعنى اشراف المذكورة المعبرة وادى ضمة
 المطورة المقررة فان طهر امانة واستقامته وانضجهم

وكفاية فيها ونصته دبرأت ذمته وسلمته واما ان تبهم هيئته
والهاله او وضع تقصيره واصلام فيقول علم التولية ونبهه غيره
مكانه ثم يفهمه ما يرى الهدى شرح صفاته علمه حال الوقف الذي يتوجه
عليه ثم ما اصلا كان او فرعا بتقصير عنه او اضلال بشرط من شرائط
او غدا او الهاله بنى من شرائطه وراعى هذه الاسباب في جميع الزمان
مادار البنان وتواتر الخوان واقربان الواقف المذخر الخيرة المنقذ
كل عتيق مراد ديوده المرزور واناب مناب نضم بجميع اصول التولية
وعامة مصالحها لما راي عليه از اصلاح وسيا الرشد والصلاح
ووجه بان لا يميز الا عنها مادام هو ليس لبا س الحيرة ولم يفرح باه
حاجبه الحياتة تركيزا ترجيا مقبولا من قبله وجاهها وشفاها وان
موطن الواقف المذخر قد نضب مولانا عبد السلام بهم جميعا نضم منوليا
لاجل ان يجعله نضم ذلك اذ الوكيل المرزور ان يسترده منه
محتجا بسم اللزوم فعابله المتولى المرزور تدافعا الى الحائكم الوقف
ترجح هو جانب الوقف وهم بصحة ما وقفه من الاشياء المذخرة
وبلذورها فتم جميع ما ذكره العقارات والاهم الوقف وان

انرا الهدى

اقراراً صفة قامة قبل وجهها ثم صارت هذه رتفا سجداً بعد ما روي
شأنها التسجيد من التسميم والتسليم المنزويهم وإرادة الرجوع استوداه
الى الملكية وانتاج المتولى ومرافقة مع هذه الوكيل الى الخاتم المتوفر
اعلاه المتوقع رضاه مولاه وهم بصحة دفعته وزدوا على قول
مه يراه من الأئمة المجتهدين رضوان الله تعالى عليهم اجمعين عاذا
باعتلافهم في مسألة الوتفة فاذن لا يجوز به ذلك تفسير هذه الوتفة
وتبديلها ولا نقضه ولا تعطيله بما يتحقق من ضمن هذه الكتاب يوجد منه
الوجه بسبب من الاسباب والادليل لانه من يرضى بالله ورسوله و
باليوم الاخر من قول خاين او سلفه ان تغلبه او ان يظن ان يظن
به يظن ان يراه فيظلم وينقصه ويعظم او يغير شرطه او يؤول
فمنهم من ارتكب شيئاً من ذلك او خالف رايها من رايها او غدر
شيئاً من شروطها بتأويل فاسد او ترجمه كاسه فقه ارتكبه
المحرم واستوجب الماشم وكيف يتجاسر على ذلك ممن ادعى
له خائف من الله المرعفين به ما سير قولهم غرسانه وعظم
سلفه من رايها عليهم اعداهم عذبا اليها هي الالفة الله

على الرضا عليهم و قول النبي صلى الله عليه وسلم تبرم الارض يا قنفذ
 المرء من اخبه المسم بغيره طوف الله تعالى من سبع ارضيه في نار جهنم
 فان من خانف ثمانية الله رسة رسول واستحق ما حرم الله ورسوله
 في فساد على اخبه المسم فقه باو بنفضه من الله وما ذم به من ذم
 المصير وعبدة الغنة الله والملائكة والناس اجمعهم والله صيب
 ومكافيه وطيبه ومجازيه باصناف الفداء واصناف العقاب يوم
 لا يفيح الظالمين من ذمتهم فلهم الغنة والام سوالاتا و يوم تجبه كل نفس وعملت
 من غير مضمرا او ما عملت من سوء تود لو ان ينهاها وبينه الله ابعدا
 و يوم تجبه كل نفس ما كتبه لا ظلم اليوم ان الله رب الرحمة واهم الوافه فيما
 نراه وحقه واستغاه على الملائك الوهاب انه لا يضيع اجر المحسنين
 ولا يجيب اجاو المونسين جري ذلك وهو في اليوم السادى والتميزه
 من شهر رجب المرجب سنة ثمانه واربعمائة تسعائة الى تم بتخام حكم

شهود الخال مولانا عقاب بن محمود الامام مولانا عبد الرحمن بن محمد المدينى
 في مدينة ضروريك و مولانا محمد بن محمود الامام محمد بن ابراهيم الامام
 مولانا محمد الخطيب بن محمد بن محمد بن مولانا محمد بن ابي الخطاب بن محمد بن
 مولانا محمد بن ابي الخطاب بن محمد بن مولانا محمد بن ابي الخطاب بن محمد بن
 بن الامام

Text of the Waqfiyah of the Gazi Husrev-bey Madrasa of Sarajevo

This is a copy of the authentic Waqfiyah (endowment document), transmitted from the original manuscript and edited by the one who is most desperately in need of God's forgiveness Muhammad Rafiq bin 'Alī bin al-Hājj 'Abdullāh, inspector of Waqf (endowment) affairs, may Allah have mercy on all of them.

1. Praise be to Allah Who bestowed the reaches of the earth with schools of the most desirable and luminous sciences, Who illuminated the heavens with the brightest and most sublime lights, Who taught Adam the names in the school of both worlds, Who sent the clarifying book from Heaven, Who designated Heaven's palaces for those who perform good and beautiful deeds, and the access to the gardens of grace to those who spend their riches for the sake of righteousness and piety, Who made it possible for those of His servants who wish to amass supplies in preparation for the hereafter to do so, Who made it easy for those who want to establish charities, earn merits, and promote benefactions, Who doubles the reward of their benefactions that come out of their own will and pure love of the fact that (their good deeds) ...are like a grain of corn: it grows seven ears, and each ear has a hundred grains...(Quran 2:261)

هَذِهِ صُورَةُ الْوَقْفِيَّةِ الْمَرْضِيَّةِ
مَنْقُولَةٌ مِنْ صُورَتِهَا الْمَرْعِيَّةِ حَرَّرَهُ
أَفْقَرُ الْوَرَى إِلَى عَفْوِهِ سُبْحَانَهُ وَتَعَالَى
مُحَمَّدٌ رَفِيقُ بِنِ عَلِيِّ بْنِ الْحَاجِّ عَبْدِ اللَّهِ
الْمُفْتَشِّ لِأُمُورِ الْأَوْقَافِ غُفِرَ لَهُمْ.

1- الْحَمْدُ لِلَّهِ الَّذِي عَمَّرَ بَسِيطَ الْعِبْرَاءِ بِمَدَارِسِ
الْعُلُومِ الْهَيْئَةِ وَأَسْنَاهَا، وَنَوَّرَ مُحِيطَ الْخَضْرَاءِ
بِالْمَصَابِيحِ السَّنِّيَّةِ وَأَسْمَاهَا، وَعَلَّمَ أَدَمَ الْأَسْمَاءِ
فِي مَدْرَسَةِ الْكُونَيْنِ، وَأَنْزَلَ مِنَ السَّمَاءِ الْكِتَابَ
الْمُسْتَبِينِ، وَوَقَفَ قُصُورَ الْجِنَانِ عَلَى الْمُتَوَلِّينِ
لِلْأَعْمَالِ الصَّالِحَاتِ وَالْحَسَنَاتِ، وَسَبَّلَ حَدَائِقَ
النَّعِيمِ لِلْبَادِلِينَ أَمْوَالَهُمْ فِي سَبِيلِ الْبِرِّ وَالْإِحْسَانِ،
وَوَقَفَ مَنْ أَرَادَ مِنَ الْعِبَادِ لِادِّخَارِ الزَّادِ وَعِتَادِ
الْعِتَادِ لِمِيعَادِ الْمَعَادِ، وَيَسَّرَ لِمَنْ يَشَاءُ إِثْنَاءَ
الْخَيْرَاتِ وَكَاتِبَاتِ الْحَسَنَاتِ وَأَقْتِرَابِ الْمَبْرَاتِ،
وَضَاعَفَ أَجْرَ حَسَنَاتِهِ، وَصَدَرَتْ عَنْ وَفُورِ
الرَّعْبَةِ وَخُلُوصِ الْمَحَبَّةِ إِكْمَلَتْ حَبَّةٌ أَنْبَتَتْ سَبْعَ
سَنَابِلٍ فِي كُلِّ سَنَابِلَةٍ مِائَةٌ حَبَّةً}.

2. May blessings and peace be upon Muhammad, the guide for people to the right path, who made the scholars of his community equal to the messengers of the sons of Israel, may God also bless his honourable and respectable family, his good and glorious companions as well as the followers of the ‘*ulamā*’, as long as the rational, noble and rightful men are dialoguing in the lessons of wisdom in order to uncover the secrets and as long as they are discussing day and night all fields of knowledge in order to demonstrate the truth.

3. Then, it may be said – that this is indeed a document that is based and composed on the principles of *Sharī’a*. It is a valuable record that contains authentic words and meanings. Its content states and its hidden contents clarify the fact that Mawlana Muhyī ad-Din, son of Qāsim, the Imam, has come before the honourable *Sharī’a* Court and the bright assembly as the *wakil* (agent) to declare the *waqf* (endowment) and the acceptance thereof, as shall be described further below, on behalf of his royalty the magnificent ruler, the great and glorious Amīr, exemplar for the prominent and promising men, the one who has noble and highly-regarded attributes, who has high honour and an important position, who is in possession of mind and reasoning, who is raising pillars of glorious authority, who is laying foundations for a powerful state, who is very powerfully raising the banner of Islam, who destroys the idols of infidelity by

2- وَالصَّلَاةَ وَالسَّلَامَ عَلَى مُحَمَّدٍ الْهَادِي لِلخَلْقِ إِلَى سَوَاءِ السَّبِيلِ، الْمُوَازِي عُلَمَاءُ أُمَّتِهِ كَأَنْبِيَاءِ بَنِي إِسْرَائِيلَ، وَعَلَى آلِهِ الْبِرَّةَ الْكَرَامَ وَصَحْبِهِ الْخَيْرَةَ الْعِظَامَ وَالتَّابِعِينَ لَهُمْ مِنَ الْعُلَمَاءِ، مَا تَحَاوَرَ الْعُقَلَاءَ الْفَضْلَاءَ الْأَبْرَارَ فِي ذُرُوسِ الْحِكْمَةِ لِكثْفِ الْأَسْرَارِ وَتَجَادُلُوا فِي جَامِعِ الْعِلْمِ إِظْهَارًا لِلْحَقِّ بِاللَّيْلِ وَالنَّهَارِ

3- وَبَعْدُ: فَإِنَّ هَذِهِ صَحِيفَةٌ شَرِيعِيَّةُ الْأَصُولِ وَالْمَبَانِي، وَوَثِيقَةٌ أَيْقَنَةٌ مَرَعِيَّةُ الْأَلْفَاظِ وَالْمَعَانِي، يُفْصِحُ مَضْمُونَهَا وَيُبْوَضِحُ مَكْنُونَهَا عَنْ ذِكْرِ مَا حَضَرَ مَجْلِسَ الشَّرِيعَةِ الشَّرِيفَةِ الْعُرَاءِ وَمَحْفَلِ الطَّرِيفَةِ الرَّهْرَاءِ مَوْلَانَا مُحْيِي الدِّينِ بْنِ قَاسِمِ الْإِمَامِ وَكَيْلَا بِالْإِقْرَارِ بِالْوَقْفِ وَالْقَبُولِ عَلَى الْوَجْهِ الَّذِي يُذَكِّرُ آتِيًّا عَنْ جَنَابِ الْمَلِكِ الْأَعْظَمِ وَالْأَمِيرِ الْكَبِيرِ الْمُعْظَمِ، قُدْوَةَ الْأَعْظَمِ وَالْأَمَالِي، حَاوِي الْمَكَارِمِ وَالْمَعَالِي، ذِي الْقَدْرِ الرَّفِيعِ وَالْخَطْبِ الْخَطِيرِ، مَالِكِ مَمَالِكِ الرَّأْيِ وَالْتُدْبِيرِ، مُشَيِّدِ بُيُوتِ السُّلْطَنَةِ الْبَاهِرَةِ، وَمُمَهِّدِ قَوَاعِدِ الدَّوْلَةِ الْقَاهِرَةِ، رَافِعِ أَعْلَامِ الْإِسْلَامِ بِالشُّوْكَةِ الشَّامِخَةِ، قَامِعِ أَصْنَامِ الْكُفْرَةِ بِالصَّوْلَةِ الصَّائِلَةِ، غَازِي الْغُرَاةِ وَالْمُجَاهِدِينَ، قَاتِلِ الْكُفْرَةِ وَالْمُشْرِكِينَ، صَاحِبِ الْخَيْرَاتِ الْعَلِيَّةِ، وَاضِعِ الْحَسَنَاتِ الْمُبِيَّةِ، حَضْرَةَ خُسْرُوبِكِ ابْنِ الْمَرْحُومِ

victorious force – the victorious of the victorious and the warrior of the warriors, the annihilator of the infidels and polytheists, the one who is the author of highly good deeds and deeds that last long, his royalty Husrev-bey, son of the late Farhat-bey, the *wālī* (governor) of the Province Bosnia, may Allah beautify the gardens of his authority by the flowers of his right thoughts and make the people's affairs be sorted by his insightful opinions.

4. After the reaffirmation of the report by the witness of Shujāʿ, son of Jalab Wardī and Mustafā, son of Hasan, he endorsed and acknowledged that the *muwakkil* (agent) is the aforementioned person, for his success that God the Bestower has granted him, the reliance of his heart on faith, the fact that he knows that good deeds will benefit their owner on the day of presentation and justice, especially teaching *fiqh* and *tafsīr* of the Quran. May his good deeds be increased, by the increase of their reward and merit.

5. Thereupon, he declared *waqf* and made inalienable property while alive and in good health, while his intellect and actions are sound, his donations legal for the sake of the Most Beneficent God, seeking the satisfaction of the Compassionate Lord *on the Day whereon neither wealth nor sons will avail, but only he (will prosper) who brings God a sound heart* (Quran 26:88-89), that which belongs to him, what is in his hands and under his control.

فَرُهَاذُ بَكَ، الْوَالِي بِلُؤَاءِ بُوسْنَةَ، زَيْنَ اللَّهِ بَسَاتِينَ
الْإِمَارَةَ بِأَزْهَارِ آرَائِهِ الصَّائِبَةِ وَجَعَلَ أُمُورَ
الْجُمُهورِ مُنْتَظِمَةً بِأَنَامِلِ أَفْكَارِهِ الثَّاقِبَةِ.

4- فَأَقْرَأَ وَأَعْتَرَفَ بَعْدَ ثُبُوتِ الْمَحْكِيَّةِ بِشَهَادَةِ
شُجَاعِ بْنِ جَلَبِ وَرُدِيِّ وَمُصْطَفَى بْنِ حَسَنِ بِأَنَّ
الْمُوكَّلَ الْمُؤْمَى إِلَيْهِ لِمَا وَفَّقَ مِنْ قِبَلِ الْمَلِكِ
الْمُنَّانِ وَأَطْمَأَنَّ قَلْبُهُ بِالْإِيْمَانِ وَعَلِمَ أَنَّ الْأَعْمَالَ
الصَّالِحَاتِ تَنْفَعُ صَاحِبَهَا يَوْمَ الْعَرْضِ وَالْمِيزَانِ،
خُصُوصًا مِنْهَا تَعْلِيمُ الْفِقْهِ وَتَفْسِيرُ الْقُرْآنِ، زَادَ
فِي أَعْمَالِهِ الصَّالِحَاتِ، زِيَادَةً فِي الْمَثُوبَاتِ
وَالْحَسَنَاتِ.

5- فَوْقَ وَحَبَسَ فِي حَالِ حَيَاتِهِ وَصِحَّتِهِ وَكَمَالَ
عَقْلِهِ وَنَفَاقَ نَصْرُفَاتِهِ وَجَوَانَ تَبَرُّعَاتِهِ، ابْتِغَاءً
لِوَجْهِ اللَّهِ الْكَرِيمِ وَطَلْبًا لِمَرْضَاةِ الرَّبِّ الرَّحِيمِ،
يَوْمَ لَا يَنْفَعُ مَالٌ وَلَا بَنُونَ، إِلَّا مَنْ أَتَى اللَّهَ بِقَلْبٍ
سَلِيمٍ، مَا هُوَ لَهُ وَمُلْكُهُ وَبَيْدِهِ وَقِيصَتِهِ وَتَحْتَ
نَصْرُفِهِ إِلَى صُدُورِ هَذَا الْوَقْفِ عَنْهُ وَذَلِكَ:

__ جَمِيعُ الْمَنْزِلِ الْكَائِنِ فِي مَحَلَّةِ جَرَكْجِي مِنْ
مَحَلَّاتِ سَرَايِ الْمَحْرُوسَةِ، الْحَاوِي عَلَى بَيْنَيْنِ

He declared the following a *waqf*: the whole house in the Cherkechi quarter in protected Sarajevo, which is made up of two houses, a basement, a horse stable, a garden, a shop, a warehouse and a butcher house, known as the property of Turna-dede, bordering the Muslim cemetery, public road and the property of Duke Kemal; another house in that area, known as the property of Mahmud, son of Chalish-hojja, bordered by the shops of Mahmud Saġrāqī and the *waqf* of the late Īsā-bey in the *sūq*, which is made up of a basement, a house, nine adjoined shops, and two other shops in the *sūq* of Ifranġī, which is one of the *sūqs* of the aforementioned protected [city], the specification and description of which is not necessary, as it is known among the population of this place; two houses next to the two aforementioned shops; two other houses that again the aforementioned *wāqif* built next to the aforementioned two houses; another house, also in the aforementioned protected [city] located opposite to these two houses, bought from a Christian woman called Duya, daughter of Chavkosha, consisting of a house and basement. Description and specification are not necessary, as it is known by ordinary people as well as the nobility; the full amount of 700,000 silver dirhams that is currently circulating from his own property. [All of this] from his personal property together with his remaining property, of which the limits are determined, and which belongs to the concerned *waqfs* with all the legal rights and that which goes with it, with taxes and declarations, whether

وَسِرْدَابٍ وَإِصْطَبَلٍ وَجَنَّةٍ وَحَائُوتٍ وَمَخْرَنٍ
وَدُكَّانٍ قِصَابِ الشَّهِيرِ بِمِلْكٍ طُورُنْهَ ذَهَبَهُ،
الْمَحْدُودِ بِمَقَابِرِ الْمُسْلِمِينَ وَالطَّرِيقِ الْعَامِّ وَبِمِلْكٍ
كَمَالٍ وَيُودُهُ؛

_ وَالْمَنْزِلِ الْآخَرَ الْكَائِنِ تَمْنُهُ الْمَعْرُوفِ بِمِلْكٍ
مَحْمُودِ ابْنِ جَالِشِ حَوَاجَةِ الْمَحْدُودِ بِدَكَكَيْنِ
مَحْمُودِ الصَّعْرَاقِيِّ وَبَوَاقِفِ عَيْسَى بِكَ الْمَرْحُومِ
بِالسُّوقِ الْمُشْتَمَلِ عَلَى سِرْدَابٍ وَبَيْتٍ وَجَنَّةٍ
وَتِسْعَةِ حَوَائِيتٍ مُتَلَاصِقَةٍ وَالْحَائُوتَيْنِ الْآخَرَيْنِ
الْكَائِنَيْنِ فِي السُّوقِ الْإِفْرَنْجِيِّ مِنْ أَسْوَاقِ
الْمَحْرُوسَةِ الْمُسْفَرَةِ الْمُسْتَعْنِيَيْنِ عَنِ التَّحْدِيدِ
وَالْبَيَانِ لِشَهْرَتَهُمَا لَدَى أَهْلِ الْمَكَانِ؛
_ وَالْبَيْتَيْنِ الْمُتَّصِلَيْنِ إِلَى الْحَائُوتَيْنِ الْمَرْبُورَيْنِ؛
_ وَالْبَيْتَيْنِ الْآخَرَيْنِ الَّذِينَ بَنَاهُمَا الْوَاقِفُ الْمُشَارُ
إِلَيْهِ جَدِيدًا الْمُتَّصِلَيْنِ بِالْبَيْتَيْنِ الْمَذْكُورَيْنِ قَبْلَ
هَذَيْنِ؛

_ وَالْمَنْزِلِ الْآخَرَ الْكَائِنِ أَيْضًا فِي الْمَحْمِيَّةِ
الْمَذْكُورَةِ الْوَاقِعِ مُحَازِيًا لِهَذَيْنِ الْبَيْتَيْنِ الْمُتَّبَاعِ مِنْ
الدِّمِّيَّةِ الْإِفْرَنْجِيَّةِ الْمَدْعُورَةِ ذُوِيهِ بِنْتِ جَاوُوشَ
الْمُشْتَمَلِ عَلَى بَيْتٍ وَسِرْدَابٍ الْمُسْتَعْنِيَيْنِ كِلَيْهِمَا
عَنِ التَّحْدِيدِ وَالتَّعْرِيفِ لِشَهْرَتَهُمَا لَدَى الْوَضِيعِ
وَالشَّرِيفِ؛

_ وَجَمِيعِ مَبْلَغِ سَبْعِمِائَةِ أَلْفِ دِرْهَمٍ فَضِيَّ رَاجِعٍ
مِنْ خَالِصِ مَالِهِ مُفْرَزًا مِنْ سَائِرِ أَمْوَالِهِ بِجُمْلَةٍ مَا
لِلْوَاقِفِ الْمَرْبُورَةِ مِنَ الْحُدُودِ الْمَقْطُوعَةِ
وَالْحُقُوقِ الْمَشْرُوعَةِ وَالتَّوَابِعِ وَالتَّوَاقِقِ
وَالْمَرَامِسِ وَالمَرَاقِقِ وَكُلِّ حَقٍّ لَهَا ذِكْرٌ أَوْ لَمْ

mentioned or not, recorded or not, should be made *waqf* according to the *Sharī'a waqf* law as well as the original testament.

6. Then he conditioned that the aforementioned houses and properties be rented according to the rules of *Sharī'a* and custom. Also, out of the aforementioned amount a decent *madrasa* shall be built for the amount of 400,000 dirhams, the building of which shall be great and its reputation shall be respectable among the honourable and noble men. It shall be built at the location that faces the door of the glorious Mosque that was built and erected by this *wāqif* and the *wālī* and needs neither to be defined nor explained as it is known as the property of this *wāqif*. The *madrasa* shall consist of twelve rooms where only the hardworking students shall reside. There shall be no place for corrupt and ignorant students. [The building of the *madrasa*] shall be great, and the curriculum of it shall be permanent, similar to the *madrasas* of the viziers and princes, May Allah reward them for their contributions that benefit all who serve others and are virtuous.

7. Then, from the remainder of the expenditures of the *madrasa* building, books shall be bought and shall be used in the *madrasa*. These books shall be at the disposal of those who wish to read them and to those who would like to copy them among those who wish to obtain knowledge.

يُذَكِّرُ، سَطِرًا أَوْ لَمْ يُسَطِّرْ، وَقَفًا شَرْعِيًّا وَحَبْسًا مَرْعِيًّا.

6- وَشَرَطَ أَنْ يُسْتَعْلَى الْمَنَازِلَ وَالْأَمْلَاقَ الْمَرْبُورَةَ عَلَى الْوَجْهِ الشَّرْعِيِّ وَالْأَسْلُوبِ الْمَرْعِيِّ وَأَنْ يُبْنَى بِأَرْبَعِمِائَةِ أَلْفِ دِرْهَمٍ مِنَ الْمَبْلُغِ الْمَسْفُورِ مَدْرَسَةً شَرِيفَةً رَفِيعَةً الْبُنْيَانِ جَلِيلَةً الْفَنْدَرِ بَيْنَ الْخَوَاصِّ وَالْأَعْيَانِ فِي أَرْضِهِ الْمُحَازِيَةِ لِبَابِ الْجَامِعِ الْعَالِيِّ الَّذِي بَنَاهُ وَأَعْلَاهُ الْوَأَقْفُ الْوَالِي، الْمُسْتَعْنِيَّةِ عَنِ التَّحْدِيدِ وَتَبْيِينِهَا لِاشْتِهَارِهَا بِانْتِسَابِهَا إِلَى وَقْفِهَا، مُسْتَمْلَةً بِانْتِي عَشْرَ حُجْرَةٍ يَسْكُنُهَا الْفَوَائِلُ مِنَ الطَّلَبَةِ دُونَ الْفَوَاسِقِ مِنَ الْجَهْلَةِ، بِنْيَاءٍ مَشِيدٍ وَأَسْلُوبٍ مُؤَيَّدٍ، كَمَا هُوَ مَرْسُومٌ فِي مَدَارِسِ الْوُزَرَاءِ وَالْأَمْرَاءِ جَزَاءَهُمُ اللَّهُ تَوَابَ الْإِسْتِفَادَةِ وَإِفَادَةِ الْعُلَمَاءِ الْفَضْلَاءِ.

7- وَمَا يَقْضَلُ مِنْ خَرَجِ الْبِنْيَاءِ الْمَرْبُورِ يُبْتِغَى بِهِ الْكُتُبُ الْمُعْتَبَرَةُ وَتُسْتَعْمَلُ فِي الْمَدْرَسَةِ الْمَذْكُورَةِ، يَسْتَفِيدُ بِهَا مَنْ يُطَالِعُهَا مِنَ الْمُسْتَفِيدِينَ وَمَنْ يَسْتَنْسِخُهَا مِنَ الْمُحْصِلِينَ.

8. The remaining of the aforementioned amount of 300,000 dirhams shall be invested in such a way that there be a strong reason and an insured endorsement for the income of one dirham per ten dirhams each year. This matter shall be executed in accordance to the *Sharī'a* rules and in such a satisfying manner that usury is not involved and that [this property] does not suffer from loss. Let there be business relations with merchants, craftsmen, farmers, and people of different guilds who are recognized as rich, wealthy, influential as well as reliable, virtuous and honest. Their reputation should be known to the common people by their good deeds, not by their lies, cheating and delaying [in payment]. Let there be no business relationship with princes, rulers, teachers, judges, old military horsemen or other army officers as well as with estate owners, evil and vicious people who are in debt, who are the Sultan's servants, and those who are likely to cheat or who are greedy, whatever category they belong to.

9. With regard to the income from the above-mentioned *waqfs* and the aforementioned funds, the *wāqif* – may the Merciful God bless him with His mercy – has ordained a law that should be abided and rules that should be relied on so that no one shall have the chance to break the law or change it, and no one shall have the possibility to corrupt the law or replace it as long as the revenues cover the costs and the income suffices the expenditure.

8- وَيُسْتَرَبِحُ الْبَاقِي مِنَ الْمَبْلُغِ الْمَسْفُورِ وَهُوَ ثَلَاثُمِائَةَ أَلْفٍ دِرْهَمٍ بِالرَّهْنِ الْقَوِيِّ وَالْكَفِيلِ الْمَلِيِّ عَلَى حِسَابِ يَكُونُ رِبْحُ كُلِّ عَشْرَةِ دَرَاهِمَ مِنْهُ فِي كُلِّ عَامٍ دِرْهَمًا فَيُعَامَلُ عَلَى نَهْجِ شَرْعِيٍّ أُنِيقَ وَطَرِيقِ مَرْضِيٍّ وَثِيْقٍ، لَا يَسُوْبُ فِيْهِ شَائِبَةٌ الرَّبَّاءِ، وَلَا يَنْطَرَقُ إِلَيْهِ الضِّيَاعُ، وَأَنْ يُعَامَلَ بِأَهْلِ الثُّجَارِ وَالصَّنَاعِ وَالزَّرَّاعِ مِنْ أَرْبَابِ الْمَلِكِ الْمَعْرُوفِينَ بِالْيَسَارِ وَالْمُتَمَوِّلِينَ ذَوِي الْاِقْتِدَارِ، يُرَى عَلَيْهِمْ أَنْتَارُ الْأَمَانَةِ سَيِّمًا الْاِسْتِقَامَةِ وَالصِّيَانَةِ، وَيَكُونُ شُهْرَتُهُمْ بَيْنَ النَّاسِ بِحُسْنِ الْمُعَامَلَةِ لَا بِالْكَذِبِ وَالسُّوَيْفِ وَالْمُطَاطَلَةِ، وَلَا يُدْفَعُ إِلَى الْأَمْرَاءِ وَالْوَلَاةِ وَالْمُدْرَسِيِّينَ وَالْفُضَاةِ وَلَا إِلَى الْجُنْدِيِّينَ وَسَائِرِ الْجِيُوشِ وَأَرْبَابِ الثَّمِيَارِ وَالْفَسَقَةِ وَالْفَجَّارِ وَلَا إِلَى الْأَعْوَنَةِ وَأَهْلِ الدُّيُونِ وَمَمَالِيكِ السُّلْطَانِ وَلَا إِلَى مَنْ نِيَّتُهُمُ الْبُزُورِ وَالطَّمَعِ مِنْ أَيِّ فِرْقَةٍ كَانَ.

9- فِيمَا يَحْصُلُ مِنْ غَلَاتِ الْأَوْقَافِ الْمَرْبُورَةِ وَمَحْصُولَاتِ الذَّرَاهِمِ الْمَذْكُورَةِ جَعَلَ لَهُ الْوَأَقِفُ الْمَرْبُورُ تَعَمُّدَهُ بِالرَّحْمَةِ الرَّبِّ الْعَفُورُ قَانُونًا يُرْجَعُ إِلَيْهِ وَأَسْلُوبًا يُعْتَمَدُ عَلَيْهِ، لَا سَبِيلَ لِأَحَدٍ إِلَى تَغْيِيرِ هَذَا الْقَانُونِ وَتَبْدِيلِهِ وَلَا مَجَالَ لِشَخْصٍ إِلَى تَحْرِيفِ هَذَا الْأَسْلُوبِ وَتَحْوِيلِهِ، مَا دَامَ الْحَاصِلُ لِلخُرُوجِ وَأَقْيَا وَالذَّاخِلُ لِلصَّرْفِ كَافِيًا.

10. Thereupon he [the *wāqif*] declared that there shall be the *mutawalli* (manager) of this *waqf* beside him who shall be a reliable, intelligent and stable person. Also, he shall be diligent in collecting the revenues based on the clear rules and he shall spend it according to the amount of the income. The *mutawalli* shall be a trustworthy person who avoids negligence and does not engage in treason.

11. The *nāzir-jābī* (the monitor-collector) of the revenues shall be a person of good insight and of excellent qualities who knows everything about the affairs of the *waqf*. He shall not neglect a single issue regarding the interest and the state of the *waqf*. The *mutawalli* shall not do anything without knowledge of the monitor and he shall not carry out any business that is in the interest of the *waqf* without the monitor's opinion and consultation.

12. In the *madrasa*, which the *wāqif* wants to build, establish, erect and devote to those who shall obtain knowledge and improve morality from among students and common people, and to those who shall be occupied with rational and traditional knowledge, there shall be one of them, who is knowledgeable, virtuous, excellent and competent, who shall uncover the secrets of truths by verbal and written words, who shall combine particulars and universals as well as comprehend rational and traditional knowledge. He shall teach Quran exegesis, Islamic tradition, the basics

10- حَيْثُ شَرَطَ أَنْ يَكُونَ فِيهَا بَعْدَهُ مُتَوَلِّئًا أَمِينًا
ذُو رَأْيٍ رَصِينٍ سَاعٍ فِي النَّحْلِ عَلَى وَاضِحِ
السُّنَنِ، كَافٍ فِي الْخُرُجِ مَهْمًا أَمْكَنَ يَضْبُطُ
الغَلَاتِ، مُجِدًّا فِي الْأَمَانَةِ وَمُجْتَنِبًا عَنِ الْإِهْمَالِ
وَالْخِيَانَةِ.

11- وَنَظِيرٌ جَابِي مَوْصُوفٌ بِالْبَصِيرَةِ وَأَجْمَلِ
الْأَوْصَافِ يُحِيطُ عِلْمُهُ بِأَحْوَالِ الْوَقْفِ كُلِّهَا وَلَا
يُغَادِرُ شَيْئًا مِنَ الْأُمُورِ الْمُتَعَلِّقَةِ بِالْأَوْقَافِ
مَصْلِحِيهَا وَمَحَلِّهَا، وَلَا يَنْصَرِفُ الْمُتَوَلِّي إِلَّا
بِمَعْرِفَتِهِ وَلَا يَبَاشِرُ فِي شَيْءٍ مِنْ مَصَالِحِ الْوَقْفِ
إِلَّا بِرَأْيِهِ وَمَشُورَتِهِ.

12- وَأَنْ يَكُونَ فِي الْمَدْرَسَةِ الَّتِي يُرِيدُ ابْتِنَانَهَا
وَتَشْيِيدَهَا وَإِعْلَانَهَا وَوَقْفَهَا لِلَّذِينَ يُحْصِلُونَ الْعِلْمَ
وَيُكْمَلُونَ النَّفْسَ مِنَ الطُّلَّابِ وَالْعِبَادِ وَيَشْتَعِلُونَ
بِالْعُلُومِ الْعَقْلِيَّةِ وَالنَّفْثِيَّةِ مِنْ بَيْنِ الْعِبَادِ عَالِمٌ فَاضِلٌ
كَامِلٌ نَحِيرٌ، كَاشِفٌ أَسْتَارَ الْحَقَائِقِ بِالتَّقْرِيرِ
وَالتَّحْرِيرِ، جَامِعٌ بِالفُرُوعِ وَالْأَصُولِ، حَاوِي
بِالمَعْقُولِ وَالْمَنْقُولِ، يُدْرَسُ بِهِمْ ذُرُوسَ التَّفْسِيرِ
وَالْحَدِيثِ وَالْأَحْكَامِ وَالْأَصُولِ وَالْمَعَانِي وَالْبَيَانَ
وَالكَلَامِ وَمَنْ سَايَرَهَا أَيْضًا حَسَبَ مَا يَتَقَضِيهِ
العُرْفُ وَالْمَقَامُ، لَا يَفُوتُ ذُرُوسَهُمْ إِلَّا بِعُدْرِ

of *Sharī'a* law, the theory of law, Arabic stylistics, Islamic speculative theology as well as all other things that custom (or time) and place require. He shall not miss any lecture except for a reason that is valid according to *Sharī'a*, and the students shall not miss a lecture either except by permission. Both the time of vacation and the time of lecturing shall be as it is in custom and thus there is no need to explain this in detail. He shall issue *fatwā*-answers to people who ask *fatwā*-questions in accordance with the strongest *madhhab* (School of Law) and opinions, using in each and every case the books of *fatwās*. Also, it is ordained that his monitoring of the *waqf* shall be forever and his care for it shall be at all times and in all circumstances.

13. The *mu'īd* (repetitor) shall conduct his drill sessions as it is ordained by law and custom. The *bawwāb* (doorkeeper) shall conduct the cleaning and guarding of the inventory of the *madrasa*, and open and close the door. It is established that the *mutawallī* shall receive [his salary] from other mentioned *waqfs* than the ones mentioned; the *nāzir-jābi* (the monitor-collector) shall receive from other *waqfs* as well; the *mudarris* shall receive fifty dirhams from the mentioned *waqfs* every day; each *mu'īd* shall receive four dirhams; – each pupil shall receive two dirhams per day; the *bawwāb* shall also receive two dirhams per day. The remaining funds, whether large or small, are designated to be added to the mentioned budget should it be decreased by any unpredictable

شَرْعِيٍّ، وَلَا هُمْ يَفُوتُونَهُ إِلَّا بِوَجْهِ مَرْعِيٍّ فِيهِ أَيَّامُ
التَّعْطِيلِ وَالْتَّحْصِيلِ بِمَا فِي الْعَادَةِ رِعَايَتُهُمَا لَا
حَاجَةَ إِلَى التَّفْصِيلِ، وَيُقْتِي الأَنَامَ فِيمَا يَسْتَفْتُونَهُ
مِنَ الْمَسَائِلِ الشَّرْعِيَّةِ بِأَقْوَى الْمَذَاهِبِ وَالْأَقْوَالِ
بِالنَّقْلِ وَالْأَخْذِ مِنْ كُتُبِ الْفَقَاوِى فِي كُلِّ الْأَحْوَالِ،
شَرْطًا يَنْصَحُ إِلَيْهِ نَظَارَتُهُ الْحِسِّيَّةَ لِلأَوْقَافِ فِي
جَمِيعِ الْأَرْزَامِ وَعِنَايَتَهُ بِهَا فِي كُلِّ الْأَوَانِ
وَالْأَحْيَانِ.

13- وَمُعَيِّدٌ يَرَاعِي وَطَيْفَةَ الإِعَادَةِ عَلَى مَا هُوَ
المُقَرَّرُ فِي القَائِنِ وَالْعَادَةِ، وَبَوَّابٌ يُقِيمُ خَدَمَاتِ
المُدْرَسَةِ مِنْ كُتُبِهَا وَمَحَافِظَةِ أَسْبَابِهَا وَفَتْحِ بَابِهَا
وَإِعْلَاقِهَا:
_ وَعَيْنٌ لِلْمَتَوَلَّى مَا عَيْنَ مِنْ غَيْرِ الأَوْقَافِ
المَذْكُورَةِ؛
_ وَلِلنَّاطِرِ الجَابِي مَا تَعَيَّنَ مِنْهُ أَيْضًا؛
_ وَعَيْنٌ لِلْمُدْرَسِ كُلِّ يَوْمٍ خَمْسِينَ دِرْهَمًا مِنْ
الأَوْقَافِ المَرْبُورَةِ؛
_ وَلِلْمُعَيِّدِ أَرْبَعَةَ دَرَاهِمٍ؛
_ وَلِكُلِّ وَاحِدٍ مِنَ الطَّلَبَةِ كُلِّ يَوْمٍ دِرْهَمَيْنِ؛
_ وَلِلبَوَّابِ أَيْضًا دِرْهَمَيْنِ. وَعَيْنَ البَاقِي قَلِيلًا
كَانَ أَوْ كَثِيرًا لِتَكْمِيلِ المَبْلَغِ المَرْبُورِ إِنْ انْتَقَصَ
لِحَادِثَةٍ مِنْ طَوَارِقِ الحُدُثَانِ ثُمَّ يُخْرَجُ مَا يُنْتَقَصُ

event, and the rest of it shall be used for food in the *‘imāra* (hostel) of the above-mentioned *wāqif* – May Allah, the Grateful Lord, accept his good deeds – as well as for the repair of all of his *waqfs*. [This amount] should be guarded, together with the additional funds of the other *waqfs*, by the *mutawallī* with the knowledge of both the aforementioned monitor and collector and it should be spent for the above-mentioned purposes when it is deemed necessary.

14. It is ordained that all those who reside in the *madrasa* – the *mu‘īd*, pupils and the *bawwāb* – are to receive a ladle of soup with a piece of meat from the food prepared in the kitchen of the *‘imāra* (hostel), in the morning and evening, with four *fudola* (a kind of bread) each. They have the right to receive from the food that is usually cooked on the eve of Friday and on the occasion of Bayram Holidays.

15. The management of the concerned *waqf*, its administration and its monitoring as well as the realization of all that is required and necessary for its safety, are firstly in the hands of the *wāqif* himself as long as his precious soul is with him and is his intimate friend. Then, the most just, the most eligible and the most high of his personal and reliable servants Duke Murād, son of ‘Abdullāh, shall take charge of the *waqf*, then, after him, the best of his servants who are freed from slavery, then by the best of his sons and grandsons and so forth from generation to generation the best following the best;

مِنْ أَطْعَمَةِ عِمَارَةِ الْوَأَقِفِ الْمَذْكُورِ، تَقَبَّلَ اللهُ حَسَنَاتِهِ الْمَلِكِ الشُّكُورُ، ثُمَّ لِمَرَمَةِ عَامَّةِ أَوْقَافِهِ، فَيُحْفَظُ مَعَ سَائِرِ الزَّوَادِ مِنْ سَائِرِ الْأَوْقَافِ بِيَدِ الْمُتَوَلَّى بِمَعْرِفَةِ النَّاطِرِينَ الْمَذْكُورِينَ وَيُصْرَفَ إِلَى الْمَصَارِفِ الْمَرْقُومَةِ وَقَتِ الْإِحْتِيَاجِ.

14- وَعَيَّنَ لِكُلِّ مَنْ يَسْكُنُ فِي الْمَدْرَسَةِ مِنَ الْمُعِيدِ وَالطَّلَبَةِ وَالْبَوَّابِ أَنْ يُعْطَى لَهُمْ مِنَ الْأَطْعَمَةِ الْمَطْبُوخَةِ فِي مَطْبَخِ الْعِمَارَةِ فِي الصَّبَاحِ وَالْمَسَاءِ كِفْلَيْنِ وَاحِدٌ مِنَ الْمَرَقِ مَعَ قِطْعَةٍ لَحْمٍ وَأَرْبَعِ فُؤَادِلَ، وَيُرَاعَى فِي حَقِّهِمْ لَيْلِي الْجُمُعِ وَأَيَّامِ الْأَعْيَادِ بِإِعْطَائِهِمْ مِنَ الْمَطْبُوحَاتِ عَلَى مَا هُوَ الذَّابُّ الْمُعْتَادُ.

15- وَسَرَطَ تَوَلِّيَةَ الْأَوْقَافِ الْمَرْبُورَةِ وَالْتَّصْرُفَ فِيهَا وَالنُّظَارَةَ عَلَيْهَا وَالْقِيَامَ عَلَى مَوَاجِبِهَا وَلَوْازِمِهَا أَوْلَى لِنَفْسِهِ النَّفِيسَةِ مَا دَامَ رُوحُهُ الشَّرِيفُ مَعَهُ وَكَانَ أُنَيْسَهُ ثُمَّ لِأَعْدَلِ عَبِيدِهِ وَأَوْلَاهُمْ وَأَعْلَاهُمْ عُمْدَةَ خَوَاصِّهِ مُرَادَ وَيُودَةَ بْنِ عَبْدِاهُ، ثُمَّ لِأَصْلِحِ عُنُقَاءِ الْوَأَقِفِ الْمَرْبُورِ ثُمَّ لِأَصْلِحِ أَوْلَادِهِمْ وَأَحْفَادِهِمْ ثُمَّ وَتَمَّ نَسْلًا بَعْدَ نَسْلِ وَقَرْعًا بَعْدَ قَرْعٍ، الْأَصْلِحَ فَا لِأَصْلِحِ فَيُنْقَدُمُ الْأُرْشُدَ وَالْأَفْلَحُ ثُمَّ لِأَوْلَادِ بَنَاتِهِمْ ثُمَّ لِأَبْنَاءِ أَبْنَائِهِمْ بَطْنًا بَعْدَ بَطْنٍ وَقَرْنًا بَعْدَ قَرْنٍ مَا تَنَاسَلُوا وَتَعَاقَبُوا

then the sons of their daughters, then the sons of their sons from generation to generation, and centuries after centuries as long as they have progeny and as long as they follow one another. When the best of them becomes the *mutawalli*, may then the next in capacity become the *nazir* (monitor) and *jābī* (collector). When their lineage dies out and their life [journey] ends, he who becomes the *qādī* (judge) in the *qadiluk* (jurisdiction) of the concerned area shall appoint a trustworthy and faithful as well as pious, just and incorruptible man, though, as you may see, there are few such people, to be the *mutawalli*.

16. It is the *mutawalli*'s duty to provide all the rights to those who are entitled to have them. Also, those who deserve something of the *waqf* shall be given what they deserve without omission or decrease, even if it is a piece of a fig as long as the income may cover the expenditures and as long as the capital is sufficient for the expenses. If it happens that the income and the capital suffer from a decrease due to time events or intrigues, all expenses shall be reduced. The *mutawalli* is also obliged to submit to the *qādī* (judge) his financial report at the beginning of every three years. The *qādī* (judge) ought to review all details of the *mutawalli*'s report and inspect where the small and big sums of money were spent as well as the surplus and deficit, increase and decrease, benefit and harm of the *waqf*. Then, he ought to review all debtors whether they are honest or dishonest, rich or poor, weak or strong.

فَإِذَا كَانَ أَحَدُهُمُ الْأَصْلَحُ مُتَوَلِّيًا يَكُونُ الْأَشْرَفُ
الْآخَرَ نَاطِرًا وَجَابِيًا، فَإِذَا انْقَرَضُوا بِقَبِيلَتِهِمْ
وَمَضَوْا بِسَبِيلِهِمْ يُؤَلِّي عَلَيْهَا مَنْ يَكُونُ حَاكِمًا
بِالْفَضَاءِ الْمَحْرُوسَةِ الْمَرْبُورَةِ رَجُلًا مَعْرُوفًا
بِالْأَمَانَةِ وَالذِّيَانَةِ مَوْصُوفًا بِالِاسْتِقَامَةِ وَالصَّبِيَانَةِ
وَقَلِيلًا مَا هُمْ فَإِنَّ الْمُتَوَلِّينَ كَمَا تَرَاهُمْ.

16- وَشَرَطٌ لِلْمُتَوَلِّي أَنْ يُعْطِيَ كُلَّ ذِي حَقٍّ حَقَّهُ
وَيُوصِلَ إِلَى الْمُسْتَحَقِّ مُسْتَحَقَّهُ مِنْ غَيْرِ بَخْسٍ
وَنَقْصٍ وَلَوْ مِنْ ثَمَرَةٍ بِشِقْصٍ، مَا دَامَ الدَّخْلُ
لِلخَرَجِ وَأَفِيًا وَالْأَصْلُ فِي الْفَرْعِ كَافِيًا، وَإِنْ دَخَلَ
نُقْصَانٌ فِي الدَّخْلِ وَأَنْحِطَاطٌ فِي الْأَصْلِ بِحَادِثٍ
مِنْ حَوَادِثِ الزَّمَنِ وَطَارِقٍ مِنْ طَوَارِقِ الْفِتَنِ،
يُدْخَلُ الْكَسْرُ فِي جَمِيعِ الْمَصَارِفِ، وَأَنْ يَعْرَضَ
مُحَاسَبَتَهُ فِي رَأْسِ كُلِّ ثَلَاثِ سِنِينَ عَلَى مَنْ
يَكُونُ حَاكِمًا تَمَنَّهُ، فَيَحَاسِبُهُ عَلَى النَّقِيرِ وَالْقَطْمِيرِ
وَيَسْأَلُهُ عَلَى الْقَلِيلِ وَالكَثِيرِ وَيَنْفَحُّصُ عَلَى
الزِّيَادَةِ وَالنُّقْصَانِ وَالْإِرْتِفَاعِ وَالْإِنْحِطَاطِ وَالنَّفْعِ
وَالْخُسْرَانِ وَيَنْظُرُ فِي أَحْوَالِ الدِّمَمِ غَنَّتْهُمْ
وَسَمِينَتْهُمْ، فَيَقِيرُهُمْ وَعَنْبِيَهُمْ وَمُعْسِرُهُمْ وَمُوسِرُهُمْ
وَيَكْتَسِفُ مِنْ أَحْوَالِ الْمُتَوَلِّي هَلْ رَاعَى الشَّرَائِطَ
الْمَذْكُورَةَ الْمُعْتَبَرَةَ وَأَدَّى خِدْمَتَهُ الْمَسْطُورَةَ
الْمُقَرَّرَةَ، فَإِنْ ظَهَرَ أَمَانَتُهُ وَاسْتِقَامَتُهُ وَاتَّضَحَّ

Furthermore, the *qādi* ought to review the *mutawalli's* work to find out whether he abided by the written stipulations and whether he executed the assumed obligatory duties. If it appears that the *mutawalli* was reliable and honest and that he worked diligently to get satisfactory results, he shall be appraised and his innocence shall be declared. But if it appears that he let down his duties, neglected his obligations and that he fell short of applying the rules, he shall be ousted from his post and another person shall be appointed instead of him. Then, the *Sharī'a* law experts shall make sure that the *waqf* property remains intact, both the capital and the commission, by applying the *Sharī'a* rules which shall prevent farther decrease and negligence of applying the *waqf* stipulations. This procedure shall be upheld for all times, as long as the moon and the sun are in orbit and as long as day and night come after one another.

17. Then, [Mawlāna Muhyi ad-Din] stated that the good aforementioned *wāqif*, may his sins be forgiven, delegated his servant, whom he gave freedom, the aforementioned Duke Murād, and appointed him in his stead to be in charge of all the affairs of management and general benefits of the *waqf* as he saw in him signs of honesty, maturity and stability and, thus, he asked him not to leave this post as long as he wears the cloth of life and as long as the guardian of death does not knock his door. This is to be considered the legally accepted authorization from the *wāqif* himself, both

سَعِيَهُ وَكَفَايَتُهُ فِيهَا وَيُعَمَّتْ وَبَرَّتْ ذِمَّتُهُ وَسَلِمَتْ،
وَأَمَّا إِنْ تَبَيَّنَ خِيَانَتُهُ وَإِهْمَالُهُ أَوْ وَصَحَ تَقْصِيرُهُ
وَإِخْلَالُهُ فَيُعْزَلُ عَنِ التَّوَلِيَةِ وَيُنْصَبُ غَيْرُهُ مَكَانَهُ
ثُمَّ يُضْمَنُ مَا يَرَى أَهْلُ الشَّرْعِ ضَمَانَهُ عَنْ مَالِ
الْوَقْفِ الَّذِي يَتَوَجَّهَ عَلَيْهِ شَرْعًا، أَصْلًا كَانَ أَوْ
فِرْعًا بِتَقْصِيرِ عَنِّهِ أَوْ إِخْلَالِ بِشَرَطٍ مِنْ شَرَائِطِهِ
أَوْ عُذْرٍ أَوْ إِهْمَالِ بِشَيْءٍ مِنْ ضَوَابِطِهِ، وَيُرَاعَى
هَذَا الْأَسْلُوبُ فِي جَمِيعِ الزَّمَانِ مَا دَارَ النَّيِّرَانُ
وَتَوَاتَرَ الْمَلَوَانُ.

17- وَأَقْرَأَ بَأَنَّ الْوَأَقِفَ الْمَذْكُورَ الْخَيْرَ الْمَعْفُورَ
وَكَلَّ عَيْنَيْهِ مُرَادَ وَيُودَهُ الْمَرْبُورَ وَأَنَابَ مَنَابَ
نَفْسِهِ بِجَمِيعِ أَحْوَالِ التَّوَلِيَةِ وَعَامَّةَ مَصَالِحِهَا لِمَا
رَأَى عَلَيْهِ أَثَرَ الصَّلَاحِ وَسَيِّمَاءِ الرُّشْدِ وَالْفَلَاحِ
وَعَهْدَ بَأَنَّ لَا يَعْزَلُهُ عَنْهَا مَا دَامَ هُوَ لِابْسَاءِ لِبَاسِ
الْحَيَاةِ وَلَمْ يَفْرَعْ بَابَهُ حَاجِبُ الْمَمَاتِ، تَوْكِيلاً
شَرْعِيًّا مَقْبُولًا مِنْ قِبَلِهِ وَجَاهًا وَشَفَاهًا وَبَأَنَّ
مُؤَكَّلَهُ الْوَأَقِفَ الْمَذْكُورَ فَذُو نَصَبٍ مَوْلَانَا عَبْدُ
السَّلَامِ بْنِ عَيْسَى فَقِيهِ مُتَوَلِيًّا لِأَجْلِ التَّسْجِيلِ.

privately and publicly. Also, it should be noticed that his authorizer, the aforementioned *wāqif* (endower), appointed Mawlāna ʿAbd as-Salām, the son of the *faqih* (Sharīʿa lawyer) ibn ʿIsā, as the *mutawallī* for registration.

18. Thereupon, the aforementioned *wakīl* (agent) wanted to return this *waqf* from his (the *mutawallī*'s) hands, claiming that [the act of *waqf*] does not assume liability. But, the *mutawallī* opposed that claim and consequently the case was brought before an avowed judge whose inclination was in favour of the *waqf* and thus issued the verdict that the act of endowment of the aforementioned things is both valid and obligatory.

19. Thereupon, he [the *wāqif*] submitted all the *waqf* real-estate as well as the *waqf* funds. He asserted it personally so that this became a registered *waqf* after having applied all registration procedures, such as the procedure of offer and acceptance, then the procedure of the revocation of the *waqf* to the previous state of ownership and the opposition of the *mutawallī* to such a claim and instituting legal action against this *wakīl* (agent) before this avowed judge, who hopes to have obtained his Lord's satisfaction, who declared that this *waqf* is valid and that its liability is established according to the opinions of the authorities of *Sharīʿa* law who are independent in the interpretation of the Islamic sources – may Allah be satisfied with them – being aware of their differences about the issue of the *waqf* liability as well.

18- فَبَعْدَ ذَلِكَ أَرَادَ الْوَكِيلُ الْمَرْبُورُ أَنْ يَسْتَرُدَّهُ
مِنْ يَدِهِ مُحْتَجًّا بِعَدَمِ اللُّزُومِ فَقَابَلَهُ الْمُتَوَلَّى
الْمَرْبُورُ مُتْرَافِعًا إِلَى الْحَاكِمِ الْمَوْقِعِ فَرَجَحَ هُوَ
جَانِبَ الْوَقْفِ وَحَكَمَ بِصِحَّةِ مَا وَفِّفَ مِنَ الْأَشْيَاءِ
الْمَذْكُورَةِ وَبَلَّغَهَا فَسَلَّمَ جَمِيعَ مَا ذُكِرَ مِنْ
الْعَقَارَاتِ وَالذَّرَاهِمِ لِلْوَقْفِ.

19- وَأَقْرَأَ قَرَارًا مُصَدَّقًا مِنْ قِبَلِهِ وَجَاهًا ثُمَّ صَارَ
هَذَا وَقْفًا مُسَجَّلًا بَعْدَ مَا رُوِيَ شَرَائِطُ التَّسْجِيلِ
مِنَ التَّسْلِيمِ وَالتَّسَلُّمِ الْمَرْبُورَيْنِ، وَإِرَادَةَ الرَّجُوعِ
وَأَسْتِرْدَادِهِ إِلَى الْمَلِكِيَّةِ وَامْتِنَاعِ الْمُتَوَلَّى وَمُرَافَعَتِهِ
مَعَ هَذَا الْوَكِيلِ إِلَى الْحَاكِمِ الْمَوْقِعِ أَعْلَاهُ الْمُتَوَقَّعِ
رِضَاءَ مَوْلَاهُ، وَحَكَمَ بِصِحَّةِ وَقْفِيَّتِهِ وَكُلُومِهَا
عَلَى قَوْلِ مَنْ يَرَاهُ مِنَ الْأَيْمَةِ الْمُجْتَنِدِينَ رِضْوَانُ
اللَّهِ تَعَالَى عَلَيْهِمْ أَجْمَعِينَ، عَالِمًا بِاخْتِلَافِهِمْ فِي
مَسْأَلَةِ الْوَقْفِ.

20. Hence any change to this *waqf*, any transformation, diversion, or cancellation by any means or circumstances contrary to this document, is forbidden. It is not allowed to anyone who believes in Allah, His Messenger and in the Day of Judgment, be it a treasonous *mutawalli*, a tyrant sultan, an irresponsible *wālī* (governor), or corruptible *qādī* (judge) to deal with this *waqf* in order to destroy it, diminish it or cancel its application by changing its rules and regulations. Thus if anyone commits such things, breaks any of its stipulations, or changes any of its rules by a false interpretation or wrong advise, he commits a sin and provokes an evil deed, but how would a faithful or a pious man have the audacity to do so before the Almighty God after hearing His words: *And to the unjust God has prepared a painful punishment. – May God's curse be on the unjust.* And the saying of the Prophet Muhammad, peace be upon him: *If a man takes a foot of ground from his fellow Muslim unjustly, God will surround him with seven ground walls in the fire of Hell. Indeed – whoever opposes the Book of God and to the Right Way of His Messenger and whoever permits what God and His Messenger have forbidden, and whoever is eager to corrupt the work of his fellow Muslim, He will draw on himself the wrath of God, and his abode is Hell, an evil refuge (indeed), his reward is the curse of God, His angels, and all mankind. Every one will come before God for accountability and God will punish by different kinds of punishment on the Day when their excuses will not benefit the wrong-doers,*

20- فَإِنَّ لَا يَجُوزُ بَعْدَ ذَلِكَ تَغْيِيرُ هَذَا الْوَقْفِ وَتَدْيِيلُهُ وَلَا نَقْضُهُ وَلَا تَعْطِيلُهُ بِمَا يُنَاقِضُ مَضْمُونَهُ هَذَا الْكِتَابِ بَوَاجِهِ مِنَ الْوُجُوهِ بِسَبَبِ مِنَ الْأَسْبَابِ، وَلَا يَحِلُّ لِأَحَدٍ مِمَّنْ يُؤْمِنُ بِاللَّهِ وَرَسُولِهِ وَبِالْيَوْمِ الْآخِرِ مِنْ مُتَوَلٍّ خَائِنٍ أَوْ سُلْطَانٍ مُتَعَلِّبٍ أَوْ وَالٍ مُبْطِلٍ أَوْ قَاضٍ مُبْرِطِلٍ أَنْ يَزَاجِمَهُ فَيَبْطِلُهُ وَيَقْضِيَهُ أَوْ يُعْطِلُهُ أَوْ يُغَيِّرُ شَرْطَهُ أَوْ يُحَوِّلُهُ، فَمِنْهُمْ مَنْ ارْتَكَبَ بِشَيْءٍ مِنْ ذَلِكَ أَوْ خَالَفَ شَرْطًا مِنْ شَرَايِطِهِ أَوْ غَيَّرَ شَيْئًا مِنْ ضَوَابِطِهِ بِتَأْوِيلٍ فَاسِدٍ أَوْ تَوْجِيهِ كَاسِدٍ فَقَدْ ارْتَكَبَ الْمُحْرَمَ وَاسْتَوْجَبَ الْمَأْتَمَ، وَكَيْفَ يَتَجَاسَرُ عَلَى ذَلِكَ مُؤْمِنٌ أَوْ يَتَصَدَّى لَهُ خَائِفٌ مِنَ اللَّهِ الْمُهَيَّبِ بَعْدَ مَا سَمِعَ قَوْلَهُ تَعَالَى عَزَّ شَأْنُهُ وَعَظُمَ سُلْطَانُهُ: { وَالظَّالِمِينَ أَعَدَّ لَهُمْ عَذَابًا أَلِيمًا } وَقَوْلُهُ: { أَلَا لَعْنَةُ اللَّهِ عَلَى الظَّالِمِينَ }، وَقَوْلُ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "شِبْرٌ مِنَ الْأَرْضِ يَأْخُذُ الْمَرْءَ مِنْ أُخِيهِ الْمُسْلِمِ بِغَيْرِ حَقٍّ طَوْقَهُ اللَّهُ تَعَالَى مِنْ سَبْعِ أَرْضِينَ فِي نَارِ جَهَنَّمَ". فَإِنَّ مَنْ خَالَفَ كِتَابَ اللَّهِ وَسُنَّةَ رَسُولِهِ وَاسْتَحَلَّ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَسَعَى فِي فِسَادِ عَمَلِ أُخِيهِ الْمُسْلِمِ فَقَدْ بَاءَ بِغَضَبِ اللَّهِ وَمَأْوَاهُ جَهَنَّمَ وَبِئْسَ الْمَصِيرُ، وَعَلَيْهِ لَعْنَةُ اللَّهِ وَالْمَلَائِكَةِ وَالنَّاسِ أَجْمَعِينَ، وَاللَّهُ حَسِيْبُهُ وَمَكْفِيهِهِ وَطَلِيْبُهُ وَمَجَازِيْهِه بِأَصْنَافِ الْعَذَابِ وَأَصْنَافِ الْعِقَابِ يَوْمَ لَا يَنْفَعُ الظَّالِمِينَ مَعْذِرَتُهُمْ وَلَهُمُ اللَّعْنَةُ وَلَهُمْ سُوءُ الدَّارِ، يَوْمَ تَجِدُ كُلُّ نَفْسٍ مَا عَمِلَتْ مِنْ خَيْرٍ مُحْضَرًا وَمَا عَمِلَتْ مِنْ سُوءٍ تَوَدُّ لَوْ أَنَّ بَيْنَهَا وَبَيْنَهُ أَمَدًا بَعِيدًا، وَيَوْمَ

[only] doom will be their share and an abode of misery; on that Day every soul will be confronted with all the good it has done, and all the evil it has done, it will wish there were a great distance between it and its evil; on that Day every soul will be recompensed for what it earned; no injustice will be there that Day, for God is Swift in taking account. The Almighty God, the Giver of rewards, will reward the wāqif (endower) for his intentions and hopes because He neither discredits the reward of the righteous, nor disregards the hope of the faithful.

*This happened and was registered on the Twenty Sixth of Rajab of the *Hijrī* Year Nine Hundred Forty Three (943) [which corresponds to the Eighth of January of the *Milādī* Year One Thousand Five Hundred Thirty Seven (1537)].

The Witnesses of the Case

Mawlāna ʿUthmān son of Mahmūd the imām; Mawlāna ʿAbd ar-Rahmān son of Muhammad the teacher at the Gazi Husrev-bey Madrasa; Mawlāna ʿUmar son of Mahmūd the *imām*; Muhammad son of Ibrāhīm the *imām*; Mawlāna Muhammad the khatib of the Yahyā-pasha mosque; Mawlāna Muhyī ad-Dīn the *khatib* of the Wāqif’s mosque; Mawlāna Shams ad-Dīn the teacher at the Wāqif’s Maktab; Mawlāna ʿAlī son of Nasūh the *hāfiz*, Mawlāna Ibrāhīm son of ... the *imām*.

Translated by
Mustafa Cerić, *Raisu-l-ulama* and
Grand Mufti of Bosnia

تُجْزَى كُلُّ نَفْسٍ بِمَا كَسَبَتْ لَا ظُلْمَ الْيَوْمَ إِنَّ اللَّهَ
سَرِيعُ الْحِسَابِ. وَالْجَزُ الْوَاقِفِ فِيمَا نَوَاهُ وَهَمَّهُ
وَابْتِغَاهُ عَلَى الْمَلِكِ الْوَهَّابِ إِنَّهُ لَا يُضِيعُ أَجْرَ
الْمُحْسِنِينَ وَلَا يُخَيِّبُ رَجَاءَ الْمُؤْمِنِينَ.

* جَرَى ذَلِكَ وَحَرَّرَ فِي الْيَوْمِ السَّائِسِ وَالْعِشْرِينَ
مِنْ شَهْرِ رَجَبِ الْمُرْجَبِ سَنَةَ ثَلَاثِ وَأَرْبَعِينَ
وَتَسْعِمَائَةَ.

شُهُودُ الْحَالِ

مَوْلَانَا عَثْمَانُ بْنُ مُحَمَّدِ الْإِمَامِ، مَوْلَانَا عَبْدُ
الرَّحْمَنِ بْنُ مُحَمَّدِ الْمُدْرَسِ فِي مَدْرَسَةِ
خُسْرُوبِكِ، مَوْلَانَا عُمَرُ بْنُ مُحَمَّدِ الْإِمَامِ، مُحَمَّدٌ
بْنُ إِبْرَاهِيمِ الْإِمَامِ، مَوْلَانَا مُحَمَّدُ الْخَطِيبُ بِجَامِعِ
يَحْيَى بَاشَا، مَوْلَانَا مُحَمَّدُ الدِّينِ الْخَطِيبُ بِجَامِعِ
الْوَاقِفِ، مَوْلَانَا شَمْسُ الدِّينِ الْمُعَلِّمُ فِي مَكْتَبِ
الْوَاقِفِ، مَوْلَانَا عَلِيُّ بْنُ نَصُوحِ حَافِظُهُ، وَمَوْلَانَا
إِبْرَاهِيمُ بْنُ ... الْإِمَامِ.

Appendix 2

A Draft Proposal for
The Gazi Husrev-bey University
Contemporary European Islamic University (GHBU)
'Centre for Educational Excellence Where East Meets West'

Gazi Husrev-bey (1480-1541) was the grandson of Ottoman Sultan Beyazid II (1481-1512) and the greatest of all Bosnian Ottoman Governors who governed Bosnia in a period of three intervals: 1521-1525; 1526-1535; 1536-1541. He was one of the founders of the city of Sarajevo and the greatest visionary of the Gazi Husrev-bey Madrasa of Sarajevo which he founded in 1537. It is one of the oldest European institutions of learning, with an extraordinary experience of 470 years. In his historic *Waqfiyyah* (endowment) (*Waqfname* (The Book of Endowment)), Gazi Husrev-bey outlined his vision of the *madrasa* in the following words which serve as lasting inspiration for generations of Bosnian scholars and academics:

In the *madrasa* (Gazi Husrev-bey), which the *wāqif* (endower) wants to build, establish, erect and devote to those who shall obtain knowledge and improve morality from among students and common people, and to those who shall be occupied with rational and traditional knowledge, there shall be one of them, who is knowledgeable, virtuous, excellent and competent, who shall uncover the secrets of truths by verbal and written words, who shall combine particulars and universals as well as comprehend rational and traditional knowledge. He shall teach *tafsīr* (Quran exegesis), *hadīth* (Islamic tradition), *ahkām* (the basics of *Sharī'a* law), *usūl* (the theory of law), *bayān* (Arabic stylistics), *kalām* (Islamic speculative theology) as well as all other things **that custom (or time) and place require** (*ma yaqtadīhi al-ʿurfu wa-l-maqāmu*).

Identity as Regressive and Progressive Memory: The arrival of Islam in Europe occurred via two main gates: by the gate of the Iberian Peninsula in the eighth century and by the gate of the Balkan Peninsula in the fourteenth century. Eight centuries of Islamic presence in Andalusia, Spain, produced a unique culture of religious and cultural tolerance as well as academic freedom, which greatly helped Europe on its way to humanism and renaissance. Thus the Iberian Andalusia forms the regressive European memory, while the Balkan Bosnia might form the progressive memory of European identity, in the sense of an integration of Islamic tradition in the ideals of multicultural Europe.

European – Muslim Reality: There are approximately thirty million Muslims in Europe today. They can be subdivided into three different groups, the: 1) indigenous; 2) immigrant; and 3) inborn. By the indigenous group we mean those Muslims who have a long historical background in Europe such as the Muslims of Bosnia, Albania, Kosovo, Macedonia, Bulgaria etc; by the immigrant group we mean those Muslims who have migrated to Europe either as students or workers and have permanently settled mainly in England, Germany and France; and by the inborn group we mean the young generation that is born in Europe from the Muslim immigrant parents as well as those Europeans who have recently converted to Islam. All these groups have one thing in common, i.e., Islam. They differ, however, in their human experience and their expectations. The indigenous Muslims carry with them a big burden of history and expect to be supported in their struggle for religious and cultural continuity in Europe; the immigrant Muslims are making an effort to establish themselves in Europe and expect to overcome the status of stranger in Europe; and the European-born Muslims are in a state of struggle to preserve their Islamic identity in a challenging European political, economic and cultural environment and expect that somebody tells them how to be proud of their faith and their European birth.

Bosnian Islamic Tradition: The presence of Islam in Bosnia and Herzegovina is a social and historical fact. The Good Bosnians (Dobri Bošnjani), as they had been called in 1463, the year of the arrival of Islam in Bosnia-Herzegovina, were able to develop their own Islamic (European) tradition on the bases of Abū Hanīfa's legal pragmatism and Māturīdī's theological rationalism.

Gazi Husrev-bey University of Sarajevo: A logical continuation of a long and firm tradition of the Gazi Husrev-bey Madrasa which can help Europe in its endeavour to make a solid foundation for Muslim-European integration.

The University has the same vigour of determination to meet the challenges of our times as the founder of the Gazi Husrev-bey Madrasa had when he declared: ‘This Madrasa shall be great and its curriculum shall be similar to the madrasas of the viziers and princes. Indeed – this University of Sarajevo shall be great and its curriculum shall be similar to that of the universities of Europe “where East meets West”’

Gazi Husrev-bey University – a European and Islamic university which uses both English and Arabic as medium of instruction and administration.

The place where European Muslim leaders shall be nurtured and trained.

The underlying idea of the University is unifying reason combined with revelation, science with religion and Islamic values with common European values and tradition.

The University will be particularly aimed at training European imams and community leaders who will live and work in European secular societies, so that they can contribute to the integration of Muslims in the European mainstream, without compromising on the essential tenets of Islam. It will also tap the richness of Bosnian Muslim heritage and the tradition of coexistence in a multi-cultural and multi-religious environment.

The University will strive to encourage dialogue between Islam and the West, while viewing the two as complementary, rather than adversary, world-views.

Vision: To become a focal point of educational excellence where East meets West, an educational centre which integrates an Islamic world-view with common European values, and tradition and thought in all disciplines.

Mission: In order to actualize the aforementioned vision, the University will endeavour:

- To make the effort that is desperately needed to reform the contemporary European Muslim outlook and integrate Islamic revealed knowledge and modern ‘Western’ sciences;
- To identify, promote and foster common values shared by Europe and Islam;

- To bring forth Muslim intellectuals, professionals and scholars by integrating the qualities of faith (*imān*), knowledge (*‘ilm*), and good character (*akhlāq*) with the common values and traditions of Europe, who will serve as agents of comprehensive and balanced progress of Muslim communities integrated into European society;
- To nurture the quality of holistic excellence, which is imbued with Islamic moral-spiritual values and similar values shared by Europe, in the process of learning;
- To exemplify an international community of dedicated intellectuals and scholars who are motivated by Islam as an integral part of their European culture;
- To enhance intercultural understanding and foster the dialogue of two great civilizations, which, through centuries of interaction, contributed to developing what is now known as the common European heritage;
- To develop an environment, which instils commitment for life-long learning and a deep sense of social responsibility among staff and students.

The summary of the Mission should read as follows:

- i. Integration;
- ii. Europeanization;
- iii. Cooperation;
- iv. Excellence.

Prospectus: The University is meant to be a comprehensive institution of higher learning offering degree programs in Islamic and human sciences and arts. Common Islamic and European values would, however, be integrated in all the disciplines.

Courses will initially be conducted under the Faculty of Islamic Revealed Knowledge, the Faculty of Human Sciences, the Faculty of Economics, the Faculty of Education and Centres for Research and Languages. The plan is to gradually expand the University capacities and establish the following faculties in the future: the Faculty of Information and Communication Technology, the Faculty of Law, the Faculty of Engineering, and the Faculty of Architecture and Environmental Design.

As a European university, the GHBU system and curriculum will be designed to meet the requirements of the Bologna Declaration, a joint declaration made by the Association of European Ministers of Education in 1999.

As an international university, the GHBU will become the nucleus for students from Europe, but also other parts of the world, bearing witness to multi-racial and multi-cultural and multi-religious coalescence with the sole aim of learning and generating knowledge within a fair, harmonious and conscientious global environment.

Husein Đozo Faculty of Islamic Revealed Knowledge: The Faculty of Islamic Revealed Knowledge will be divided into the following departments that will, in addition to undergraduate programs, also offer MA and PhD programs:

- Department of Fiqh and Usul al-fiqh
- Department of Quran and Sunnah studies
- Department of Usul al-Din and Comparative religion

Ibn Khaldun Faculty of Human Sciences: The Faculty of Human Sciences will be divided into the following departments offering undergraduate programs:

- Department of Political Science
- Department of Communication
- Department of History and Civilization
- Department of Psychology
- Department of Sociology and Anthropology

The Faculty of Human Sciences will also offer the following postgraduate programs:

- Doctor of Philosophy (Communication)
- Doctor of Philosophy (History and Civilization)
- Doctor of Philosophy (Political Science)
- Doctor of Philosophy (Psychology)
- Doctor of Philosophy (Sociology and Anthropology)
- Master of Human Sciences (Communication)
- Master of Human Sciences (History and Civilization)
- Master of Human Sciences (Political Science)
- Master of Human Sciences (Psychology)
- Master of Philosophy (Sociology and Anthropology)

Ibn Rushd Faculty of Economics: The Faculty of Economics will be divided into the following departments offering undergraduate programs:

- Department of Business Administration
- Department of Accounting
- Department of Economics
- Department of ICT

The Faculty of Economics will also offer the following postgraduate programs:

- Doctor of Economics and Finance
- Master of Business Administration
- Master in Islamic Finance

Al-Ghazali Faculty of Education: The Faculty of Education will offer the following undergraduate programs:

- Bachelor of General Education
- Bachelor of Education (Educational Management)
- Bachelor of Education (Moral Education)
- Bachelor of Education (Guidance and Counselling)

The Faculty of Education will also offer the following postgraduate programs:

- Doctor of Philosophy (General Education)
- Doctor of Philosophy (Educational Management)
- Doctor of Philosophy (Moral Education)
- Doctor of Philosophy (Guidance and Counselling in Education)
- Master of Education (General Education)
- Master of Education (Educational Management)
- Master of Education (Moral Education)
- Master of Education (Guidance and Counselling in Education)

Why study at Gazi Husrev-bey University?

- A unique place to study and live, a place where East meets West;
- Compatibility of curriculum with most institutions of higher learning in Europe and worldwide, making possible the transfer and recognition of credits;

- Academic staff will be from an international pool, experts in their respective fields;
- A convergence point for students from Europe and worldwide with a conducive atmosphere for learning and seeking knowledge in a multi-racial, multi-cultural and multi-religious setting;
- Committed to producing high-calibre graduates who would later contribute to their nations and mankind and act as a 'bridge between East and West';

Collaboration programs with selected universities in Europe and worldwide will enable students and academic staff to share and acquire new knowledge through exchange programs.

12 The Training of Imams by the Third Reich

Pieter Sjoerd van Koningsveld, Professor of the History of Islam in Western Europe, Faculty of Religious Studies, Leiden University

The discussions and initiatives regarding training programs for imams in various European countries of the present day¹ justify the search for experiences obtained by these countries in the same field in the past. Earlier European experiences in this field do exist, but as a rule they were of an 'indirect' nature. They usually reflect policies with regard to already existing Islamic institutions of religious studies that, for various historical reasons, had come into the European geopolitical sphere.

Outside Europe, experiences were obtained by various states like Britain,² France³ and the Netherlands in the development and application of their policies towards the Islamic institutions of their colonies, including the existing institutions of Islamic religious education. The authorities of the Netherlands, for instance, kept a close watch on students from the Dutch East-Indian archipelago studying in religious centres at home or abroad, particularly Mecca and Al-Azhar. They screened the lists of textbooks used in religious education, all over the archipelago. They controlled the appointment of the judicial authorities in the Islamic courts. They extinguished any anti-colonial revolt in the name of Islam. But they did not interfere directly in the content, the system or the organization of the teaching of Islamic religious disciplines. This was deemed an area far too sensitive to be touched upon by a non-Muslim (minority) government. Like other colonial nations, they rather promoted the introduction of a modern system of general (non-religious) education of different levels, within the broader framework of their '*mission civilatrice*'.⁴

Within Europe itself, on the other hand, we are dealing, first of all, with the policies of Imperial Russia and its successor, the Soviet Union, towards the seminaries of its Muslim communities in different European

and Central Asian areas. These policies varied from indirect control during the Tsarist period to the politics of reduction, suppression and incidentally even extinction in the time of the Soviet Union.⁵

In the second place, there is a long history of Eastern European policies towards Islamic infrastructure (including the theological seminaries for the training of imams) in countries that once formed part of the Ottoman Empire. This was crystallized, among others, in the Austro-Hungarian policies of the recognition and integration of the Islamic infrastructure in Bosnia in the late nineteenth century; in the policies of the emerging Balkan states towards their Muslim communities during the period between the two World Wars; in the political impact of various degrees of state atheism during the communist era; and, finally, in the Islamic policies of the aforementioned states in the post-communist era, up until and including the present time.⁶ Also Greece belongs to this chapter, together with its Islamic policies following the Treaty of Lausanne of 1923 that had obliged this newly independent state to respect the existing Islamic infrastructure, including its theological seminaries.⁷

The initiatives of the Third Reich to organize its own training courses for imams are an exceptional phenomenon in the history of European political interference in the religious infrastructure of Islam. The Nazi regime not only took the initiative to create these courses but also defined their (theological) content, selected and appointed the teachers, selected the students, provided the necessary premises and put everything into actual practice. These courses have to be understood, first of all, within the long-term historical context of German involvement in pro-Turkish Islamist propaganda (directed against the interests of the Western European colonial powers) which goes back to the period before WWI, when Germany together with the Austro-Hungarian Empire, in their alliance with the government of the Young Turks, started to pose as the Western friends of Islam.⁸ The more immediate historical context was the anti-Soviet policies of the Nazis, expressed, among other things, in the recruiting of military volunteers from among Central Asian prisoners of war, who were brought together according to their nationalities into the so-called 'Eastern Legions' ('Ostlegionen'), which, in preparation for their participation in the war, were to be trained in various sabotage techniques. These legions comprised legions of mainly Muslim volunteers (Turkestanian, '*Kaukasian-Muslim*', and other legions), in addition to legions of mainly Christian volunteers (Armenian and Georgian legions). After its successful usurpation of the central office of the Ministry for the East (the 'Ostministerium'), the SS, for its part, started to recruit a simi-

lar group of armed unities, with the name 'East-Turkish Armed Unities' ('Osttürkische Waffengruppen'), which were to comprise units of Krim-tatars, Wolgatatars, Azarbaijanis, as well as 'Turkestanis'. The purpose was 'to gather all Muslim anti-Bolshevik forces for the purpose of the inner fragmentation of the Soviet Union'. The explicit goal of the SS was also to revolutionize the Turkic peoples by awakening in them a radical anti-Russian nationalism of which the conscience of an Islamic identity would form an intrinsic part.⁹

The two main training programs concerned have been discussed by Peter Heine (Berlin) in two groundbreaking articles. His study of the army program was mainly based on reports by the orientalist Bertold Spuler, from the time he was in charge of this programme.¹⁰ Heine's article on the 'Mullah school' of the SS was mainly informed by various disparate documents that (at times incidentally) refer to the subject.¹¹ The present contribution takes into special consideration the unpublished declaration drafted immediately after the war by Dr. Reiner Olzscha, Obersturmbannführer of the SS, who in the beginning of 1944 was put in charge of the so-called 'Work Association Turkestan' ('Arbeitsgemeinschaft Turkestan') a think-tank of Turcologists and other orientalists created by the SS with the task of scientifically preparing the revolutionizing of the Turkic peoples against the Soviet Union.¹² The section 'Islam' of this think-tank was headed by the prominent senior orientalist Richard Hartmann¹³ and his junior Bertold Spuler.¹⁴ The plans contained, among others, the creation of a 'Mullah School' ('*Mullahschule*') connected to this specific section.¹⁵ Olzscha's report allows us to sketch a more complete picture of relevant aspects of both courses, of their ultimate fusion into a single school and of the existence of a third training programme for imams that has remained unknown so far¹⁶.

According to Olzscha, the idea to create an institution to teach Islam was more or less at the same time developed at three different places in the year 1943, independently from each other, viz. (1) at the Chief Office of the State Security Service ('Reichssicherheitshauptamt'), assuming that orthodox Muslim circles would be particularly hostile towards the Soviet Union and thus could potentially produce Nazi agents and propagandists; (2) at the Ministry for the East ('Ostministerium') and by the General of the Associations of Volunteers, as they thought the Muslim units should undergo a religious training in addition to a political one; (3) and at the Chief Office of the SS, because the Grand Mufti of Jerusalem who was staying in Berlin (Amin al-Husaini) had great influence upon its head (Berger) and wanted to expand his influence among the Muslims living

in Germany. Thus, he suggested to the Chief Office of the SS the need for an institution to train Muslim clergymen, which would stand under his supervision.

The first practical initiative was the training of 'field mullahs' for the army. The origin of these courses was the earlier-introduced custom of providing military units of Muslim volunteers (battalions as well as companies) with their own mullahs chosen from volunteers who seemed suitable for the task. Olzscha had obtained the impression that the average level of preaching and prayer-services of these 'clergymen' was so primitive that the young soldiers made jokes about them. Olzscha also believed that the introduction of the field mullah within almost all relevant units seemed to have been based on the erroneous assumption that the Muslim volunteers were indeed convinced and practicing Muslims who could not do without their Friday services and not even without their daily repeated prayers. The image of the 'deep religiosity' of the Muslims from the East, including the soldiers, was all the more strange as the Christian soldiers of the army were not in need of any religious service, even though the institution of the army chaplain did exist. At any rate, in the circles of command in the volunteers units it was believed that the strengthening of the Islamic feeling would enhance the fighting power of the troops as well.

When it became clear that the majority of the volunteering 'field mullahs' were in fact charlatans, it was decided to create a quick course in order to check their suitability for this office and, if necessary, to improve their knowledge as field mullahs. The idea was to improve the rites in the first place, not the content of the Islamic cult. The courses were given by the orientalist Professor Bertold Spuler, who was assisted by a young Protestant minister of religion. Later, a certain Dr. Schinkewitsch was added, described by Olzscha as a Muslim who had been taken along by the German army from Poland, where he had been 'Mufti of the Eastern Lands' ('Mufti des Ostlandes').¹⁷

The quick courses given by Spuler took six weeks and were confined to elementary lessons in the reading and the recitation of the Quran, a survey of the life of the Prophet, a very short look at the religious history of Islam and its expansion, as well as the history of the peoples concerned. According to a note by Spuler, the lessons should be based on the orthodox Islamic views, 'without any modern criticism!'. Practical prayer exercises were given by the Muslim teacher. For the recitation of the Quran it was deemed sufficient to know the Arabic alphabet only, as it was not necessary to understand its contents. The contents of the Quran were read in translations.¹⁸

According to Olzscha, Richard Hartmann qualified these quick courses as a great failure. First of all, because former soldiers of the Red Army, who figured among the Muslim volunteers and who had been trained very critically, would easily see through this kind of theatre. Secondly, he argued that only slogans and methods of political propaganda should be used, not of religious propaganda. Finally, he completely rejected the idea that the lessons could be taught by German Christian teachers. According to the SS official quoted, it was also on these grounds and after a discussion with Spuler that it was agreed that the future army mullahs would be trained together with the students to be trained under the responsibility of the SS. A more important factor seems to have been, however, the personal influence of the Mufti of Jerusalem, Amin al-Husaini. Heine quotes a note in an SS document referring to a conversation of July 27, 1944 with Amin al-Husaini, stating that 'mullahs and imam courses' should be put together and that the supervision should be entrusted to the Grand Mufti.¹⁹

The influence of Amin al-Husaini at the top level of the SS is also confirmed by Olzscha, who explains that the SS installed a special office for him which was to function as a coordinating platform for the Muslim armed units under the authority of the SS. On behalf of the Bosnian regiment, created at the proposal of Al-Husaini (and which was followed by an Albanian regiment²⁰) another (third!) imam school was created by the highest leadership of the SS together with the Grand Mufti, occupying itself with the training of field mullahs for the Bosnian volunteers. According to Olzscha, several Arab scholars from among the acquaintances of the Mufti were involved as teachers, in addition to a few Bosnians. Al-Husaini's ambition was to expand this school to students of other nationalities, and in this he was supported, for some time, by the highest circles of the SS. However, Al-Husaini did not succeed in bringing all the initiatives under his complete authority. According to Olzscha, his participation was limited to the expert examination of the candidate teachers. He was also invited to give a speech at the opening of the Institute in Dresden, in which he emphasized the common interests and goals of the German Reich and the Muslims, and the cooperation resulting from it as evidenced by the Imam Institute.²¹

The SS for the training of imams was located in the City of Dresden, where also the 'Arbeitsgemeinschaft Turkestan' had been established.²² The Islamic layout and furnishing of the building was taken care of by Dr. Erdmann, expert of the Asian department of the museum in Berlin. The entrance hall, for instance, was decorated with mosaic imitation in



Prof. A. Idris, principal teacher of the SS for the training of imams located in the City of Dresden.

the style of the mosques of Central Asia and with verses from the Quran. Another space was provided with similar motives and with a prayer niche, and had to serve as a prayer hall. Other Islamic objects, as well as Islamic books, were also acquired.

The lessons were to be given by Muslim teachers selected, as mentioned before, by Amin al-Husaini. Also Richard Hartmann gave his view on the principal teacher. This principal teacher was Professor Idris, who was active in the Ministry of Foreign Affairs, involved in radio programs towards Turkey. He is to be identified with the Russian Muslim of Tatar origin Alimjan Idris (1887-after 1945, whose name is sometimes also written as 'Idrisi'), who had been one of the founders of the Society of Islamic Worship in Berlin. Idris was appointed notwithstanding the fact that he had been repeatedly accused of being a Soviet agent. However, investigations had not produced any evidence against him. According to Olzscha, Idris had been maintained in his position 'because in essence only scientifically grounded instruction in the doctrine of the Quran and in Arabic (reading and writing) had to be given. In addition, historical themes had to be treated. Every

political discussion should remain banished from the school. Idris accepted these conditions and for the rest there was no danger that he would become involved in conspiracies.'

Idris apparently shared some of the major ideological convictions of the Nazis. In 1933, for instance, he had requested the famous Egyptian reformist scholar Rashīd Ridā to give his views on the reason why God had chosen the Jews, whom he described as 'the most despicable, repulsive and corrupting nation on earth'. Idris attributed all immoral, economic and political corruption to the Jews, but he wondered how one

could combine the Quranic verse indicating that God had favoured them above all nations (2:47) with another verse pointing out that they were the strongest people in hostility towards the Muslims (5:82).²³ Various other persons were added to the staff, among them two former mullahs from among the Krimtatars, and the aforementioned Dr. Jakob Schinkewitsch, qualified by Olzscha as 'Mufti vom Ostland', in Poland.

According to Olzscha, the program of the course had been the result of consultations between Idris and Hartmann. A point of special attention in these consultations, also with Spuler, was the question whether Sunnīs and Shī'īs should be given courses or could be put together in one class. Idris was in favour of combined classes, Spuler insisted upon separate classes, arguing that the religious feelings (apparently of Shī'īs especially) could be hurt in the case of combined classes and it would make a very bad impression in the Shī'ī world when Shī'īs would be suppressed in an Islam School in Germany, or would be dealt with as if they were Sunnīs, especially because all the teachers were Sunnīs. Hartmann took an intermediate position, advising that Idris should omit all attempts towards conversion and that he should omit all issues of dogmatic conflict. In addition it would be good, said Hartmann, to give some extra hours for Shī'ī students concerning specifically Shī'ī issues.

The first groups of students were recruited from SS prisoners (ten), in addition to volunteers from the army (thirty). They originated from several Central Asian countries. The school started in September 1944, with a number of approximately forty students. Originally, the course was to take approximately one or two years. For most of the future 'field mullahs' this period was shortened to approximately three months, as they were urgently needed in the field. The first course was completed against the end of 1944. Some twenty participants in the first course were still in Dresden when the city was set on fire by the Allied Forces (on February 14, 1945). They escaped from the attack but their further fate remained unknown to Olzscha, the author of the unpublished report after WWII.

Questions in Conclusion

The imam courses of the Third Reich are an extreme and exceptional case within the history of European-Muslim relations. Nevertheless, it may be fruitful to attempt to discover some parallels with the present time, even if they only have a limited validity.

The full emphasis by the Nazis on *the political role of the imam or mullah* evokes the similar emphasis put nowadays by many politicians and states-persons on the role to be played by imams in the realization of policies of integration and assimilation. Why is the imam not seen as a specialist catering for the religious needs of his community in the first place, especially in secular democracies characterized by the separation between religion and the state? Why do so many contemporary discussions in Western Europe force upon the imam the role of a political propagandist, in this case of democracy, secularism, pluralism, etc.) rather than that of a spiritual and a moral teacher or a leader in prayer?

Secondly, *the total absence of an existing infrastructure of recognized Islamic theological seminaries and/or faculties* in contemporary Western Europe is another striking parallel with the situation in Germany we have just discussed. In view of the need for qualified imams and Muslim spiritual counsellors in public institutions like hospitals, prisons, as well as the army, governments are obliged to take initiatives to create the necessary educational institutions that meet the standards they demand from any clergy-person of whatever religion appointed by them in a similar position. These institutions may also produce the academically-trained experts in Islamic theology needed by various sectors of society (schools at secondary levels, the media, libraries, government institutions for local and national policies, etcetera).

Finally, there is *the total absence of a recognized Islamic religious authority* which would be able to define the doctrine of Islam in which the imams who will work in the mosques are to be trained. European governments, who are bound by the principles of religious freedom and by the principle of the separation between religion and state, are unable to create such an authority. The Muslim representative bodies existing in some European countries also do not possess any authority in matters of doctrine. In this situation, they have no other choice than to look for indirect ways that may stimulate a development towards the appointment of sufficiently qualified imams in the mosques existing in their states. Among the most important indirect means available to these governments is the improvement of the financial situation of the mosque communities (among others through fiscal measures, subsidy facilities in the social and cultural spheres) with attached conditions concerning the educational qualifications of the imams, including his linguistic abilities, his understanding of Islamic history and institutions and of the society he is working and living in.

Notes

- 1 See among others: for Australia: 'Imam training', programme for Radio National, 12 October 2005; for Belgium: Jean-Francois Husson, *Pour une formation des imams en belgique. Points de reference en Belgique et en Europe*, Brussels: King Baudouin Foundation, 2006; for Italy: 'Training imams in Europe: Italy chooses the wrong partner', *The Counterterrorism Blog*, May 17, 2005; for the Netherlands: Mohammed Ghaly, 'The Academic Training of Imams: Recent Discussions and Initiatives in the Netherlands' in: this volume, 2008; for France: 'Statut, role et formation de l'imam en France', special issue of *Migrations-Société*, Vol. 6, 1994; Frank Frégosie, 'Les filières nationales de formation des imams en France. L'Institut Européen des Sciences Humaines (Château-Chinon) et l'Institut d'Etudes Islamiques de Paris' in: Idem (ed.), *La formation des cadres religieux musulmans en France: Approches socio-juridiques*, Paris: L'Harmattan, 1998, pp. 101-139; Soheib Bencheikh: 'Il faut que la France forme ses propres imams' in: *L'Express*, no. 2440, 1998, pp. 20-27; Laurent Roustouil, 'La formation des imams en France: une fausse bonne question?' in: *Études: revue catholique d'intérêt général*, Vol. 388, 1998, pp. 323-332; 'Le projet de création d'une faculté de théologie musulmane à Strasbourg' in: *Le Courrier du GERI, Recherches d'islamologie et de théologie musulmane*, Vol. 1, 1998, pp. 77-146; Francis Messner, 'L'enseignement de la théologie à l'université publique: l'exemple de la création d'une faculté de théologie musulmane à Strasbourg' in: Frégosi (ed.), *La formation, op. cit.*, 1998, 141-167; Frank Peter, 'Training imams and the future of Islam in France', *ISIM Newsletter* 13, December 2004, pp. 20-21; for Germany: Imam Mehdi Razvi, 'Prioritäten islamischer Theologie' in: Thorsten Knauth und Wolfram Weisse, *Akademie der Weltreligionen. Konzeptionelle und praktische Ansätze*, (Dokumentation eines Symposions am 19./20.12.2001 mit Vertreterinnen und Vertretern von Weltreligionen in Hamburg und Mitgliedern der Universität Hamburg), Hamburg, 2002, pp. 61-67; Mustafa Yoldas, 'Stellungnahme der SCHURA zur Errichtung eines 'Lehrstuhls für islamische Theologie' an der Universität Hamburg' in: Knauth und Weisse (eds.), *op. cit.*, 2002, pp. 69-75; Ursula Neumann (ed.), *Islamische Theologie: Internationale Beiträge zur Hamburger Debatte*, Hamburg, 2002; for the Netherlands, France, and the United Kingdom: Firdaous Oueslati, 'Non-Formal Islamic Higher Education in the Netherlands, With Some Comparative Notes on France and the United Kingdom' in: this volume, 2008; Valérie Amiriaux, 'La formació del personal religiós: Intent sintètic d'esbossar la situació del culte musulmà a Alemanya' in: Andreu Claret, *Imams d'Europa: les expressions de l'autoritat religiosa islamica*, Girona: Institut Europeu de la Mediterrania, 2005, pp. 98-109; for

- Europe: Andreu Claret, *Imams d'Europa*, op. cit., 2005; Samir Khalil, 'Training European Imams is Islam's Toughest Challenge', *Asian News*, December 6, 2006 (1: 'It's a fact: imams have not adapted to European culture'; 2: 'Lack of official representatives of Islam'; 3: 'Are the creation of Muslim faculties of theology a solution?'); Answers by Dr. Kadhem F. Al-Rawi, Institute Manager & Senior Lecturer in the European Institute of Human Sciences, Wales, UK on the subject 'Training Imams in Europe: What Does It Promise?'; chat session of May 3, 2004, *IslamOnline.net*: <http://www.islamonline.net/livedialogue/english/Browse.asp?hGuestID=KXT6LV>; Tim Whewell, 'State training for Europe's imams', *BBC Online*, June 17, 2004. http://news.bbc.co.uk/2/hi/programmes/crossing_continents/3815053.stm.
- 2 Moshe Yegar, *Islam and Islamic Institutions in British Malaya: Policies and Implementation*, Jerusalem: Magnes Press, Hebrew University, 1979.
 - 3 Pascal le Pautremat, *La politique musulmane de la France au XXe siècle. De l'Hexagone aux terres d'Islam. Espoirs, réussites, échecs*, Paris: Maisonneuve & Larose, 2003.
 - 4 Christiaan Snouck Hurgronje, *Politique musulmane de la Hollande. Quatre conférences*. Paris: Ernest Leroux, 1911; Georges Henri Bousquet, *La politique musulmane et coloniale des Pays-Bas*, Paris: Paul Hartmann, 1939; Muhammad Hisyam, *Caught Between Three Fires: The Javanese Pangulu Under the Dutch colonial Administration, 1882-1942*, Leiden University: PhD dissertation, 2001.
 - 5 Allen J. Frank, *Muslim Religious Institutions in Imperial Russia: The Islamic World of Novozensk District and the Kazakh Inner Horde*, Leiden: Brill, 2001, pp. 116-120, 218-255, 291-296; Hélène Carrière d'Encausse, *Islam and the Russian Empire: Reform and Revolution in Central Asia*, London: Tauris, 1988; Stéphane A. Dudoignon and Komatsu Hisao (eds.), *Islam in Politics in Russia and Central Asia (Early Eighteenth to Late Twentieth Centuries)*, London: Kegan Paul, 2001; Dmitry A. Trofimov, *Islam in the Political Culture of the Former Soviet Union: Central Asia and Azerbaijan*, Institut für Friedensforschung und Sicherheitspolitik an der Universität Hamburg, 1995; Idem, 'Friday mosques and Their Imams in the Former Soviet Union', *Religion, State & Society*, Vol. 24, 2, 1996, pp. 193-219.
 - 6 Alexandre Popovic, *L'Islam balkanique. Les musulmans du sud-est européen dans la période post-ottomane*, Berlin, 1986 (Balknologische Veröffentlichungen Band 11); Mark Pinson, *The Muslims of Bosnia-Herzegovina: Their Historic Development From the Middle Ages to the Dissolution of Yugoslavia*, Cambridge (Mass.): Harvard University Press, 1994; Anna Strobl, *Islam in Österreich*, Frankfurt am Main: Peter Lang, 1997, especially pp. 21-24: 'Österreich und der bosnische Islam'.

- 7 Samim Akgönül, 'Religious Institutions of the Muslim Minority of Greece' in: W.A. Shadid & P.S. van Koningsveld (eds.), *Religious Freedom and the Neutrality of the State: The Position of Islam in the European Union*, Leuven: Peeters, 2002, pp. 145-157; Idem, *Une communauté, deux états: la minorité turco-musulmane de Thrace occidentale*, Istanbul: Isis, 1999.
- 8 Le Pautremat, *op. cit.*, 2003, pp. 77-79; cf. Jos Castagné, 'Russie slave et Russie turque: les changes d'une politique islamique allemande' in: *Revue du Monde Musulman*, Vol. 56, Paris, 1923.
- 9 Sebastian Cwiklinski, 'Die Panturkismus-Politik der SS: Angehörige sowjetischer Turkvölker als Objekte und Subjekte der SS-Politik' in: Gerhard Höpp and Brigitte Reinwal (eds.), *Fremdeinsätze. Afrikaner und Asiaten in europäischen Kriegen, 1914-1945*, Berlin: 2000, pp. 149-166; Idem, *Wolgatataren im Deutschland des Zweiten Weltkriegs: deutsche Ostpolitik und tatarischer Nationalismus*, Berlin: Schwarz, 2002 (Islamkundliche Untersuchungen 243); Joachim Hoffmann, *Die Ostlegionen 1941-1943: Turkotataren, Kaukasier und Wolgafinnen im deutschen Heer*, Freiburg [im Breisgau]: Rombach, 1976.
- 10 Peter Heine, 'Die Imam-Kurse der deutschen Wehrmacht im Jahre 1944' in: G. Höpp (Hg.), *Fremde Erfahrungen. Asiater und Afrikaner in Deutschland, Österreich und in der Schweiz bis 1945*, Berlin: Das Arabische Buch, 1996, pp. 229-238.
- 11 Peter Heine, 'Die Mullah-Kurse der Waffen-SS' in: G. Höpp und B. Reinwald (Hg.) *Fremdeinsätze. Afrikaner und Asiater un europäischen Kriegen, 1914-1945*. Berlin, Das Arabische Buch, 2000, pp. 181-188.
- 12 See on Olzscha: S. Cwiklinski, 'Die Panturkismuspolitik der SS: Angehörige sowjetischer Turkvölker als Objekte und Subjekte der SS-Politik' in: G. Höpp und A. Reinwald (hsg.), *Fremdeinsätze. Afrikaner und Asiater in europäischen Kriegen, 1914-1945*, Berlin: Das Arabische Buch, 2000, pp. 149-166, especially p. 153.
- 13 See on him A. Dietrich, 'Richard Hartmann. 8. Juni 1881-5. Februar 1965' in: *Jahrbuch der Akademie der Wissenschaften in Göttingen*, 1965, pp. 74-82.
- 14 See on him Heribert Busse, 'Bertold SPULER (1911-1990)', *Der Islam*, 67, 1990, pp.199-205.
- 15 Bundesarchiv Abt. III Aussenstelle Berlin-Zehlendorf, Document Nr. A 54,7 R.920; we are publishing the most relevant passages of this document in the appendix attached to this article. About the 'Arbeitsgemeinschaft Turkestan', see B. Brentjes, 'Die Arbeitsgemeinschaft Turkestan im Rahmen der DMG – ein Beispiel des Missbrauchs der Wissenschaften gegen die Völker Mittelasiens' in: Idem (ed.), *60 Jahre Nationale Sowjetrepubliken in Mittelasien im Spiegel der Wissenschaften*, Halle, 1985, pp. 151-172; about Olzscha cf. Cwiklinsky, *op. cit.*, 2000, p. 153.

- 16 I should like to express my gratitude to Dr. Ludmila Hanisch (Berlin), who kindly provided me with a copy of this important document.
- 17 Dr. Jakob Schinkewitsch, Polish Turcologist and author of *Rabghuzi's Syntax* (Berlin 1926, 1927), 'Mufti of Poland' in: *Die Welt des Islams*, Bd. 17, H. 3/4 (Feb., 1936), pp. 98-115.
- 18 Heine, *op. cit.*, 2000, pp. 231-232.
- 19 Heine, *op. cit.*, 2000, p. 182: 'Mit handschriftlichem Vermerk des Obengruppenführers: "Mullahs und Imamschüler zusammenfassen. Oberste Leitung der Grossmufti. An OKW Köstring (den General der Freiwilligenverbände, P.H. [= Peter Heine, PSvK]) schreiben"'
- 20 Klaus-Michael Mallmann & Martin Cüppers, *Halbmond und Hakenkreuz. Das Dritte Reich, die Araber und Palästina*, Darmstadt: Wissenschaftliche Buchgesellschaft, 2006, p. 229.
- 21 Quotations from this speech in Heine, *op. cit.*, 2000, p. 183. See also Enver Redžić, *Muslimansko autonomastvo I 13. SS Divizija. Autonomija Bosne I Hercegovine I Hitlerov Treći Rajh*, Sarajevo, 1987; Cf. Enes Karić, *Twentieth Century Islamic Thought in Bosnia Herzegovina*, Forthcoming. I would like to express my cordial thanks to the author who provided me with a copy of the unpublished manuscript.
- 22 Its address was Lothringerweg 2, Dresden-Blasewitz (from Olzscha).
- 23 *Al-Manār*, Vol. 33, 5, September 1933, pp. 347-351. I should like to express my cordial thanks to Mr. Umar Ryad, who is preparing his PhD-thesis on Rashīd Ridā, for this valuable reference. See also Iskandar Gilyazov, 'Die Wolgataren und Deutschland im ersten Drittel des 20. Jahrhunderts' in: Anke von Kugelgen et al. (eds.), *Muslim Culture in Russia and Central Asia from the 18th to the Early 20th Centuries* (Vol. 2: *Inter-Regional and Inter-Ethnic Relations*), Berlin: Klaus Schwarz Verlag, 1998, pp. 335-353; on Idris, see also *Revue du Monde Musulman*, 56, 1923, p. 248.

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Appendix

Bundesarchiv Abteilung III Aussenstelle Berlin-Zehlendorf, Document
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*(Extract of the passages relevant to the Imam Courses of the
Third Reich)*

Dies waren die Zusammenhänge, die VI G und Arbeitsgemeinschaft Turkestan hinsichtlich der geplanten Verlegung betrafen und die letzten Einzelheiten über den Verbleib des Dresdener Materials und der von Weissenfels nach Dresden abgefahrenen Leute.

Bevor ich nun auf die AT selbst eingehe muss noch erwähnt werden, dass die Gruppe VI G (als Dienststelle des Reichssicherheitshauptamtes) sehr stark schon allein durch diese Tatsache im Verkehr mit neutralen Institutionen behindert war. Dr. Krallert hat es deshalb durchgesetzt, dass von Himmler eine besondere Reichsstiftung für Länderkunde (meines Wissens dem Innenministerium formel unterstellt) geschaffen wurde, die lediglich die für die Öffentlichkeit bestimmte Bezeichnung von VI G war. Somit konnten sich die einzelnen Institute, nach ihrer Anhängigkeit oder Unterstellung befragt, jederzeit als Institute dieser Reichsstiftung ausweisen. Krallert erwähnte übrigens einmal, dass Himmler zunächst ganz abgeneigt war, eine neue Institution für diesen Zweck zu schaffen bzw. er wollte nicht, dass das RSiHA eine eigene wissenschaftliche Einrichtung erhält. Erst Kaltenbrunner muss wohl dann die Notwendigkeit so begründet haben, dass Himmler seine ablehnende Haltung aufgab. Himmler hatte nämlich zunächst geantwortet, wenn man eine übergeordnete Stelle brauche, so könne man ja das 'Ahnenerbe' nehmen. Dieses Ahnenerbe war eine wissenschaftliche Organisation, die Himmler unmittelbar unterstand und die nur vom ihm Weisungen empfing. Ihre einzelnen Aufgaben kenne ich nicht, auch nicht Organisation und Mitarbeiter. Ich weiss lediglich, dass das sog. Sven-Hedin-Institut in München diesem Ahnenerbe angeschlossen war; es stand unter der Leitung des SS-Führers Dr. Schäfer, der die Tibet-Expedition 1937 durchgeführt hatte. Dieses Ahnenerbe scheint auch Interesse gehabt zu haben, andere wissenschaftliche Institute zu schlucken, sodass die erste Ablage Himmlers wegen der Reichsstiftung auf diese Hintergründe zurückzuführen sein dürfte. Jedenfalls hat sich Kaltenbrunner dann durchgesetzt und Krallert erhielt die 'Reichsstiftung für Länderkunde'. Der Zeitpunkt der Gründung ist mir nicht mehr in Erinnerung, es war wohl in der Mitte des Jahres

44. Von diesem Augenblick an mussten die Institute in ihren Schreiben jeden Hinweis auf VI G vermeiden.

Auch bei der Gründung der AT war die Schwierigkeit der vorgesetzten Dienststelle vorhanden. Es sollte ja einmal ein Institut daraus werden, das im Verkehr mit den übrigen wissenschaftlichen Institutionen stand und nicht seine Abhängigkeit von RSiHA verraten sollte. Da sich die AT bis zuletzt nicht zu einem solchen Institut entwickelt hat, wäre es zunächst nicht unbedingt nötig gewesen, eine neutrale vorgesetzte Stelle zu haben, aber in der Planung war es vorgesehen. Es war nicht möglich 'Arbeitsgemeinschaft Turkestan' zu firmieren, da man sich stets nach dem Geldgeber erkundigt hätte, andererseits sollten auch selbständige Rechtsgeschäfte vorgenommen werden, wozu auch eine einwandfreie juristische Form gefunden werden musste. Ich hatte ursprünglich vor, die AT an die 'Deutsche Morgenländische Gesellschaft' anzuhängen und wollte folgenden Briefkopf in Anwendung bringen:

'Arbeitsgemeinschaft Turkestan'
der
Deutschen Morgenländischen Gesellschaft

Die Verhandlungen mit dem Präsidenten der Gesellschaft, Prof. Schede waren bereits zufrieden stellend verlaufen. Die Gesellschaft wollte die AT sich anhängen lassen und als zuständigen Vertreter Dr. Benzing beauftragen, der die Belange der Gesellschaft der AT gegenüber wahrnehmen sollte. Er wäre der eigentliche wissenschaftliche Leiter geworden, während ich lediglich die organisatorische Steuerung in der Hand behalten wollte. Diese Lösung wäre mir auch insofern recht gewesen, dass ich in wissenschaftlicher Hinsicht von den Fragen nichts Gründliches verstehe, sondern nur ein allgemein auslandskundliches Interesse hatte, während Dr. Benzing als Fach-Turkologe galt. In der Planung hatte ich vorgeschlagen, dass eine Geschäftsführung mit mir an der Spitze besteht, der die Gesamtverantwortung in juristischer Hinsicht zufällt und die die AT anderen Stellen gegenüber vertritt. Neben dieser organisatorischen Leitung sollte ein wissenschaftlicher Beirat gebildet werden aus den Leitern der einzelnen Abteilungen, aus denen die AT bestehen sollte. Der Chef dieses wissenschaftlichen Beirates sollte Dr. Benzing werden, der die gesamte wissenschaftliche Steuerung übernehmen sollte, falls dies nicht bereits durch die einzelnen Abteilungsleiter erfolgen konnte. In dieser seiner Eigenschaft sollte Dr. Benzing jedenfalls die Belange der Morgenländischen Gesellschaft vertreten und sofort Veto einlegen, falls die Arbeit der AT

nicht mehr mit den rein wissenschaftlichen Aufgaben der DMGes. in Übereinstimmung zu bringen war. Da die DMG vom Auswärtigen Amt abhängig war, war die Zustimmung dieser Behörde noch erforderlich. Zuständig was der Botschafter Graf von Schulenberg, der die Genehmigung von Ribbentrop hätte einholen müssen. Trotz wiederholter Erinnerungen ist eine Antwort vom Auswärtigen Amt nicht eingetroffen, es ist mir unbekannt, wie dessen Stellungnahme überhaupt war. An dieser fehlenden Zustimmung ist der Plan gescheitert und die schon voreilig gedruckten Briefbogen konnten von der AT nicht verwendet werden. Die DMG hatte übrigens stets darauf hingewiesen, dass sie sich nur in wissenschaftlicher Hinsicht mit der AT verbinden wollte, irgendwelche juristische Verbindlichkeiten (insbesondere finanzieller Art) aber nicht übernehmen werde. Aus diesem Grunde war es ohnehin notwendig, für die AT eine juristische Form zu suchen, die selbständige Rechtsgeschäfte erlaubten. Ich habe deshalb einen 'Eingetragenen Verein' aus der AT gemacht und sie als solche ins Vereinsregister aufnehmen lassen. Zu einer Vereinsgründung sind eine Anzahl von Personen notwendig, ich glaube es waren 7 notwendig. Die erforderlichen Unterschriften habe ich bei VI G eingesammelt, sodass der Gründung nichts im Wege stand. Alle diese Formalitäten hat Dr. Schloms als Jurist erledigt. [...]

Ausser diesen für die eigentliche AT gedachten Räumlichkeiten wurde noch vom Finanz-präsidenten eine Villa in Dresden-Blasewitz, Lothringerweg 2 gemietet, die für die Mullah-schule Verwandrung fand (...) Sämtliche Gebäude sind durch die Fliegerangriffe am 13.14.II. restlos im Oberbau ausgebrannt, lediglich die Kellergewölbe sind z.T. erhalten geblieben [...]

Nach Abzug dieser in der Planung vorgesehenen aber nicht realisierten Abteilungen bleiben nur folgende übrig:

Islam unter der Leitung von Hartmann (und Spuler)

Linguistik unter Dr. Benzing

Folkloristik unter Prof. Janski

Volkswirtschaft unter Prof. Schwittau

Geschichte unter Prof. Spuler

Medizin unter meiner Leitung

Schliesslich wäre noch hierher zu rechnen die Bibliothek, die aufsichtsmässig Dr. Schloms unterstand, im übrigen aber für sich arbeitete und vor allem Bestandsaufnahme- und Katalogarbeiten ausführte. Diese Bibli-

othek wurde im wesentlichen zusammengekauft aus Bücherbeständen, die sich in Buchhandlungen Antiquariaten usw. befanden. Es sollten alle Bücher angeschafft werden, die den Raum (Landeskunde, Völkerkunde, Verkehr, Kultur usw.) betrafen. Ferner alle grundlegenden wissenschaftlichen Bücher, die die einzelnen Abteilungen für ihre Arbeit brauchten (Lexika, Nachschlagwerke, Lehrbücher). Eine besondere Ankaufsaktion war einmal in Holland erfolgt, wo bei dem Antiquariat Brill ein grösserer Posten gekauft worden war. Ausserdem war vorgesehen, dass aus der Rosenberg-schen Bibliothek nach und nach ein paar Bände erhalten werden konnten. Die Bibliothek war noch sehr im Anfang, da Bücher kaum aufzutreiben waren und der beabsichtigte Tausch mit anderen Stellen infolge der Evakuierung der Büchereien Schwierigkeiten machte. Für ein reibungsloses Arbeiten der einzelnen Abteilungen wären viel zu wenig Bücher dagewesen. Meines Wissens wurde die Bibliothek bisher auch kaum benutzt, zumal ja auch noch kaum gearbeitet wurde. Dafür sollte in der Bibliothek eine gründliche und vollständige Erfassung allen Schrifttums erfolgen, da[s] sich mit Mittelasien befasste und in der dazu anzulegenden Kartei jedesmal vermerkt werden, wo sich das betreffende Buch befindet. Da nicht erwartet werden konnte, auch nur einen nennenswerten Teil aller einschlägigen Bücher für die AT zu erwerben, sollte auf diese Weise wenigstens die Ausleihung bei der jeweiligen Bibliothek erreicht werden. Die Arbeiten an dieser Kartei sind auch erst im Anfangstadium gewesen, wie mir erinnerlich, ist diese Nachschlag-Kartei erhalten geblieben. Für die Mullahschule sollten Bücher islamischen Inhalts beschafft werden. Die von Holland angekauften Bücher scheinen aber alle arabischer Natur gewesen zu sein, ihre gelegentliche Abgabe oder Umtausch gegen andere war in Aussicht genommen. Für den Unterricht an der Mullahschule hatte Prof. Idris aus seinem Besitz eine Reihe von Büchern ausgeliehen, die in seinem Arbeitszimmer aufgestellt waren. Ich glaube, sie sind verbrannt. Ausserdem war eine Reihe von Koranen vorrätig, die kostenlos vom Propaganda-Ministerium bezogen werden konnten. Eine Reihe von altertümlichen Büchern, deren Wert und Inhalt ich nicht beurteilen konnte, war von Dr. Murad* von einer Reise nach Serajewo mitgebracht worden.

Von den genannten 6 Abteilungen, die an der AT in irgendeiner Form die Arbeit aufgenommen haben, soll die Abteilung Islam gesondert im Zusammenhang mit der Mullahschule abgehandelt werden.

[...]

Ich schliesse jetzt die Schilderung der Zusammenhänge um die Mullahschule an, die im Rahmen der AT eine Sonderinstitution mit Anschluss an die Abteilung Islam darstellt.

Im Jahre 1943 ist gleichzeitig an drei verschieden[en] Stellen – und zwar völlig unabhängig von einander – der Gedanke aufgetaucht, eine Einrichtung zur Lehre des Islams zu schaffen. Dieser Gedanke ist verständlich, weil erstmalig in Deutschland eine grosse Anzahl von Menschen vorhanden war, die sich als Mohamedaner bezeichneten und hinsichtlich ihrer kulturellen und religiösen Vorstellungen eine Sonderbehandlung beanspruchten. Es wird dabei daran erinnert, dass bereits im 1. Weltkrieg für die mohamedanischen Kriegsgefangenen eine gesonderte Unterbringung, besondere Verpflegung und der Bau einer kleinen Moschee durchgeführt worden war.

Im Jahre 1943 wurden diese Probleme erneut gestellt. Und zwar befassten sich damit

1. das Amt VI C 1-3 des Reichssicherheitshauptamtes aus dem Grunde, weil auf Grund allgemeiner Vorstellungen und Berichte angenommen wurde, dass orthodox-mohamedanische Kreise besonders sowjetfeindlich eingestellt sein müssten und solche Leute evtl. als Agenten und Propagandisten geeignet seien,
2. das Ostministerium und der General der Freiwilligen-Verbände, weil sie den muslimischen Einheiten ausser der üblichen poli[tischen] Bearbeitung auch eine solche religiöser Art angeheißen lassen wollten und
3. das SS-Hauptamt, weil der Grossmufti grossen Einfluss auf Berger hatte und über letzteren seinen Einfluss bei den in Deutschland befindlichen Mohamedanern ausweiten wollte. Er suggerierte deshalb dem SS-Hauptamt die Notwendigkeit, eine Einrichtung zur Ausbildung mohamedanischer Geistlicher zu schaffen, die er unter seine Leitung bringen wollte.

Als ich bei VI C1-3 den Auftrag erhielt, einen Plan für die Schaffung einer solchen Mullah-Schule auszuarbeiten, wusste ich von den beiden anderen Vorhaben noch nichts. Da es sich aber um eine neuartige Aufgabe handelte, machte ich mich mit Eifer ans Werk und habe in der Folgezeit nachstehend skizzierten Plan aufgestellt und durchgeführt.

Geeignete (bildungsmässig und altersmässig) Freiwillige wurden aus Uzbeken, Kazachen, Kirgizen, Tataren usw. zusammengestellt und in einem Kursus vereinigt, der als 'Mullah-schule' bezeichnet wurde. Die Leute sollten sich freiwillig melden und durch einen Spezialisten vorbereitend auf ihre Eignung geprüft werden. Der Unterricht sollte durch geeignete muslimische Lehrkräfte erfolgen. Die Dauer des Kursus sollte erst festgelegt werden, wenn der Bildungsstand der Schüler feststand und das Programm des Unterrichts durch den oder die Lehrer ausgearbeitet worden war. Die Schule sollte in einem Gebäude untergebracht werden, was abseits vom allgemeinen Verkehr liegt, um die Schüler nicht zu sehr abzulenken und um eine ruhige Atmosphäre zu schaffen, auch um nicht das Gespött der Leute heraufzubeschwören. Der äussere Rahmen sollte sich an die kultische Einrichtung islamischen Stils anlehnen, um die richtige Stimmung zu schaffen.

Die spätere Entwicklung bereits jetzt streifend will ich erwähnen dass der äussere Rahmen so gut gelang und die geringe Zahl verfügbarer älterer Mohamedaner für Lehrzwecke durch mich in Beschlag gelegt wurden, dass die Ausbildung für Zwecke des Heeres auch der Schule des RSiHA übertragen wurde. Aus den Absichten des SS-Hauptamtes wurde nichts, da ich später selbst der zuständige Sachbearbeiter dort wurde und alles zusammen fasste in der Dresdner Einrichtung. Auf die dabei entstehenden Probleme komme ich noch im einzelnen zurück.

Ich begann gleichzeitig mit der Suche nach einem geeigneten Objekt für die räumliche Unterbringung der Schule und nach geeigneten Lehrkräften.

Mit der Suche nach einem Grundstück beauftragte ich Dr. Schloms. Nach langwierigen Verhandlungen gelang es die Villa in Dresden-Blasewitz Lothringerweg 2 zu erhalten. Durch Verhandlungen mit allen möglichen Leuten bin ich schliesslich zu dem wissenschaftlichen Bearbeiter der asiatischen Abteilung des Museums in Berlin gekommen. Er hiess Dr. Erdmann, hatte eingehende Kenntnisse über architektonische und islamische Kulturfragen und war bereit, die islamische Ausgestaltung zu übernehmen. Zusammen mit dem Architekten Mellis in Berlin und einem von Schloms beauftragten Dresdner Innenarchitekten ist dann eine Umgestaltung des Inneren der Villa vorgenommen worden, die den Ansprüchen des zunächst vorgesehenen Lehrers (Dr. Murad) gerecht wurde. Die grosse Eingangshalle wurde mit Mosaik-Imitation nach dem Vorbild zentralasiatischer Moscheen und mit Koransprüchen ausgeschmückt. Ein Raum wurde mit gleichen Motiven versehen und mit einer Gebetsnische ausgestattet und sollte als Betsaal dienen. Weiter war ein, später ein

weiterer Unterrichtsraum und ein grosser Gemeinschaftsraum sowie ein Unterhaltungszimmer vorgesehen. Der Hauptlehrer hatte ein eigenes Arbeitszimmer und die übrigen Räume waren als Wohn-Schlafzimmer für die Schüler und die Lehrkräfte vorgesehen. Die ganze Schule war als Internat gedacht, wo gewohnt, unterrichtet, gegessen und geschlafen wurde. Bewegungsfreiheit war durch einen grossen Garten gegeben.

Um das Innere möglichst echt zu gestalten, wurden islamische Kultgegenstände (Vasen, Gefässe, Photos, usw.) beschafft und Bücher islamischen Inhalts angekauft. Alles dies besorgte grössten Teils Dr. Murad, einen anderen Teil habe ich in Paris eingekauft. Später liess Prof. Idris noch Bücher aus seinem Privatbesitz, weil die bisher beschafften Werke für Unterrichtszwecke unbrauchbar waren.

Diese Ausgestaltung der Villa dauerte über ein halbes Jahr. In der Zwischenzeit hatte ich die Suche nach Lehrkräften begonnen. Es stellte sich heraus, dass es keine geeigneten Leute dafür gab. Der einzige Mohamedaner, der in Frage kam, war im Anfang der mir auf der Ärztekammer zufällig bekannt gewordene Arzt Dr. Murad. Er war tatarischer Abstammung, war in Sinkiang gewesen und stammte aus Mekka. Er hatte früher, angeblich zusammen mit seinem Vater, eine Religionsschule in Turfan geleitet und kannte auch die übrigen Städte (Samarkand, Taschkent, Buchara). Er war saudisch-arabischer Staatsangehöriger. Er war bereit, die Rolle eines Lehrers zu übernehmen und ich schloss mit ihm einen Vertrag ab, der für ihn sehr günstig war, da er wohl wusste, dass ich niemand anders hatte. (Prof. Idris kannte ich damals noch nicht). Der Zusammenarbeit mit Murad war sehr schwer, da er ständig Extra-Forderungen stellte, zB einen eigenen Luftschutzbunker gebaut haben wollte, eigene Möbel erhalten wollte usw. Ausserdem war er mit Kajum verfeindet, sodass auch hier wieder Komplikationen drohten. Ich war deshalb gezwungen, nach weiteren Lehrern zu suchen, da Murad allein ohnehin nicht genügt hätte – er wollte nebenbei noch ärztlich tätig sein.

Ich habe daraufhin Kontakt zu Prof. Idris aufgenommen von dem ich erfahren hatte dass er an islamischen Hochschulen gewesen war. Idris war sofort einverstanden umso mehr als ich ihm die Möglichkeit bot, seine bisherige Beschäftigung fortzusetzen (Idris war im Auswartigen Amt und am Rundfunk für Sendungen nach der Türkei tätig). Idris wurde Chef-Lehrer. Zur gleichen Zeit schied Dr. Murad aus und ging nach Österreich, um sich dort ärztlich zu betätigen. Der Unterricht hatte zu diesem Zeitpunkt noch nicht begonnen (etwa April 44). Auch war zu diesem Zeitpunkt noch nicht nach geeigneten Schülern gesucht worden. Diese Aufgabe hatte auch Dr. Murad ursprünglich übernehmen wollen. Übrigens wäre

Murad auch nicht an der Schule geblieben – nach seinen eigenen Worten – nachdem er hörte, dass Idris mitwirken sollte. Zwischen beiden schie- nen Streitigkeiten persönlicher Art vorgekommen zu sein. Die Person von Prof. Idris war überhaupt sehr umstritten. Die einzige Stelle, die für ihn Partei genommen hatte, war das Auswärtige Amt. Dort hatte man ihm wiederholt bestätigt, dass gegen ihn keinerlei Bedenken vorliegen. Im üb- rigen war jahrelang gegen Idris, vor allem von seiten der tatarischen und turkestanischen Emigration gekämpft worden. Er wurde bezichtigt, sow- jetischer Agent zu sein. Wiederholt wurden Untersuchungen angestellt, ohnedass positives Material gefunden werden konnte. Zu seinen Haupt- gegnern gehörten in letzter Zeit Kajum Schafi, Murad, auf deutscher Seite stand ihm das Ostministerium ablehnend gegenüber. Ihm wurde in erster Linie vorgeworfen, dass er trotz seiner Verhaftung durch die sowjetischen Behörden (1920/21 etwa) erneut die Ausreiseerlaubnis nach Deutsch- land erhielt, dass seine erste Frau wiederholt nach Moskau gefahren sei und er mit anderen sowjetischen Agenten in Verkehr gestanden hätte. Weiterhin warf man ihm vor, dass seine Frau bei der Reichskriegs-Ge- richts-Verhandlung (Mitte 43 etwa) gegen eine tatarische Gruppe (wegen Hochverrat) eine unklare Rolle gespielt habe. Es war also schwierig, Prof. Idris unter diesen Umständen die Rolle des Cheflehrers an der Schule zu übertragen. Ich habe es trotzdem getan, weil im wesentlichen nur wissen- schaftlich begründeter Unterricht in der Koranlehre und in arabisch (Le- sen und Schreiben) erteilt werden sollte. Ausserdem sollten geschichtliche Themen behandelt werden. Jedwede politische Diskussion sollte aus der Schule verbannt bleiben. Prof. Idris ging auf diese Forderungen ein und im übrigen bestand keine Gefahr, dass er konspirativ tätig werden konnte. Dies hätte er bei seiner Tätigkeit beim Auswärtigen Amt, beim Rundfunk und angesichts seines sonstigen Bekanntenkreises auch werden können. Es ist möglich, dass Idris kein Deutschen-Freund war, dazu war er zu kritisch gegenüber den ganzen Massnahmen der deutschen Politik. Er schien aber überzeugter Mohamedaner zu sein und war aus diesem Grunde, sodann wegen seiner Vorkenntnisse und seines Alters, besonders für die Schule geeignet. Idris konnte nur 2-3 Tage in der Woche in Dresden sein und legte deshalb Wert darauf, dass noch weitere Lehrkräfte an die Schule kamen. Er hätte am liebsten gesehen, dass je ein Hilfslehrer aus uzbekischen, ka- zachischen, wolga- und krimtatarischen Kreisen hinzugekommen wäre. Es gab aber keine Leute. Es tauchte der Gedanke auf, auf dem Balkan den einen oder anderen zu finden, doch war dort niemand bekannt. Zuletzt wurden von den Krimtataren zwei ältere ehemalige 'Mullah' geschickt. Idris nahm sie mit dem Vorbehalt an, sie wieder wegzuschicken wenn bes-

sere gefunden würden. Ausserdem war von Djumabay aus Riga einer [..?] mitgebracht worden, der sich dort als mohamedanischer Geistlicher betätigt hatte. Er war tatarischer Abstammung, erwies sich aber nach Prüfung durch Idris als unfähig. Er erhielt später die Erlaubnis, als Gast bei der Schule zu bleiben. Zuletzt wurde der ehemalige Mufti vom Ostland Dr. Schinkewitsch für die Schule gewonnen. Dieser war vom Ostministerium an das CKW gegeben worden, um bei den Mullah-Kursen des Heeres mit Prof. Spuler zusammen zu helfen. Als diese Heeres-Kurse als selbständige Einrichtung aufhörten und die Dresdner Schule die Ausbildung für das Heer übernahm, kam auch Schinkewitsch dazu. Schliesslich wurde durch Vermittlung des Grossmufti noch ein Araber für arabischen Unterricht eingestellt und ein bulgarischer Türke (tat. Abstammung?), der m.W. sowieso in Dresden wohnte, wurde auf Veranlassung von Idris als Hilfskraft für Geschichte eingestellt. Vorübergehend war noch der Sohn von Idris als Dolmetscher und Gehilfe für seinen Vater an der Schule, er war aber dienstpflichtig und wurde zum Osttürkischen Verband geschickt. Auf die einzelnen Personen komme ich noch zurück.

Nachdem der Lehrerbestand allmählich vervollständigt wurde – bis zuletzt blieb Idris die einzige vollqualifizierte Kraft! – kam auch der Lehrbetrieb am Sept 44 etwa in Gang, nachdem eine Reihe von Schülern bereits etwas früher eingetroffen war.

Wie erwähnt, sollte die Schule anfangs als Institution des Amtes VI aufgezogen werden. Sehr bald erweiterte sich aber der Zweck und zuletzt sollte die Schule für die Ausbildung überhaupt von mohamedanischen Geistlichen dienen ohne dass im einzelnen feststand, was aus den Leuten werden sollte. Zunächst sollte ein Teil ohnehin nach kurzer Ausbildung zur Truppe, als sog. 'Feld-Mullah'. Der kleinere Teil, besonders fähige oder interessierte Leute, sollten einen Fortgeschrittenen-Kurs mitmachen und nach dessen Beendigung als Hilfslehrer mitwirken. Allmählich sollten sie sich also immer weiter bilden.

Vereinzelte Schüler stammen aus den Sonderlagern von VI C 1-3, wo sie wegen ihres Alters oder ihres Interesse für religiöse Fragen herausgesucht wurden. Vereinzelte kamen auch direkt aus dem Gefangenenlager wo sie von Djumabay für diesen Zweck vorgeschlagen worden waren. Letztere Leute waren alle also Angehörige der SS, hinzu kamen noch vereinzelte Zivilisten von den Krimtataren, die auch formal zur SS kamen. Insgesamt dürfte es sich wohl um 10 solcher Leute gehandelt haben, von denen einige von Idris wegen Nichteignung wohl auch wieder weggeschickt worden sind. Der Rest, etwa 30 Mann schätzungsweise, bestand aus Kommandierten der Wehrmacht.

Der Kursdauer war anfangs auf mindestens 1-2 Jahre angesetzt, weil VI C 1-3 Zeit hatte und diese Zeit beim Fehlen jeder Vorkenntnisse von Sachverständigen (Prof. Hartmann, Prof. Idris) als Minimum gefordert wurde. Nachdem aber die Vereinbarung mit der Dienststelle des Gen. der Freiw. Verbände getroffen worden war, wurde sie für den grössten Teil der Feldmullah auf höchstens 3 Monate beschränkt. Nach diesem Schema sollten also jährlich mehrere Kurse stattfinden. Der erste Kurs wurde Ende 44 beendet. Die Leute sollten nach Angabe des Heeres zu den einzelnen Truppenteilen zurückgeschickt werden. Infolge der ständigen Truppenverschiebungen und des organisatorischen Wirrwarrs erfolgten aber die vorgesehenen Abberufungen nicht und die Leute waren noch im Februar da. Lediglich diejenigen, die SS-Angehörige waren, sind zum Osttürkischen Verband abgegeben worden, vereinzelt sind wohl auch ohne besondere Weisung des Gen. der Freiwilligen zur Truppe weggeschickt worden. Jedenfalls sind die Teilnehmer der Mullahschule, die vom Dresdener Brand überrascht wurden, alle nur vom 1. (und einzigen) Kurs übrig geblieben. Es handelte sich nach meiner Schätzung um ungefähr 20 Männer. Sie sind in Weissenfels untergebracht worden und waren dem Transport nach Dresden beigegeben. Sie sollten auf dem Wege über Marienbad einem Heeres-Truppenteil zugeführt werden. Was aus ihnen geworden ist, weiss ich nicht. Nur diejenigen von ihnen, die Idris als künftige Hilfslehrer weiter behalten wollte, sollten (soviel ich mich entsinne) zu Idris nach Bayern geschickt werden. Er hatte wohl die Absicht, ihre zeitweilige Unterbringung in der Nähe seines Arbeitsortes zu versuchen. Ich bitte diese Einzelheiten nochmals von Dr. Schloms zu erfragen, da ich ihm darüber eine Notiz zugeschickt hatte. Ich kann mich nicht mehr auf diese Einzelheiten besinnen.

Wie bereits angedeutet, hatte das Heer bereits von sich aus auch die Ausbildung von Feldmullahs beschlossen. Bereits vorher war bei den Einheiten mit Freiwilligen muslimischen Glaubens der Brauch eingetreten, dass die Bataillone, oft sogar die Kompanien eigene Mullahs hatten. Was das für Leute waren, ist im einzelnen nicht zu sagen. Ich habe aber durch Erzählungen den Eindruck gewonnen, dass ältere Leute, die irgendwo Dorfschullehrer gewesen waren oder Leute, die behaupteten früher Mullah gewesen zu sein, für solche Posten genommen wurden. Dabei scheint es häufig so gewesen zu sein, dass Schlaupelze sich um den guten Posten bewarben, wenn sie nur etwas nach islamischer Sitte zu beten verstanden. Das Niveau ihrer Predigten und Gebetsübungen muss aber im Durchschnitt so primitiv gewesen sein, dass die jungen Soldaten sich darüber lustig machten und das Gegenteil des Zwecks erreicht wurde. Die Einrich-

tung des Feldmullahs bei fast allen Einheiten scheint auf der irrtümlichen Annahme beim Heer zu beruhen, als ob die Freiwilligen muslimischen Glaubens nun wirklich noch überzeugte Mohamedaner wären und ohne ihr Freitags-oder gar täglich wiederholtes Gebet nicht auskommen könnten. Die Vorstellung von der 'tiefen Religiosität' der Mohamedaner aus dem Osten, auch der jungen Soldaten, ist umso verwunderlicher, als ja auch die christlichen Soldaten der Wehrmacht keinerlei Gottesdienst brauchten, obwohl es die Einrichtung des Feldgeistlichen gab. Jedenfalls hat man beim Gen. Freiw. Verbände die Meinung vertreten, dass die Stärkung des muslimischen Gefühls die Kampfkraft der Truppe erhöhe. Als man merkte, dass die bisherigen 'Mullah' in der Mehrzahl der Fälle nur als Possenreisser und Popanze der Lächerlichkeit anheim fielen, wollte man sie auf ihre Eignung durchsieben und einen Schnellkurs durchführen, um ihre Kenntnisse als Feldmullah zu verbessern. Man hatte dabei vor, in erster Linie nur den Ritus, nicht aber den Inhalt des islamischen Kultes zu verbessern.

Als ich von diesen Bestrebungen erfuhr, sprach ich mit Prof. Hartmann diese Angelegenheit durch und dieser bestätigte mir meine Annahme, dass diese Schnellkurse der größte Unfug wären, den man sich denken könne. Einmal weil die besonders kritisch erzogenen Soldaten der ehemaligen Roten Armee dieses Theater schnell durchschauen würden und das Gegenteil des Zwecks erreicht würde. Auch er vertrat die Meinung, dass allenfalls politische, aber keine religiösen propagandistischen Parolen und Methoden zur Anwendung kommen könnten. Wenn schon eine Vertiefung des religiösen Empfindes erreicht werden wolle, dann nur sehr langsam und auf unaufdringliche Weise. Vollkommen abwegig hielt er den Plan, den Unterricht in den Mullah-Kursen durch deutsche und noch dazu christliche Lehrkräfte durchführen zu lassen. Tatsächlich ist es schwer zu begreifen, wie man den Plan hat fassen können, islamischen Unterricht durch einen christlichen Professor erteilen zu lassen. Tatsächlich hat aber der General der Freiwilligen-Verbände zu diesem Zweck den Turkologen und Islamforscher Prof. Spuler verpflichtet, der einen jungen Pfarrer (!) als Gehilfen hatte. Später kam noch der mohamedanische Dr. Schinkewitsch dazu, der vom Ostministerium aus Polen mitgenommen worden war, wo er bisher die Rolle eines 'Mufti des Ostlandes' spielte. Ausserdem hatte Spuler noch einen Uzbeken als Dolmetscher. Ich habe daraufhin eine Zusammenkunft mit Spuler herbeigeführt und mich davon überzeugt, dass dieser unglaubliche Plan tatsächlich bestand. In wiederholten Besprechungen mit der Dienststelle des Gen.d.Freiw.Verbände, in denen ich daraufhinwies, dass Dr. Schinkewitsch ohnehin nach Dresden kom-

men würde, wurde dann vereinbart, dass die Ausbildung der Feldmullah in Dresden in dem dort geschaffenen Rahmen erfolgen solle. Dabei wurde vereinbart, dass die Kursdauer drei Monate auf keinen Fall übersteigen dürfe, da die Leute nicht länger von der Truppe wegbleiben könnten. Für den Einwand, dass bei der Truppe besser gar kein Feldmullah sein als ein schlechter, war kein Verständnis. Da das Heer sich aber nicht ganz ausschalten lassen wollte, wurde noch vereinbart, dass zunächst die Kurse von Spuler fortgesetzt würden und zwar nur als Überprüfungskurse, die geeigneten Leute sollten nach Dresden, die Ungeeigneten zur Truppe als übliche Soldaten zurück. Später wurde diese Regelung nochmals geändert, da Prof. Idris sich selbst die Auswahl der Geeigneten vorbehalten wollte. Nach dieser letzten Regelung wären also die von den Truppenführern vorgeschlagenen Leute laufend nach Dresden gekommen, auf ihre Eignung überprüft und behalten oder zurückgeschickt worden. Infolge der eingetretenen Umstände ist es nicht mehr dazu gekommen. Im Verlauf der Besprechungen wurde vereinbart, dass Prof. Spuler an den Mullah-Lehrgängen als Spezialist zu Rate gezogen würde, wenn wissenschaftliche Fragen von besonderem Interesse zur Debatte stehen.

Es muss hier die Stellung von Prof. Hartmann und Prof. Spuler geschildert werden. Bei der Planung der Arbeitsgemeinschaft Turkestan war auch eine Abteilung Islam vorgesehen. Diese Abteilung war eigentlich dazu gedacht, islamwissenschaftliche Fragen zu bearbeiten. Ich hatte mit Prof. Hartmann Fühlung bekommen und ihn um seine Stellungnahme gebeten, ob die deutsche Islamforschung, deren Senior er ist, bestimmte Fragen untersuchen wolle, die sich hinsichtlich des Islam in Mittelasien im Unterschied zu seiner Verbreitung in anderen Ländern ergeben. Falls sich vom islamwissenschaftlichen Standpunkt solche Fragen ergeben, sollte eine besondere Abteilung dafür geschaffen werden. Prof. Hartmann bezweifelte zunächst die Möglichkeit, auf dem skizzierten Wege zu neuen Ergebnissen zu kommen, doch meinte er schliesslich, es würde einige gewisse Dinge geben, die in Mittelasien vielleicht anders als in den übrigen Verbreitungsgebieten des Islams sind. Er erwähnte das Sektenwesen bzw. die Erinnerung an Sekten, die sich in diesem oder jenem Brauch noch erhalten hätten, an das Tragen bestimmter Amulette, die Verbreitung gewisser Formen des Aberglaubens. Alles dies seien Fragen, die durchaus wissenschaftlich erarbeitet werden könnten, wenn geeignete Leute dafür unter den Uzbeken, Kirgizen usw. gefunden werden könnten. Er selber konnte keine Zusicherung geben, sich aktiv an der Ausarbeitung zu beteiligen, da sein Gesundheitszustand zu schlecht sei. Tatsächlich war Hartmann recht schwach und konnte bereits die Vorlesungen nicht mehr

wahrnehmen. Er ist in der Folge auch nie in Dresden gewesen. Die einzige Unterstützung gab er dem Vorhaben durch seine Ratschläge und Gutachten, die ich bei ihm einholte.

Dies waren die Gründe zur Schaffung der Abteilung Islam bei der A.T. Als kurze Zeit darauf das Projekt der Mullah-Schule auftauchte, habe ich erneut mit Prof. Hartmann konferiert und ihn gefragt, ob man die Ausbildung von Mullahs in Deutschland in einer besonderen Institution riskieren könne. Hartmann war sehr skeptisch und sagte, wenn überhaupt, dann müsse jeder Anschein vermieden werden, als würde es von christlicher bzw. deutscher Seite gemacht. Wenn überhaupt, müsse man die ganze Sache in muslimische Hände legen. Bereits damals fragte ich ihn nach der evtl. notwendigen Beteiligung der Grossmufti. Hartmann war dagegen aus Gründen, auf die ich noch in Zusammenhang zu sprechen komme. Er bezeichnete als wichtigste Voraussetzung die Auffindung geeigneter muslimischer Lehrkräfte. Falls solchen gefunden würden, wolle er sie gern in Form einer zwanglosen Besprechung auf ihr Wissen prüfen. Sich selber könne er auf keinen Fall einschalten, da er ja als Christ sofort Anstoss erregen würde. Hartmann fand es daher später auch begreiflich, wie man beim Heer die Ausbildung von Feldmullahs durch Deutsche in Form der oben skizzierten Schnellkurse durchführen wolle.

Nachdem ich Dr. Murad gefunden hatte, schickte ich ihn vereinbarungsgemäss zu Hartmann, der ihn für den Anfang als genügend bezeichnete. Später kam die Vereinbarung mit Idris zustande und dieser hat wiederholt mit Hartmann gesprochen, insbesondere über die Programmgestaltung. Hartmann hat sich mit den Vorschlägen von Idris für einverstanden erklärt und Idris wurde darauf offiziell Cheflehrer, dessen Unterricht sowohl hinsichtlich Form wie Inhalt unkontrolliert blieb. Die vorgesehene Konsultierung von Spuler war auch mit Zustimmung von Hartmann erfolgt. Hartmann konnte aus gesundheitlichen Gründen nicht reisen und war deshalb einverstanden, wenn im Bedarfsfall Spuler nach Dresden fährt. Es wurde vereinbart, dass sich Spuler als der Vertreter von Hartmann fühlt, die Weisungen des letzteren aber im Zweifelsfall Ausschlag geben sollen.

Nur in einer Frage ist es zu einer solchen Konsultation gekommen und zwar im Hinblick auf die Frage des getrennten oder vereinten Unterrichts für Sunniten und Schiiten.

Sunniten und Schiiten sind Anhänger zweier 'islamischer' Konfessionen. Worin ihr Unterschied eigentlich beruht, ist mir nicht ganz klar geworden. Jedenfalls sollen alle Mohamedaner das der UdSSR Sunniten sein mit Ausnahme der Azerbeidjaner (oder eines Teil von ihnen). Der Streit ging nun dahin, ob beide Konfessionen – die sich früher bitter be-

kämpft haben sollen – in einem Unterricht vereint werden dürfen. Idris wollte unbedingt Vereinigung, weil der Unterschied nur künstlich sei und von den frühern Dynastien künstlich vergrößert worden sei. Spuler wollte unbedingt Trennung, weil sonst die religiösen Gefühle verletzt werden könnten und es in der schiitischen Welt einen unangenehmen Eindruck machen könnte, wenn an einer Islam-Schule in Deutschland die Schiiten unterdrückt oder mit den Sunniten in einen Topf geworfen würden vor allem weil alle Lehrer Sunniten seien. Hartmann billigte beide Meinungen und gab das salomonische Urteil ab: wenn die Parteien sich ohne Zwang an eine Schulbank setzen, könne es gemeinsam versucht werden – es müssten aber alle Bekehrungsversuche durch Idris vermieden und alle dogmatischen Streitfragen weggelassen werden. Es wäre gut, meinte Hartmann, wenn ein Schiite die speziell schiitischen Fragen in einer Extrastunde für die Schiiten vortragen würde. Es war vorgesehen, den alten Emin Rezul Zadeh mit dieser Aufgabe zu betrauen, dieser sagte aber aus Alters – und Gesundheitsgrunde ab.

Der einzige Kurs, der in Dresden abgehalten worden war, hat diese Fragen offenbar nicht berührt, da sowohl Schiiten wie Sunniten zusammengefasst waren. Von Streitigkeiten zu diesem Punkt habe ich nichts gehört, doch war dazu die Zeit vermutlich auch zu kurz. Im Unterrichtsplan ist meines Wissens keine Rücksicht auf diesen konfessionellen Unterschied genommen worden. Idris hat in dieser Angelegenheit übrigens auch mit Dud.nski [?] gesprochen.

Der Unterrichtsplan, der von Idris entworfen und von Hartmann gebilligt worden ist, war sehr einfach. Es waren vorgesehen: arabische Schreib- und Leseübungen, Koranlesungen, Kommentare zum Koran, Geschichtes des Islams und der islamischen Völker, Gebetsübungen. Es war wohl auch daran gedacht, Deutsch- und Geographie-Unterricht zu geben, doch ist dies unterblieben. Aktuell politische Diskussionen waren nicht gestattet im Hinblick auf die Tatsache, dass das Turkestan. Komité im Gegensatz zu Idris stand und SS- und Wehrmachtangehörige aus verschiedenen Einheiten zusammengefasst waren.

Die Schule sollte aus Angehörigen aller Völker mohamedanischen Glaubens der UdSSR bestehen mit Ausnahme der Nordkaukasier, die aus sprachlichen Gründen ausgeschieden werden mussten. Da das OKW aber auf der Ausbildung auch nordkaukasischer Feld-Mullah bestand, war vorgesehen, bei Gelegenheit einen Sonderkursus hierfür einzulegen. Es ist jedoch nicht hierzu gekommen.

Es ist bemerkenswert, dass der Gross-Mufti ursprünglich die Schaffung einer Schule für alle möglichen Nationalitäten gemeinsam wünschte. Ich

schildere daher an dieser Stelle die Rolle des Grossmufti als Islamischer Persönlichkeit,- seine Rolle als Araber wird später beleuchtet.

Der Grossmufti war sehr ehrgeizig und versuchte seinen Einfluss auf möglichst alle Mohamedaner, deren er habhaft werden konnte, auszudehnen. Dies tat er auch aus dem Grunde, um seiner Person wiederum mehr Ansehen bei den deutschen Behörden zu verschaffen.

Sein Einfluss auf die mohamedanischen Kreise unter den Arabern aus Palästina und den angrenzenden Gebieten scheint vorhanden gewesen zu sein, wenigstens war dies unter den in Deutschland weilenden der Fall. Aber schon bei den Nordafrikanern und Ägyptern war dieser Einfluss nicht mehr festzustellen. Er wurde zwar als ehrwürdige Persönlichkeit geachtet, die von ihm angestrebte Zentralstellung hat er aber nicht einnehmen können. Wieweit sein Einfluss in den arabischen Ländern selbst war, vermag ich nicht zu beurteilen.

Um seine Tätigkeit in propagandistischer Hinsicht zu verstärken, gründete er (ich glaube 43) ein sog. 'Zentrales Islam Institut' (Name ist mir nicht genau in Erinnerung). Die Tätigkeit dieses Instituts ist mir nicht bekannt. Es sollte offenbar durch Herausgabe von Propaganda-Material wirken. Die Mitglieder dieses Institutes waren Araber, vielleicht auch Mohamedaner anderer Nationalität, ich kann darüber keine Angaben machen. Es waren jedenfalls nur Mohamedaner. Ausserdem wurde noch ein sog. Ehrenausschuss angegliedert, dem formal eine Reihe deutscher Personen angehörten, die in irgendeinem Zusammenhang mit arabischen oder islamischen Fragen standen. Ich kann nicht angeben, wer in diesem Ehrenausschuss vertreten war. Irgendwelche Funktionen schien der Ausschuss nicht gehabt zu haben, es war wohl lediglich eine propagandistische Massnahme. Mein Name wurde z.B. deshalb aufgenommen, weil ich der Referent für Arabien an der Auslandsabteilung der RÄK war und ein mir bekannter Arzt (Araber aus der Umgebung des Grossmufti, Dr. Takieddin), mich vermutlich vorgeschlagen hatte.

Der Grossmufti wurde vom Auswärtigen Amt betreut, das für alle Fragen seiner Person zuständig war. Weiterhin hat er Kontakt mit dem Reichssicherheitshauptamt (VI C 13-14, Stubaf[.?.]) gehabt. Von beiden Stellen wurde er zuletzt sehr kritisch eingeschätzt und erhielt nicht mehr die von ihm erwartete Unterstützung und Beachtung. Gleichzeitig hat er es aber verstanden, das Interesse Himmlers zu erwecken. Die Zusammenhänge, die hierzu führten kenne ich nicht, stelle sie mir aber etwa folgendermassen vor: Im Jahre 43, am Jahrestag der sog. Balfour-Erklärung fand in Berlin eine Kundgebung statt, die wahrscheinlich vom Auswärtigen Amt und Propagandaministerium gleichzeitig gestartet wurde. Auf dieser Kundge-

bung sollten die Araber gegen die Balfour-Deklaration protestieren, wobei der Grossmufti und Ghailani die Haptansprachen hielten. Gleichzeitig wurden aber auch die Vertreter der übrigen mohamedanischen Völker aufgefordert, Sympathie-Erklärungen abzugeben. Es sprachen deshalb auch die Vertreter der verschiedenen Komités und drückten ihre Hoffnung für die baldige Befreiung von Palästina als der mohamedanischen Heimat von der Feindbesetzung aus. Mir ist erinnerlich, dass Kajum ungern auf der Kundgebung erschien, weil er keinerlei panislamische Verquickung mit seinem nationalistisch-separatistischem Programm wünschte und weil er vor allem nicht wünschte, dass der Grossmufti irgendeinen von ihm nicht kontrollierbaren Einfluss auf die Turkestaner erhielt. Ich nehme nun an, dass es der Grossmufti in Verbindung mit der Propaganda um seine Person aus diesem Anlass (Balfour-Demonstration) verstanden hat, eine Audienz bei Himmler zu erwirken und diesem seinen angeblichen einfluss auf die Mohamedaner aller Welt zu suggerieren. Offenbar hat Himmler nun Befehl gegeben, dass sich das SS-Hauptamt mit diesem 'wichtigen' Mann besonders befasst. Wahrscheinlich hat der Grossmufti auch Himmler gegenüber darüber geklagt, dass Auswärtige Amt ihn nicht genügend unterstütze und seine Möglichkeiten nicht genügend ausnütze. Offenbar hat der Chef des SS-Hauptamtes (Obergruppenführer Berger) nun persönlichen Kontakt zum Grossmufti aufgenommen, ist von ihm beeindruckt worden und hat ihm erneut eine Einwirkungsmöglichkeit zu schaffen versucht. Jedenfalls hat der Grossmufti in der Folgezeit stets mit dem Hinweis seiner engen Beziehungen zur SS gearbeitet und dadurch zweifellos auch Vorteile gehabt.

Im Zusammenhang mit dieser Verbindung zu Berger ist nun im SS-Hauptamt durch Berger eine besondere Förderung des Grossmufti befohlen worden. Es wurde ein besonderes Amt (AIM) geschaffen, das stark ausgebaut werden sollte und dessen Aufgabe wahrscheinlich darin bestehen sollte, die mohamedanischen Kreise aller Nationalitäten zu erfassen. Die eigentliche Entstehungsgeschichte dieses Amtes, das etwa Ende 43 geschaffen worden sein dürfte (?), kenne ich nicht. Als sein Leiter war der Sturmbahnführer Herrmann vorgesehen, der das besondere Vertrauen von Berger besass und der auch die Organisation des Ostmuselmanischen Regiments in Angriff genommen hat. Gleichzeitig – oder noch früher – war von der SS die Aufstellung der sog. Bosnischen Division begonnen worden, die aus sog. mohamedanischen Freiwilligen bestehen sollte. Dies war also ein offener Bruch mit der bisherigen Gepflogenheit, Freiwilligen-Einheiten nach nationalen Gesichtspunkten aufzustellen. Hier wurde der Versuch gemacht, eine religiöse Plattform zu schaffen. Zweifellos geht

die Gründung dieser Bosnischen Division auf den Grossmufti zurück, der die zuständigen Stellen (Himmler, Berger) davon überzeugen konnte, dass sein Einfluss als religiöser Führer so gross wäre, dass die Mohamedaner zu den Waffen greifen würden. Er wies damals daraufhin, dass in Süd-Jugoslawien Mohamedaner wären, die als mohamedanische Freiwillige zu einer besonderen Division zusammengefasst werden könnten. Mir sind die Verhältnisse der inneren Politik dieses Raumes nicht bekannt und ich weiss auch nicht, welche Folgen diese Verquickung religiöser Parolen mit solchen nationaler Natur gehabt hat. Mir ist nur bekannt geworden, dass der Grossmufti und nicht etwa irgend ein kroatischer politischer Führer die Division inspizierte, dass in den Kasernen das Bild des Grossmufti und nicht des von Deutschland eingesetzten 'Poglawnik' hing. Mir ist auch gesprächsweise bekannt geworden, dass diese Taktik die nationalistischen Kroatischen Kreise – auch unter den Freiwilligen – stark verstimmt hat und die Division viel inneren Konfliktstoff barg. Es soll wohl auch zu Meutereien gekommen sein. Mir ist lediglich bekannt, dass die zuständigen Bearbeiter im SS-Hauptamt diese Angelegenheit öfters diskutierten und Zweifel hegten, ob die Schaffung einer solchen Einheit unter dem Einfluss des Grossmufti nicht ein Fehler war, der die ganze übrige deutsche Politik gegenüber dem neugeschaffenen Kroatien kompromittierte.

Es ist übrigens auch möglich, dass der Grossmufti bereits vor der erwähnten Balfour-Kundgebung zu Himmler gekommen war im Zusammenhang mit der Aufstellung dieser Bosnischen SS-Division. Ich bin über die zeitlichen und sachlichen Zusammenhänge nicht informiert und gebe lediglich meine beiläufig erworbene Kenntnisse wieder.

Im Zusammenhang mit der Aufstellung dieser Bosnischen Division hat nun das SS-Hauptamt zusammen mit dem Grossmufti eine Schule eingerichtet, die sich mit der Ausbildung von Mullahs für die Bosnischen Freiwilligen befasste. Verschiedene Leute aus der Umgebung des Mufti, vor allem arabische Wissenschaftler, sodann aber auch einige bosnische Mohamedaner waren als Lehrer tätig, die Schüler bestanden aus Kommandierten der Bosnischen Division. Ich erwähne, dass ich diese Einrichtung nie gesehen habe und auch nur ein oder zwei der Lehrkräfte flüchtig gesehen habe, ihre Namen kenne ich nicht mehr. Einer von ihnen war SS-Angehöriger (Hauptsturmführer der Bosnischen Division) und Cheflehrer an dieser Mullah-Schule, die zuletzt in Guben untergebracht worden war und deren weiteres Schicksal ich nicht kenne. Dieser Cheflehrer der Bosnischen Mullahschule war auf Vorschlag des Mufti zur Eröffnung der Dresdner Schule eingeladen worden, ich kann mich jedoch nicht auf ihn besinnen.

Als ich beim SS-Hauptamt noch nicht tätig war, aber kurz vorher in einer anderen Angelegenheit mit dem gerade in Berlin weilenden Sturmbahnführer Herrmann eine Besprechung hatte, kam auch die Sprache auf diese Mullahschule. Ich erfuhr bei dieser Gelegenheit, dass Herrmann unter der Regie des SS-Hauptamtes und in Zusammenarbeit mit dem Grossmufti die Absicht hatte, die Bosnische Mullahschule auch für die Ausbildung anderer Nationalitäten zu verwenden. Herrmann wollte also die Ambitionen des Grossmufti unterstützen und ihm Einfluss auf Leute geben, die bisher von der Existenz des 'Grossmufti' kaum wussten und sich sehr gewundert hätten, was der Araber bei ihnen zu suchen hätte. Mir war jedenfalls bekannt, dass dies die landläufige Einstellung der Mohamedaner war, die z.B. aus UdSSR stammten – auch wenn sie im übrigen vom Grossmufti achtungsvoll gesprochen haben müssen. Hinzu kam, dass Herrmann mit der Ausnützung des Grossmufti für die islamischen Interessen des SS-Hauptamtes persönlich eine Chance seines Weiterkommens verbinden wollte. (Herrmann war – wie die meisten Angehörigen des SS-Hauptamtes und des RSiHA usw. – hauptberuflich bei der SS, gehörte also nicht zum ganz kleinen Kreis der Kommandierten, die nur auf Kriegsdauer oder noch für kürzere Zeit zur SS gekommen und hier entsprechend ihren Kenntnissen eingesetzt waren). Herrmann wollte also auf jeden Fall diese Verbindung zum Grossmufti durch die Schaffung eines eigenen Amtes für diese Fragen ausnützen und sah sich schon Chef dieser Stelle – ganz ohne Rücksicht darauf, ob es politisch Zweck und Sinn hatte. Mir ist später ein Schreiben zu Gesicht gekommen, in dem Herrmann den Obergruppenführer Berger warnt, sich die Arbeit mit dem Grossmufti nicht wegnehmen zu lassen, er hätte erfahren, dass andere Stellen wie das RSiHA ähnliche Absichten hätten usw. ~~Dies war eine glatte Verdrehung und sollte nur den Zweck haben, Herrmann eine besondere Unterstützung durch Berger zu verschaffen.~~

Die Entwicklung der nächsten Wochen ging dann folgendermassen: Herrmann fiel an der Front, als er das zerfallende sog. Ostmuselmanische Regiment übernommen hatte, Berger löste das AMT AI (das Herrmann zgedacht war) auf und die ganzen Fragen wurden in der Amtsgruppe D behandelt und mir bei meinem Arbeitsantritt beim SS-Hauptamt zuge-
schoben.

Ich habe sofort abgelehnt, mich mit Balkanfragen auch noch zu beschäftigen, bezeichnete die Mullahschule für die Bosnische Division als ausschliesslich regionales Institut und befasste mich nicht damit. Andererseits hatte ich die Abteilung Arabien und hatte in dieser meiner Eigenschaft auch die Verbindung mit dem Mufti als Araber, mit dem aber auch seine Eigenschaft als Mufti verbunden war.

[*Several lines illegible, PSvK*]

Meine Aufgabe war insofern schwierig, als ich wusste das das Auswärtige Amt und das RSiHA (Amt VI) den Grossmufti kritisch einschätzten und die Bedeutung, die er sich beimass, als übertrieben und nicht gerechtfertigt hinstellten. Weiterhin war mir bekannt, dass die deutsche Islam-Wissenschaft, vor allem Prof. Hartmann, die Bezeichnung 'Grossmufti' bereits als wissenschaftlich und historisch nicht haltbar nannte und die Bedeutung des Grossmufti für den Gesamt-Islam als sehr gering bezeichnete. Der Grossmufti sei im wesentlichen ein arabischer Nationalist und Rechtsgelehrter, habe aber als solcher nicht die Stellung eines für den Islam allgemein gültigen Oberpriesters oder dergleichen. Auf der anderen Seite stand die Notwendigkeit, den Befehlen von Berger nachzukommen, der in dem Grossmufti zweifellos eine Art Kalif oder ähnliches mit unvorstellbarem Nimbus bei allen Mohamedanern sah. Alle Versuche, diese Einstellung von Berger durch eine sachliche Darstellung des Sachverhalts zu ändern und eine kühle Betrachtung der Möglichkeiten, mit dem Grossmufti zu arbeiten, waren ohne Erfolg. Ich entsinne mich, dass er eine ihm zur Kenntnis gegebene geringschätzende Beurteilung des Mufti durch eine andere Behörde mit der Randbemerkung versah: (sinngemäss) ich verbitte mir alle Querschiesereien gegen den Mufti, sonst gehe ich zum RFSS. Ich halte den Grossmufti für einen grossen und Deutschland ehrlich ergebenden Mann. – Diese Streiflichter zur allgemeinen Beleuchtung.

Schon bei der Planung der Dresdner Mullah-Schule hatte ich nach einer Besprechung mit Hartmann den Grossmufti aufgesucht 1943. Hartmann hatte empfohlen, dem Grossmufti den Plan zu erzählen, das würde seiner Eigenliebe schmeicheln und andererseits könne man seine Stellung als eine Art Dekor für die Schule ausnützen. Ich müsse nur darauf achten, dass er seine Finger nicht allzu sehr hineinmische, da eine von ihm ständig angestrebte panislamische Linie unmöglich und unreal sei. Tatsächlich war der Grossmufti von dem Plan nicht nur begeistert, sondern wollte tatsächlich gleich arabische u.a. ihm ergebene Kreise mit einspannen. Er sah wohl später ein, dass er mit diesen Absichten keinen Erfolg hatte und bestand nicht weiter darauf. Immerhin ist interessant, dass ihm die Sache innerlich keine Ruhe liess, denn er kam kurze Zeit darauf mit einem anderen Vorschlag, der auf dasselbe hinauslief: er schlug die Zusammenfassung aller mohamedanischen Verbände in einer islamischen Armee vor, die unter der grünen Fahne des Propheten gegen den gemeinsamen Feind kämpfen solle. Als gemeinsamen Feind betrachtete er je nach Bedarf einmal die UdSSR, einmal die Alliierten. Auf den Einwurf, dass sich beispielsweise die

nordafrikanischen Mohamedaner kaum zu einem kämpferischen Einsatz gegen die UdSSR, und die sog. Ostfreiwilligen auf Grund der bisher ihnen gegenüber angewandten Propaganda kaum für den Einsatz für die Befreiung der arabischen Länder von englischer Herrschaft begeistern lassen würden, pflegte er ausweichend zu antworten, etwa in dem Sinne, dass das brüderliche Band aller Mohamedaner so stark sei, dass jeder verpflichtet sei, dem anderen zu helfen oder dass kein Mohamedaner gegen einen anderen kämpfen würde usw. Diskussionen über diese Frage mussten nach Möglichkeit vermieden werden um so mehr als der Grossmufti durchaus in der Lage gewesen wäre, bei Berger diese seine Wünsche vorzutragen und sogar damit gerechnet werden musste, dass er damit Erfolg hätte.

Die Beteiligung des Grossmufti an der Dresdner Schule wurde darauf beschränkt, dass er die Prüfung der als Lehrer vorgesehenen Leute auf ihre fachliche Eignung vornahm und später zur Eröffnung der Schule eingeladen wurde. Sowohl Dr. Murad wie später Prof. Idris waren beim Grossmufti und hatten seine Billigung erhalten. Prof. Idris war bereits früher mit dem Grossmufti bekannt. Über das persönliche Verhältnis der beiden bin ich nicht unterrichtet. Idris schien auch keinen allzu grossen Wert auf eine zu starke Einschaltung des Grossmufti zu legen,- ob aus fielen (??) Stacken (Stücken??) oder aus Kenntnis der Zurückhaltung der deutschen Stellen gegenüber dem Grossmufti ist mir auch nicht klar.

Soweit die Zusammenhänge um die Mullahschule. Von den Personen, die an der Institution in irgendeiner Form Anteil hatten, führe ich an

Prof. *Hartmann*, Ordinarius der Universität Berlin, Senior der deutschen Islamwissenschaft und Arabistik. Etwa 65-70 Jahre alt, ziemlich hinfälliger Gesundheitszustand. Hat in allen diesbezüglichen Fragen seine Stellungnahme abgegeben, war aus wissenschaftlichen Gründen dem Grossmufti gegenüber sehr kritisch eingestellt. Irgend eine praktische Teilnahme am Unterricht oder ein Besuch in Dresden ist nicht erfolgt. Hartmann wohnt in Berlin, ist verheiratet.

Prof. *Spuler*, Turkologe und Islamwissenschaftler der Universität Göttingen. War Wehrmachtsangehöriger, wurde 44 freigegeben und hatte vor und nach seiner Entlassung aus der Wehrmacht die Mullah-Lehrgänge des Heeres geleitet. Wurde, allerdings nur oberflächlich, von Prof. Idris in gewissen methodischen Fragen des Unterrichtes zu Rate gezogen und war interessiert daran, sich laufend an der Schule zu beteiligen. Dürfte in Göttingen noch wohnen. Alter etwa 35 Jahre.

Major a. D. *Killinger*, 75 jähig, noch rüstig. Mohamedaner, Reichsdeutscher, hatte ein Gesuch an die SS gerichtet, indem er um Verwendung bat unter Hinweis darauf, dass er Interesse an islamischen Fragen und am Balkan-Problem hätte. Nach Fühlungsnahme mit ihm war er bereit, die Stelle des Direktorposten an der Schule zu übernehmen. War ein wenig brauchbarer Mann auf diesem Posten, da er wenig organisatorisches Talent entwickelte und Reibereien persönlicher Art nicht vermeiden konnte. Hatte keinerlei Einfluss auf die Planung. Wohnt in Franzensbad (bei Marienbad), wo er sich auch jetzt aufhalten müsste. Er hatte ständigen Kontakt mit den Schülern und Lehrern, da er in der Schule wohnte. Kennt deren Namen. Dürfte auch noch einige Schriftstücke haben.

Prof. *Idris*, Emigrant, Tatare aus Kazan, ist mit einer Tatarin verheiratet, 3 (?) Kinder. Hatte im ersten Weltkrieg im Auftrage des Preuss. Kriegsministeriums die Betreuung mohamedanischer Kgf und kehrte mit diesen nach Friedensschluss in die UdSSR zurück. Kehrt später erneut, m.W. mit der Bucharer Kommission nach Dld zurück und blieb hier. Wurde stark, besonders von Emigrantenkreisen angefeindet und als Sowjetischer Agent bezeichnet. War Angestellter des Auswärtigen Amtes (soviel mir erinnerlich bei Ges. von Hentig) und wurde von dieser Stelle wiederholt gegen die erwähnten Angriffe geschützt. In letzter Zeit hatte er ausserdem eine Tätigkeit beim Rundfunk (Sendungen in türkischer Sprache nach der Türkei). Er siedelte mit seiner Familie im Anfang April nach Bayern um, wohin der Rundfunk seine Tätigkeit verlagert hatte.

Dr. *Murad*, schied aus, bevor Idris Cheflehrer wurde. War bei der Planung der Schule von Anfang an beteiligt. Zivilberuf Arzt, verheiratet, 1 Kind. Staatsangehörigkeit Saudisch-arabien. Spricht fließend deutsch, arabisch, tatarisch. Dürfte sich z. Zt. an einem Krankenhaus in Kärnten aufhalten, wohin er Anfang 44 übersiedelt ist.

Dr. Schinkewitsch, Mohamedaner (tat.Abstamm?) aus Polen. War vom Ostministerium mit nach Deutschland genommen worden und zunächst dem Heer zugewiesen. Wurde als Mufti des Ostlandes bezeichnet. Wohnte mit in Weissenfels, weigerte sich mit nach Dresden zu fahren und blieb in Naumburg, wo er privat Unterkunft gefunden hatte. Ich habe ihn etwa am 15. April (nach Einname von Naumburg (?) durch die) das letzte Mal auf der Strasse gesehen, ihn aber nicht angesprochen. Wenn nicht geflohen, müsste er noch in Naumburg sein.

13 The Academic Training of Imams Recent Discussions and Initiatives in the Netherlands¹

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Three main parties have always been involved in the issue of training imams in the Netherlands, namely, the government, the academic educational institutions, and Muslims. The two fundamental rights of academic freedom and religious freedom were always present in the theoretical discussions and debates as well as in the practical establishment of three recently established academic programmes funded by the government in the framework of training imams.

This paper is going to trace, in broad lines, the main developments of training imams working in the Netherlands which started almost twenty-five years ago and then recently crystallized in establishing three new programmes at the Vrije Universiteit (VU) in Amsterdam, Leiden University and the Higher Vocational School, Inholland. At the end, this paper presents an overview of these programmes besides a short sketch of other Muslim initiatives in this regard.

This paper is restricted to tertiary education, viz., university and higher vocational education.² Discussions on training imams at lower educational levels have remained theoretical and fall outside scope.³

Historical Survey

Discussions on training imams in the Netherlands can be divided into three main periods:

First Initiative: The 1980s

The first suggestions to train imams in the Netherlands was made by the Waardenburg Committee in 1982. The committee, at the request of what was known at the time as the Ministry of Welfare, Public Health and Culture (Ministerie van Welzijn, Volksgezondheid en Cultuur), was to search the need for religious facilities among foreign workers. One of the committee's conclusions was that an imam training programme is desirable. Such a programme would help the imported imams from the countries of origin express themselves in Dutch and gain adequate knowledge about the position of Muslims in Western industrialized society.⁴ Preliminary trials were also introduced in this period. For instance, from the beginning of the 1980s till 1990, there was a project of an upgrading course jointly organized by Turkish organizations and the Dutch government under the title of 'How does Islam function in a Western context?'.⁵

Serious Proposals: The 1990s

On November 29, 1993, the Mulder-van Dam motion, calling for studying the possibilities of an imam training programme in the Netherlands, was submitted to the Second Chamber of the Dutch Parliament. The motion was taken seriously by the government.⁶ However, until the end of 1993, the Ministry of Education declared that no concrete requests for instituting such a programme have been received on the part of Muslim organizations.⁷

On March 10, 1994, a round-table discussion was organized by the Ministry of Education between representatives of Muslim organizations and those of relevant educational institutions.⁸ On May 18, 1994, the Minister of Education reported, on the basis of the round-table conclusion, that the Muslim community was interested in an imam training programme starting at the secondary educational level and followed by one on the tertiary level.⁹

In 1995, Dr. Nico Landman, Utrecht University, was requested by the Ministry of Education to conduct an exhaustive study on the opportunities and obstacles of creating a Dutch imam training programme. This study was published in December 1995.¹⁰ On January 16, 1997, the State Secretary of Education presented the aforementioned report of Landman to the Second Chamber of the Parliament. On this occasion, five main points of strategic importance concerning the issue of training imams were presented.¹¹ They focused on: a) cooperating with other countries like Morocco and Turkey; b) regulating an *inburgeringscursus*¹² for imams

as long as the prospective imam training programme had not yet been realized; c) studying the further developments of the next generations within the ethnic groups and their influence on the form of mosque boards in the future; d) starting a scholarly dialogue with Islam. The then to-be-established institute, the Netherlands Institute for the Study of Islam in the Modern World, was expected to play a role in this respect and e) keeping in mind the recommendations of the Landman Report especially those with relevance to the secondary education.¹³

In 1998, the government formed a committee to study three main possibilities for an imam training programme, viz., a) preparatory courses for imams coming to work in the Netherlands. Such courses were to be given in the country of origin before leaving for the Netherlands. b) Introducing a course in Dutch citizenship (*inburgeringscursus*) tailored for religious leaders coming from outside the European Economic Area (EEA), and c) introducing an upgrading course (*bijcholings cursus*) for imams already working in the Netherlands.¹⁴ These proposals crystallized into a series of such courses continuing till the present day. Thus, imams sent by the Turkish government are given a course in the Dutch language and culture before coming to the Netherlands.

In January 2002, foreign imams who work temporarily in the Netherlands were obliged to follow an *inburgeringscursus*.¹⁵ For them, the course involved not only the regular programme for every newcomer, but included also teachings on religion and society as well. Under large national and international media attention, the first course started in September 2002.¹⁶ Such courses are now also given to teachers of language and religion active in the Muslim communities in the Netherlands.¹⁷

Complete Training Programmes: The 21st Century

On January 29, 2002, the Ministry of Education and the Ministry of the Major Cities and Integration Policy formed a committee to study the possibilities of creating a complete imam training programme and of funding this programme. The committee submitted the advice on July 30, 2003 and the report was published in December 2003.¹⁸

In December 2004, the Ministry of Education invited proposals for a national imam training programme in existing institutions.¹⁹ The academic year 2005-2006 witnessed the start of the first programme at the Vrije Universiteit (VU) in Amsterdam. The next academic year, 2006-2007, two more programmes started, one in Leiden University, the other in the Higher Vocational School (*HBO*) Inholland.

The Dutch Legacy

One central factor of making an imam training programme a typical solution to improve the integration of imams and Muslims in general in the Dutch society, certainly is the Dutch legacy of ‘pillarisation’ (*verzuiling*) and its relevance to theological education with the two main educational systems of *simplex-ordo* and *duplex-ordo*.

Pillarisation (*verzuiling*) is a term used to describe the way the Dutch and Belgians used to deal with their ‘multicultural’ (but not multiethnic) societies. Society was ‘vertically’ divided in several smaller segments or ‘pillars’ according to different religious confessions, political ideologies or life philosophies, which operated separately from each other allowing, however, for cooperation and negotiations at their top levels. These pillars all had their own social institutions: their own newspapers, broadcasting organisations, political parties, hospitals, schools, universities, etc.²⁰

The legislation of 1876 outlined the basic relationship between church and state in regard to education. The theological faculties at Dutch public universities had originally been Reformed Church but with the formal separation of church and state, the chosen solution was to have what could be called a ‘public theology’ at the state universities, while confessional training was placed at seminaries run by the churches ‘at but not part of’ the universities.²¹ This model is called *duplex-ordo* and was intended to free the universities of confessional ties.²²

However, some of the churches objected to the notion that the study of the word of God could be neutral and favoured an integral study of theology, within a university environment. For this reason, the Free University (*Vrije Universiteit*) was founded in 1880. This model is known as the *simplex-ordo*.²³

It was therefore, in the Dutch society, a logical option to build on the above-mentioned legacy to solve the problem of the academic training of spiritual leaders of Muslims (imams), both following the *simplex-ordo* model as well as that of the *duplex-ordo*.

The main obstacles standing in the way of realizing such solutions can be divided into three categories a) those pertinent to the Dutch secular system, b) those related to Muslims themselves and c) those joint obstacles.

The Dutch Secular System

Due to the secular structure of Dutch society where separation between state and church is a main principle, the government cannot initiate religious education itself.²⁴ Additionally, in the Law of the Denominations (*Wet op de kerkenooschappen*) it was laid down that the state must refrain from interfering in internal matters of these associations including the appointment of clerical officials. In 1988, this law was replaced by the Law of Public Manifestations (*Wet openbare manifestaties*) stating that each denomination has ‘... the total freedom to regulate anything that concerns their religion and the practice of it in their own circle’ as guaranteed by the revised Constitution of 1983, particularly the first and sixth articles.²⁵

However, within the prevailing ‘pillar system’, institutions within a given ‘pillar’ can obtain official recognition, which also implies financial support for a religious training programme for clergymen.²⁶ This, however, requires the existence of a specific cooperation partner representing the people of that denomination that consults with the government and takes full responsibility of the programme.²⁷

In the case of Muslims, such a cooperation partner was lacking. This situation played an important role in the discussions concerning the possibility of the government taking part in the imam training programmes and whether this would harm the principle of separation between church and state.

One party stated that government should remain neutral in this issue. Initiatives should come first from Muslim organizations.²⁸ On the basis of the separation between the church and the state, the government should be confined to the responsive role. It should wait for proposals submitted by Muslim organizations and educational institutions and can just give assistance in the form of information or advice.²⁹

The other party called for a governmental role that would go beyond the advisory or responsive dimension. The main advocates of this approach were members of the Foundation of the Extraordinary Chair Islam (Stichting Bijzondere Leerstoel Islam)³⁰ occupied by the former professor of the Sorbonne University in Paris, Mohammad Arkoun, who was appointed as holder of this chair in 1993. Before occupying the chair, Arkoun already objected to importing imams from the countries of origin and called for a governmental intervention to promote European Islam.³¹ Arkoun warned: ‘In case you think that (the imam training) is the business of Muslims themselves – because you respect religious freedom – you will slow down

the modernizing process of European Islam.³² Almost the same approach was adopted by C. Çörüz, the chairman of the foundation³³ and the two board-members, Fadime Örgü³⁴ and Ousama Cherribi, member of parliament³⁵ on behalf of the VVD Party³⁶ The VVD leader of the time, Frits Bolkestein, went even further. He suggested to limit some of the work permits given to imams in a bid to force the Muslims to accept a Dutch imam training programme.³⁷

Muslim-Related Obstacles

The Divergence of Muslims

A collective initiative by Muslim organizations would have put the aforementioned obstacle to an end. However, such an initiative was hampered, among other things, by the divergence of Muslims living in the Netherlands.³⁸

First of all there is no national coordinating organization for imams in the Netherlands, not to mention for Muslims in general. Sectarian, denominational as well as ethnic and national differences played a role in this regard. Because of these differences, there is not one common viewpoint about the imam and the functions he is supposed to fulfil. As a corollary, there is no common standpoint concerning the content or the structure of the prospective imam training programme.³⁹

To overcome this obstacle, reports submitted to the government suggested more than one possible solution. One suggestion was to stimulate the formulation of a national coordinating Muslim organization.⁴⁰ Another practical suggestion was that the government should deal with the current situation and be ready to start cooperating with one group or organization among Muslims.⁴¹ In this case, having more than one imam training programme would be an option.⁴² The third suggestion was to make use of a number of independent experts, who could be acceptable among Muslim organizations, for the sake of developing projects for the imam training that might later gain their support.⁴³

The Unprivileged Position of the Imam

Juridically speaking, the imam holds the office of a clergyman and thus his legal rights and duties as an employee are not protected by the government. For preachers and priests, these rights and duties are often centrally regulated by their own religious denominations (*kerkenootschap-*

pen). However, imams are usually employed on the basis of a written or a non-written contract with the board of the mosque against a very low salary and under precarious legal conditions. With the first conflict with the board, they can be easily dismissed without any legal protection. The main exception here are the Turkish imams, who are employed for a four-year period by the Turkish Ministry of Religious Affairs. They are Turkish state employees and thus their legal position is regulated by Turkish Law.⁴⁴

In the light of such conditions, fears were expressed that a prospective imam training programme would not be attractive for the younger Muslim generations.⁴⁵ While some observers considered this situation as one of the main obstacles in the way of realizing an imam training programme, others saw it as just a stage in a continuing process.⁴⁶ A third group opined that future students would be motivated to work as imams not because of the financial attractiveness of this office but because of believing in the importance of the message that the imam stands for.⁴⁷

To overcome this obstacle, reports submitted to the government suggested stimulating a discussion among Muslim organizations to study the main ways of improving the work conditions of the imams. Another suggestion was that imams would continue to work in mosques as volunteers and that other financial sources, from outside the mosque, should be made available to fund them, such as work in the field of spiritual care in prisons and hospitals.⁴⁸

The Shortage of Competent Teachers

Establishing a high quality imam training programme necessitates having a competent teaching staff that will also be acceptable for the Muslim organizations. At first sight, one would think of difficulties concerning the availability of such staff in the Netherlands. It was suggested, in case this staff would not be available, to import qualified teachers from outside the Netherlands and give them intensive courses in the Dutch language.⁴⁹

It is to be noted that all programmes to be discussed below did not have to import any foreign teachers. The staff was composed of teachers who were already living in the Netherlands.

Joint Obstacles

Divergent Aims

The two main parties, viz. the Muslims and the Dutch government, who were supposed to work together in this respect, did in fact not have identical aims of training the imams.⁵⁰

The two parties shared two main common motives, namely, mastering the Dutch language and minimizing the cultural gaps between imams born and educated in Islamic countries and secularist Dutch society. However these two aims do not create sufficient grounds for establishing an imam training programme. These aims can be achieved by separate courses in Dutch language and culture.⁵¹

The core aims of starting such a programme showed, however, clear points of divergence between Muslims and the government. One of these controversial aims is promoting the so-called 'Dutch Islam,' viz., interpreting Islamic beliefs and ethics in a way consistent with the current situation of Muslims in the Netherlands as a religious minority living in a strongly secularist country. Another debatable aim is that these imams should actively participate in the integration of Muslims into Dutch society, a role which is negatively affected by the currently imported imams.⁵²

These two aims are central for the Dutch government while very controversial among Muslims and especially the mosque communities. By promoting 'Dutch Islam,' Muslims fear the universal character of Islam would be denied. They also fear that 'integration' would eventually end up in 'assimilation' in case there would be an exaggeration in adapting Islam to the Dutch context and thus losing its religious and cultural identity.⁵³

In opposition to such aims, Muslims also have their own aims which may not be shared by the government or at least not given the same priority. For them, such a programme should create imams who could combine the traditional tasks of the imam with the new requirements of his office in a non-Islamic Western country. Additionally, imams should participate in formulating the Islamic identity of Muslims in the Netherlands. The content of this Islamic identity is to be decided by Muslims only.⁵⁴

Changing Circumstances

Despite the abovementioned obstacles that would have hindered realizing imam training projects, a number of drastic incidents took place in Dutch society which a) gave a clear indication that training imams is an

urgent necessity; and b) swept away, or minimized, the abovementioned obstacles or at least some of them. The first group of incidents would be discussed below under 'worrisome incidents' and the second group as 'further developments.'

Worrisome Incidents

Besides the events of September 11 with their clear repercussions on the entire world including the Netherlands, there has been a series of local incidents in Dutch society which gave signs that practical steps must be urgently taken.

A number of NOVA (a well-known current affairs programme on Dutch television)⁵⁵ episodes tackled issues with relevance to imams, almost all of which gave a negative image about these imams. This gave rise to severe critique among Muslims against NOVA which was accused, for instance, of spreading untrue information about imams.⁵⁶

An early example was the episode broadcasted on September 20, 1995. NOVA paid attention to the case of a Turkish husband who killed his wife because she committed adultery. According to NOVA, the man went to consult two imams who said that he had the right to kill his wife for this reason.⁵⁷

The imams themselves became the main subject of this programme with the case of Shaykh al-Moumni, the Moroccan imam of al-Nasr Mosque in Rotterdam, who said in an interview with NOVA in 2001 that homosexuality was an illness with inherent dangers for society as a whole.⁵⁸ Being attacked for this opinion, other imams expressed their support for al-Moumni's statements.⁵⁹

The second case was the episode of June 13, 2002, entitled 'Imams Preach Violence in the Mosques' which broadcasted recorded parts of some Friday sermons carrying an anti-Western attitude, refusing democracy and commending violence against America and Israel.⁶⁰

Some observers said that such viewpoints are caused by the fact that those imams do not know Dutch society and are not well-integrated.⁶¹ Plans for training imams were revived again.⁶²

On April 21, 2004, the Dutch daily newspaper *Trouw* stated that the al-Tawheed Mosque in Amsterdam was circulating books that could be read as promoting female circumcision and the killing of homosexuals.⁶³ On April 28, the Second Chamber of the Dutch Parliament held a debate on this issue and calls were voiced to stop importing imams from countries of

origin,⁶⁴ insisting upon the necessity of establishing a Dutch imam training programme and stipulating that only graduates of this programme would be allowed to work as imams in the Netherlands.⁶⁵

On November 2, 2004, the Dutch cinematic director Theo van Gogh was murdered by a Dutch Muslim of Moroccan origin. Van Gogh was known for his anti-Islamic statements and standpoints. The murderer was said to have been a constant visitor of al-Tawheed mosque where he would have also attended religious lessons.⁶⁶ Al-Tawheed mosque was not unique in this regard but can just be seen as an example of mosques that have been, along with their imams, a target for media and politics accusing them of spreading hate against members of Dutch society, disdaining Dutch norms and traditions or at least hampering the integration of Muslims in the Netherlands.⁶⁷

Further developments

Developments in Muslim Organizations

On November 1, 2004, after a two-year preparation, a coordinating national Muslim organization was recognised by the Minister of Foreigners' Affairs and Integration. The new organization, Committee for the Relations between Muslim Organizations and Government (CMO), said to represent about 50 percent of Muslims living in the Netherlands.⁶⁸ Subsequently, an additional body, the CGI (Contact Group Islam) representing the Twelver Shi'īs, Alevites, Ahmadiyya and a council of Sunnis who were willing to work with all Muslim sects including the Ahmadiyya (contrary to CMO) was also recognized as a partner for discussion and consultation with the government on January 13, 2005.

On the same day, the CGI declared that they do not want to import imams from foreign countries any more. Imams working in the Netherlands should also be trained in the Netherlands.⁶⁹ On January 29, 2006, the CMO declared its desire to realise, in the near future, an imam training programme.⁷⁰

Practical Steps and Three New Programmes

After all these incidents, the Dutch government started to speed up the establishment of Dutch imam training programmes. First, the Second Chamber expressed their intention in December 2004 to close the Dutch

borders to the imported imams starting from 2008.⁷¹ As a consequence, the Second Chamber pushed for a Dutch imam training programme and asked the government to come up with speedy solutions.⁷²

The academic year 2005-2006 was proposed by the government to be the starting-date of this programme, to be financed by the Dutch government, but on the basis of initiatives from Muslim organizations and from educational institutions.⁷³ In December 2004 the Dutch Ministry of Education and Science invited proposals for a national imam education from existing institutions.⁷⁴ In January 2005, four universities, Leiden University, Groningen University, the Vrije Universiteit (VU) in Amsterdam and the Humanistic University in Utrecht submitted their plans for the prospective imam-training programme.⁷⁵ Further developments, to be discussed below, led to three new programmes, two on the university level at the VU and at Leiden University and one on the level of Higher Vocational Education (*HBO*) at Inholland.

Vrije Universiteit (VU) in Amsterdam

VU's Theological Faculty, founded in 1880 within the framework of the aforementioned *simplex-ordo*, was the first to start a Master's programme for training imams. Being the pioneer in this respect, the VU became the target of a lot of criticism. The immediate response from the CMO and the CGI was negative saying that it was not possible to train imams in two or three years with adequate skills in Arabic and Islamic sciences. This would take much longer, maybe six or ten years, and the imams to be educated by the VU would never be accepted by the Muslim communities. They might have a university degree in Islamic Theology but they would never be able to hold authority in a mosque.⁷⁶

The university received a governmental subsidy of 1.5 million Euros for a six-year period.⁷⁷ The programme-coordinator is Prof. Dr. Henk Vroom, specialist in the Philosophy of Religion.⁷⁸

Simplex-ordo

The *simplex-ordo*, where confessionality is a legitimate part of the academic sphere, was seen by the VU staff as one of its main strengths for a Dutch Islamic education.⁷⁹ According to Vroom, the approaches operative at Faculty of Theology for 125 years now are equally valid for the Muslim community.⁸⁰ In this vein, the courses aim to both provide knowl-

edge about Islam and to make this knowledge ethically and spiritually relevant in the current setting. It is therefore crucial that a spiritual and moral commitment from the students is an integral part of the study.⁸¹ Through this approach, which could be termed as ‘committed or engaged’ as opposed to ‘neutral’, VU staff are assuring that they are able to provide an education in chaplaincy which can be perceived as legitimate among Muslims.⁸²

Despite its merits in this sense, confessionality gives rise to potential critiques. For instance, there would be no room for differences of opinion, as it promotes a certain truth-claim. In response, the VU staff assured that this programme is not promoting a certain school of law or a certain tradition of interpretation of Islam and thereby annihilating parts of the Muslim communities.⁸³ The fear was also expressed that academic freedom of thought and speech would be threatened by the confessional approach, both in the form of individual adherence to absolutist forms of argumentation, and in the form of certain groups, institutions or organisations influencing the work of the university. However, the focus on the academic standards of the teaching methods was presented to assume that this would not happen at the VU.⁸⁴

Programme

The programme consists of a three-year Bachelor and a one-year Master. Integrating this programme as a sub-section of the main programme Religion and Philosophy of Life (*Religie en levensbeschouwing*), saved the VU the official accreditation process.⁸⁵ The Master is officially called Religion and Philosophy of Life: Islamic Spiritual Advisor (*Islamitische Geestelijke Verzorger*).⁸⁶

Bachelor

The Bachelor’s programme (total 180 ECTS), called Religion and Philosophy, specialisation Islam,⁸⁷ consists of three parts: Arabic language (total 30 ECTS), Islamic Theology (total 78 ECTS) and Religious Studies (total 72 ECTS).

Islamic Theology is composed of fifteen courses; the history of Islam (6 ECTS), Islamic history till 1800 (6 ECTS), an introduction to the Quran and Hadith I (6 ECTS) & II (6 ECTS), Islamic ethics I (3 ECTS) & II (3 ECTS), Islamic theology (6 ECTS), *Usūl al-Fiqh* (6 ECTS), *Usūl at-Tafsīr* I (6 ECTS) & II (6 ECTS), Islamic philosophy (6 ECTS), and Islam and Eu-

ropean culture (6 ECTS). Finally, two courses are dedicated for preparing and writing the bachelor thesis (12 ECTS).

Religious Studies include also fifteen courses; history of philosophy (6 ECTS), Hinduism (6 ECTS), Christianity (6 ECTS), Judaism (6 ECTS), Encyclopaedia of Science of Religion A (3 ECTS) & B (3 ECTS), Phenomenology I (3 ECTS) & II (3), Philosophy of Religion (6 ECTS), Secular Philosophy and Sense-Giving (6 ECTS), Ethical Theories/Ethics (6 ECTS), Philosophy of Religion: Advanced (6 ECTS), Public Theology I (3 ECTS) & II (3 ECTS) and Introduction to the Social Sciences (6 ECTS).⁸⁸

Master

The Master's programme, Religion and Philosophy: Islamic Spiritual Advisor (*Islamitische Geestelijke Verzorger*), is available in full-time (one year) and part-time (two years).⁸⁹ The programme demands a basic knowledge of the Islamic sciences and Arabic and focuses more on the practical application of Islam in the social context of pastoral care than on providing basic knowledge about Islam.⁹⁰ This programme has three main variations with 60 ECTS for each programme: a) Islamic spiritual care, b) deepening Islam and c) preparing imam (ISN).

Islamic spiritual care (total 60 ECTS) is divided into a) compulsory courses (33 ECTS) and b) optional courses (27 ECTS). Compulsory courses are Islamic Theology with Relevance to Spiritual Care (6 ECTS), Islamic Ethics and *Fiqh* I (3 ECTS), Psychology (6 ECTS) and the writing of the Master's Thesis (18 ECTS). Optional courses are Training/Research (6 ECTS), Islamic Ethics and *Fiqh* II (3 ECTS), Contemporary Islamic Theology (6 ECTS), Deepening Islamic Spiritual Care (6 ECTS), as well as Theory of Spiritual Care (6 ECTS).⁹¹

The second specialisation, Deepening Islam, is only available via a distance learning system because the teacher, Prof. Dr. P.A. van Doorn Harder, resides abroad. This programme is also composed of compulsory (33 ECTS) and optional courses (27 ECTS). The compulsory courses are Master College I (6 ECTS), Faculty Module (3 ECTS), Islamic Philosophy (6 ECTS), and Master's Thesis (18 ECTS). The optional courses are Islam in Europe (6 ECTS), Quran Explanation and Jurisprudence (6 ECTS), and Advanced Specialisations I (6 ECTS) and II (3 ECTS).⁹²

On the website of the Faculty of Theology, a link refers to a third specialisation, preparing imam for (ISN) *Islamitische Stichting Nederland* (Islamic Foundation Netherlands). However, there is no further information available yet.⁹³

In June 2006, it was declared that the VU concluded an agreement with ISN, the organisation managing Turkish mosques in the Netherlands. ISN imports the imams from the Turkish Ministry of Religious Affairs (*Diyanet*). According to the agreement, the graduates of the new specialisation in the Master's programme would be qualified to follow a two-year imam training programme in Turkey. This agreement raised doubts about a possible Turkish intervention in the VU programme. The Ministry of Education accepted the agreement provided that no more than 40 percent of the VU programme would be changed; otherwise the VU has to submit a new request to be approved by the ministry. The VU informed that it would remain within these borders.⁹⁴ This specialisation will entail adapting the study programme and enlarging the teaching staff.⁹⁵ However, further details are still dependent on further negotiations.

Leiden University

Leiden University, established in 1575, is the oldest university in the Netherlands.⁹⁶ Five main arguments were mentioned to support the eligibility of Leiden University for this new programme. First, Leiden University has a long tradition of Islamic Studies tracing back to the sixteenth century, including, for instance, the production of the various editions of *The Encyclopaedia of Islam*. This unique experience was also conceded by the international accreditation committee.⁹⁷ Second, the programme emphasizes modern issues, especially related to Islam in the European context. Third, intra-Islamic pluralism represented by the different schools of Islamic thought, including the Sunnis and the Shi'is, are represented in the various seminars of the programme. Fourth, the presence of a highly qualified and renowned staff graduated from reputable Muslim and European academic institutions.⁹⁸ Finally, Leiden University Library contains one of the best collections of Islamic printed books and manuscripts in the West, attracting many research scholars from all over the world.⁹⁹

Islamic Theology

After being criticized for choosing the VU proposal, the State Secretary of Education decided, in April 2005, to organize a second round to give the other universities an opportunity to submit new proposals.¹⁰⁰ In this new round the Leiden University proposal was chosen to be funded by the government as declared in January 2006. The university received 2.3

million Euros for the period 2006-2010 to set-up a four-year programme consisting of a Bachelor's and Master's degree.¹⁰¹ The coordinator of the programme is Prof. Dr. P.S. van Koningsveld, Professor of Islamic studies since 1994 and specialist in the history of Islam in Europe.¹⁰²

Duplex-ordo

Unlike the VU, teaching in Leiden University is based on the aforementioned system of *duplex-ordo*. Making use of this system, the Leiden proposal distinguished two parts of this programme, a) Scientific and b) Confessional.

The first part, funded and run by the university would focus on the scientific and academic approach of education whereas the second part would give space for Muslim organizations to set up their own supplementary confessional training programme. This two-fold system had already been realized for the training of ministers of religion since 1876, as described before.¹⁰³

The academic part (both the first year of the Bachelor and the Master) started in September 2006. The confessional part, however, is still waiting for the conclusion of agreements with the Muslim organizations concerned.

Accreditation

The scientific part underwent a process of accreditation by an international committee of well-known Islamologists in Europe.¹⁰⁴ That is because Islamic Theology was set up as an independent programme and not as a variation or sub-section of an existing programme. The committee concluded that 'the 'Islamic Theology' programme of Leiden University is unique in Europe and one of the earliest of this sort. There are already other comparable initiatives in Europe and the Netherlands but none of them offers a complete Bachelor-Master accompanied with an imam training programme.'¹⁰⁵

The academic part of the programme is divided into a three-year Bachelor and one-year Master.

Bachelor

Keeping in mind the centrality of the Arabic language in this programme, a large part of the first year is dedicated to an extensive study of the Arabic language.

During the second and the third years, attention is paid to studying the classical disciplines of Islam with the help of Arabic sources and texts. The main focus of the second year is the classical period of Islam whereas the modern time is the focus of the third year.¹⁰⁶

The three-year Bachelor's programme has a total of 180 ECTS, with 60 ECTS per year. The programme falls in three main parts: Arabic (15 ECTS), Islamic Theology (total 100 ECTS) and Religious Studies (total 35). There are two slots for optional courses (total 30 ECTS) in the second year (10 ECTS) and 20 ECTS in the third year. Optional courses are meant to give space for following courses that would deepen one's knowledge about any relevant field or to create future work-opportunities.¹⁰⁷

The first part consists of eleven courses: Outlines of the History of Islam (5 ECTS), Modern Trends in Islam 1 (5 ECTS) & 2 (15 ECTS), Islamic Sources 1 (10 ECTS), 2 (10 ECTS) & 3 (5 ECTS), Classic Sources (10 ECTS), Religious Law and Ethics 1 (10 ECTS), 2 (5 ECTS) & 3 (10 ECTS), Modern Islamic Theology (5 ECTS) and Bachelor's Thesis (10 ECTS).

The second part consists of seven courses: an Introduction to the Science of Religion (5 ECTS), History of Christianity (5 ECTS), Philosophy of Religion (5 ECTS), Introduction to Judaism (5 ECTS), Comparative Religious Science (5 ECTS), Psychology of Religion (5 ECTS) and Sociology of Religion (5 ECTS).

Master

The Master's programme (total 60 ECTS) places strong emphasis on the study of contemporary Islam, focusing particularly on Islam in the European context, as well as the study of the primary sources of Islam. The programme is available in full-time (one year) and part-time (one and a half years).

Students follow four seminars (10 ECTS for each), three of which are obligatory: Approaches in the Modern Study of the Quran and Hadith, Empirical Study of Islam in Europe and the Significance of *Fatwā* Literature with Relevance to Islamic-Western Relations. The student is free to choose a fourth seminar within or outside the Faculty of Theology.¹⁰⁸ The obligatory MA thesis (20 ECTS) will focus on Islam within the European context.

Inholland

Unlike the VU and Leiden University, Inholland is a Higher Vocational School (*HBO*) and thus provides a profession-oriented education. Inholland claims in this regard to be the first to start a profession-oriented programme for the training of imams in Europe.¹⁰⁹ Inholland is not without experience in this field. In 1995, Inholland started an HBO-Islam programme for preparing teachers to teach the course 'religion' at secondary schools. This programme is still continuing. At the time, there were already discussions on an imam training programme. Inholland did not claim that this training programme for Islam teachers was meant for creating imams but said it can be a good basis for those who want to become imams. At the time, Muslim organizations were not inclined to cooperate with Inholland in this direction.¹¹⁰

Imam/Islamic Spiritual Care Counsellor

After the government decision to choose the Free University to start the imam-training programme, CMO decided not to cooperate with it.¹¹¹

In April 2005, 400,000 Euros were earmarked by the Ministry of Integration for a joint imam training programme between Muslim organisations and a recognized educational institution.¹¹²

On 25 November 25, 2005, five members of CMO¹¹³, not including the Turkish Institution Netherlands (ISN), signed a contract with Inholland to start the imam training programme in September 2006.¹¹⁴ The programme started as a sub-section of 'Religion and Pastoral Work', because the official accreditation was still in process and has not yet finished.¹¹⁵

There are two main project-leaders of this programme: Mrs. Rimke van der Veer from Inholland and Mr. Rasit Bal from CMO. Mrs. van der Veer told me¹¹⁶ that four other teachers are also involved, namely, Marzouk Aulad Abdellah, Stella van de Wetering, Mohamed Tahier Wagid Hosain and Mucahid Sagsu.

The four-year programme includes courses like theoretical and practical theology, Arabic, sociology of religion and work-field orientation where students work on a regular basis at their potential workplace (a mosque, prison or hospital).¹¹⁷

What is available currently is an overview of the courses of each year.¹¹⁸ These are divided under three main headings, namely: a) Knowledge and Concepts, b) Insight and Application and c) Skills and Reflection.

The first division includes written sources, studying sources, history of the religion, science of religion and gender-studies. Courses of the second division are sociology; empirical field orientation, pedagogical instruments, ethics within philosophical contexts and belief. The last division includes practical theology and liturgical rituals, Arabic I & II, and career-study supervision.

After the first year, students can choose one of three possible specializations: a) imam, b) Islamic spiritual counsellor and c) pedagogical worker. Diversity of Islamic trends including the conservative and the liberal are also well considered in the programme. The graduates will be officially-certified imams, but this does not mean that a mosque will be obliged to accept them. According to Rasit Bal, in order to guarantee work opportunities for the graduates, one has to ensure that they are well-qualified. They then will be able to find a job.¹¹⁹

Non-Recognized Muslim Initiatives

In 1997, the first Islamic University, known as the Islamic University of Rotterdam (IUR) was founded as a result of initiatives taken by Muslims living in the Netherlands.¹²⁰ In 2001, the IUR was split into two universities, the IUR and the Islamic University of Europe (IUE).¹²¹

None of the two universities is recognized as an educational institution. However, they have always been involved in the discussions on training imams and they see themselves fit for training imams in the Netherlands, sometimes even more fit than the aforementioned Dutch universities.¹²²

The Islamic University in Rotterdam (IUR)¹²³

Besides the Faculty of Islamic Sciences, there are two other faculties, the Faculty of Languages and Civilization and Faculty of Islamic Arts, which are still in an initial stage. The Faculty of Islamic Sciences has three departments: Imam Training, Spiritual Care Counsellor and Scholarly Research of Islam. Each of the three programmes includes a three-year Bachelor's and a one-year Master's.¹²⁴

The Islamic University of Europe (IUE)¹²⁵

IUE does not see itself as a secession of the old IUR but, on the contrary, as a legitimate continuation. It claims that a large part of the IUR teaching

staff and students moved to IUE. That was because of the authoritarian administration, the absence of financial transparency, and the over-concern paid to educational models of the countries of origin such as Turkey and Morocco at the expense of the Dutch dimensions, etc.¹²⁶

Waiting for further developments in the Master's programme, the Bachelor's programme is the current main focus of the IUE.¹²⁷ The chairman of the IUE foundation explains the main lines of the programme as follows: 'The programme is a combination of the best and most relevant elements of the Islamic religious sciences, as developed in the Muslim world, and the Western academic tradition.'

In a response to a question about imam training, the chairman explained: 'Training imams could be one of the targets but not the sole one. First of all, being an imam is not a well-paid job here in the Netherlands. In this regard we focus more on the field of spiritual care in prisons and hospitals, which is better paid. Moreover, our graduates would be well-trained to fulfil leading and advisory functions in various public and private institutions and organizations. Spiritual care and many other professions also offer labour perspectives for female graduates.'¹²⁸

Concluding Remarks

Creating an educational programme for training imams in the Netherlands went through a very complicated process of discussions and negotiations for almost a quarter of a century.

The two fundamental rights of academic freedom and religious freedom witnessed different forms and phases of tensions and compromises. In the end, three new programmes were realized and it seems that Muslim organizations are going to cooperate with these programmes in one way or another. Muslims are already participating in these programmes as teachers and students. The main questions to be raised in this regard are: will these already existing programmes achieve their main targets; will they create imams or Islam specialists who would meet the aspirations of the Dutch government and the Muslim community as well? For the time being these remain open questions which are to be answered only in relation to further developments in Dutch society, and it would be no surprise if the answers take more than the previous twenty-five year period that was needed to create such programmes in the first place.

Notes

- 1 An earlier and somewhat modified version of this paper was presented at the conference, 'L'enseignement de la théologie universitaire aujourd'hui: l'exemple de l'islam' held in Strasbourg, France, November 30 and December 1, 2006. My deep gratitude goes to P.S. van Koningsveld, Leiden University, for the relevant important information and the documents he provided me with and also for his insightful remarks on the first draft. Other colleagues provided me also with other relevant information and documents; I hereby submit my sincere thanks to them all. To mention the most important, Umar Ryad (Leiden University), Fatih Okumus, M.A. Abdella (Free University, Amsterdam) and Firdaous Oueslati (International Institute for the Study of Islam in the Modern World, Leiden).
- 2 In the Dutch system of education, there are four main levels: a) pre-primary education (*pre-primair onderwijs*); b) primary education (*primair onderwijs*); c) secondary education (*voortgezet onderwijs*) and d) tertiary education (*hogere onderwijs*) comprising higher professional education (HBO) and university education (WO). This last level is the focus of our paper. For an overview of the Dutch educational system, see *Education System in the Netherlands*.
- 3 For a general overview of developments in this respect, see A.H. de Groot and R. Bakker, *Haalbaarheidsonderzoek; advies van de onderwijsraad*, Leiden, 1994; N. Landman, *Imamopleiding in Nederland*, Den Haag, 1999, pp. 8-10, 43-60.
- 4 *Religieuze voorzieningen voor etnische minderheden in Nederland*, Rijswijk, 1983, pp. 53-54, 71-72; N. Landman, *Imamopleiding*, op. cit., p. 7.
- 5 Jak den Exter & Ruud Strijp, *Vorbereiding inburgering en bijscholing van Turkse en Marokkaanse imams*, Alkmaar, 1998, pp. 32-33.
- 6 *Tweede Kamer 1993-1994, 23409 nr. 8, d.d. 29/11/1993; advies van de onderwijsraad over de opleiding van islamitische geestelijken (imams) in relatie tot het voortgezet onderwijs*, 's-Gravenhage, 1994, p. 2; W.A. Shadid and P.S. van Koningsveld, 'Beeldvorming over de imam in Nederland' in: W.A. Shadid and P.S. van Koningsveld (eds.) *Religie, cultuur en minderheden*, Tilburg, 1999, p. 60.
- 7 Shadid, W.A. & P.S. van Koningsveld, 'Beeldvorming', op. cit., p. 60.
- 8 Landman, N., *Imamopleiding*, op. cit., p. 7.
- 9 *Ibid*, p. 8.
- 10 *Ibid*, especially pp. 9-10; W.A. Shadid & P.S. van Koningsveld, 'Beeldvorming', op. cit., pp. 60-61
- 11 *Het integratiebeleid betreffende etnische minderheden in relatie tot hun geestelijke bedienaren*, Den Haag, 1998, p. 3.

- 12 It is difficult to give an accurate translation for this term. It is a course focusing on adopting Dutch customs and preparing the immigrant to realise his/her rights as a Dutch citizen and to fulfil his/her social rights. See Marli Tijssen, *Inburgering van geestelijke gediënenaren*, Den Haag, 2001, preface; Welmoet Boender, *Teaching Dutch Ways to Foreign Imams*, Paris, 2003, p. 1.
- 13 *Het integratiebeleid*, op. cit., p. 3.
- 14 Jak den Exter & Ruud Strijp, *Vorbereiding*, op. cit., p. 2.
- 15 'Imams Moeten naar Cursus Inburgering,' *NRC Handelsblad*, January 2, 2002, p. 3; 'Imams: nu Verplicht Inburgeren,' *Het Parool*, January 2, 2002, p. 3. It is to be noted that this amendment was already suggested in February 1998 by the committee which prepared the report on integration policy concerning ethnic minorities; see *Het Integratiebeleid*, op. cit. p. 27.
- 16 Welmoet Boender, *Teaching Dutch Ways*, op. cit., p. 1.
- 17 See for instance www.shiaparlement.com/modules.php?name=News&file=article&sid=45
- 18 See *Imams in Nederland: wie leidt ze op?*, 2003, p. 4.
- 19 Brigitte S. Johansen, *Islam at the European Universities*, Copenhagen, 2006, p. 13.
- 20 en.wikipedia.org/wiki/Pillarisation
- 21 Brigitte S. Johansen, *Islam at the European Universities*, op. cit., p. 17, quoting from Hendrik M. Vroom, 'Theology and Religious Studies' in: M.E. Brinkman e.a. (eds.) *Theology Between Church, University and Society*, Vol. 6, Assen 2003, p. 88.
- 22 Ibid.
- 23 Jan M. Bremmer, 'Confessional Theology and Academic Freedom' in: M.E. Brinkman e.a. (eds.), op. cit., p. 78, quoted by Brigitte S. Johansen, *Islam at the European Universities*, p. 17.
- 24 See Paul Statham and Ruud Koopmans, 'Problems of Cohesion?' in: *European Political Communication*, no. 7, 2004, p. 6, quoted by Brigitte S. Johansen, *Islam at the European Universities*, op. cit., p. 16
- 25 Welmoet Boender, 'Freedom of Religion in the Netherlands' in: Welmoet Boender & Matthijs de Jong (eds.), *Exploring Religious Identities*, Leiden, 2000, p. 160.
- 26 See Paul Statham & Ruud Koopmans, 'Problems of Cohesion?'; op. cit., p. 6, quoted by Brigitte S. Johansen, *Islam at the European Universities*, op. cit., p. 16
- 27 Brigitte S. Johansen, *Islam at the European Universities*, op. cit., p. 16
- 28 *Advies van de onderwijsraad*, op. cit., p. 9; N. Landman, *Imamopleiding*, op. cit., p. 46.
- 29 N. Landman, *Imamopleiding*, op. cit., p. 79. This standpoint is also adopted by different figures in the Dutch academic life such as Prof. Dr. W.A. Sha-

- did, Prof. Dr. P.S. van Koningsveld, Prof. Dr. Herman Beck and Dr. Abdelilah Ljamai. For the first two, see W.A. Shadid and P.S. van Koningsveld, 'Beeldvorming', op. cit., p. 75. For the other two, see Herman Beck and Abdelilah Ljamai, *De Imam en zijn opleiding in pluralistisch Nederland*, n.d., pp. 8-9.
- 30 This government-supported foundation was instituted in 1992 by a governmental subsidy of 50,000 Dutch Guilders. Its establishment was in the context of imam training in the Netherlands. The Extraordinary Chair in Islam, occupied by Mohammad Arkoun, was situated at the University of Amsterdam (UvA). The Chair came to an end in 2002 when the UvA refused to continue funding this chair because it fell short of the UvA's expectations. See 'Einde nadert voor leerstoel islam'.
- 31 See Luuc Panhuysen, 'Interview with Arkoun,' *De Krant van Zondag*, January 12, 1992, quoted by W.A. Shadid and P.S. van Koningsveld, *Muslims in Nederland*, Houten/Diegem, 1997, pp. 60-62; W.A. Shadid and P.S. van Koningsveld, 'Beeldvorming', op. cit., p. 70.
- 32 *Vertel mij eens wat bedoelen jullie met integratie?*, Amsterdam, 1996, p. 18, quoted by Herman Beck & Abdelilah Ljamai, *De imam en zijn opleiding*, op. cit., p. 9.
- 33 C. Çörüz, 'De Nederlandse Imam-Opleiding,' *Justitie verkenningen*, no. 6, 1997, pp. 138-139.
- 34 Frits Bolkestein, *Muslim in de Polder*, Amsterdam/Antwerpen, 1997, pp. 145 & 146.
- 35 Frans van Deijl, 'Onvrede over het Functioneren van Turkse en Marokkaanse Imams,' *Elsevier*, May 5, 1995, pp. 28-32; W.A. Shadid and P.S. van Koningsveld, 'Beeldvorming', op. cit., p. 61.
- 36 VVD (*Volkspartij voor Vrijheid en Democratie*), in English: People's Party for Freedom and Democracy, is a Dutch liberal political party. See www.vvd.nl/index.aspx?ChapterID=1304
- 37 Ibid.
- 38 See for instance N. Landman, *Imamopleiding*, op. cit., pp. 13 & 15.
- 39 *Imams in Nederland*, op. cit., p. 20; *Advies van de onderwijsraad*, op. cit., p. 7; N. Landman, *Imamopleiding*, op. cit., p. 13. For a sectarian and denominational overview of Muslims living in the Netherlands, see N. Landman, *Van mat tot minaret*, Amsterdam, 1992; J. Rath e.a., *Nederland en zijn islam*, Amsterdam, 1996.
- 40 N. Landman, *Imamopleiding*, op. cit., p. 74.
- 41 Jak den Exter & Ruud Striijp, *Vorbereiding*, op. cit., p. 34; N. Landman, *Imamopleiding*, op. cit., p. 15.
- 42 *Advies van de onderwijsraad*, op. cit., p. 8; N. Landman, *Imamopleiding*, op. cit., p. 16.

- 43 N. Landman, *Imamopleiding*, op. cit., p. 15. In this regard, the Foundation of Extraordinary Chair in Islam (*Stichting Bijzondere Leerstoel Islam*) was established in 1992 by a governmental subsidy but it came to an unsuccessful end in 2002.. See p. 4 & note 30.
- 44 See K. Wagtenonk, 'Imams in Nederland' in: P.S. van Koningsveld & J.G.J. ter Haar (eds.), *Schriftgeleerden in de moderne islam*, Muiderberg, 1990, p. 108; N. Landman, *Imamopleiding*, op. cit., pp. 25-26.
- 45 See 'Islamitische jongeren willen liever geen imam worden', *Trouw*, July 20, 2002, p. 1.
- 46 N. Landman, *Imamopleiding*, op. cit., p. 26.
- 47 An opinion expressed in the workshop, 'Imam als Professional', led by Abdulwahid van Bommel, in the Symposium *Samen leren, samen leven in de school*, organised by the High School Inholland, Amsterdam, November 15, 2006. One of the main aims of the symposium was to celebrate and promote the opening of the imam training programme which started September 2006.
- 48 N. Landman, *Imamopleiding*, op. cit., p. 26.
- 49 Ibid, p. 70.
- 50 Beck, Herman & Abdelilah Ljamai, *De imam en zijn opleiding*, op. cit., p. 8.
- 51 N. Landman, *Imamopleiding*, op. cit., pp.20-21.
- 52 Herman Beck & Abdelilah Ljamai, *De imam en zijn opleiding*, op. cit., p. 8; N. Landman, *Imamopleiding*, op. cit., p. 21.
- 53 N. Landman, *Imamopleiding*, op. cit., p. 22.
- 54 Herman Beck & Abdelilah Ljamai, *De imam en zijn opleiding*, op. cit., p. 8.
- 55 For more information on this programme, see [nl.wikipedia.org/wiki/NOVA_\(televisie\)](http://nl.wikipedia.org/wiki/NOVA_(televisie)); for a summarized English version, see en.wikipedia.org/wiki/Nova_%28television_series%29.
- 56 'Aanklacht niet namens imams of organisaties', *Trouw*, June 21, 2002, p. 3; 'Moskee eist vernietiging tv-beelden' in: *Trouw*, June 29, 2002, p. 4; 'Besturen moskeeën vooral boos op media', *Algemeen Nederlands Persbureau ANP*, June 21, 2002.
- 57 Benjamin, Mark, 'Zoon moordenaar', *De Dordtenaar*, December 21, 1995, p. 3.
- 58 For the whole text of the interview, see www.novatv.nl/index.cfm?ln=nl&fuseaction=artikelen.details&achtergrond_id=39
- 59 'Kritiek politici op opinie imams', *Trouw*, May 11, 2001, p. 2.
- 60 See www.novatv.nl/index.cfm?ln=nl&fuseaction=videoaudio.details&reportage_id=899
- 61 www.novatv.nl/index.cfm?ln=nl&fuseaction=videoaudio.details&reportage_id=17
- 62 Jan-Willem Wits, 'Reactie van liberalen op imam', *De Volkskrant*, May 18, 2001, p. 7; Wasif Shadid 'Niet imams zijn radicaal', p. 7.

- 63 Lodewijk Dros, 'Moskee promoot homohaar,' *Trouw*, April 21, 2004, p. 1.
- 64 TK 72-4720
- 65 TK 72-4719 & 37
- 66 'Zondaar doden is een zonde,' *NRC Handelsblad*, November 3, 2004, p. 1; 'Soldaten van Allah,' *De Telegraaf*, November 6, 2006.
- 67 For instance in November 2004, an Imam refused to shake hands with the Minister of Integration, Rita Verdonk, an incident which created a lot of fuss in the Netherlands. See 'Imam geeft Verdonk geen hand,' *NRC Handelsblad*, November 22, 2004, p. 3. For a general overview, see novatv.nl/index.cfm?ln=nl&fuseaction=artikelen.details&achtergrond_id=3417,
- 68 'Verdonk erkent CMO als gesprekspartner,' *Algemeen Nederlands Persbureau ANP*, November 1, 2004; *Basisdocument Contactorgaan Moslims en de Overheid*, July 6, 2002.
- 69 'Moslimorgaan wil geen imams meer uit buitenland,' *Algemeen Nederlands Persbureau ANP*, November 23, 2004; 'Imam alleen opleiden in Nederland,' *De Volkskrant*, January 14, 2005, p. 2.
- 70 'Imamopleiding,' *Trouw*, January 29, 2005, p. 14.
- 71 'Ministers maken haast met imamopleiding,' *De Volkskrant*, January 29, 2005, p. 4; http://www.justitie.nl/images/Beleidsregels%20imamopleiding_tcm34-3687.pdf In July 2005, the Advisory Committee on Aliens Affairs (Adviescommissie voor Vreemdelingenzaken – ACVZ) submitted a report where they did not approve such procedures. See <http://www.acvz.com/publicaties/Advies-ACVZ-NR16-2005.pdf>
- 72 'Pessimisme over komst Nederlandse imamopleiding,' *Algemeen Nederlands Persbureau ANP*, November 23, 2004.
- 73 'De Nederlandse imamopleiding,' *FEM Business*, January 22, 2005; 'Ministers maken haast met imamopleiding,' *De Volkskrant*, January 29, 2005, p. 4; 'Tweede Kamer Verdonk,' *Algemeen Nederlands Persbureau ANP*, December 13, 2004.
- 74 Brigitte S. Johansen, *Islam at the European Universities*, op. cit., p. 13.
- 75 See 'Moslims bepleiten uitstel van imamopleiding,' *De Volkskrant*, January 29, 2005, p. 4.
- 76 See Brigitte S. Johansen, *Islam at the European Universities*, op. cit., p. 13; 'Wij zijn straks de werkgevers,' *De Volkskrant*, February 18, 2005.
- 77 Raoul du Pre, 'VU begint nog dit jaar opleiding tot imam,' *De Volkskrant*, February 2, 2005, p. 1.
- 78 See <http://www.filosofie-oostwest.nl/fwphp/framelarge.php?fnn=docentenkel&krk=39>. Three Muslim teachers were appointed to teach subjects with relevance to Islam in this new programme: Dr. A. A. Karagül, who was an imam in the Utrecht Medical Centre and the Medical Centre of the VU;

- Dr. M.A. Abdella, who got his PhD degree *cum laude* from the al-Azhar University and worked as teacher at the Islamic University of Europe (IUE); and Drs. Fatih Okumus who studied in Turkey and was a PhD student at the Islamic University of Rotterdam. See http://www.godgeleerdheid.vu.nl/Nieuws/index.cfm/home_section.cfm/sectionid/1C346631-FECC-4E73-A8E66996655DD96A
- 79 Brigitte S. Johansen, *Islam at the European Universities*, op. cit., p. 17.
- 80 Henk Vroom, 'Islamic Theology at the *Vrije Universiteit*' in: Petra Bos & Wantje Fritschy (eds.), *Morocco and the Netherlands: Society, Economy, Culture*, Amsterdam, 2006, p. 47.
- 81 Brigitte S. Johansen, *Islam at the European Universities*, op. cit., p. 18.
- 82 Ibid., p. 17.
- 83 Ibid., p. 20.
- 84 Brigitte S. Johansen, *Islam at the European Universities*, op. cit., p. 20.
- 85 This process implies checking the scientific quality of the study programme, teaching staff, etc. by an international expert-committee. This is regulated by the NVAO (Nederlands-Vlaamse Accreditatieorganisatie) the Accreditation Organisation of The Netherlands and Flanders. It was established by an international treaty and guarantees the quality of higher education in The Netherlands and Flanders by means of accrediting study programmes. See <http://nvaio.net/content.php?a=s&id=153>
- 86 www.vu.nl/Aankomende_students/index.cfm/home_subsection.cfm/subsectionid/C7A8C341-C214-4F9A-8EEF7D4F1A45E852
- 87 www.vu.nl/Aankomende_students/index.cfm/home_file.cfm/fileid/3DB94A11-3F00-43C2-ADAD014EDA1B0239/subsectionid/7E3277CD-7C9C-4D04-A83B1510DoB2EE34
- 88 *Godgeleerdheid & Religie en Levensbeschouwing*, Amsterdam, 2006, p. 54, 177-187. Cf www.studiegids.vu.nl/index.html?home_file.cfm?objectnaam=PROGRAMMAFASEN&ruid=55317938&vak_ruid=0&datum=01-Sep-2006&taal=NL
- 89 www.vu.nl/Aankomende_students/index.cfm/home_subsection.cfm/subsectionid/C7A8C341-C214-4F9A-8EEF7D4F1A45E852
- 90 In an interview with Hendrik Vroom, September 28, 2005, in: Brigitte S. Johansen, *Islam at the European Universities*, p. 16.
- 91 *Godgeleerdheid & Religie*, pp. 71-73 & 209-211. Cf www.godgeleerdheid.vu.nl/Onderwijs/index.cfm/home_subsection.cfm/subsectionid/A600752B-EBB0-BoBA-4F7E6AF810E1F148
- 92 See *Godgeleerdheid & Religie*, op cit., pp. 70 & 71. Cf www.studiegids.vu.nl/index.html?home_file.cfm?objectnaam=PROGRAMMAFASEN&ruid=55317938&vak_ruid=0&datum=01-Sep-2006&taal=NL

- 93 www.godgeleerdheid.vu.nl/Onderwijs/index.cfm/home_subsection.cfm/subsectionid/A600752B-EBBo-BoBA-4F7E6AF810E1F148
- 94 'Scholing imams in Turkije,' *Het Parool*, June 8, 2006, p. 15.
- 95 In a telephone call, on November 17, 2006, with Prof. H. Vroom.
- 96 www.leidenuniv.nl/universiteit.html
- 97 *NVAO toets nieuwe opleiding*, p. 4. The committee consisted of Prof. Dr. Jan Peters (Emeritus Professor of Arabic and Islamic studies of the Nijmegen University, Netherlands), Prof. Dr. J. van Ess (Emeritus Professor of Islamic Studies in Tübingen) and Prof. Dr. P. Lory (Professor of Islamic Studies at the University of Sorbonne).
- 98 The teaching staff responsible for subjects with relevance to Islamic Theology includes, besides the well-known Prof. Dr. P.S. van Koningsveld, two other Muslim teachers, Drs. Umar Ryad and Drs. Mohammed M. Ghaly. Both are graduates from the al-Azhar University in Egypt where they studied Islamic Studies in English and then moved to Leiden University where they did a Masters and they are now in the final stage of their PhD programme in the same university.
- 99 All arguments are recorded in the Master folder made by Leiden University for this programme, p. 3
- 100 'Rutte gunt universiteiten herkansing imamopleiding,' *Trouw*, April 20, 2005, p. 5.
- 101 'Islamitische Theologie in Leiden,' *Dagblad van het Noorden*, January 27, 2006; www.nieuws.leidenuniv.nl/index.php3?m=&c=777
- 102 leidsewetenschappers.leidenuniv.nl/show.php3?medewerker_id=670
- 103 www.nieuws.leidenuniv.nl/index.php3?m=&c=777
- 104 See note 97
- 105 *NVAO toets nieuwe opleiding*, 2006, p. 3
- 106 www.studiegids.leidenuniv.nl/index.php3?m=22&c=5105&garb=0.5350933842470722
- 107 For a general overview of the Bachelor's courses, see www.studiegids.leidenuniv.nl/index.php3?m=22&c=5105&garb=0.17071952045059563 For a detailed description of course given in the first year, see www.studiegids.leidenuniv.nl/index.php3?m=22&c=5104&garb=0.7732120798178752
- 108 www.studiegids.leidenuniv.nl/index.php3?m=22&c=5156&garb=0.49689097054287445
- 109 Derk Walters, 'Geestelijke leiders in spe, Europese primeur,' *NRC Handelsblad*, October 11, 2006, p. 11.
- 110 For information on this program, see 'Veel animo lerarenopleiding islam,' *Het Parool*, October 17, 1995, p. 15. For an overview of the content of this programme, see *Studiegids Tweedegraads Lerarenopleiding Godsdienst/le-*

vensbeschouwing, Islam-Godsdienst & opleiding Godsdienst-Pastoraal Werk, voltijd 2000-2001.

- 111 Raoul du Pre, 'VU begint nog dit jaar opleiding tot imam,' op. cit., p. 1.
- 112 'Voor imamopleiding EUR 400.000 van rijk,' *Leeuwarder Courant*, April 30, 2005; 'Vier ton voor uitwerking plannen imamopleiding,' *Algemeen Nederlands Persbureau ANP*, April 29, 2005.
- 113 They are Three Turkish organisations, (Milli Görüs Noord Nederland, de Nederlandse Islamitische Federatie en de Stichting Islamitisch Centrum Nederland), one Moroccan (de Unie van Marokkaanse Moslimorganisaties in Nederland) and one Surinamese (World Islamic Mission Nederland). See Derk Walters, 'Geestelijke leiders in spe' op. cit., p. 11.
- 114 'Hogeschool begint imamopleiding,' *De Volkskrant*, November 25, 2005, p. 3
- 115 Derk Walters, 'Geestelijke leiders in spe' op. cit., p. 11.
- 116 Via an email dated, February 21, 2007.
- 117 Ibid.
- 118 I hereby submit my thanks for Mrs. Rimke van der Veer for providing me with this information.
- 119 Derk Walters, 'Geestelijke leiders in spe' op. cit., p. 11.
- 120 www.islamicuniversity.nl/en/showcontent.asp?id=113
- 121 *Imams in Nederland*, op. cit., p. 20.
- 122 The source of this information is a personal interview with Johan Meuleman, the chairman of the Islamic University of Europe Foundation on November 2, 2006.
- 123 For a general overview of the IUR, see *The Islamic University of Rotterdam into the Third Millennium*, Rotterdam, 2000. The website is www.iur.nl. See also the contribution by F. Oueslati 'Non-Formal Islamic Higher Education in the Netherlands, with some comparative notes on France and the United Kingdom' in: this volume.
- 124 *Imams in Nederland*, op. cit., p. 19. For a detailed description of the program-content, see *Islamitische Universiteit Rotterdam: studiegids*, esp. pp. 49-50, 131-134, 213-251. In contact with the IUR, they made clear that this study guide is the most up-to-date available guide and further changes are minimal.
- 125 The website of the university is www.iueonline.nl/index.php?lang=en see also Johan Meuleman, 'The Training of Spiritual Leaders', p. 8.; *Stichting Islamitische Universiteit van Europa: jaarverslag 2001*.
- 126 In an interview with Johan Meuleman, the chairman of the Islamic University of Europe Foundation on November 2, 2006. see also *Imams in Nederland*, op. cit., p. 20.
- 127 According to the study-guide of 2004-2005, there are also the same three Master's programmes as those of the IUR, for a detailed description of the

programme-content, see *Islamic University of Europe: studiegids*, p. 18-21 & 26-29.

128 In an interview with Johan Meuleman, the chairman of the Islamic University of Europe Foundation on November 2, 2006.

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14 **Non-Formal Islamic Higher Education in the Netherlands: With Some Comparative Notes on France and the United Kingdom'**

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Ever since the first droplets of Muslim migration started seeping into Western Europe from the second half of the twentieth century on, Muslims have been setting up facilities that formed the basis of their own social infrastructure. Every host country of course had its own story of receiving different groups of Muslim migrants, and rules and regulations varied from country to country, but we can still discern the following general trend in the development of Muslim social structures. One of the first issues that were addressed upon arrival in Western Europe was the establishment of places of worship where congregational prayers could be performed. Shortly after this the supply of *halāl* meat was taken care of, and with this, the first Islamic butcheries appeared. After satisfying the primary needs of worship and nourishment, development of Muslim education became the next issue to be dealt with. In the field of education we find that after a process of arranging for primary and secondary education for Muslim children – both in the form of formal schools and as educational programmes in weekend classes – we now see the emerging trend of forming Islamic institutions of higher education. These institutions fulfil the needs of Muslims who want to deepen their knowledge of their own religion, and at the same time they cater for religiously well-trained minds living in a Western context, which might facilitate the development of religious thought and tradition in this same context.

This article provides a brief sketch of the situation of institutions of Islamic higher education in the following Western European countries: France, the United Kingdom and the Netherlands. I will start with highlighting two examples of non-formal Islamic higher education in the Netherlands, namely the Islamic University of Rotterdam and Dar al-Ilm.

The issue of formal programmes of Islam at Dutch universities is dealt with by Ghaly in the previous chapter. After this I will present an impression of the relation between state and religion and its influence on Islamic higher education in Britain and France. This overview shows us how the different forms of Islamic higher education in the three countries largely result from each country's legal and historical framework.

Two Examples of Non-Formal Institutions of Higher Education in the Netherlands

The IUR²

'Islamic University' in the Netherlands denotes an institution that refers to itself as being a 'university', without necessarily being recognised as such by the government. Lacking this official recognition, the diplomas such an institution issues have no formal value. In the following, I would like to discuss the Islamic University of Rotterdam in more detail, as an example of an Islamic University in the Netherlands.

The IUR was founded in 1997, and consists at present of three faculties and five institutes. The faculties are: the Faculty of Islamic Sciences, the Faculty of Languages and Civilizations and the Faculty of Islamic Arts. The institutes are: the Institute for Islam, the Institute for Quran Recitation, the Islam Research Institute, the Interfaculty Research Institute and the Islamic Pedagogical Institute.³ The Faculty of Islamic Sciences is the largest Faculty: around seventy new students enrolled in the Bachelor programme for the year of 2006-2007.⁴ The impression I had from my visits to the IUR during the academic year 2006-2007, however, is that only the faculty of Islamic Sciences, the Institute for Islam and the Institute for Quran Recitation are running properly. Due to a lack of means and concomitant problems such as (almost) no students subscribing to the other faculties and courses, these remain merely plans. Also the number of effective students is considerably less than official numbers would suggest. For a large part, one would blame this on the circumstances that are far from ideal at this non-formal institution; students have to be highly motivated to put extra efforts in studying at the IUR as I explain in the following section.

The first academic year of the IUR – 1998 – started with sixty students and with Mr S. Damra – who does not have an academic background – as its first rector. In September 2000, Prof. Dr. Ahmed Akgündüz started as the second rector.⁵ It seems that his advent brought along important change. First of all there was the schism that resulted in two Islamic Uni-

versities, one of Rotterdam and the other one of Europe – IUR and IUE respectively. The second important development that took place after Prof. Akgündüz's arrival were the changes that were made to the Board of Governors (Stichtingbestuur) – it was renewed completely and new members with academic experience and managerial skills were appointed – and the composition of a new Executive Board (College van Bestuur). Three other committees were set up: the Vision Task Group, the Strategic Planning Committee and a commission for the development of the core curriculum.⁶ It seems that these new bodies served to upgrade and guarantee the academic standards of the IUR, since it is stressed that they consist of scholars of the IUR, from Dutch universities and from abroad. However, the fact that the new rector came from outside the Netherlands – lacking therefore the necessary experience with Dutch system and society – was regarded by critics as a serious flaw.

The Students

The number of students enrolled in the IUR has shown an ever-increasing tendency.⁷ Consequently, the university had to move from its first building to a larger one in 2003, the sixth year of its existence. This building was spacious enough to contain all the students and teachers of the three faculties and the three (preparatory) institutions at which students can take courses prior to or apart from their academic training.

One of the main problems of studying at the IUR is that as a student, one will not receive the monthly stipend⁸ one is entitled to while studying at any other university in the Netherlands. This is of course the result of the unofficial status of this institution. In the first years of the existence of the IUR therefore, a lot of students were older than the regular student, since they had to have an income through which they could finance their training.⁹ Most of the students still need to have an income to rely on while studying at the IUR, though according to the IUR, the students' average age is gradually decreasing over the years; the academic year 2000-2001 was the first year in which students came from regular Dutch education.¹⁰

Another noteworthy trend is the gradually increasing percentage of students enrolling in the Faculty of Islamic Sciences that are meeting the admission requirements, while an increasing number of students holding a BA or MA degree from Moroccan and Turkish universities is also noted.¹¹ Nevertheless, as long as the IUR is not an officially recognised university, it will not be able to uphold very strict conditions for admis-

sion; the number of students will otherwise decrease far too much, which in turn will affect the university's income and structure negatively.

Keeping in mind the different backgrounds of the students, and their prior education not always being appropriate for (advanced) academic trajectories, the IUR thought it necessary to establish a preparatory institution by the name of 'the Institute of Islam.' The aim of this institute is two-fold: on the one hand it trains students lacking a background in religious and cultural education at (pre-) university level, and on the other hand it provides language courses in Arabic, Dutch and Turkish. Hence both the pre-academic and the language skills are developed and enhanced by these courses.¹²

The IUR itself is well aware of the deficiencies in knowledge and (academic) skills that occur among a fair amount of their students.¹³ The Institute of Islam for instance was already set up at the end of the 1990s – concurrently with, or even shortly before the first academic year of the IUR itself.¹⁴ The IUR sees it as its particular duty to pay special attention to the 'academically less proficient' students as they are described. It is its task therefore to offer these students advice, training and even financial means, everything necessary to have them meet its academic standards. The IUR even considers cooperation with Dutch colleges¹⁵ a possibility for the reinforcement of their future students' language and skills baggage. It is not clear yet to what extent the plans for cooperation with other institutions in this field have progressed.¹⁶

The unofficial status of the university brings with it two major problems: the first is that the number of students that enjoyed education preparatory to further academic schooling is very low, and that the university in this situation – of not being able to maintain high standards for admission – also attracts a fair number of students whose proficiency in Dutch by no means meets academic standards. The university is aware of this problem and tries its best to mitigate its effects, though the core of the problem will persist as long as the university is not recognised as a university – with its full rights and duties – by the Dutch government.

Structure and Curriculum

It is not the intention of the IUR to be an Islamic University in the restricted sense, namely to merely offer trajectories in the field of Islamic sciences. The IUR has highly ambitious plans regarding its curriculum; for the future the university hopes to open other faculties in – among others – social and natural sciences.¹⁷ However, this seems to be a project for the very remote

future, considering all the efforts that have to be made for the improvement of the current situation both in the field of education and finances.¹⁸

For the time being, it is the curricula of Islamic sciences that attract most students in the Faculty of Islamic Sciences and in the Institute for Islam. The other two faculties, the Faculty of Languages and Civilizations and the Faculty of Islamic Arts, appeal to the interest of very few students.¹⁹ An explanation for this may be that people interested in language, history and art studies can easily enrol in a regular university, which will spare them from the extra financial burden studying at the IUR brings along.

The university regards the Faculty of Islamic Sciences as its core faculty, in which Dutch is the most important language of instruction for the social sciences and Arabic for the Islamic sciences. Among its most important aims are:²⁰

- (Re-)instruction of imams in line with the Dutch cultural environment. For this purpose the IUR is establishing ties for cooperation with religious associations.
- Developing new methods and approaches of Islamic education. These should merge practical and theoretical perspectives, while resting on a sound scholarly basis. It is explicitly stated that to reach this goal, the IUR will not only draw on methods from Turkish, Moroccan and Egyptian universities, but also on those of Dutch and European universities.
- Ensuring the spread of knowledge about Islam.
- Creating favourable conditions for integrating the different perspectives of Islamic, Christian and Jewish culture studies as a part of supporting the dialogue between cultures and religions.

The curriculum of the Faculty of Islamic sciences is very diverse: next to the traditional subjects that one would expect, such as the sciences of Quran, *hadīth*, *kalām*, *fiqh* and Islamic law, there are also subjects like comparative theology, the history and civilization of Europe, and even Dutch literature and culture.

Throughout its writings the IUR does not desist from emphasizing that it does not adhere to one particular denomination or school of thought within Islam, and that all various denominations will have their place at the university.²¹ In an interview with one of the lecturers, Mr. Jalal Amer, he stated that this was one of the aspects he valued most at the IUR: that it granted every Islamic denomination even and objective attention. He expressed his appreciation for the fact that he could count Shī'ī lecturers among his colleagues.²² It is obvious however that some of the Turkish responsables at the

IUR do sympathise or have an affiliation with the Nurcu movement. The rector Mr. Ahmet Akgündüz often quotes from Said Nursi's work, at least one PhD student works on Nursi's views on *hadīth* and the collected works are to be found in the otherwise small-scale university library.²³

Strategies for Recognition

Recognition of religious minorities in the Netherlands goes hand-in-hand with each community being entitled to its own religious orientation to be reflected in its educational programmes. The struggle for state-financed confessional education between liberal and confessional tendencies at the end of the nineteenth and the beginning of the twentieth century proved to be most crucial for the relation between religion and the state. In this struggle, advocates of the liberal point of view did not deem it desirable for the state to finance religiously inspired education, for all citizens should enjoy a 'neutral', meaning liberal, formation. Confessional tendencies – both Catholic and Protestant – however, strongly objected towards this vision and argued that there is no such thing as 'neutral' education; liberalism is also just another worldview, life philosophy or persuasion. Eventually the confessional tendencies won the struggle and in 1917 it was laid down in the constitution that the state must finance public education, be it of a liberal or a confessional orientation. This laid the foundation for every religious orientation or denomination to be entitled to its own form of state-financed education.²⁴ It is thus a sign of belonging, acceptance – or integration for that matter – and simultaneously of recognition to be admitted to the 'recognised' forms of education.²⁵

Let us see how the Islamic University of Rotterdam employs different strategies in order to achieve formal recognition.

One of the strategies the IUR applies to advance its official recognition is that it persists in declaring its adherence to and compliance with Dutch law on higher education.²⁶

The university's structure is an exact reproduction of that of a regular university. Prior to the introduction of the Bachelor/Master structure, the various educational trajectories were organised according to the Dutch *propedeuse/doctoraal* model. The new educational programmes are arranged on the basis of the European Credit Transfer System. The most recent study guide is very much like the study guides of regular Dutch universities, both in set-up and in layout.

The *ijāza*²⁷ ceremony for memorising and reciting the Quran held on December 18, 2006, was an excellent opportunity for the IUR to deploy

several strategies, both with the aim of vesting oneself with religious authority and of showing the outside world that it is ready for official recognition. Beforehand, the ceremony was announced repeatedly as the very first *ijāza* ceremony to be held in the Netherlands. It started with the recitation of various verses of the holy Quran – by one female and several male students, something highly significant. The two imams that gave an introduction – Khammar al-Bakkali and Abdulwahhab Bishri, imam of the Islam mosque in the Hague and former imam of the Nasr mosque in Rotterdam – stressed that memorizing the Quran is a duty incumbent upon both men and women. Several speeches followed after this, among others one by a representative of a Jordanian University.

During the ceremony the phenomenon of *ijāza* and its importance was explained; all the attendants to the ceremony had earlier been offered little leaflets in which the meaning and significance of the *ijāza* was expounded. As the lecturer, Mr. Mustafa Akdemir, was introduced it was emphasised that no one save the teacher can confer and hand over the *ijāzas* to his students. The reason for this was not mentioned, but one might presume that otherwise the chain of transmitters – from teacher to student, who in turn becomes a teacher and passes on his/her knowledge – will be interrupted, and therefore not be sound anymore. Mr. Akdemir, who had studied at the Azhar in Egypt, read aloud the text of the *ijāza*, after which he recounted the names of the chain of transmitters all the way back to Prophet Muhammad, and even back to Archangel Jibrīl, who is supposed to have received his knowledge of the Quran directly from the Almighty.

This *ijāza* ceremony was combined with the granting of diplomas and certificates to students who by then had finished their courses at the pre-university institution, who had finished their first year and received their *propedeuse*, and yet others who had received their Bachelor's and Master's degrees. It is interesting to note that for these two ceremonies – one could almost say a combined religious and secular ceremony – quite a number of representatives from other religions and other universities and institutions were invited. Among the invited non-Muslims were, for instance, rabbi Avraham Soetendorp – who is a very active partaker in projects of inter-religious dialogue – a Christian clergyman, a representative of Erasmus University Rotterdam, a representative of the Chamber of Commerce (Kamer van Koophandel), and Prof. Dr. Anton Zijderveld, who is the chairman of the Advisory Board of the IUR.

Among the Muslim guests were, for example, a representative of a Jordanian university, Imam al-Bakkali – imam of the traditionalist Moroccan Islam mosque in The Hague,²⁸ and Imam Bishri – former imam of the

Nasr mosque in Rotterdam. The non-Muslim guests were involved in the more 'secular' ceremony of granting the diplomas since they were asked to hand over these diplomas to the students one by one.

The imams were not sitting in the same part of the hall as the non-Muslim guests were; the latter were seated right in front of the podium together with the rector of the IUR and other IUR staff and teachers, and the former were seated alongside the podium. This arrangement might reflect the importance attributed to the different representatives: next to inviting important figures from the Muslim community – that is to say from the more traditionalist parts – the IUR wants to stress the great store it sets by its appearance among and attachment to other – non-Muslim – sectors of Dutch society.

A recent development in the struggle for recognition of the IUR is that the MA programme for Spiritual Counselling is in the process of acquiring accreditation. Already in the academic year 2005-2006, the programme was evaluated through a so-called 'quick-scan report', which decides whether it meets the standards of the Dutch law on higher education (*de Wet op het Hoger Onderwijs*), and those of the Dutch-Flemish Accreditation Organisation (Nederlands-Vlaamse Accreditatieorganisatie). The quick-scan report was announced to be positive at the beginning of the academic year 2006-2007. At the same time the IUR received notice that the Union of Spiritual Counselling conferred accreditation to the Spiritual Counselling programme of the IUR.²⁹ In this field the prospects are positive, and it might be that this step – the accreditation of the Spiritual Counselling programme – is the first on the way to formal recognition of the IUR.

In this way of attaining recognition we might detect some resemblances with the process Islamic educational institutions in Britain have gone through, as we shall see in section two of this article. Several institutions in the United Kingdom have reached agreements with formal colleges or universities, as a result of which the students are offered education at both the Islamic as well as at the formal institution. At the end of the trajectory the students receive a formal diploma. What is different in the Dutch situation is that the IUR is trying to obtain full recognition for its own programme, without seeking alliances with other universities in this respect.

The IUR does seek cooperation with formal universities among others, though this is more with the aim of the formation of a strong network, both in the academic field and in the sphere of NGOs.³⁰ We also see that the IUR tries as much as possible to invite guests from non-Muslim organisations and universities, and to involve them in its events whenever possible.

Dar al-Ilm

Dar al-Ilm (House of Knowledge) is an example of a private Muslim initiative.³¹ It has been set up by two persons of a Surinamese background, who graduated in the field of Islamic studies. Saoed Khadjé graduated from the Faculty of Usul ad-Din (Islamic Studies/Theology) of the International Islamic University Islamabad in Pakistan and Rémi Soekirman graduated from the Faculty of Usul ad-Din of the Islamic University of Madina in Saudi-Arabia. Initially – at the beginning of this century – it started as an institution where one could take courses in Islamic Sciences (Quran, *hadith*, *fiqh*) and Islamic history. Over the course of the years, it evolved into a flexibly organised institute without a main building: the initiators decided that it is not effective enough to have one fixed institution to which students would come to take their courses. Instead, they thought it better to bring the courses to the students so as to reach a much wider range of students in different parts of the country. Therefore they chose to offer the main course in some of the major Dutch cities. In 2007, for instance, the main course was taught in The Hague, Amsterdam, Utrecht, and Eindhoven; in each city the course has some 100 students on average. The organisers of the course hire classrooms in buildings strategically located near the central station of the city concerned. For each course a fee is to be paid of around €10,- per class. Next to teaching the main course, the teachers also offer smaller courses, preach in mosques, deliver lectures at events of student associations and convene workshops at all kind of societal institutions throughout the country.

From April to June 2007 I had the chance to attend the main course that was taught in Amsterdam, the title of which was: ‘Source Studies’ (*Bronnenstudies: Koran & Soennah – een studie over de interpretaties van de primaire bronnen*).³² As most of my interviewees stated, the course is of a high quality. The website of Dar al-Ilm recommends its courses both for their professional set-up as well as for the academic approach in the study of Islam. What we also read on the website is that the courses are taught from a Sunni-reformist perspective. One of my interviewees – who was particularly delighted about the course exclaimed: ‘I never thought that it would be possible for me to study Islam this way!’ She was referring to the fact that the course was in Dutch and that it was ‘...just like the classes in college, like studying Spanish or Media Studies...’ Upon enrolment in the course, the students get a course syllabus and a password/username for the website, on which additional course materials are to be found.

The course of 2007 applies Western methods to understand classical Muslim scholarship. Next to teaching Islamic history and the principles

of the sciences of the Quran and *hadith*, Western theories on text interpretation are used to understand the differences between various trends within Sunni Islam. One would contend that this is a very positive development, since not many Muslims in the Netherlands – and probably this applies to other countries as well – are well aware of differences between tendencies, and are not much informed on the reasons lying at the basis of the points of divergence. Especially the youngsters that are eager for more knowledge on their – in this case religious – background find it fairly important to understand their position within the Islamic tradition. Without knowing where you come from, it is hard deciding where to head for. This course provides the participants with a theoretical, historical and theological framework as it were.

What is interesting to note is that there are discussions going on, especially on website forums, where people are warning about the courses offered by Dar al-Ilm. One of my interviewees even told me that he had received an e-mail with reasons why one should *not* take this course. During class, the course instructor would address this issue, and he would encourage people to investigate the arguments that adversaries of the course use. According to the instructor, these allegations come from two sides: from certain Salafi groups and from certain Barelwi tendencies. These Salafies would argue that the course materials are not according to the teachings of the ‘right’ scholars, while the Barelwis would accuse the course(s) of being in line with the Wahhabi tendency.

Thus far, I managed to trace an online discussion of the first kind, i.e. of ‘Barelwi’ warning about the courses of Dar al-Ilm. One would not, however, label the adversaries of Dar al-Ilm ‘Barelwi’ in this case; the only thing one can say with certainty is that traditionalist arguments are brought in, and that the persons in question did not explicitly declare themselves to be from a Barelwi background. From such a discussion one can only deduce the affiliation of the participants from the arguments they use and their argumentative style; further research and monitoring these discussions over a longer time span will provide additional data in order to say more about the participants in the discussion and their possible religious affiliations. The discussion starts off with someone asking the members of the forum for more information on Dar al-Ilm. The most important criticism that is expressed in this thread is that Dar al-Ilm is allegedly a Wahhabi institute, since according to one of the participants in the discussion, it does not adhere to one of the four schools of law, one of the four *madhāhib*; instead, it champions the teachings of Al-Albānī and his followers. The person bringing in the traditionalist argument also

states that many illustrious figures in Islamic history adhered to one of the four schools of law; among others Imām al-Bukhārī is quoted as evidence, along with Muslim, Ibn Hajar al-^cAsqalānī, al-Nawawī, and as-Suyūṭī. The aim of bringing up these names is to confer all the more legitimacy upon the claim that Muslims should adhere to one of the four schools of law. Finally, Dar al-Ilm is also accused of spreading anthropomorphist ideas about Allah. This too is a typical traditionalist criticism on reformist and especially Salafi thought. Next to these allegations, also the accusation was made that with its marketing skills the institute makes too much money and leaves the students without *imān* (faith). Against all these statements is set that Dar al-Ilm certainly *does* recognise all four schools of law, and respects them. To refute the claims and allegations even the institute's methodology – copy-pasted from its website– is posted:

Dar al-Ilm developed its methodologies on the basis of historical, analytical and critical research. [...] The methodology and tenets of Dar al-Ilm are primarily those of the ahl as-soennah wal-djamaa'a [Sunni]. [...] Dar al-Ilm does not adhere to one particular school of law, but takes a neutral and scholarly-objective stance in studying these schools.³³

To counter all kinds of allegations to be found on websites or internet forums, Dar al-Ilm included a disclaimer on its website, distancing itself from accusations – notably the one on being a Wahhabi institution and spreading anthropomorphist thought in relation to the discussion on Allah and His attributes – and clarifying its own points of departure.³⁴

Another noteworthy point is that the portion of women taking this course was disproportionately large in comparison to the men: out of the students, 80 percent were women, and 20 percent were men. I asked my interviewees on this, and they gave the following reasons:

'Women tend to take courses in their spare time, more than men.'

'Since women have limited access to the mosque and the imam, they find in this course the best alternative.'

'Since many Muslim women express their Muslim identity by wearing a headscarf, they are much more confronted with questions from the side of non-Muslims. They feel the urge to look for answers, much more than men do.'

‘Women simply had better education. I know of a lot of men who would not be able to follow this course, since the subject matter is too complex and the materials too much.’

This phenomenon of a significant percentage of women students pursuing Islamic knowledge is not unique to Dar al-Ilm; also at the Islamic University of Rotterdam and the Islamic University of Europe at least half of the students consist of women, while the programmes at Dutch universities of Islamic Theology and of Spiritual Counselling accommodate a fair number of women students as well. Especially the programmes at formal universities will provide these women with professional opportunities in a domain until now almost untrodden by women. It would be interesting to see what this means for future generations: will this bring about changes in a field that – for centuries – has been almost solely dominated by men? The phenomenon of large percentages of women studying Islamic sciences is worth looking into more closely in further research.

Religion, the State, and Islamic Education in France and the United Kingdom

The situation in France and Britain regarding Islamic higher education at formal institutions differs from that in the Netherlands, mostly due to the legal status of religion.

In France, just as in the Netherlands, the desirability of a faculty of Islamic Theology was discussed in the ‘80s and ‘90s. The only location in which the law allows of such a faculty is in Alsace-Lorraine, since due to historical reasons the relation between state and religion differs from that of the rest of the country. These different arrangements regarding religion leave the possibility for the establishment of a faculty of Islamic Theology at a formal university. Already back in 1996 a report was issued by Prof. Etienne Trocmé, who proposed a curriculum for a trajectory of Islamic Theology at the University of Strasbourg.³⁵ Until now, though, nothing of this plan has materialised.

There was however one Muslim initiative that gained official support from the side of the French state. Next to the establishment of the private institutions L’Institut Européen des Sciences Humaines (IESH) in 1992 in Château-Chinon and L’Institut d’Études Islamiques in Paris in 1993, the third imam training programme was inaugurated at La Grande Mosquée de Paris in the presence of two French Ministers: the Minister of the In-

terior Charles Pasqua and the Minister of Culture Jacques Toubon.³⁶ This initiative of L'Institut Supérieur de Théologie de La Mosquée de Paris thus received political support, though this political support was not accompanied by financial sponsorship. Eventually this initiative came to nothing, since it did not appeal to the majority of the Muslims, allegedly because of its alliance with the Grand Mosque of Paris and therefore with the French government.³⁷

The Separation law of December 9, 1905 stated that the French state would 'neither recognise nor pay salaries or other expenses for any form of worship [*culte*]', although the financial support of chaplaincies in 'such public establishments as...schools, hospices, asylums and prisons' would be maintained.³⁸ In general, this law is interpreted as preventing the state from financing any religious activity in France, be it the building of a mosque or the establishment of an educational institution, save in those parts of Alsace-Lorraine that were not under French rule in 1905 and some (Muslim) overseas territories that were.³⁹

The French government has always been very eager for 'the Muslim community' to form a representative body that could fulfil the role of an interlocutor on behalf of this community to discuss policy issues with representatives of the government. Establishing Islamic higher education was not a particular aim, it was one of the many issues. Among the representative body's tasks could possibly be the issuing of attestations of aptitude to chaplains, the training of imams, the organization of the pilgrimage to Mecca, solving issues around Muslim cemeteries and settling arrangements for the slaughter at *'id al-adhā*. This representative body would not represent individual Muslims, but Muslim organisations, so it would be the mosques that would do the voting. In the end it turned out that by no means all mosques had participated in the election, which seriously affected its representative quality.

Several attempts had been undertaken to create a Muslim representative body, of which only the last one succeeded in the formation in 2003 of the Conseil Français du Culte Musulman (CFCM, French Council for the Muslim Religion) and its regional subdepartments Conseils Régionaux du Culte Musulman (CRCM, Regional Councils for the Muslim Religion).⁴⁰

The issue of French imam training kept coming up, and in 2003 a proposal was even presented to allow the newly-formed CFCM to receive money from *halāl* certification and to allocate these funds for financing the training of imams.⁴¹ This proposal eventually did not work out, but in the summer of 2003 the outlines of a new plan in this respect were drafted. In a joint project, the French Ministry of the Interior and the

CFCM formed a committee with the aim of writing recommendations for the setting up of an imam training programme. The final plan divided the instruction of imams into two parts, much like the Dutch *duplex ordo* structure in which the academic and theological components of education are strictly separated.

This division would guarantee the *laïcité* of the French educational system, since it maintains the strict separation between the secular and the religious: secular subjects like philosophy, sociology, French law and history and the like would be taught at the Sorbonne in Paris, while religious subjects would be taken care of at a Muslim institution such as La Grande Mosquée de Paris or L'Institut Européen des Sciences Humaines (IESH) which has branches both in Paris and in Château-Chinon.⁴² This situation of a two-track training model would provide a very favourable condition for the training of imams, for on the one hand the imams-to-be would become acquainted with the structures – legal and otherwise – of French society and have an introduction in other scientific subjects; while on the other hand, they would have a thorough training in religious subjects from a Muslim point of view, which would grant them the religious legitimacy they need to be accepted among the members of their community. Eventually, the Sorbonne withdrew its support for the plans on the grounds of the secular nature of French society, and as a consequence a formal French imam training programme is still not a reality.

An initiative for an alternative plan was when Dalil Boubakeur – head of La Grande Mosquée de Paris – and the Minister of Foreign Affairs, Philippe Douite-Blazy, paid a visit to the university of al-Azhar in Egypt with the objective of appointing some of its graduates to teach at French Quran schools, so as to prevent the radicalisation of its students. This initiative has not received any follow up.⁴³

In the United Kingdom, the situation with respect to the position of religion is different altogether, for contrary to the Netherlands, religious pluralism is not laid down in the laws and regulations of the country, and contrary to France the state is not founded on an ideological principle of *laïcité*, since the United Kingdom has an established church – or state religion – which makes the head of state simultaneously head of the church.⁴⁴

The position of other religions is generally less privileged; the Church of England, for instance, is represented in the House of Lords, and the law prohibiting blasphemy exclusively protects Christianity and certain doctrines pertaining to the established church.⁴⁵ In practice, other religious denominations can also benefit from regulations meant for the Church of England,

even though they are not explicitly mentioned.⁴⁶ Religious associations cannot receive direct governmental support, but there are possibilities for receiving indirect support. An association can apply for certification as a charity on the basis of the Places of Worship Registration Acts of 1852 and 1855. Recognised charities will qualify for fiscal advantages, meaning that they have to pay less tax. Another way in which the government interferes in its citizens' religious life is that religious associations that want to use a building for religious services or education require permission on the basis of the Town and Country Act of 1971. Many communities try to establish their mosques in buildings that had been used by Christian communities before, so that there will be no need to ask for special permission.⁴⁷

Since public life provides institutional space for religion, that space has been stretched to accommodate Islam. In the 1980s, Muslims had already attained several important achievements such as planning permission to establish mosques, the acceptance of Muslim religious norms at schools – amongst which was the serving of *halāl* meals for the pupils – the right to space for Muslims in cemeteries, the right to dress Islamically and so on. In the 1990s, several other achievements were realised, such as the right to state funding for a number of schools, the appointment of the first Muslim Adviser by the Prison Service, and the insertion of a question of religious affiliation in the 2001 census.⁴⁸

In Britain, Muslim civil society has been evolving from an early stage on. By the mid-1990s, there were at least 839 mosques and a further 950 Muslim organisations, ranging from local self-help groups to nationwide umbrella organizations.⁴⁹ One of the most important of these umbrella organisations is the Muslim Council of Britain, which was founded in 1997.⁵⁰ It is not clear yet to me what role the Muslim Council of Britain – or any other umbrella organisation for that matter – played or plays in the field of Muslim higher education; this is a matter that requires further research. It seems, however, that initiatives for the establishment of institutions of higher education in Britain are not (directly) connected to umbrella organisations, but are autonomous initiatives as we shall see in the following paragraphs.

Next to various civic associations, Muslims in Britain have been establishing educational institutions as well.⁵¹ Primary and secondary education has been a tough project to realise, especially if financial support from the government was pursued.⁵² On a higher level, however, there have been numerous viable initiatives that have mainly led to two different forms of education. The first and most widespread form of Islamic higher education in Britain is the *madrasa* – better known as Darul Uloom⁵³ – in

which subjects of Islamic science are taught with the objective of training religious personnel to staff mosques⁵⁴ and religious schools.⁵⁵ Those Darul Uloom are for the greater part of a Deobandi orientation, with a few Barelwi exceptions.⁵⁶ The ethnic background of the people leading the Darul Uloom institutions is South Asian – more specifically Gujarati – as is the majority of Muslims in the United Kingdom. The level of the Darul Uloom courses ranges from secondary to college level, and recent agreements with colleges and universities entail the encouragement of students of the former to pursue a degree at the latter.⁵⁷ Until very recently the image of the Darul Uloom has been that of a very secluded and isolationist sphere, averse from non-Muslim British society,⁵⁸ though these institutions are now cautiously moving toward opening up.⁵⁹

The second type of Islamic educational institutions are the so-called ‘Islamic Colleges’ which provide under- and postgraduate degree programmes that are compatible with formal British higher education. Examples of these colleges are the Muslim College in London, the Markfield Institute of Higher Education and the Shi‘i Islamic College for Advanced learning and the Hawza Ilmiya. These colleges engaged in forms of cooperation with formal colleges or universities, with the aim of providing their students with joint education and after completing the trajectory, a formal diploma or certificate.⁶⁰

Let us take a closer look to the first two institutions, the Muslim College and the Markfield Institute of Higher Education. The Muslim College was founded in 1987 by the late Dr. Zaki Badawi, an Azhar graduate, former imam of Regent’s Park Mosque and one of the leading figures of British Islam. Students do not need to pay any tuition fees, since Libyan financial support ensures the institute’s independency of financial contributions by the students. Primary funding for the College comes from the Libyan-based World Islamic Call society. The primary program of study is a two-year MA in Islamic Studies. Also offered is a diploma and certificate in Islamic Studies (primarily meant for non-Muslims) in collaboration with the education programme at Birkbeck College at the University of London. Although the MA programme currently has no formal accreditation, al-Azhar in Cairo recognises degrees earned at the College. With the planned introduction of MPhil and PhD programmes, the Muslim College intends to obtain validation through the Open University. Approximately fifteen students enrol each year, half of which are from within the United Kingdom, and half are from abroad – mainly the Middle East, South and Southeast Asia. The Muslim College leaned very heavily upon Dr. Zaki Badawi, who was the driving force behind the institute.

The Markfield Institute of Higher Education (MIHE) was established in 2000 as an affiliate body of the Islamic Foundation near Leicester. The Foundation has been in existence since 1973 and was originally the basis in Britain for the intellectual influence of the Pakistani Jama'at-i Islam, and particularly Abu 'l-A'la Mawdudi, an influential twentieth-century Indian/Pakistani Islamist reformist. Nowadays these links are much less direct and the influence of this tendency has diminished considerably. In the first years of its existence, degree programmes taught at the Markfield Institute of Higher Education were validated through Portsmouth University and in 2003 this passed to Loughborough University. Although the MIHE is almost exclusively a post-BA institution, MA programmes in Muslim Community Studies and Islamic Management, Banking and Finance are also offered. The division of the backgrounds of the students resembles that of the Muslim College: 50 percent is British, and 50 percent is from outside the country. A difference is that the Muslim College has got far more Arab students, while students at the MIHE are predominantly from a South Asian background. Both institutions are very much oriented towards British society and aim to provide their graduates both with knowledge on their religion, as well as on British society, while they are trained in skills to deal successfully with the two of them.⁶¹

We can see that whereas in France – where Islamic higher instruction is provided at private, unofficial institutions – initiatives for the establishment of formal Islamic higher education have failed until present, in Britain several initiatives that started from within the Muslim communities resulted in various formal trajectories, in addition to the myriad of informal institutions that provide Islamic higher instruction. This is not only due to legal provisions – even in France we have seen that the law leaves some narrow openings – since ideological motivations are far more important in this respect. In France the defenders of the concept of '*laïcité*' hamper any initiative in which a slight appearance is discernible of the state interfering with religious matters, while in the United Kingdom it seems that there is hardly any debate going on concerning the relation of the establishment of Islamic higher education, the law and the Church of England.⁶²

Concluding Remarks

As we have seen, the context of the countries discussed sets the parameters for the possible forms Islamic higher education can take in a particular country. In France we only find non-formal forms, and although

some attempts have been made to set up formal programmes, ideological obstacles prevented these initiatives from growing into full-fledged programmes. In Britain, however, we find that next to informal institutions formal programmes exist as well. These programmes resulted from Muslim initiatives that in the course of time linked up to universities and colleges, and through this alliance achieved validation. In the Netherlands, we find – next to formal programmes for the study of Islam – different forms of non-formal Islamic higher education, of which I highlighted two examples: the Islamic University of Rotterdam and Dar al-Ilm. Although the IUR stands for Islamic *University* of Rotterdam, it is not recognised as such in the Netherlands. While official recognition is not at all Dar al-Ilm’s objective – its aim is to provide as many people as possible with courses on Islam – the IUR is certainly pursuing a position in the formal landscape of Dutch education. It seems that the first steps have been made to this end.

Notes

- 1 I would like to thank Martin van Bruinessen and Nico Landman – the supervisors in my PhD project – for their suggestions and remarks on an earlier draft of this article. Also, I would like to thank Sjoerd van Koningsveld and Frank Peter for their comments. It goes without saying that all shortcomings and mistakes are my own.
- 2 I am most grateful to the staff and students of the IUR for allowing me in their classes, and for their time while interviewing them.
- 3 *Studiegids 2003-2004*, Rotterdam 2003, p. 3. This is the most recent study guide that is available of the IUR. See also www.islamicuniversity.nl or www.iur.nl.
- 4 Personal communication with the Dean of the Faculty of Islamic Sciences, Dr. Özcan Hıdır (October 2006).
- 5 *The Islamic University of Rotterdam into the Third Millennium*, Rotterdam and Istanbul 2002, pp. 9-10.
- 6 *Ibid.*, p. 10.
- 7 See for the number of students in the years 1998-2005: *The Islamic University of Rotterdam into the Third Millennium*, p. 12. The decrease in 2002 was caused by the establishment of the Islamic University of Europe.
- 8 In Dutch: *studiefinanciering*. Any student up to thirty years of age following post-secondary education – be it vocational or academic – is entitled to a monthly stipend for the duration of several years, depending on the duration of the educational trajectory one is following.

- 9 For the near future, the IUR sees two options for overcoming this difficulty: either governmental recognition or the realization of an own fund to provide students with a stipend that equals the official one. See: *The Islamic University of Rotterdam into the Third Millennium*, p. 34.
- 10 I take this to mean 'from Dutch secondary schools or other educational programmes'. *The Islamic University of Rotterdam into the Third Millennium*, p. 15.
- 11 *Ibid.*, p. 15 and 100.
- 12 *Ibid.*, p. 22. Next to the Institute of Islam two other institutes are established by and part of the IUR, namely the Research Institute and the Quran Recitation Institute.
- 13 Not only do language deficiencies occur among students. Also among lecturers and other members of staff, proficiency in Dutch is not something that can be taken for granted; see W. Boender, 'From Migrant to Citizen' in: Gerdien Jonker and Valérie Amiraux (eds.), *Politics of Visibility*, Bielefeld: Transcript, 2006, p. 111. See also, for instance, *The Islamic University of Rotterdam into the Third Millennium*, p. 33. The writings of the IUR in Dutch, and sometimes in English as well, very clearly demonstrate that in the field of language proficiency a lot remains to be done.
- 14 The guidebook *The Islamic University of Rotterdam into the Third Millennium* gives two dates for the start of the Institute of Islam: pages 33 and 101 state 1997, and page 117 states 1999. The study guide *Studiegids 2003-2004* gives 1999 as its first year.
- 15 In Dutch: *Hoge scholen*.
- 16 *The Islamic University of Rotterdam into the Third Millennium*, p. 33 and 101.
- 17 *Ibid.*, p. 86.
- 18 The unofficial status of the IUR also implies a very tight budget, and a constant search for external sources for funding. See e.g. *The Islamic University of Rotterdam into the Third Millennium* pp. 14-15, 51-52.
- 19 Personal communication with the Dean of the Faculty of Islamic Sciences, Dr. Özcan Hıdır (October 2006).
- 20 *Studiegids 2003-2004*, p. 43-44.
- 21 See e.g. *The Islamic University of Rotterdam into the Third Millennium*, p. 76.
- 22 Interview with Drs. J. Amer on December 13, 2006.
- 23 See also: Rüstem Ülker und Andries D. Wolf, III. *Bonner Said Nursi Symposium: Gläubige Bürger in der pluralen Gesellschaft – Muslime im Dialog, Christentum und Islam im Dialog, Christian – Muslim Relations Bd. 9*, Berlin: Lit Verlag, 2006, for the articles of Bünyamin Duran, Emin Akcahüseyin and Ahmet Akgündüz, three professors at the IUR.
- 24 M. Maussen, *Ruimte voor de islam?* Apeldoorn etc.: Het Spinhuis, 2006, p. 15.

- 25 See also: T. Sunier, 'Interests, Identities, and the Public Sphere' in: Jocelyn Cesari and Sean McLoughlin, *European Muslims and the Secular State*, Ashgate etc.: Ashgate, 2005.
- 26 In Dutch: *de Wet op het Hoger Onderwijs en Wetenschappelijk Onderzoek*. It describes the conditions and terms a university must meet in order to receive government funding. One example of the IUR's adherence statements is: 'Aan de andere kant vergen de **nieuwe Nederlandse wetten** [sic], die in de toekomst gemaakt zullen zijn en/of worden, een extra aandacht [sic]. De lijst van de onderwerpen in kwesties, moet, indien mogelijk, elk jaar worden afgestemd en bijgewerkt volgens de programma's van de wetgevers.' *Studiegids 2003-2004*, pp. 4-6 and p. 67. See also *The Islamic University of Rotterdam into the Third Millennium* pp. 76 and 114–115.
- 27 An *ijāza* is the authorisation a teacher confers upon his student(s), that gives the latter the right to teach the authorised material(s) – either orally or in writing – to other students. An essential part of an *ijāza* is the attached chain of transmitters that go back to the original teacher or author of the text concerned. See also: G. Vajda 'Idjāza' in: *EI2*, Leiden: Brill 1971. For the recorded version of the ceremony see www.iur.tv/nl/nl/index_nl.htm and choose: 'Diploma Uitreiking 2006'.
- 28 See Welmoet Boender, *Imam in Nederland: Opvattingen over zijn religieuze rol in de Nederlandse samenleving* (Amsterdam: Bert Bakker, 2007; dissertation, Leiden, November 13, 2007).
- 29 See www.iur.nl/nl/showarticleannouncements.asp?id=717, for the letter announcing the accreditation of the trajectory of Spiritual Counselling by the Union of Spiritual Counselling (Vereniging van Geestelijk Verzorger in Zorginstellingen). This recognition is one of the conditions for governmental accreditation.
- 30 See www.iur.nl/img/content/articles/00000497_AA%20Opening%20Academic%20Year%202006-2007.pdf. The organizations with which the IUR has agreed upon cooperation are among others: the TRES programme of the EU, the EPOS programme for the teaching of religion in Europe, the Knowledge Centre 'Religion and Development', Cordaid and ICCO. The universities the IUR cooperates with are: Utrecht University and the Humanistic University.
- 31 See the website: www.daralilm.nl
- 32 I am most grateful to Drs. Saoed Khadjé, who kindly allowed me to attend his classes. I would also like to thank my interviewees at Dar al-Ilm for sharing their thoughts and time with me.
- 33 forums.marokko.nl/archive/index.php/t-609615.html, July 16, 2007.
- 34 Disclaimer on Dar al-Ilm website: www.daralilm.nl/v3/index.php?option=com_content&task=view&id=68&Itemid=1, July 17, 2007.

- 35 Francis Messner, 'L'enseignement de la théologie à l'Université publique ' in: Franck Frégosi (ed.), *La formation des cadres religieux musulmans en France*, Paris: L'Harmattan, 1998, pp. 141-142; see also W. A. Shadid and P. S. van Koningsveld, 'Beeldvorming over de imam in Nederland' in: Shadid and van Koningsveld (eds.), *Religie cultuur en minderheden*, Tilburg: Tilburg University Press: 1991, p. 69.
- 36 See also: Frank Peter, 'Training Imams and the Future of Islam in France,' *ISIM Newsletter*, 13, December 2003.
- 37 Franck Frégosi, 'Les filières nationales de formation des imams en France' in: Franck Frégosi (ed.) *La formation des cadres religieux musulmans en France*, Paris: L'Harmattan, 1998, pp. 107-108.
- 38 Joel S. Fetzer and J. Christopher Soper, *Muslims and the State in Britain, France and Germany*, Cambridge etc.: Cambridge University Press, 2005, p. 70.
- 39 This is something Messner contests in his article, but in this particular case his view is neither corroborated with arguments, nor with practical examples.
- 40 See A. Caeiro, 'Religious Authorities or Political Actors? The Muslim Leaders of the French Representative Body of Islam' in: Jocelyne Cesari and Seán McLoughlin, *European Muslims and the Secular State*, Aldershot and Burlington: Ashgate, pp. 71-84.
- 41 John Bowen, *Why the French Don't Like Headscarves*, Princeton: Princeton University Press, 2007, p. 61.
- 42 B. Johansen, *Islam at European Universities*, Copenhagen, 2006, p. 14.
- 43 *Ibid.*, p. 15.
- 44 See Rath et al., *Western Europe and its Islam*, Leiden: Brill, 2001; and Grace Davie, 'Religion in Modern Britain: Changing Sociological Assumptions,' *Sociology*, Vol. 34, 1, 2000, pp. 113-128.
- 45 Leaders of the Church of England opposed any amendment to the law so as to include provisions regarding Islam (Rath et al., *Western Europe and its Islam*, Leiden: Brill, 2001, p. 280).
- 46 Rath e.a., 'De erkenning van de islam in België, Groot Britannië en Nederland,' *Tijdschrift voor sociologie*, 14, 1, 1993, p. 6.
- 47 *Ibid.*, p. 7.
- 48 Philip Lewis, 'New Social Roles and Changing Patterns of Authority Amongst British 'Ulamā' in: *Archives de Sciences Sociales des Religions*, No. 125, Janvier-mars, 2004, p. 170.
- 49 Humayun Ansari, *Muslims in Britain*, London, Minority Rights Group International, 2002, p. 6, quoted in Lewis 2004, p. 170.
- 50 See also Philip Lewis, *Islamic Britain*, London etc.: Tauris, 2002, postscript, for more details on the MCB.
- 51 See Brigitte Maréchal e.a., *Muslims in the Enlarged Europe*, Leiden: Brill,

- 2003, pp. 46 ff. on the implications for Islamic instruction on primary and secondary level as a consequence of an explicitly Christian legal framework.
- 52 See Rath et al., *Western Europe and its Islam*, Leiden: Brill, 2001, pp. 240-250, and Joel S. Fetzer and J. Christopher Soper, *Muslims and the State in Britain, France and Germany*, Cambridge etc.: Cambridge University Press, 2005, pp. 43-46.
- 53 For a survey of existing Darul Uloom institutions in Britain, see Jonathan Birt and Philip Lewis (forthcoming) 'The Pattern of Islamic Reform in Britain: the Deobandis between Intra-Muslim Sectarianism and Engagement with Wider Society' in: S. Allievi and M. van Bruinessen (eds.) *Producing Islamic Knowledge in Western Europe*, London: Routledge, published in Sophie Gilliat-Ray, 'Educating the 'Ulama', *Islam and Christian-Muslim Relations*, Vol. 17, 1, 2006.
- 54 Local educational authorities in Bury and Dewsbury supported the initiatives in their respective cities of educating imams for the local mosques in Britain through funding students studying at these institutions from 1984 and 1985 on. From 1991 onwards, a maximum of four years was set to these grants (Philip Lewis, *Islamic Britain*, London etc.: Tauris, 2002, p. 91).
- 55 See: Philip Lewis, 'New Social Roles and Changing Patterns of Authority Amongst British 'Ulamā,' *Archives de Sciences Sociales des Religions*, No. 125, Janvier-mars, 2004, p. 171, and S. Gilliat-Ray, 'Educating the 'Ulama' in: *Islam and Christian-Muslim Relations*, Vol. 17, No. 1, 2006, pp. 55-76.
- 56 The Deobandi and Barelwi traditions emerged at the end of nineteenth-century India, partly in response to British colonial rule. The Deobandi movement can be characterised as a combination of a reformist Sufi and a scholarly orientation. The Barelwi tradition is the most local and contextual of the various expressions of Islam in South Asia. In this movement the *shaykhs* and shrines as a locus of intercession for the believer play a central role. Differences between both traditions amount to different views on the nature of God, the status of the Prophet and holy men. Disputes between these two groups have been very fierce, and ultimately even leading to declaring each other *kāfir*. Philip Lewis, *Islamic Britain*, London etc.: Tauris, 2002, pp. 36-38, 40.
- 57 See Philip Lewis, 'New Social Roles and Changing Patterns of Authority Amongst British 'Ulamā,' *Archives de Sciences Sociales des Religions*, Nr. 125, Janvier-mars, 2004, p. 176.
- 58 *Ibid.*, p. 173.
- 59 S. Gilliat-Ray, 'Educating the 'Ulama' in: *Islam and Christian-Muslim Relations*, Vol. 17, 1, 2006, p. 67.
- 60 *Op. cit.*
- 61 Peter Mandaville, 'Islamic Education in Britain' in: R. W. Hefner and M. Q.

- Zaman, *Schooling Islam*, Princeton: Princeton University Press, 2007, pp. 233-237.
- 62 For a debate around another issue concerning Islamic higher education in Britain, see J. Birt, 'Good Imam, Bad Imam: Civic Religion and National Integration in Britain post-9/11,' *The Muslim World*, 96, 4, 2006.

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15 Islamic Religious Pedagogy at the University of Vienna

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Introduction

This article discusses the developments of an academic Islamic Religious Pedagogy training programme in Austria. After a short historical overview of the position of the Islamic community in Austria, the author will focus on the recent initiative to establish a Master's study in Islamic Religious Pedagogy at the University of Vienna that aims to train Islam teachers for secondary schools in Austria. The author addresses the objectives and content of the study-programme, the expectations of the Muslim community, and the challenges that the establishment of the Islamic Religious Pedagogy programme confronted.

The author, Prof. Dr. Ednan Aslan, is responsible for the development of this new type of Islamic religious education.

History of the Recognition of Islam in Austria

Despite long eras of confrontation, cultural and trade exchanges between Central Europe and the Islamic world were never interrupted. As early as the ninth century and lasting up to the thirteenth century, before the Ottoman expansion into Europe, numerous Islamic business- and craftsmen were working in the service of Hungarian kings,¹ and when the Hungarians settled in the Pannonian plain in about 895, an Asiatic Islamic population also appeared in the region.² From the beginning of the eleventh and until the thirteenth century, large groups of Hungarian Muslims inhabited the region in a few highly populated settlements (estimated at about thirty).³

As a result of the confrontations with the Turks, Muslims also lived in all the major cities of the Empire. The commercial and cultural contacts were not severed because of these clashes:

An Ottoman Ambassador resided permanently in Vienna and at the High Porte the *Internuntiatur* (Austrian embassy in Istanbul) saw to the Austrian interests.⁴

Up to the twentieth century, a prayer hall at the Imperial Ottoman embassy in Vienna and an *imam* (cleric) were available for the Muslims.⁵ When the Ottoman threats decreased, the interest in Islam and the Turkish lifestyle increased, especially in aristocratic upper-class circles which considered the oriental lifestyle as exotic:

When the immediate threat disappeared, the admiration felt for the intimidating superpower transformed into a fascination for the exotic.⁶

Mozart's piece *Die Entführung aus dem Serail* (The Kidnapping from the Serail) may serve as a musical example for this trend.

The universities of Vienna have a long tradition in the study of oriental languages, dating as far back as 1535. On October 18, 1674, Giovanni Podesta was granted permission to teach Turkish, Persian, Arabic, and Quranic Law at the University of Vienna.⁷ The foundation of the K.u.K. Akademie der orientalischen Sprachen (Royal and Imperial Academy of Oriental Languages) on January 1, 1754 may be considered another milestone marking this development.⁸ In 1874 a Royal and Imperial Research Institute for oriental languages was established in Vienna.

With the occupation of the two previously Turkish provinces Bosnia and Herzegovina in 1878, a closer relationship with Islam became established. A significant Muslim population now came to live under Habsburg rule for the first time. However, already before this time, in 1874 Islam had been formally recognized by a law in Austria.⁹ After the occupation, a *mufti* held a clerical seat in Vienna and a few years later, in 1882, Vienna appointed the Mufti of Sarajevo, Hilmi Omerovic, as head of the Bosnian-Herzegovinian Muslims, and granted him the title of *Reis-ul Ulema*.

As early as April 15, 1909, a law was enforced establishing an autonomous administration for the Islamic religious, organizational, and educational affairs of the Muslim community. Shortly after that, a military

mosque was built in the Alserstraße in Vienna that served as a prayer hall for famous Bosnian Muslim believers, both before and after WWI.

Juridical issues arising in the occupied territories posed new challenges for the Royal and Imperial court of the Empire. Consequently, five years after the occupation, a book was published entitled *Das islamische Ehe-recht, Familienrecht, und Erbrecht der Mohammedaner nach dem hane-fitischen Ritus* (The Islamic law of marriage, family, and inheritance of the Mohammedans according to the Hanafi rite), which was meant to introduce Austrian judges to a juridical system that they were entirely unfamiliar with.¹⁰

As the Islamic religious administration in Bosnia and Herzegovina was generally considered to manage the autonomy of the religious affairs satisfactorily, the '*Islamgesetz*' (Islam Law) of 1912 can be regarded as a token of accommodation to the Islamic population in the regions under Austro-Hungarian control. This law marked the end of the process of complete incorporation of Bosnia and Herzegovina within the framework of the Austro-Hungarian state and was intended as an expression of the will to become an empire with a Muslim minority in the future.

However, these first efforts to institutionalize Islam and to implement the Islam Law were frustrated by the outbreak of WWI in 1914. After the war, Austria and Hungary were divided and Bosnia and Herzegovina merged with Croatia, Serbia and Montenegro into Yugoslavia. In the first Austrian Republic that was also established at the time, only a few hundred Muslims lived, but these were hardly organized. Nonetheless, a few Islamic societies did exist at the time. The '*Islamische Kulturbund*' (Islamic Culture league) existed until 1939 and during WWII another society was founded '*Islamische Gemeinschaft zu Wien*' (Islamic Community of Vienna, until 1948). We do not have any records of the number of members of these societies.

After WWII, in 1951, the '*Verein der Muslime Österreichs*' (Society of Muslims of Austria), with a religious and social-charitable mission was established.¹¹

From 1948 till 1960 the '*Camiat ul Islam*' took the responsibility for the 3,000 Muslim refugees. This organization was managed by an American team and had no members of its own. In 1968 the *Camiat ul Islam* was dissolved by the state police.

In 1964 some 8,000 Muslims (by estimation) lived in Austria. Among them were twenty Austrians who had converted to Islam and who had founded the '*Islamische Arbeitsgemeinschaft*' (Islamic Labour Community).

The Arrival of Muslim Labour-Migrants

The real significant migration of Muslims to Austria took place when labour-migrants from Turkey (1964) and their families were recruited. To these were added war refugees or political refugees, as well as Muslim students from Islamic countries.

With the arrival of Muslim labour-migrants, the number of Muslim immigrants came to amount about 200,000 in the early '80s.

The arrival of Muslims in Austria took place in two waves.

A first large group of immigrants moved to Austria in the '60s, attracted by the economic boom of the time. A second wave of labour-migrants, predominantly Yugoslavian and Turkish Muslims – more than in the first wave – moved to Austria between 1986 and 1992.

The immigration slowed down during the three economic recessions: 1974-1979 during the oil-crisis; at the beginning of the '80s, 1981-1984; and recently, 1993-1994. The wave of refugees from Bosnia during the Bosnian-war (1992-1995) also strengthened the Muslim presence in Austria. From the 70,000 Bosnian refugees, an estimated 60,000 adhere to the Islamic faith.¹²

According to the census of 2001, a total number of 339,000 Muslims resided in Austria at the time. The majority are Turkish citizens, followed by Muslims from Bosnia-Herzegovina, of which most have lived in Austria for longer than ten years. From the growing number of Muslims adopting Austrian citizenship, it may be concluded that these Muslims consider Austria to be their home country and that they want to build their future in Austria.

One of the most important institutions that Muslims were able to establish in Europe in 1969 is the 'Islamische Glaubensgemeinschaft in Österreich' (IGGiÖ – Islamic Faith Community in Austria). The actual implementation, however, of the formal recognition of their religion of 1912 took another ten years and was finally realized in 1979. With this endorsement the Muslims were now able to offer Islam education at schools and to have their teachers financed by the state. The formal recognition of the Islamic faith-community also offered the Muslims other advantages, which enabled them to achieve a certain equality in terms of religious rights within society.¹³ With the Islam-Law the state guaranteed the Islamic faith-community:

- The public practice of religion;
- The right to exceptionality (name protection, the claim for the exclusive religious care for their own members);

- The establishment of public corporations (of public law);
- The autonomous organization and management of their ‘internal’ affairs;
- The protection of their institutions, foundations, and funds from secularisation;
- The right to the establishment of confessional private schools.

This should not lead to the conclusion, however, that the immigrants in Austria have accomplished complete social equality. The institutional integration of Muslims was the most important precondition for successful social integration, obligating both the Muslims and non-Muslims to start the process of social integration. This process, however, needs a lot more time and also tranquillity, so that the inter-Muslim discourse has the opportunity to respond to these changes and base it on a theological motivation.

The Process Towards the ‘Islamgesetz’ (Islam Law)

For the realisation of the formal recognition of Islam, it was the political timing in particular that proved to be decisive. In the wake of the Berlin Congress in 1878 the Austro-Hungarian government occupied Bosnia and Herzegovina, including the Sanddschak Novipazar regions that had been annexed by Turkey before. For the first time, an Islamic population came to live under Austrian rule. This annexation of Bosnia-Herzegovina by the Donau-monarchy was affirmed by international law in 1908.

The Islam Law did not so much emerge from a necessity for a detailed regulation of Islam within the juridical system of the monarchy. It should rather be seen as a special concession made to the inhabitants of the occupied territories of Bosnia and Herzegovina.¹⁴ In order to limit the resistance of the Muslim population, the monarchy attempted, instead of excluding them, to involve them as a recognized religious community in the internal affairs of the monarchy.¹⁵

In addition, after Turkish rule had come to an end, Muslims increasingly voiced their demands to the monarchy to be granted equal rights, comparable to those of the Christian religious communities regarding religious leadership as well as education. With the recognition, the monarchy wanted to counteract at least part of the criticism that was directed against it, mainly regarding the unequal treatment of foreign Muslims. At the same time, by issuing the Islam Law it wanted to stabilize relations between Muslims and the monarchy.¹⁶

The Islam Law only mentioned Muslims from the Hanafī school of law. This is motivated by the fact that the monarchy mainly responded to the demands of the Muslims in Bosnia-Herzegovina. The overwhelming majority of the Bosnian Muslims adhered to the Hanafī school of law. For the circumstances of the time this seemed to be a good and practical solution.

Legal efforts to institutionalize Islam in Austria were frustrated by the outbreak of WWI in 1914. Hence, the practical implementation of the law of recognition of 1912 was not realized until many years later.

According to Paragraph 1 of the so-called 'Islamgesetz' (Islam Law), (external) implementation had to be regulated by way of decrees. Only in 1979 did Muslims succeed in issuing such decrees for the first time. One of the reasons for the delay is that the realization of the 'Islamische Glaubensgemeinschaft in Österreich' (Islamic Faith Community in Austria), the IGGiÖ, had not been without difficulty. Because of the immigration of Muslims from other Islamic countries, the circumstances had completely altered since 1912. With the new Muslim immigration, society now faced completely different problems. Not only the majority groups in Austrian society had problems with the new situation, but so did the Muslims. They had to institutionalize Islam in Austria according to the rules of a democratic society, with which they were not familiar in their own tradition. Nevertheless, despite these problems, the Muslims in Austria have succeeded in organizing the new Islamic faith-community in accordance with the democratic principles of the country.¹⁷

Religious Instruction of Muslim Children in Austria

In Austria more than 40,000¹⁸ children attend Islamic religious instruction. They are educated by more than 350¹⁹ teachers at about 2,000 public schools. The inspection is guaranteed by nine²⁰ inspectors. The number of pupils in areas with a dense population is much higher than in the rural areas of Austria. More than one third of the (Muslim) children attend Islamic religious instruction in Vienna.

Until the foundation of the Islamische Religionspädagogische Akademie (IRPA – Islamic Religious Pedagogical Academy), the religion teachers were recruited from Islamic foreign countries. These teachers predominantly originated from Turkey and Egypt and generally lacked the required pedagogical skills. The IGGiÖ repeatedly attempted to

improve the education of the teachers by providing external training courses.

After the foundation of the IRPA²¹ (Islamische Religionspädagogische Akademie), the representatives of the IGGiÖ had to confront other problems. The main question was how to construct an educational programme that conformed to European educational norms. At the time, the development of an independent programme was not possible because of the insufficient competency of the personnel of the IGGiÖ. For this reason, not only the educational programme but also the teaching personnel had to be taken from the Al-Azhar University in Egypt. As a consequence, the language of instruction for most courses was Arabic, making a preparatory year in Arabic one of the requirements for being allowed to study at the IRPA.

We do not have an evaluation of that period. However, from my own experience I can assert that the programme has not taken the main objectives of the IRPA into consideration sufficiently. The curriculum at the time did not do sufficient justice to the position of Islamic Religious Pedagogy, and Religious Pedagogy was confined to the role of an 'applied' science of theology. The curriculum offered the students little room to reflect on the theological content within the European context.

The general pedagogical training of Austrian schoolteachers was (already) organized at the 'Pädagogische Akademie des Bundes' (Pedagogical Academy of the Federation) in Vienna. To complement this training, IRPA's only objective was to teach theological courses. However, the theology hardly took the social circumstances of the pupils into consideration. Furthermore, the most important theological courses were taught in Arabic, requiring the candidate students to first learn Arabic for two terms. Only after a successful completion of this preparation year could the candidate students start with their study. This preparation year of Arabic language was and is an obstacle for the recruitment of high school graduates from Austria, who generally do not want to follow this preparatory year. This lack of sufficient background however affects the achievements in the following study years. The inadequate language skills of the students makes it difficult for them to reach the curricular targets.

The recent European Union attempts at modernization of European universities (the Bologna Process) may partly improve the situation at the IRPA. The new reforms of higher education enable a thorough renewal of the structure of the IRPA in accordance with the Bologna criteria.²²

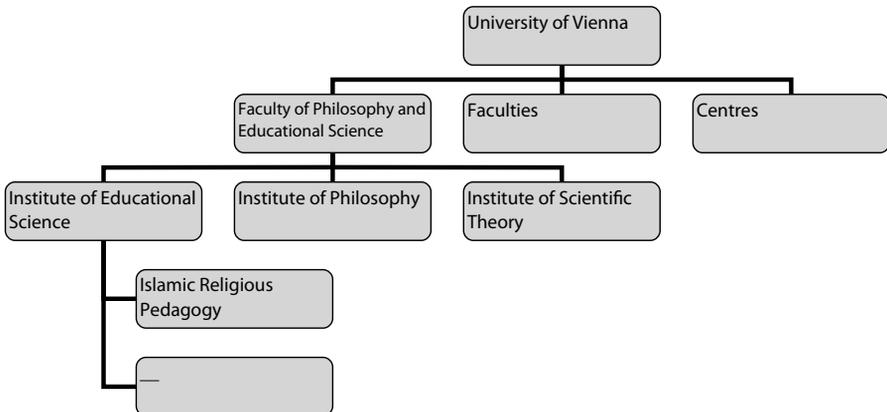
Islamic Religious Pedagogy at the University of Vienna

At various occasions, the religious community had emphasized the need for a training programme ‘Islamische Religionspädagogik’ (Islamic Religious Pedagogy) at the University of Vienna that could professionalize the education of teachers for secondary schools in Austria.

In the summer term of 2006 the implementation of this type of training programme was started. A professor and an assistant were hired to work on the preparation of the study curriculum for the winter term of 2007-2008. The preparation of the courses formed a unique challenge for the university and the newly-employed professor. What they were dealing with was not just any regular programme with which European universities were already familiar, but with a completely new type of training programme, which in addition has political overtones and is generally confronted with a certain suspicion.

Therefore, from the start the establishment of this type of training programme has given rise to controversy and debate at the faculties of the university. The fact that an Islamic Faculty comparable to the Catholic or Evangelical faculties did not exist necessitated Islamische Religionspädagogik (Islamic Religious Pedagogy) to be accommodated at another faculty. Some faculties opposed the integration of the IRP at their faculty, because this would conflict with the secular orientation of their faculty. However, the management of the university succeeded in placing the course at the *Facultät für Philosophie und Bildungswissenschaft* (Faculty of Philosophy and Educational Science).

At the present moment, Islamische Religionspädagogik is a research-unit at the Institute for Educational Science.



The most important task for the new team, was to construct a new curriculum. A particular difficulty was that they had to perform pioneering work. At that time, universities in Germany had not yet completed their curricula for Islamic Religious Pedagogy.²³

The Muslim organizations expected a training programme that offered an in-depth study of theology. Therefore, from the outset, an important objective of the Religious Pedagogy programme had to be the communication of the theological content.

For Muslims in Europe, the relationship between religious pedagogy and theology is not yet clearly defined. Generally, religious pedagogy is not conceived as a theological discipline, but rather as an 'applied discipline'. With this conception of Islamic Religious Pedagogy being only an applied discipline, religious pedagogy is denied any theological competences. This position of the theologians presently determines the relationship between Islamic Religious Pedagogy and theology. Consequently, the curriculum of religious pedagogy is bound to the prescribed content. The majority of the theologians never felt the need to take notice of the academic results and insights of Islamic Religious Pedagogy either.

The intention of the new professor, however, was to accentuate the religious pedagogical profile of the courses, which gave rise to elaborate and continuing discussions with Muslim theologians.

Islamic Religious Pedagogy was designed as a Master's study, and students who enrol in this programme already have sufficient theological training. This determined the framework for the desired pedagogical profiling and formed the point of departure for the preparation of the curriculum of the interdisciplinary courses.

To accommodate the training to the contemporary context, the conventional terminology of classical Islamic subjects is consciously avoided at the scientific disciplinary courses (Fachwissenschaften). For example, instead of '*fiqh*' the course is called 'Islam in everyday life', and instead of '*Sunnah*', 'Ways of thinking and acting of the Prophet'.

With this in mind, the following mission was formulated for the IRP: to reflect on the theological content of the courses from a pedagogical perspective within a school setting.

Study Targets and Qualifications-Profile

- (1) The Master's study 'Islamitische Religionspädagogik' (Islamic Religious Pedagogy) of the University of Vienna qualifies the students:
 - To teach as German-speaking Islamic religious teachers at public secondary schools in Austria;
 - For the competent and topical presentation and clarification of Islamic content in the contemporary social context and from the viewpoint of gender-equality;
 - For the intercultural and inter-religious dialogue with religions and world-views, on the basis of the ability to self-criticize, tolerance, the willingness to cooperate, as well as the ability to cooperate; and
 - According to the emphasis (corresponding to the choice of one of both modules) to be active in the sphere of municipal labour, spiritual care, or social work.
- (2) Building on the curriculum of the Islamische Religionspädagogische Akademie (IRPA) in particular, the students are additionally made familiar with:
 - The intensive exegetical analysis of specific texts from the Quran and the Sunnah, which serve the preliminary objective of the study;
 - Pedagogical and Islamic religious pedagogical theories and models;
 - Scholarly research including gender-specific questions; and
 - The history and development of the traditions and viewpoints of Islamic sciences that are of important to the realization of the main objectives of the course, in particular those that concern the life of Muslims as citizens in a democratic society.
- (3) The graduates of the Master's study 'Islamische Religionspädagogik' at the University of Vienna are – more than a Bachelor's study – also qualified to teach Islamic religious education at secondary schools; have a thorough knowledge that enables them to reflect on society in the context of the Islamic faith; have developed competences for inter-religious dialogue.

Islamic Religious Pedagogy and Theology Within a New Context

The new IRP study-programme is meant to provide a basis for addressing contemporary issues that Islam is historically unfamiliar with. It will now place those themes that have only been dealt with peripherally at the centre of theological-pedagogical discussions.

The difficult situation continues to cause frequent and fierce discussions among the participants of the study programme. The theologians position the IRP and the discipline of pedagogy in a subordinate role, and the pedagogues try to replace theology. Our main problem is first of all to clarify to the theologians what it is exactly that pedagogy has to offer. This process will take considerable time. In particular those Islamic scholars that are unfamiliar with contemporary academic culture see few advantages in this novel type of cooperation.

The practical reality that is presently challenging Islamic theology is not only to achieve an understanding of the questions of youngsters, but also to develop new concepts in cooperation with religious pedagogy for the education of Muslim children that sufficiently reflects their circumstances.

My own experiences attest to the incredible dynamics of the Islamic disciplines. Departing from their own tradition, they have proven to be capable of responding to new circumstances very rapidly. It is my contention that Islam has sufficient theoretical fundamentals to stand up to the challenges.

The institutional integration of the Islamic community is gaining significance in Austria and is at the same time preparing the infrastructure within which the discourse can take place. A new theological fundament is emerging that originates from the concrete circumstances of life and that is at the same time directed towards it. Presently, Islamic theological thought is experiencing a trans-national and trans-cultural development.

Institutional integration and an infrastructure is needed for this religious education in order to be able to rise up to these challenges and to be able to develop an authentic profile of its own. The Muslim community needs time and tranquillity, without being confronted with continual suspicion, to be able to reflect critically on their present situation and to be able to lay out the ground structure of a future of their own within a pluralistic society.

The University of Vienna provides a good infrastructure for the development of a new Islamic Religious Pedagogy programme in Europe. The courses in the humanities of this interdisciplinary programme are organized in cooperation with various study-programme directors. These courses are especially designed for the modules of the IRP and are not copies from already existing courses.

The financing of the extra expenses made by the faculties are guaranteed by the management of the University. Therefore the faculties will not be overburdened by courses that are newly offered for the IRP.

The Curriculum and Islamic Organizations

When the curriculum of 'Islamitische Religionspädagogik' was finished, all the Islamic organizations were invited for a meeting at the University of Vienna. At this meeting, the curriculum was mutually discussed and clarified. Subsequently, the IGGiÖ as the official representative of the Muslims in Austria responded with a letter to the University of Vienna:

The Islamische Glaubensgemeinschaft Österreich (IGGiÖ – Islamic Faith Community in Austria), as the state-recognized religious community of the Muslims and an independent institution for the teaching of the Islamic faith at the public schools in Austria, hereby declares that graduation in the study of Islamic Religious Pedagogy at the University of Vienna can be acknowledged as a certificate of competence for the teaching of Islamic religious education at secondary schools in Austria, in accordance with paragraph 7b of the law of religious education.²⁴

The Institut für Bildungswissenschaft (Institute for Educational Science) that had initially been hesitant about the Islamic Religious Pedagogy course is presently in favour of accommodating the unit at the institute out of various social and cultural-political interests. In addition to this, the institute, during this phase, identified various opportunities for cooperation in the field of teaching and research. The Institute of Educational Science is now dedicated to obtaining additional resources for the IRP.

The Future of Islamic Religious Pedagogy

Islamic Religious Pedagogy has encountered a good work infrastructure at the University of Vienna. At present, the Muslim scholars of this research unit are challenged to develop an Islamic Religious Pedagogy course that accommodates the contemporary context. Several problems are attached to the development of the discipline. The main problem is that the Austrian Muslim community counts very few academics with the required teaching and research experience in the field of Islamic Religious Pedagogy. The recruitment of scholars from Islamic countries as a temporary solution is generally not an option, because there are few German-speaking scholars in Islamic countries.

The fact that the Islamic countries have not yet developed their own IRP profile is an additional difficulty that frustrates a constructive coop-

eration. In these countries, Islamic Religious Pedagogy is generally offered as an advanced study at the theological faculties.

Another problem is that the Muslim population in Europe has specific expectations about Islamic religious education that generally tend to have a historical and traditional bias. To have them accept this new type of context-oriented religious education will demand a considerable effort. They will need to be convinced that religious education at the public schools cannot be expected to accomplish the same as the traditional education at the mosques and furthermore, that this new education is not intended to do so either.

For the development of Islamic disciplinary pedagogy, the traditional curricula of the faith-community are considered as essential for enabling an optimal adaptation to the contemporary situation. The cooperation between the IRP, the university and the faith-community will need to be managed very well for this project to succeed. On this matter, the IRP needs the support of the IGGiÖ if the research findings of the IRP are to be able to work out in practice.

The IRP is in the fortunate position to enjoy the confidence of both the university management and the IGGiÖ. Providing this situation remains unchanged, the Austrian IRP may be expected to provide a crucial impetus for Europe as a whole, aimed at the integration of Muslim children into our educational system.

Notes

- 1 W.D. Bihl, 'Zur Stellung des Islam in Österreich' in: *Österreichische Osthefte*, Vienna 1991, No. 33, part. 3, p. 585.
- 2 S. Balic, 'Zur Geschichte der Muslime in Österreich' in: S. Heine (ed.), *Islam zwischen Selbstbild und Klischee*, Vienna 1995, p. 23.
- 3 Ibid.
- 4 W.D. Bihl, *op. cit.*, p 585.
- 5 *Die Muslime im Donaauraum-Österreich und der Islam*, herausgegeben aus anlaß des 7jährigen Bestehens des moslemischen Sozialdienstes in Wien, Vienna 1971, p. 7.
- 6 M. Köhlbach, 'Die osmanische Expansion und Europa' in: *Begegnung zwischen Orient und Okzident*, Ptuj 1992, p. 19.
- 7 W.D. Bihl, *op. cit.*, p. 586.
- 8 Cf. D. Erlach, *Die orientalische Akademie in Wien*, Phil. Dipl. Vienna 1988.
- 9 *Reichsgesetzblatt*, Issue 1874; Law dated May 20, 1874, concerning the recognition of religious communities by law.

- 10 S. Balic, *op. cit.*, p. 27.
- 11 W.D. Bihl, *op. cit.*, p. 592.
- 12 A. Schuster, *Islam in Wien (Dipl. Arbeit)*, Vienna 1994, p. 65.
- 13 We will elaborate more comprehensively on the Islam Law and its effects in subsequent sections.
- 14 Cf. A. Wagner, *Die rezente Judikatur zum Islamgesetz*, Dipl. Jur., Graz 1992, p 10.
- 15 *Ibid.*, p. 15.
- 16 Cf. H. Schnizer, 'Diskussionen über den Vortrag von Prof. Dr. iur. Wolfgang Loschefelder, Bochum' in: *Essener Gespräche zu Thema Staat und Kirche (20)*, Aschendorf, Münster 1986, pp. 178 ff.
- 17 The homepage of the IGGiÖ: www.derislam.at
- 18 School year 2006-07: 45,346
- 19 School year 2006-07
- 20 The Islamic Faith Community had, till 2006, only one professional inspector, who was at the same time also the president of the IGGiÖ. In 2006 it acquired the other professional inspectors, who monitor Islamic religious instruction in all federal states. The IGGiÖ has installed a department of education to take care of this.
- 21 www.irpa.ac.at
- 22 Since the winter term 2006-2007 a curricular-committee has worked on a new organization of the study.
- 23 Erlangen University offers the IRP as an advanced study. Osnabrück University will offer a similar study as a Master's -track in the winter term of 2007-2008.
- 24 The letter of the IGGiÖ of January 8, 2007.

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- Die Muslims im Donauraum-Österreich und der Islam*, herausgegeben aus anlaß des 7jährigen Bestehens des moslemischen Sozialdienstes in Wien. Vienna, 1971.
- Erlach, D. *Die orientalische Akademie in Wien*. Vienna, 1988.
- Köhlbach, M. 'Die osmanische Expansion und Europa' in: *Begegnung zwischen Orient und Okzident*. Ptuj, 1992. pp. 15-19.
- Letter of the IGGiÖ, 08/01/2007.

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Schnizer, H. 'Diskussionen über den Vortrag von Prof. Dr. iur. Wolfgang Loschefelder, Bochum' in: *Essener Gespräche zu Thema Staat und Kirche* (20), Aschendorf. Münster, 1986. pp.177-181.

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www.derislam.at (homepage of the IGGiÖ)

www.irpa.ac.at (homepage of the IRPA)

APPENDIX

Overview of the study-modules

Module number	Name of the Module	ECTS
<i>Obligatory</i>		
M 1	Quran, Ways of thinking and acting of the Prophet	12
M 2	Doctrine of faith and Islam in everyday life	12
M 3	Islamic ethics and mystical Islam	5
M 4	Islamic disciplinary pedagogy	8
M 5	Religious sciences and philosophical studies	6
M 6	Sociology of religion and psychology of religion	6
M 7	European cultural history and intercultural research	10
M 8	Pedagogical-scholarly profession-formation and obligatory deepening course: Islamic Religious Pedagogy	12
M 9	Course-related practical training	5
<i>Optional</i>		
AM I	Common pedagogy: <ul style="list-style-type: none"> • Christian theology • Common management and organizational development • Inter-religious dialogue 	14
AM II	Social pedagogy: <ul style="list-style-type: none"> • Fundaments and methods of social pedagogy • Fundaments and methods of consultation • Communication and rhetoric 	14
Master's thesis with accompanying seminar		30

Term-plan

Nr.	Term 1	SSt	ECTS
M 1	Quran, Ways of thinking and acting of the Prophet	6	12
M 8	Pedagogical-scholarly profession-formation and obligatory deepening course: Islamic religious pedagogy	8	12
M 5	Religious sciences and philosophical studies	4	6
	Term 2		
M 2	Doctrine of faith and Islam in everyday life	6	12
M 3	Islamic ethics and mystical Islam	4	5
M 6	Sociology of religion and psychology of religion	4	6
AM	Common pedagogy / social pedagogy		7
	Term 3		
M 4	Islamic disciplinary didactics	4	8
M 7	European cultural history and inter-cultural research	4	10
M 9	Course-related practical training	3	5
AM	Common pedagogy / social pedagogy		7
	Term 4		
	Master's thesis with accompanying seminar		30

16 Legitimizing Islamic Theology at European Universities

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Introduction

During the last decades the number of Muslim inhabitants in Europe has increased, mainly due to various forms of migration.¹ This has induced a vast number of political and scholarly debates on issues such as integration, European identity, security and terrorism, the role of religion in the public sphere, discrimination, and the limits of tolerance. As a part of – and on some occasions as the solution to – these issues, the educational background of Muslim preachers and teachers functioning in Europe have gained considerable attention. Requests for a formalised European education for Muslim religious authorities functioning in Europe have been raised by politicians, universities, and different Muslim groups, and since the beginning of this century a number of European universities have started to offer various types of courses in, what we could broadly term: ‘Islamic theology’.²

These new initiatives have made it relevant to discuss and question the aspects of legitimacy of this type of religious education. To begin with: can Islamic theology offered at a public European university that is sometimes initiated by political demands, ever be perceived as legitimate by Muslims in Europe? Public education needs to comply with the legal and institutional framework existing in each country, it needs funding and approval, but – in order to survive – it also needs a ‘demand-side’, i.e. students. Various and sometimes colliding interests are involved in these requests for formalised Islamic theological education and universities have to decide on how to position themselves and navigate within this context.

In this article, I will address how agents at public universities that are engaged in offering Islamic higher education perceive and legitimate their task. What ‘strategies of legitimacy’ are used and how do the existing legal and institutional frameworks shape the way the universities operate or navigate? ‘Strategies of legitimacy’ are here understood as communicative actions. This implies an audience (implicit or explicit) towards whom the action is directed and who is to be persuaded, and an argumentative system or structure – a reality – from where the action derives its persuasiveness.³ For example, when a university explicitly denies that education in Islamic theology for Muslim chaplains can serve as a tool for politicians to control Muslim citizens, this statement obviously has an audience assumed to be persuaded. This audience can potentially consist of Muslim students who worry about the universities’ agendas, or fellow academics who worry about the independence of science.

I will make a distinction between two main types of legitimacy that intersect in different ways: 1) legal/institutional legitimacy and 2) religious legitimacy.

‘Legal/institutional legitimacy’ refers to drawing legitimacy from adherence to existing legal structures or an already-existing institutional arrangement. Because these structures are already in place, they do not need to be justified. Legal and institutional frameworks can, as will be shown, serve as a powerful source of legitimacy and it can greatly facilitate the establishment of new educational initiatives. At the same time, these can also be seen as restricting the possibilities. In this article I will present different cases where the legal and institutional framework serves as a source of legitimacy.

‘Religious legitimacy’ refers in the present context to two main features: one is the ability to claim that the actions are ‘authentic’, that is in line with the true, original or proper – in this case Islamic – way of doing things. In this case, this entails that the new types of religious education draw upon and adhere to the existing traditional systems of Islamic religious education. These might not necessarily be supported by legal and institutional structures. On the contrary, traditional education may be critical of, or in direct opposition with, such structures. The other feature of religious legitimacy is the ability to act as a representative for this authentic way of doing things. The act of legitimacy here rests upon the ability to claim that one speaks on behalf of a certain Muslim population or Islam as such. (i.e. the potential audience). In the article, I will show how – dependent on the institutional and legal situation of a country – universities integrate or make use of these two types of legitimacy.

The article is structured in three parts. After a brief presentation of the data and methods used, an introduction to the field of Islamic theology follows, where I will identify some of the interests that are at stake, mainly political, but also academic and religious interests.⁴ This builds up to the main focus of the article: the strategies of legitimacy employed at different European universities.

Methodology and Data

The analysis is centred around a case study from Erlangen-Nuremberg University's Interdisciplinäres Zentrum für Islamische Religionslehrer (IZIR, Interdisciplinary Centre for Islamic Religious Teaching) with a comparative outlook to universities in two other European countries: the Netherlands and Denmark. This article is mainly a revision of two reports made for the University of Copenhagen during 2005 under the Priority Area 'Religion in the 21st Century'.⁵ Other parts have been presented at the conference 'Religion on the Border' in Stockholm in April 2007. The data used consists of written material from the institutions (curriculum, study guides, web-presentations), legislative material, visits to the institutions and interviews with teachers and coordinators in the course of 2005. I visited the IZIR in Erlangen-Nuremberg in November 2005 where I had the opportunity to interview the coordinator at the time, Prof. Johannes Lähnemann, participate in classes, and talk to some of the students. For the present article, this data has been supplemented with updated information, through personal conversation with Prof. Lähnemann, mail correspondence with the current Prof. Harry Harun Behr and from the IZIR website (May and August 2007). The comparative material from the Netherlands has been generated in similar ways through a visit in September 2005 to the Centrum voor Islamitische Theologie (CIT, Centre For Islamic Theology) at the Vrije Universiteit (VU) in Amsterdam.

The case of the University of Copenhagen is added and was not a part of the initial 2005 study. The information is obtained by means of my ongoing involvement and interest in the discussions taking place at the university. This more informal data, not suitable to carry an analysis in itself, can nevertheless serve as valuable comparative material that highlights and illustrates significant differences in the course of events between the various countries.

Islamic Theology: An Introduction to the Field

In this section, I will give a brief introduction to the field of higher Islamic education. The interested parties involved in this type of education are the universities, private Muslim institutions of education, politicians and various groups of Muslim students. This identification of 'actors on the scene' is important to understand how the universities navigate within this complex field, how they address various audiences and which strategies are applied to legitimize the presented education.

In the past few years a number of public European universities have started to offer varying types of courses in Islamic Theology. These are often part of the Theological Faculties and some are intended for a specific profession, such as chaplain, imam or teacher. Most of these are short-term courses. Generally these are presented as a combination of traditional Islamic disciplines, such as *fiqh*, *sunna*, science of the Quran, *tafsīr* and *kalām*, and courses such as Islam in contemporary Europe, comparative religion, philosophy, and the others. Finally, some also present profession-specific topics, such as didactics, pedagogy, administration, counselling techniques, verbal presentation etc. Some of these initiatives are listed here:⁶

- Erlangen-Nürnberg Universität: Interdisziplinäres Zentrum für Islamische Religionslehrer (IZIR), established in 2002. Teacher for Islamic religious education.
- Münster Universität: Centrum für Religiöse Studien (CRS, Centre for Religious Studies), since 2004 a Chair in Islamic Theology. Also mainly teacher training.
- Wolfgang Goethe Universität, Frankfurt: since 2003 a Chair in Islamic Religion, sponsored by Diyanet.
- Vrije Universiteit, Amsterdam: Centrum voor Islamitische Theologie (CIT), since 2005 a BA in Islamic Theology and an MA in Muslim chaplaincy.
- Universiteit Leiden: since 2006 a BA and MA in Islamic Theology.
- Wien Universität: starting with 2007-2008, an MA in Islamische Religionspädagogik in cooperation with IRPA
- Université Catholique de Louvain: since 2006 a short course in Islamic religious science.
- Hogeschool InHolland: not a university but a higher vocational school (HBO). Since 2006 education as imam or *Islamitische geestelijk werker* (Islamic spiritual counsellor).

- Københavns Universitet: from October 2007 a five year research Chair in Islamic Theology.

Most European universities have a long tradition in Islamology, religious studies, in studying Islam and the texts and lives of Muslims. However, it seems that with the rise of these types of education something new is happening – the context and interests have changed. What is new is what we could call the ‘applicability’ of the Islamic courses. These are not solely interested in the objective to study what people ‘who call themselves Muslims’ have said and done in various circumstances, but also to deal with questions of what people should do today in order to become good Muslims or to be able to take up an active position within Muslim communities.⁷ As a result, the courses are mainly, though seldom explicitly, directed towards *Muslim* students who are interested in knowing more about ‘their own religion’. Being a Muslim is (to my knowledge) seldom a requirement for attending the courses, but in practice many of the students at the educations are Muslims. This is obviously different from the departments for Religious Studies and Islamology, in which the vast majority of students are non-Muslim and where an explicit religious identity is often perceived as either irrelevant or maybe even problematic. This shift in scope and ‘target group’ is not necessarily a direct result of the acceptance of political agendas, which mainly focus on the religious education as a means of preventing extremism, but can be seen as part of a more general movement of creating new ‘integrated’ forms of Islam.

Apart from the public universities, there also exists a broad range of private Muslim institutions offering different kinds of courses at the level of higher education. These range from the traditional *dar al-‘ulūms* and *madrasas* to university-type institutions offering courses along the Bologna model with BA, MA and PhD programmes – many of which also use the term ‘Islamic Theology’ to present and describe the overall content of their teaching.⁸ All of these institutions participate in the ongoing debates about the transmission of Islamic knowledge within a European context and the public universities can therefore be seen to enter a field of competition with other authorities about ways to teach Islam. It is on this point that several private Muslim institutions have questioned the actual ability of public universities to offer ‘authentic’ Islamic teaching. Universities have access to an academic, institutionalised legitimacy that is publicly sanctioned, but – so these institutions claim – they definitely do not have legitimate access to authentic Islam.⁹ The underlying assumption here seems to be that authentic Islam can only be transmitted by Muslims and

within Muslim institutions. In this respect, it is not surprising that public universities have – for strategic reasons – engaged Muslim professors and teachers. This has been the case for instance in Frankfurt, Münster, Erlangen-Nürnberg, Amsterdam, and Vienna.

Another important factor determining the context of Islamic higher education is that strong political interests are involved. Many of the political statements about imam training and Islamic Theology in, for instance, the Netherlands, Denmark, Germany and France, seem to be based on the assumption that certain forms of Islam are closely related to failed integration and social isolation, and together they form a potential security threat.¹⁰ This has created a powerful nexus of policies on immigration, integration, and security, where Islam has increasingly become a matter of ‘the enemy within’. Public institutionalized and formalised education becomes a way of influencing Muslim religious authorities and thereby Muslims in general. European politicians seem to want to reshape Islamic discourses, practices and organisational forms similar to those devised for Christianity or other recognized religious communities: solid organisational structures, formalised and controlled education, and an educational system that does not challenge the current social order.¹¹ The idea is that the establishment of Islamic higher education within a formalised setting would provide Islam and Muslims with an institutionalised and controlled position within European societies. These political agendas are on the one hand used to substantiate the necessity of such educational initiatives and – not least – seen as a source of funding for the universities. At the same time, however, the political interests in the universities’ work may potentially threaten the ideals of academic independence and academic freedom. It may also hamper the chances of convincing the Muslim communities, mosques and schools that the universities are not extended ‘integration workers’. This point about state control has also been raised by some of the private Muslim institutions: being a part of the public educational system implies a range of privileges, such as economic support, student funding, and certification, but it also entails state supervision and control on what is being taught.¹²

This is obviously not how the universities generally perceive their task, and it should be emphasised that the establishment of Islamic Theology programmes can also be seen as the offshoot of increased knowledge, recognition, and the visibility of Islam. Incorporating Muslims into the existing university framework – not just as exotic *objects*, but also as active participating *subjects* – is a way of granting Islam and Muslims a recognised position, as an integrated and enduring part of society. In line

with this, it should be remembered that at least some of these forms of religious education, especially those more specifically aimed at educating Muslim ‘professionals’, are engaged in the task of transmitting knowledge to people with a genuine concern for securing the future of an authentic Islam in Europe. To them it is not only a matter of social and legal integration, but also a matter of ‘religious truth’, matters that hardly concern European politicians. In this respect, religious education also becomes part of the debates on religious authority: who has the right to represent Islam in a European setting?

Case: The Erlangen-Nuremberg Project: Islamic Teacher Training

I will now turn to my main question of the strategies of legitimacy that are used by three different universities. I will start with an introduction to the main case: the Interdisziplinäres Zentrum für Islamische Religionslehrer (IZIR) at the university in Erlangen-Nuremberg.

The IZIR was established in 2002 to provide a training course for teachers for Islamic religious education at public schools. It is a cooperation between the Chairs for Pedagogy, Psychology and Sociology at the Educational Faculty, the Theological Faculty, the Faculty of Law and the Department for Islamic Studies at the Philosophical Faculty. It is an explicitly interdisciplinary course, but it is offered in close cooperation with the Chair for Protestant Religious Education. The project is still running, in 2005 with about thirty students and in 2007 approximately fifty students. Since the beginning, three students have completed the full course.¹³

In Germany, as in many other European countries, intense political debates were held on the relationship between increasing Islamic extremism and failed integration. This resulted in political demands to extend state control over the transmission of religious knowledge within the Muslim communities in Germany. In Germany the main focus has been on religious education at schools and mosques, while in other countries political interest has centred on the training of imams. The debates have elicited a political call for qualified, German-speaking, German-educated teachers who through a solid knowledge of German society can support the integration process.¹⁴ This call for qualified teachers subsequently raised the question of where these teachers should be educated. Because the training of teachers in Germany generally takes place at the universities, this was a natural starting point.

Another important factor is related to the fact that the German Constitution states the possibility to offer confessional, religious education in public schools, as opposed to, for instance, Denmark and France. According to Article 7 of the Basic Law, the individual states (*Länder*) can offer religious education as an optional subject to the public schools' curricula, thereby leaving room within the German legal framework to establish an alternative to the mosque *madrasas*.¹⁵ Religious education is to be given according to the principles of the religious community, while the state merely supervises the pedagogical and didactical framework.¹⁶ Such an arrangement is dependent on the cooperation with an organisation that represents the religious community. According to the German Constitution, a religious community can be granted a recognised position as a corporation of public law (*Körperschaften des öffentlichen Rechts*) allowing the community to enjoy certain privileges: the state can collect taxes on behalf of the community and the community can actively participate in the development of religious instruction at public schools. This status as a recognised community is presently held by the Catholic and the Protestant churches, while the Jewish community, the Greek Orthodox Church and the Apostolic Church have a partial recognition.¹⁷ Accordingly, a crucial first step towards the integration of Islam into the educational system has been the attempt to establish a corporation of public law representing the German Muslim community and that could function as a cooperation partner for the state, the public schools, and the universities.¹⁸

During the last few of years, several attempts were made to establish such an organization for Muslims at a national level in Germany. A range of individual Muslim organisations applied for the position as *Körperschaften des öffentlichen Rechts*, but none of these applications were accepted. One of the main reasons was the lack of central organization among Muslims in Germany. As is the case in Austria, Denmark and other European countries, legal recognition is not granted to a religion as an abstract phenomenon, but to a specific 'institutionalised faith community' which needs to be the representative of all German Muslims. At the time when education at IZIR was launched, it had not yet been possible to establish a representative body on the national level, partly because the most dominant Muslim organisation, the DITIB, was reluctant to participate.¹⁹ Since 1984 the DITIB (Diyanet Isleri Türk Islam Birliği) has represented the Turkish migrant population in Germany taking on several tasks, such as the administration of prayer facilities and mosques, Quran schools and the education and payment of imams. With its approximately

120,000 members it is by far the largest organisation in Germany.²⁰ The DITIB already had an agreement with the German state, and until recently was not interested in participating in the establishment of a national, German organisation for all Muslims, as they already represented the *Turkish* Muslims. At present, though, it seems that things are moving in the direction of one national organisation with the establishment of the Koordinierungsrat der Muslime on April 11, 2007 with the participation of the four main Muslim organisations (Zentralrat der Muslime in Deutschland (ZMD), Türkisch-Islamischen Union (DITIB), Islamrat für die Bundesrepublik Deutschland, and Verband der Islamische Kulturzentren (VIKZ)).

When education at IZIR was started, no representative body for Muslims existed at the national level. However, for religious education it is sufficient to work with a cooperation partner at the federal state level. Consequently, one of the first steps was to find such a partner. The Islamische Religionsgemeinschaft Erlangen (IRE) was accepted both by the state of Bavaria and the university. IRE participated in the formation of a curriculum for a local school, where the students could also partake in vocational training and they were consulted about the hiring of the first Muslim guest professor. After a period of adjustment, the education consists of six modules that are divided into two parts:²¹

- 1) An Islamic-theological part (*Islamisch-theologische Professionalisierungsbereich*) consisting of three modules: Scripture (*Schriftgrundlagen des Islams/qur'ān, hadīth, sīra*), Quranic Arabic (*Koran-Arabisch/lughra, tajwīd*), and Faith and Ethics (*Glaubenslehre und Ethik des Islams/ʿaqīda, ʿibāda*).
- 2) A part for profession-specific skills in other departments (*Bezugswissenschaftliche Professionalisierungsbereich*) consisting of three modules: Theology and Law (*Theologie und Rechtsgeschichte des Islams/fiqh, kalām*), Science of Religion and Non-Islamic Religions (*Religionswissenschaft und nicht-islamische Religionen*), and Pedagogy of Religion (*Religionspädagogik*).

The education is thus structured as a combination of Islamic topics and topics such as didactics and pedagogy, within the overall framework of the university-based teacher training that uses the education of Protestant teachers as the main model.

Institutional/Legal and Religious Legitimacy

How do the IZIR and the university legitimate their work? This legal and institutional agreement between the state, faith community and university was pointed out by the coordinator as the prime source providing the IZIR simultaneously with political, academic and religious legitimacy.²² The state recognises the faith community, the faith community recognises the school curriculum (thereby assuring the Muslim parent, whose children are to be taught, of its quality and authenticity), and the university provides the teacher training within the framework of academic standards, which in turn makes it politically acceptable. The IZIR was placed within an already existing structure for religious education, which only had to be copied for Islam. The legitimacy of the structure itself was not questioned; it was reproduced with a new content. This implies that the legal setup for religious education itself is perceived as the self-evident and proper way of transmitting religious knowledge.

The institutionalised legitimacy embedded in the 'three-legged' structure of state, university, and faith community employed in Erlangen-Nuremberg has 'religious legitimacy' incorporated as one of the 'legs'. The faith community accepts the IZIR as legitimate.

This might be the reason that the IZIR has been spared some of the critique that was raised against, for instance, the Free University of Amsterdam (VU), when they received 1.5 million Euro contributions from the state to develop courses in Islamic Theology and Muslim Chaplaincy. In this case, there was no direct cooperation with Muslim organisations in the formation of the education. The Dutch Ministry of Education had requested the Theological Faculty of the university and several other institutions to come up with suggestions for imam education, drawing on the competences and resources already existing within the university.²³ The ministry selected the VU on the basis of its consolidated position as an academic institution. However, when the university received the grant it immediately elicited a critical response from Muslims. The main Muslim organisations CMO (Contact Orgaan Moslims en Overheid) and CGI (Contact Groep islam) criticized the setting of a Protestant university undertaking Islamic theological training.²⁴ This obviously made the university more vulnerable to the accusation that they were carrying out a 'political task'.

So in the Dutch case, there were no requirements for a Muslim cooperation partner in the institutional and legal setup, and the critics did not accept the institution as an adequate carrier of religious legitimacy. At the

outset, this entailed that the only ones pointing to the VU as the proper setting for teaching Islamic theology, besides the VU itself, were the political decision-makers. In order to claim religious legitimacy, the university had to distance itself from the political agendas and, on a rhetorical level, this is what became visible in the argumentation of the representatives at the university with whom I spoke in September 2005. First of all, they refuted the distinction between Islam and the university as a Christian institution. Rather, they emphasized their legitimacy to offer Islamic higher education by referring to the VU's history as a free, confessional institution that is devised to embrace different religious traditions.²⁵ Furthermore, any claim that the university was working for the government was strongly denied, or as the Dean at the faculty puts it: 'This is not a project to correct the Muslims, as the politicians might want!'²⁶ On a more practical level, the university has subsequently approached some of the main Muslim organisations in the Netherlands to establish contact and maybe cooperation with the Muslim communities (the 'demand side' for their courses). In addition, they have successfully employed teachers from one of the private Muslim universities in the Netherlands, the Islamische Universiteit van Europa (IUE).

While the VU had to convince the different Muslim communities of their legitimacy, it has largely been possible for the university in Erlangen-Nuremberg to refer to the IRE on matters of religious legitimacy. The cooperation with IRE has made it possible for the university to forcefully claim that their aim was not to change Muslim faith and practice, but rather to invite Muslims to make use of the existing institutional infrastructures of the university.²⁷ Professor Lähnemann, the IZIR coordinator, emphasized that the fact that it has been possible to create a cooperation partner, which is not dominated by any one of the major Muslim organisations in Germany, was one of the crucial factors providing legitimacy to the project. Another factor concerned the fact that parents had been heard about their wishes and demands for the curriculum which ensured that no groups were excluded.

The representation has proven to be one of the major obstacles for establishing both centralized Muslim organisations and formal Islamic education in several European countries. In many instances, the question was immediately raised whether a certain ethnic profile or a certain school of law should be promoted.²⁸ In this respect it is interesting that several institutions providing education on Islamic theology, private as well as public, have chosen a strategy of what could be called 'universal Islam'. These institutions explicitly declare not to promote for instance

Turkish Islam, Māliki Islam, Shī‘ī Islam or Salafī Islam, but rather ‘moderate’, ‘critical’ and ‘tolerant’ Islam or maybe even Islam ‘as such’, allowing them to represent themselves as speaking to and for Muslims more generally.²⁹

In practice, the case of the IZIR and the question of legitimacy seems to be a bit more complicated and needs some refinement. It is not only the institutional/legal strategy – using the existing legal and institutional structures – that also provides the religious legitimacy. When I visited the university during autumn 2005, I was able to speak with some of the students about their views on the legitimacy and authority of the education. In order to secure quality of teaching on Islamic topics, the university had initially hired a Muslim guest professor who was suggested by the IRE. The remaining subjects were taught by the regular staff, mainly from the Educational and the Philosophical Faculties. The hiring of a Muslim teacher also carried a signal of ‘authenticity’, which – it turned out – was quite important to the students. They pointed to a potential conflict between the university as a non-Muslim sphere and the students as Muslims. In their eyes, the university seemed primarily to function as a framework for legitimate *teacher* training. The university held authority regarding the didactic and pedagogy subjects, providing the students with the methods to communicate their Islamic knowledge. However, the university was regarded as somewhat inadequate for basic training in Arabic and Islamic disciplines. During a conversation with two students, the view was expressed that the Muslim guest teacher was given a too marginal position in the education:

‘We have only guest professors for intensive seminars for a couple of weeks. The rest of the time, the teaching in Islamic tenets is given by the Christian professors. How would you as a Protestant like to be taught by Catholic teachers?’³⁰

According to the coordinator, all courses in the central Islamic tenets were given either by the Muslim guest professor or by a Muslim academic assistant at the IZIR, who was also giving religious education at the school in Erlangen where the vocational training was taking place. Nevertheless, it is interesting that in the eyes of these students the university was not seen as adequate or legitimate in itself. The religious profile of the teacher evidently overruled the academic profile of the university. The legitimacy of ‘the academic’ encompassed only the topics that were categorized as non-Islamic. There was no demand for Muslim teachers for the didactic

or pedagogic subjects. On the other hand, the Islamic, theological part of the education should ideally be taught by a Muslim.³¹

It was my impression, though, that these objections of some of the students were experienced more as a matter of discrimination than as a direct critique of the actual content of the courses. As one student put it: 'We should have our own professors to show that we are part of this society'. This can be considered as a quite clear expression of the wish for social recognition by embedding it within the university as a state institution.

Asked about their reasons for choosing the education and what they hoped to accomplish, it became apparent that several of the students already had prior knowledge of the Islamic disciplines, and all of them mentioned the pedagogical and didactic subjects as the main reason for their participation. They wanted to learn how to communicate Islam in German and in ways suitable for children, while the basic knowledge of the Quran, *sunna*, *fiqh* and the like was obtained elsewhere, for instance in Turkey. So regarding the content, the Islamic tenets were for none of the students the prime goal of attending the courses.

In the past two years, the staff situation at the IZIR has changed: as part of the consolidation of its education, the IZIR has now received an 'ordinary' professorship (instead of a guest professor). Since May 2006, Professor Harry Harun Behr has been holding the Chair for *Islamische Religionslehre* at the university.³² The importance of the religious profile of the chairholder is also emphasised by Professor Behr. He himself being a Muslim – of course besides other qualifications – has been one of the central reasons for inviting him to the Chair.³³ Furthermore, most of the questions he is confronted with are of an Islamic theological character rather than about didactics, and as the number of students are steadily increasing, this could point in the direction of a consolidation of the university as a legitimate and authoritative carrier of Islamic knowledge and not only as a place for teachers training.

In the German case, the structures for the relationship between the different parties – university, state, faith community – were already in place and only needed to be adapted specifically to the situation of the Muslim community. The Erlangen-Nuremberg project now serves as a model that can be applied in other federal states. If a school has a certain amount of Muslim parents that are interested in religious education as part of the school curriculum, they can form a *Verein* (organisation) to be approved by the state. Once this is realized the process can be developed along the lines of the Erlangen-Nuremberg model.³⁴

The Danish Situation

Let us now turn to a situation where the institutionalised structures legitimizing religious education are either absent or shaped quite differently from the case of Germany. Apart from the discussed case of the Netherlands, it is interesting to follow the discussions in Denmark about the establishment of 'formal' imam training at the public universities. On several occasions, the media and politicians, mainly the Social Democrats, have demanded that the training of imams should be made part of the public educational system.³⁵ The Theological Faculty in Copenhagen has participated in this debate and has taken a positive stance towards such an initiative. Muslim voices, however, were either rather critical or absent in the debate.

The actual realization of this type of religious higher education aimed at training imams has turned out to be quite complicated. In Denmark, the Protestant Danish Church has a unique status as state church. This means that formally there is religious freedom, but in no way religious equality³⁶. The church is financed through the tax system, it is responsible for the administration of a part of the civil registration and its clergy are required to have a degree from the theological faculties at the state universities (though the actual training to become a priest takes place outside the university, at the pastoral seminar). No other faith community has this kind of legal position or institutional support, and the church arrangement is therefore difficult to copy as a model for the integration of other faith communities. In addition, religious education at public secondary schools as well as high schools is non-confessional (although with an implicit emphasis on the Protestant tradition). Consequently, the existing institutions for teacher training are not suitable as possible locations for religious education. Finally, the departments for the History of Religion and Studies on Islam of the Humanist Faculty of the University of Copenhagen, which hold some of the obvious competences, have so far declined to participate in setting up confessional teaching. From their perspective confessional training is deemed inappropriate for a 'secular' university.³⁷ This means that virtually no institutional 'infrastructures' exist in Denmark that may form a logical starting point or model for an education aiming at training Muslim 'professionals'.

The ball has been tossed around for a while. The different parties are still discussing *who* should take the initiative, at *what* institution this type of education could best be placed, and *how* it should be given form. At present (August 2007), the ball has landed at the Theological Faculty in

Copenhagen, which has established a research chair in European Islamic Thought and Modernity, on some occasions referred to as a chair in 'Islamic Theology'. However, in the press release from the faculty on the Chair, it was stressed by the Dean that this was *not* intended as education for Muslim clergy!³⁸ The press release did not elaborate on this any further, but on other occasions, the reluctance to provide direct education for imams has been explained by pointing at the institutional set-up of the Theological Faculty: this is not intended for educating clergy. The university offers critical, theological, and academic education, but the profession-specific and confessional parts cannot be undertaken by the university – this is the responsibility of the various faith communities.³⁹

In this Danish situation, the institutional and legal structure of the academic education providing institutional and legal legitimacy explicitly excludes religious legitimacy. Religious legitimacy is to be provided by other institutions, not by the university, and it is not aimed at rhetorically by the university. On the contrary, any attempts to present the university as a legitimate carrier of religious legitimacy are refused. The political demands also assert this divide between the secular academic sphere of the university and the religious profession carried out within the faith community.

With this, it should be noted that the close relationship that actually exists between the faculty, the pastoral seminar and the Protestant Church (all state institutions) is somewhat downplayed.

Conclusions

In this article I have briefly presented the field of Islamic higher education or 'Islamic Theology' at public European universities. Here the universities, private Muslim institutions, different Muslim groups and politicians all have their specific interests and I have subsequently addressed the question of how the universities, more specifically in Erlangen-Nuremberg, Amsterdam and Copenhagen, navigate in this field and attempt to legitimize their work. Each university is embedded within a distinct legal and institutional context that concerns the recognition of faith communities and the education of religious professionals at the universities. And I have shown how this context determines – and sometimes explicitly uses – the possible strategies of obtaining legitimacy by the universities. Further, I have discussed how this interacts with 'religious legitimacy': Is the offered education perceived as legitimate or as authoritative by the faith community?

Each case can draw attention to some interesting aspects about legitimacy when Islam enters the public university. Strategies of legitimacy are initially directed at various 'audiences': the universities, politicians, different Muslim communities, students, etc. In the case of Erlangen-Nuremberg, the fact that teacher training is adapted to the existing legal framework of religious education seems to address and integrate a range of audiences, at the same time assuring political, academic, and religious legitimacy. It is therefore likely that the graduates of Erlangen-Nuremberg will be accepted by the Muslim parents whose children they are to teach, because they are formally qualified to fulfil this task. However, the position as a legitimate carrier of authentic Islam has been problematic for the IZIR because the education was mainly seen as an institution for *teacher* training. A divide between Islamic and the non-Islamic 'spheres' is clearly perceived by some parties (here some of the students). This could be related to the students' Muslim identity, their desire for social recognition, and the social context of religious education at secondary schools at which the graduates will subsequently teach. The university attempts to overcome this divide by operating as mediator, drawing legitimacy from the existing state-supported legal and institutional structures. However, two distinct spheres of authority still existed to which the university as an institution had unequal access. This, however, is likely to have changed with the appointment of a Muslim professor for the Chair.

In the Dutch case, the legal and institutional context did not formally secure religious legitimacy. Therefore the university had to explain and defend its position and needed to actively create an integration of legal/institutional and religious legitimacy by emphasising its confessional legacy and inviting to dialogue and cooperation with Muslim organisations. In both cases, though, the religious legitimacy seemed to be vital to the initiatives and this needed to be imported from outside, for instance by appointing a Muslim guest teacher.

Finally, the establishment of a Chair in 'Islamic Theology' at the University of Copenhagen points in a rather different direction. Here, the strategies of legitimacy draw on a rejection of the political agendas of Muslim integration, and an explicit adherence to 'secular academic standards'.

This is related to the fact that the courses of Islamic Theology at the public university in Copenhagen do not have a profession-specific aim. It is not intended to educate persons to take up a specific position within a Muslim context, such as imam, chaplain, or teacher. The 'demand-side' for the educational initiatives emerging from the Research Chair can be Muslims and non-Muslims alike.

Different as all cases might be, I believe it fruitful to regard these initiatives at public universities as part of broader processes of integrating Islam into a European context through different kinds of adaptation to the legal and institutional forms. Even in the Danish case, the establishment of the Chair can be seen as the result of an ongoing debate about how to represent Islam within the university; a debate that implies Islam and Muslims to be an enduring and visible component of the contemporary European societies. And perhaps these processes will, seen from a longer term perspective, solidify the public universities as institutions which may legitimately transmit knowledge of Islam and Muslims as well as authentic Islamic knowledge.

Notes

- 1 A recent estimate made by the sociologist of religion Brian Jacobsen is that approximately 25 million Muslims or people of Muslim background are living in Europe. This number does not include Russia or Turkey. When these are included, the number rises to approximately 108 million people. (B. Jacobsen, 'Muslimer i mandtal – tal, fordomme og politik,' paper presented at seminar October 12, Forum for the Research on Islam, University of Copenhagen).
- 2 B.S. Johansen, *Imamuddannelse I Europa – udfordringer og perspektiver*, Udredning vedr. imamuddannelse i Europa, Report I, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2005; Idem, *Islam at the European Universities*, Report II, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2006.
- 3 In my use of the concept, I am building upon Bruce Lincoln's reflections on authority and legitimacy (B. Lincoln, *Authority: Construction and Corrosion*, Chicago: University of Chicago Press, 1994).
- 4 This three-part division of the field into a political, an academic, and a Muslim sphere of argumentation should obviously not be seen as mutually exclusive or as a claim to uniformity within the categories. It is merely an *analytical* distinction that can grasp some of the differences and similarities in the argumentative styles and target groups that different agents are using.
- 5 B.S. Johansen, *Imamuddannelse I Europa – udfordringer og perspektiver*, Udredning vedr. imamuddannelse i Europa, Report I, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2005; Idem, *Islam at the European Universities*, report II, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2006.

- 6 For most of these educational institutions, presentations, study guides etc. can be found at their respective websites. To make them easier to find, I have chosen not to translate the names into English.
- 7 This distinction might reflect what Frank Frégosi has termed Islamic knowledge and knowledge about Islam (F. Frégosi, *La formation des cadres religieux musulmans en France: Approches socio-juridiques*, Paris: L'Harmattan, 1999; quoted from B. Maréchal, 'Modalities of Islamic Instruction' in: Idem (ed.), *Muslims in the Enlarged Europe: Religion and Society*, Leiden: Brill, 2003, p. 65)
- 8 For an overview of institutions see: F. Frégosi, *La formation des cadres religieux musulmans en France: Approches socio-juridiques*, Paris: L'Harmattan, 1999; B. Maréchal, 'Modalities of Islamic Instruction' in: Idem (ed.), *Muslims in the Enlarged Europe: Religion and Society*, Leiden: Brill, 2003; N. Landman e.a., *Imams in Nederland: wie leidt ze op?* Rapport van de Adviescommissie Imamopleidingen (OCenW), 2003; J.F. Husson, *Pour une formation des imams en Belgique: points de référence en Belgique et en Europe*, Bruxelles: Fondation Roi Baudouin, 2006; J. Birt and P. Lewis, 'The Pattern of Islamic Reform in Britain' in: S. Allievi and M. van Bruinessen (eds.), *The Production of Islamic Knowledge in Europe*, London: I.B. Tauris, forthcoming.
- 9 B.S. Johansen, *Imamuddannelse I Europa – udfordringer og perspektiver*, Udrødning vedr. imamuddannelse i Europa, Report I, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2005, p. 48.
- 10 See for instance the British report 'Preventing Extremism Together' which was initiated by the Community and Local Government office after the 2005 bombings, or the brief 'Strengthening of Integration Through Assimilation, Education, Labour Force Participation and Tackling Discrimination' from the Dutch Ministry of Justice, September 20, 2005.
- 11 F. Peter, 'Training Imams and the Future of Islam in France,' *ISIM Newsletter*, no. 13, December 2003; Nielsen, J.S. 'Who Is Interested in European Imams and Why?' Paper presented at the seminar 'Islam at the Universities of Europe: Religious Education and Education about Religion', University of Copenhagen, November 8, 2005; Christian Troll, 'Christian-Muslim Relations in Germany. A Critical Survey,' paper published from Philosophische-Theologische Hochschule Sankt George, Frankfurt Am Main, 2003. www.sankt-georgen.de/leseraum/troll20.pdf.
- 12 B.S. Johansen, *Imamuddannelse I Europa – udfordringer og perspektiver*, Udrødning vedr. imamuddannelse i Europa, Report I, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2005.
- 13 Conversation with Prof. Lähnemann, May 2007.

- 14 See for instance *Deutsche Welle*, July 27, 2004; islamonline October 17, 2004; *Frankfurter Rundschau*, November 29, 2004. A brief remark: it is interesting to notice the general political assumption that increased knowledge of European societies automatically will make people more loyal or friendly towards them.
- 15 Grundgezets art. 7.3, J. Lähnemann, 'The Training of Teachers for Islamic Religious Education at German Universities: the Erlangen-Nuremberg Project,' paper presented at the seminar 'Islam at the Universities of Europe: Religious Education and Education about Religion,' University of Copenhagen November 8, 2005, p. 1; see also J. Blaschke, 'Tolerated but Marginalised – Muslims in Germany' in: M. Anwar, J. Blaschke, and Å. Sander (eds.), *State Policies Towards Muslim Minorities: Sweden, Great Britain and Germany*, Berlin: Edition Parabolis, 2004, p. 63ff. for a thorough introduction.
- 16 H.P. Füssel, 'Religious Instruction for Islamic Pupils – a German Discussion,' *European Journal for Education, Law, and Policy*, Vol. 3, 2, 1999, p. 139; J. Lähnemann, 'The Training of Teachers for Islamic Religious Education at German Universities: the Erlangen-Nuremberg Project,' paper presented at the seminar 'Islam at the Universities of Europe: Religious Education and Education about Religion,' University of Copenhagen November 8, 2005, p. 1.
- 17 J. Blaschke, 'Tolerated but Marginalised – Muslims in Germany' in: M. Anwar, J. Blaschke, and Å. Sander (eds.), *State Policies Towards Muslim Minorities: Sweden, Great Britain and Germany*, Berlin: Edition Parabolis, 2004, p. 165.
- 18 The establishing of central Muslim organizations with which the state institutions can potentially interact is seen in several European countries – sometimes partly initiated from 'above' as for instance the CMO in the Netherlands, and the CFCM in France – and it is in itself an interesting process worth of more scholarly attention.
- 19 This was discussed in *Deutsche Welle*, March 24, 2005 and confirmed by the DITIB secretariat, conversation January 13, 2006.
- 20 J. Blaschke, 'Tolerated but Marginalised – Muslims in Germany' in: M. Anwar, J. Blaschke, and Å. Sander (eds.), *State Policies Towards Muslim Minorities: Sweden, Great Britain and Germany*, Berlin: Edition Parabolis, 2004, p. 109.
- 21 Study guide, see www.izir.uni-erlangen.de/docs/izir_studiengang_2006.pdf
- 22 Interview with Prof. Lähnemann November 2005.
- 23 See 'Brief from de Tweede Kamer der Staten-Generaal,' February 11, 2005.
- 24 On the course of events in the Netherlands, see for instance J. Lähnemann, 'The Training of Teachers for Islamic Religious Education at German Universities: the Erlangen-Nuremberg Project,' paper presented at the seminar 'Islam at the Universities of Europe: Religious Education and Education about Religion,' University of Copenhagen, November 8, 2005; B.S. Johansen, *Islam*

- at the European Universities*, Report II, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2006; and also M. Ghaly and F. Oueslati in this volume.
- 25 B.S. Johansen, *Islam at the European Universities*, Report II, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2006, p. 18.
- 26 *Ibid.*, p. 22.
- 27 *Ibid.*, p. 39.
- 28 See for instance N. Landman et al., *Imams in Nederlands: wie leidt ze op?* Rapport van de Adviescommissie Imamopleidingen (OCenW), 2003; V. Amireaux, 'CFCM: A French Touch?' *ISIM Newsletter*, no.12, June, 2004.
- 29 B.S. Johansen, *Imamuddannelse I Europa – udfordringer og perspektiver*, Udredning vedr. imamuddannelse i Europa, Report I, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2005. This strategy of legitimacy can be seen as part of a wider tendency among some Muslims in Europe to denounce migrant Islam as inauthentic, shaped by the cultural practices of the countries of origin or sectarian particularism. This emphasis on the universality of Islam can be seen among intellectuals as well as among especially younger Muslims. See for instance W. Shadid and P.S. van Koningsveld, 'Loyalty to a Non-Muslim Government: An Analysis of Islamic Normative Discussions and of the Views of Some Contemporary Islamicists' in: Idem (eds.), *Political Participants and Identities of Muslims in Non-Muslim States*, Kampen: Kok Pharos, 1996; T. Ramadan, *Être musulman européen: étude des sources islamiques à la lumière du contexte européen*, Lyon: Tawhid, 1999; or P. Mandaville, 'Towards a Critical Islam: European Muslims and the Changing Boundaries of Transnational Religious Discourse' in: S. Allievi and J.S. Nielsen (eds.), *Muslim Networks and Transnational Communities in and Across Europe*, Muslim Minorities Vol.1, Leiden: Brill, 2003. It should be mentioned that the Islamische Glaubensgemeinschaft in Österreich (IGGIÖ) and the affiliated academie Islamische ReligionsPädagogische Academie (IRPA) might be the exceptions to this general tendency, as the organization has strong bonds to the *Hanafi* School of Law.
- 30 Conversation with male student, November 23, 2005.
- 31 A quite similar ideal was expressed by the Dean at the Free University in Amsterdam when I visited the institution in September 2005. Here it was stated that the Free University would like to change the tradition at the Religious Studies departments which have Islamology teachers that are not Muslims themselves. Instead, the ideal would be to 'have Catholics, Protestants and Muslims as well, having their own professors explaining what is really at stake

- for their own faith community'. B.S. Johansen, *Islam at the European Universities*, Report II, the Research Priority Area 'Religion in the 21st Century', Copenhagen: University of Copenhagen, 2006, p. 18.
- 32 Conversation with Prof. Lähnemann May 2007. See also www.izir.uni-erlangen.de 'zeitschrift' and 'publikationen' for more detailed information about Prof. Behr's work and visions on the subject.
- 33 Mail correspondence with Prof. Behr, August 28, 2007.
- 34 Conversation with Prof. Lähnemann, May 2007.
- 35 Latest on March 14, 2006, www.folketinget.dk/Samling/20051/beslutningsforslag/B90/som_fremsat.htm
- 36 H. Koch, 'Mellem flertal, flerhed og frihed – religiøse minoriteters statsretlige stilling' in: J.B. Simonsen and L. Christoffersen (eds.), *Visioner for religionsfrihed, demokrati og etnisk ligestilling*, København: Nævnet for etnisk ligestilling, 1999.
- 37 B.S. Johansen, 'Islamic Theology at the European Universities: Secularisation, Boundaries and the Role of Religion,' *Nordic Journal of Religion and Society*, Vol. 19, 2, 2006.
- 38 www.teol.ku.dk/default.asp?hovedramme=http%3A%2F%2Fwww.teol.ku.dk%2Ffak%2Fnyheder%2Fint_prof07-12.htm
- 39 Interviews brought in the university paper, *Universitetsavisen*, with Prof. Jørgen S. Nielsen, holder of the Chair, on February 16, 2007, and Dean Steffen Keldgaard, on May 25, 2007.

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17 The Training Programme of Imams in Italy

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Islam is a religion without clergy. This feature making every individual Muslim responsible for his direct relationship with God is often interpreted in different ways by lay people, politicians, and extremists. In the West, lay people are frequently influenced by an anticlerical current that does not tolerate the interference of priests in both public and private affairs. For this reason, they perceive this characteristic of the Islamic community positively, considering it an important factor for the emancipation of the popular religion, that is free from hierarchies. On the other hand, European politicians interested in developing relations between the state and religion – while at the same time seeking to safeguard the interests of laicism – complain about the difficulty of choosing one single representative and reliable spokesperson in a community without a pope or organizational structure similar to that of the Church. Last, on a completely different level, the extremists attempt to promote the Islamicization of society based on the forced clericalization of Muslims, claiming that they should all be indoctrinated in Quranic schools with an ideological background in order to restore the Caliphate or establish an Islamic empire that is devoid of susceptibility for the sacred, respect for human dignity, and, above all, of a true understanding and orthodox interpretation of the Islamic revelation.

In this context, which is all too often conditioned by superficial interpretations, Arabic terms, old and new, appear: *emir*, *shaykh*, *caliph*, *‘ulamā’*, *mufti* and, of course, *imam*. The oriental influence of the *Thousand and One Nights* is mixed with a projected image of a Mafia organization and the Muslim representatives who bear these titles are either loved or feared, but only rarely does anyone dare to ask them the simple – albeit

puzzling – question: what is an imam? Is he a parish priest, a bishop or a saint? Is he a monk who has taken the vow of chastity or can he have four wives? Is he an Arab? Can he speak English? Does he fast? Does he live in Mecca? ‘How should I address you?’ ‘Eminence, Magnificent Rector, Excellency, Doctor?’ ‘May I call you... Imam?’

Imam is an Arabic term that literally means ‘he who is in front’ and, according to Islamic tradition, he is the person who leads the prayers *in front* of the community that is aligned in parallel rows. In a community without clergy, each Muslim is, in both theory and practice, an imam and may stand in front of the rest of his community ready to lead himself and the other members in ritual prayers. This is a function of responsibility that every Muslim must experience before God and, from time to time, share with the other brothers and sisters in the Islamic community of which he forms part. In the congregation of the faithful, the criteria for establishing who should be the imam are traditionally based on seniority, knowledge of the holy language and Islamic doctrine, and the level of openness, reliability, and responsibility. The imam should symbolically be the person closest to God and the Prophet Muhammad, the first imam of the Islamic community. From a spiritual point of view, the imam should be the person who can appear before God in a pure state and is able to interpret accurately and honestly the Prophet’s guidance and, consequently, lead the prayers of the faithful.

Therefore, it is a ritual guidance, not a political or academic one, and this does not necessarily require a degree in the Arabic language or Islamic theology. What it does require are special qualities and a sense of responsibility that allows a person to guide the community of the faithful to participate in the benefits of the second pillar of Islam, which is the pillar that is most prevalent in the daily lives of Muslims all over the world for fourteen centuries: prayer, the ritual communication with God in accordance with the teachings of the Prophet Muhammad.

The imamate is, therefore, a symbolic function that has a concrete form and does not require juridical or historical knowledge of Islamic civilization, but a generous and sincere willingness to guide Muslims to place the unity of the community and God’s universality ‘in front’, over and above their personal horizons. All Muslims have this responsibility, independently of whether they are called on to carry out this function in the community; they must always focus on this spiritual duty in their five daily ritual prayers and not be concerned with who is behind, next to, or in front of them.

I have already referred to the fact that the imam does not necessarily have to be a political leader or scholar and, although there is no reason

why these public officials should not sometimes be present, he should never combine his spiritual responsibility with the management of worldly power or teaching. One person can combine the religious and worldly spheres in an orderly manner provided he does not make the mistake, or rather succumb to the temptation, to claim the right to guide, manage and teach others according to his own personal interests, thus exploiting and vulgarizing religion, politics, education and culture. This is precisely what extremists do in their pseudo-culture of hate, based on formalism and proselytism that consists of slogans and arrogance. It also occurs in the interpretation of Islam by preachers who are nothing but political agitators who have no authentic Islamic spirit or understanding of orthodox religious doctrine.

What is Islamic Representation?

The criteria of representation in a community without clergy, such as the Islamic one, are dependent on the characteristics that have to be represented. If the characteristic or the objective to be represented is the culture of the Arab people, experts in this field should be sought. If the aim is academic or theological exchange, teachers or scholars competent in doctrinal training are needed. If the state wishes to establish an official institutional relationship with a religious faith, it will be necessary to find the religious figures that can be relied on for an interpretation of the sacred sphere in a way that is compatible with the democratic system. Finally, if nationalistic or territorial demands in the Middle East are the central issue, then it will be necessary to seek those who are active in this field. However, it is important not to confuse the spheres and the representatives and not to expect the same people to resolve all problems. This may be done by applying the criteria for selection incorrectly, by arbitrarily attributing presumed universal expertise, or even going so far as to blame the Islamic community for a lack of organization. This is a religion without clergy that can boast a level of organization that is centuries-old and authoritative representatives and intellectuals who have wisely worked with a wide variety of political systems all over the world. The priority must be given to finding or training these experts, these authoritative religious figures, the Italian representatives of contemporary Islam.

Islam in Italy

Muslims in Italy are still waiting to receive the official recognition that will give them the same status as the numerous religions that have already signed agreements with the state for the organization of their faith.

In the absence of an official body dealing with these matters, the places of worship and ministers of Islamic faith result from independent initiatives undertaken by individuals or associations seeking to find solutions that can meet the religious needs of the over one million Muslims in Italy.

Flats, offices, cellars and garages are often used as locations for the Friday prayers of the Muslim community, while volunteers – mainly immigrants from non-EU countries – and foreign imams sent by international Islamic organizations or embassies of the Arab states seek to carry out the function of preachers for the sermons and provide moral support for the community.

The majority of Muslims in Italy are first generation immigrants, mainly from Albania, Morocco and the rest of North Africa, but there are a growing number of Bangladeshis, Pakistanis and Senegalese who, with an average age of no more than thirty and limited education or professional training, are unfamiliar with the legal system, culture and language of their host country. For most of these immigrants, the Islamic religion is an expression of a natural sensibility and a cultural heritage linked to their youth memories, but they lack a sufficient level of awareness and doctrinal training.

The lack of resources and financial autonomy of Islamic minorities in the West has given rise to a phenomenon in which mosques often receive donations, directions, and employees from foreign organisations or countries. This is especially the case with nations that combine Islamic identity with economic wealth and the ability to sustain Muslim needs abroad. This virtuous aspect of international solidarity between Muslims, and of charitable support of wealthy people and believers has, over the past decade, been under the risk of being negatively affected by the interference of foreign politics, commercial interests, fundamentalist strategies, or individuals who speculate on religion. This has a negative impact on the principles and realities of the majority of the world's real Muslim believers. Naturally, the lack of official points of representation of Islam in various European nations has somewhat favoured the organization of groups interested in nationalist and ideological speculations. It has also led to harming the first generation Muslim immigrants who have had to concentrate on other primary needs in the past and continue to do so now.

Paradoxically, three trends have developed amongst Muslims. Firstly, the trend represented by the embassy or the flag of a specific Islamic nation that is significantly wealthy and has, as part of its strategic interest, the need to show its rulers that it 'own' a great mosque in European Christian capitals. The second trend is that of Islamic centres whose funds serve mainly to develop a network of headquarters distributed throughout the country and that can be a social reference for Islamic apologetical indoctrination as an antithesis to Western values. Finally, there is the trend that represents all those who remain, namely the majority of Muslims who live, are born, were brought up, study, work and get married in Europe. Muslims who may know and practice their faith with different levels of intensity but who are definitely far from using it as a political tool or as part of the fundamentalist logic of the previously mentioned categories.

Based on this, the Italian State's institutions have promoted some important initiatives that will allow for a united and moderate representation of Italian Islam. For the first time in Italian history, the Italian president, Carlo Azeglio Ciampi, received a delegation of Italian Muslims at the Quirinale, the official residence of the President of the Italian Republic, in September 2004. One year later, the Minister of the Interior, Giuseppe Pisanu, made official the creation of a group of sixteen Muslims as Advisors for Italian Islam. The delegation, received by the President and the Consulta del Viminiale, headed now by the Minister of the Interior, Giuliano Amato, is mainly composed of the signatories of the 'Manifesto Against Terrorism and for Life' (*Manifesto contro il terrorismo e per la vita*) published at the beginning of September 2004 on the pages of *Corriere della Sera*, an Italian national newspaper. The manifesto, with which representatives of the Italian Islamic civil society and those responsible for the Muslim community in our country gave voice to a religious expression condemning the manipulation of religious identity and reaffirming their full adherence to the principles of the Constitution and to the values of the Italian culture.

The Consulta per l'Islam Italiano, is an interesting example of how multicultural the Islamic community in Italy is. It unites Muslims who are Italian by birth or adoption, men and women who come from Albania, Algeria, Iraq, Jordan, Libya, Morocco, Pakistan, Senegal, Somalia, and Tunisia and who have either already obtained the Italian nationality or who are to a large extent integrated in our society while maintaining their original citizenship.

The recent involvement of the members of the Consulta per l'Islam Italiano in various parliamentary commissions' tasks (Constitutional Af-

fairs law on religious freedom, Social Affairs report on family conditions) or in the anticipatory discussions on the presentation of certain proposed laws (immigration, integration, citizenship, equal opportunities) have allowed for the majority of Muslim advisors of the Minister of the Interior to highlight the differences in perspectives and interpretations of the Islamic religion within the context of the Italian public and political debate. The importance of updating the analysis of religious pluralism and cultural diversity in Italy and the social implications that derive from such pluralism and diversity have led the Minister of the Interior Giuliano Amato to create the Carta dei valori della cittadinanza (The charter of values of citizenship) with the active involvement of the Consulta per l'Islam Italiano and subsequently with that of other religious confessions and major ethnic associations present in Italy.

The representatives of the foreign Muslim civil society have developed a great deal of intercultural experience that is of great value to the fields of education and social assistance. It is important to note that some of the members of the Consulta are of Moroccan origin, the community that has the largest number of Muslim immigrants and that are particularly active in the Association of Moroccan Women in Italy that fight for the rights and protection of women in a sensible manner. Two of these members are representatives of historical organisations regarding Islam in Italy. One is the Italian section of the World Muslim League – an international organization of which the headquarters are situated in Saudi Arabia and that finances the running of the Islamic Cultural Centre in Italy's mosque in Rome, the first and only mosque in Italy to be run by a cultural institution recognised by the State. The other organisation is the main organisation of Italian Muslim citizens, the CO.RE.IS.

At the time, the CO.RE.IS. (Comunità Religiosa Islamica) Italiana had already for years promoted and organized a course of Islamic theological training for religious leaders (men and women) and ministers of faith (imams), enabling them to deepen their knowledge of the traditional doctrine contained in the Quran and the teachings of the Prophet and the sages, making it more relevant to the present day and European society. The comparison with the sacred scriptures of other traditions, the study of the Italian legal system and the history of Western thought are regarded as essential elements in the training of Muslim religious leaders for contemporary civil society, eliminating segregation and extremism.

In 1995, the members of the Comunità Religiosa Islamica Italiana believed the time had come to stop attending congregational prayers organized in Islamic centres in a number of Italian cities. The main reason

for this dissociation was not in any way related to the fact that the members of CO.RE.IS were Italian citizens, most of whom were new converts to Islam unlike the majority of Muslims in Italy, who are immigrants and often speak Arabic. It was not a distinction between Westerners and those originating from outside Europe, between natives and immigrants, or between converts and those born into the religion. It was a distinction between true believers and political militants, between those sensitive to the nature of the spirit of Islam and others who, in their sermons and conversations, used the language of proselytism and ideological propaganda. All too often one would hear sermons promoting Islamic fundamentalism, the theorization of the Christian imperialist plot, and the struggle against the Zionist power. Many Muslims, both those born into the religion and converts, felt very uncomfortable in a setting that was supposed to be a prayer hall for the community assembly on Fridays, but that, in reality, had evidently been taken over by a number of fundamentalists intending to build a network of international power. As a result of this, the majority of Muslim immigrants were expelled from these Islamic social centres and they progressively restricted their religious practice to the private sphere in order to avoid complicity with the undesirable formation of a parallel society that was neither Islamic nor Arab, but simply an alternative to the democratic cultural and political system. This also resulted in Italian Muslims taking upon themselves the responsibility of training others, as they could not tolerate the unjustifiable exploitation of the values of the Islamic religion and culture by extremist groups.

When the CO.RE.IS. presented the various details of the project for our Al-Wahid mosque in Milan and discussed it with the officials and politicians of the municipality and the Lombardia region, we decided to concentrate on the essential, avoiding minarets and requesting a place of worship in a building that we already owned and that was in need of reconstruction. Our aim was to promote something urban, technical, judicial, cultural and architectural via a transparent agreement between the public administration and an accredited and trustworthy organisation of the Islamic faith in Italy.

The debate with some local officials and politicians needed us to look at details in depth and accept certain conditions that, had they been applied by both sides in a bureaucratic or close-minded manner, would have gone against this virtuous and intelligent collaboration. In December 2000, our project was approved, which meant changing an industrial warehouse into a place of worship. All the political institutions present in

the Commissione per l'Integrazione del Comune di Milano (Commission for the integration of the Milan municipality) represented a successful inter-institutional dialogue of great value and a model to be followed in the future in Italy. Since then we have begun working, and continue to do so, in raising the funds necessary to buy buildings and begin with the construction of the mosque.

The building of a mosque in the heart of Milan, as part of an urban environment that is in full contact with the city's reality, is of fundamental importance not only as a confirmation of the obvious call to a divine reality, but also as a symbol of the possible interaction with the contemporary world.

Subsequently a training scheme was initiated that was originally intended to meet the needs of a number of Italian citizens, Muslims willing to regularly attend courses organized by the *Comunità Religiosa Islamica Italiana*, who wished to learn more about the doctrine and the practice of the faith. It was only later that these courses developed to take on their present form – that is, a series of lessons for the training of religious experts of the Islamic faith (theologians) and a course for imams (Muslim leaders).

The two courses are different in character: while the training of imams focuses on a basic knowledge of the Islamic religious sciences and the Italian legal system, the course for theologians combines programmes of comparative religious studies, the history of Islamic civilization, the history of Western philosophical thought, and intercultural education. There are also optional courses of Arabic and Italian for foreigners.

The course for the training of imams is intended to provide the students – all adult males adhering to the Islamic faith – with the ability to lead the prayers and prepare the sermon due to a thorough knowledge of the Quran, classical Arabic, Italian and the contemporary social context. We believe that the imams who have successfully completed our courses will be recognised by Muslims in Italy as being reliable and insightful in combining the wealth and depth of the Islamic doctrine with the harmonious testimony of the religion, while also seeking to respect in every way Italian society. Their sermons will be in Italian, apart from the Quranic and traditional formulae prescribed for the Friday prayers, and the ritual prayers all of which will be said in Arabic. The duties of an imam concern mainly the pillars of religion and the juridical rules that allow it to be practised in a situation like that of the present day Western world, a world in which the Islamic community lives in a secularized society as a religious minority with a legacy of identity to safeguard and the need to fight

widespread prejudices and stereotypes. The imam must be able to guide the faithful to spiritual devotion and a sense of responsibility towards the society in which they live, protecting the community from the interference of foreign political forces and fundamentalist influences and ensuring that the place of worship has the greatest possible transparency and reflects the dignity that should characterize an Islamic religious space. We often advise imams to avoid connections with centres having an ideological, fundamentalist or sectarian background in order to preserve the true character of the Italian mosques where Muslim worshippers wish to meet. It is the intention of the *Comunità Religiosa Islamica Italiana* to present these as a model of integration in the urban areas as meeting-places for Muslims, free from internal political exploitation or the perverse logic of marginalization. For this reason, the imams must also be able to carry out their function of linguistic mediator, translating the tenets of the Islamic religion into Italian for the first generation of Muslim immigrants from various non-EU countries and, at the same time, be able to address these future European citizens in the language of the nation they live in. It is important that young people should look up to the imam, not only as a religious leader but also as a precious guide who can help them live their faith in a worthy and natural manner amidst fellow students or workers and to learn to express this dignity and ease in the context of their original or adoptive families.

This does not necessarily mean that the imam must act as a social mediator, but his spiritual and moral assistance can be decisive in bringing harmony to the relationship between faith, reason, culture and human rights. Our courses are intended to eliminate the risks of a religious dimension conceived as extraneous to the contemporary Italian context. The imam cannot represent a language, culture, or a foreign nation, but he can be particularly effective if he is able to be a faithful interpreter, not only of the religious doctrine but also of the way this doctrine is experienced by the believers whom he addresses in his religious role, in the context of the language and culture of the country he lives in.

On the other hand, imported imams, or those appointed by international Islamic organizations from abroad or religious institutions of foreign governments, represent an obstacle to the active participation of the faithful and the ministers of the faith in the activities in the country. They will always be conditioned by a vision that is incompatible with Italian Islam. Therefore, it can be predicted that the new generation of Muslims born in Italy will not recognize them as credible and useful guides for their lives in this country.

In order to guarantee the effectiveness of this relationship, our courses do not follow a classic programme of study of the language or doctrine as occurs in the majority of Muslim countries. The study programmes start from the cycle of existence of each individual in order to allow the imam to expand his knowledge and to assist the faithful in their spiritual orientation at the principal stages of their lives.

Themes such as life and death, study, work, love and the family take on a particular importance, because they allow the imam to contextualize his doctrinal competence in its practical application. Our courses for imams focus on the following aspects of doctrine: birth, the sacred value of human existence, the creation of the world and the responsibility of the representatives of God in this world, the equal dignity of men and women, the pillars of the religion, education and the search for knowledge, the transmission of knowledge, the principles of the Islamic faith, the stories of the prophets in the Quran, inter-religious dialogue, the earning of one's livelihood, family unity, civil and religious marriage, parents' duties towards their children, the Islamic identity and active participation in the prosperity of this society, political responsibility and the universal value of ethics, death, and our heritage.

In addition to these themes, the imam must attend courses on health regulations in hospitals regarding childbirth, the treatment of patients, and dealing with the deceased, and have a basic knowledge of the procedures for the registration of births, marriages, divorces, and deaths, and the current legislation regarding training or work contracts concerning the rights of Muslims in Italy, as well as in matters relating to education in both state and private schools, and the rules concerning the specific needs of Muslim children with regard to teaching and the preparation of food.

In fact, the imam must do his best to be prepared to answer the questions of the faithful not only regarding the principles of the religion in the mosque, but also (and most importantly) of how their religious needs can be met while fully respecting the Italian legal system and cultural heritage. Only in this way will the ministers of the Muslim faith be able to contribute in a significant manner to the constructive and active participation of Muslims in society, facilitating their civil, intercultural and professional roles and maintaining and reviving the spiritual heritage of their religious identity. These imams will be able to cooperate with both the institutions and Muslims in the process of the integration of the Islamic community in contemporary Italian society, with its religious pluralism and multicultural diversity. Thanks to the work of these imams, we are confident that

new generations of Muslims in Italy will be able experience their religion in a serene manner and discover what it really means to be a citizen of a democratic country.

The two-year course requires the students to attend at least twenty hours a month, mainly on Fridays, in order to allow the future imams to continue, at the same time, with their other study or work activities. The problems students encounter while combining their religious training with their everyday commitments may in itself prove to be formative. It allows the future imam to learn and verify directly the effects of his experience on the responsibilities and efforts that he himself has to deal with in his family, town or city, studies or work. The other problem is the uncertainty that he has to face when he completes his training course: in fact, the lack of an official organization with the task of managing or coordinating Islamic places of worship in Italy means that there is no guarantee that he will be appointed as imam by any of the local Muslim communities and, above all, very few communities are in a position to employ an imam full time to provide for the needs of the faithful.

The first group of Italian Muslims has successfully completed the course in the last few years. Subsequently, they have made themselves available to carry out their functions on various occasions in different parts of Italy on a voluntary basis, which was much appreciated by the various congregations of Italian Muslims who benefited from their presence. The problems relating to the financial and institutional support for the first official organization of the Islamic religion in Italy is the main obstacle to the continuity and development for the courses. The uncertainty with regard to the future of the genuine imams and the confusion with the fundamentalist preachers undermines the goodwill of those willing to invest their time in training reliable and competent interpreters and witnesses of Italian Islam.

The CO.RE.IS. is fully aware of this situation and has decided start a course of specialization. The course is not restricted to Muslims wishing to deepen their knowledge of the doctrine in order to carry out their functions of religious leadership in a capable and dignified manner, but is also open to men and women interested, for various reasons, in a theological grounding and questions of social responsibility with regard to the diverse aspects of contemporary Italian Islam. In addition to the imams, there is a need for people who are not only familiar with Islam for purposes that are internal to the community or the lives of individual Muslims, but are also able to use their expertise outside the community in their dealings with governmental institutions, professional associations, social solidar-

ity organizations, school governorship and cultural mediation, hospitals and social work, ethnic communities and other religions.

These are areas of civil society and the state that, in Italy, seem to have a particular need for competent people who are able to provide information, mediate, give advice, make available their organizational skills, and resolve situations that the presence of one million Muslims in Italy has partially caused in the past twenty years. This situation is one of rapid transformation in a multicultural society, offering many interesting innovations but also one that urgently needs a number of delicate social adjustments.

In view of this, another two-year course of inter-religious theology and intercultural education has been introduced: besides maintaining the programme reserved for imams, lessons and seminars have been added focussing on social sciences, politics, teaching methods and liberal studies. The following themes have been dealt with in the last few years:

- The history of Islamic civilization. East and West. Tradition and modernity. Orthodoxy and fundamentalism.
- The Quran and the Prophetic Traditions: the sources of Islamic doctrine and the interpretations of the law schools.
- North-South exchanges and Euro-Mediterranean cooperation. The prevention of conflicts and the peace process in the Middle East. Islam and Jihad. The Islamic caliphate and Arab nationalism.
- Sacred science and Western culture. State and private schools in Italy. Religious education and the history of religions. Globalization and ghettoization.
- Avicenna and Averroës, Al-Ghazālī and Ibn ʿArabī: metaphysics, theology, intellectuality, philosophy, and reason. Comparison with the philosophy of Kant, Hegel, and Nietzsche. Comparison with the Christian thought of Saints Bernard, Francis, Thomas and Augustine. Comparison with the works of Plato, Meister Eckhart, and Dante Alighieri.
- The dialogue between believers and non-believers. The oneness of God and the Abrahamic brotherhood. The encounter with Judaism and Christianity.
- Freedom of expression and the language of religious symbols. Ostentation and religious freedom in European society. Human rights and Islamophobia.
- The Italian constitution. Immigration law and EU policy on integration. Democracy, laicism, and pluralism. The Italian state and the various religions. The concordat with the Catholic Church and the system of agreements. The Council for Italian Islam.

The aim of this course, open to everyone and not restricted to Muslims, is that of presenting a balanced synthesis between the Western cultural perspective and the Islamic one in the form of a Master's degree for future managers of Islamic cultural centres in Europe, social workers and intercultural mediators, headmasters/mistresses and school teachers at all levels, religious teachers, those involved in the inter-religious dialogue, trade union groups and representatives of the third sector, professionals and entrepreneurs working abroad, employees of the public administration engaged in international missions, journalists and people interested in learning more about Italian Islam and its development as interpreted by European Muslim intellectuals.

This project has also aroused the interest and received the support of several institutions of the Islamic world such as ISESCO (Islamic Educational, Scientific and Cultural Organization), which has its headquarters in Rabat in Morocco, the al-Azhar University in Cairo, and the Ministry of Islamic Religious Affairs in Tunis which has for years expressed its appreciation for a new approach to Islamic orthodoxy that seems to meet the challenges of today's world and the development of Islamic traditional thought effectively.

In Italy, while awaiting announcement from the institutions that would allow a transparent organization of the Muslim faith, the CO.RE.IS. has requested official recognition as the first Muslim non-profit association to establish a network of people trained to satisfy the concrete religious needs of ritual practice and capable of meeting the demand for a level of intellectual and theological representation, that will favour the development of a harmonious and constructive presence of the Islamic community in Italian society.

It has been a question of investing in people before erecting buildings, of finding a solution to the power struggles between different Islamic associations or reconciling the various reformist or conservative interpretations in the hope that the questions relating to the real interests of Muslims in the West will soon be resolved.

At present, a series of agreements are being examined for cooperation with state universities and Christian theological institutes with the aim of developing academic synergies. It is hoped that this will produce research projects and comparative experiences of interest from scientific, intercultural, inter-religious, and international points of view.

The new European citizenship cannot disregard the contribution of the sacred dimension and, in particular, that of the three Abrahamic monotheistic religions: Judaism, Christianity, and Islam. A thorough knowledge

of the religious values and contents of the various revelations can enrich the common cultural heritage and become a vital element for fighting unpleasant phenomena such as anti-Semitism and Islamophobia and for the prevention and resolution of conflicts.

In conclusion, the following list of books and texts is part of the lectures offered to students who participate in the courses of preparation for religious guides and directors of Muslim cultural centres in Italy. It is a selection of a variety of publications of different natures that can contribute to a panoramic vision of various approaches and levels of studies that some academicians and intellectuals have written in Italy over the past few years. Apart from certain classical texts regarding the doctrine, the story and the development of philosophical thought in Islamic civilization, also texts by traditional and modern authors, theologians, sociologists, political scientists, as well as experts in ecumenism and in multicultural communication are included. The variety of these researches, that are updated every two years, allows all students to recognise the profound diversity of the study methods that both surround and are at the core of the contemporary Muslim community. It allows them to choose different specializations that correspond to their interests and helps them develop a sensitivity that will allow them to transform the authenticity of the religious perspective in order to adapt it to life in a contemporary Western society. Because of this, the majority of the authors listed below are Western Muslims who, thanks to their experiences, know how to represent, in an efficient manner, the integration of Islamic identity with European religious pluralism.

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