

Negotiating Islam

Dialogues between Liberalism and Islamic Theologies in 21st Century Britain

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Declaration

In fulfilment of the requirements of the University of London for the presentation of a PhD thesis, I hereby declare that what follows is entirely my own work and has not been submitted for a degree at any other university.

Stephen Jones, September 2010.

Abstract

The recent intense focus upon Islam in the UK comes at a time when the religion is in a state of flux, with the traditions followed by older generations slowly giving way to new forms of religious expression. New interpretations are very gradually emerging at precisely the same time as suspicions are on the increase about Islam undermining national identity and respect for the liberal democratic division between public and private spheres. Against this tense backdrop, this thesis seeks to explore debates about religious interpretation and the relationship between Islam and liberalism that are ongoing among Britain's Muslims. It draws upon data collected from a variety of new initiatives (focusing upon three in particular) that are involved in disseminating Islamic knowledge and discussing Islamic norms. Using this data, it examines the arguments of a wide variety of Islamic scholars, clerics and activists and highlights some of the ways in which Islam is being related to the British context.

Of particular concern in the thesis are the implications these debates have for liberal traditions in the UK. It considers the effects of conventions of public discourse that seek to stifle the expression of religious ideas upon the possible future flourishing of British society and politics. The thesis argues against liberal political philosophies that aim to restrict public speech so that only "public" or "secular" reasons are offered in political debates, arguing that to do this is to risk mutual isolation between the UK's many religious and secular moral traditions. It uses debates among Muslims in the UK on subjects such as national identity, political participation and civil and Islamic law to illustrate and give weight to this argument.

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Notes on transliteration and style

For transliteration of Arabic words I have attempted to follow a simple system based on that of the *International Journal of Middle East Studies* as closely as possible. The system uses the following conventions:

- No diacritical marks are used
- The letter ‘ayn is indicated by ‘, and *hamza* is indicated by ’, but only when it comes in the middle of the word
- The plurals of Arabic words are written with an *s*, except the plural of ‘*alim*, which is given as ‘*ulama*
- Doubled vowels in the middle of words are indicated by *-iyya* or *-umma*
- Diphthongs are indicated by *-aw* or *-ay*
- Al- is prefixed the first time an Arabic name is used, but omitted later

This does not eliminate all confusion, as many Arabic terms are spelled in various ways by Muslims living and writing in the UK. An Islamic seminary may be described as a *darul uloom*, a *darul ulum*, a *dar ul-ulum* or (the style I use in the thesis) a *dar al-ulum*. When quoting essays that use Arabic words I have amended transliterations on occasion to keep the style consistent throughout. Of course, errors or inconsistencies in transliteration are my responsibility alone.

Quotations from the Qur’an are taken from M. A. S. Abdel Haleem’s new translation, published by Oxford University Press.

All dates are based upon the Gregorian calendar.

All italicised words in quotations are presented that way in the original text unless I explicitly state (in the endnotes) that the emphasis has been altered.

I should stress also that Yahya Birt is the same person as Jonathan Birt, and Abdal-Hakim Murad is the same person as Tim J. Winter. Both are converts to Islam and

publish under both names depending upon whether they are writing *qua* academic or *qua* theologian. This means that the endnotes and bibliography refer, rather confusingly, to the same people by two different names.

Describing Islam

The English language comes ready loaded with a cargo of concepts and assumptions that can make talking about Islamic history extremely difficult. Words such as “faith,” “God,” “religion,” “secular,” “modern,” “traditional” and “medieval” carry specific connotations as a result of Europe’s Christian history and its subsequent conflicts over and attempts to rationalise religious belief. To describe something as “medieval,” for example, is to imply that it is barbarous, yet the medieval period in Islamic history witnessed several periods of cultural flowering. Various scholars recently have tried to highlight how some of the most reactionary movements in Islam have been in many ways quite “modern.” As they search for the right terminology one can almost see the English language creaking beneath the strain. Recent neologisms such as “Islamism” have tended to confuse things further, collapsing a host of different movements into one undifferentiated category. To write about Islam is to become ever more aware of the wisdom of Michel Foucault’s claim that language is “a violence which we do to things, or ... a practice which we impose upon them.”¹

Although I do describe Islam as a “religion” and even at times as a “faith” my preferred way of describing it is as a *tradition*, by which I mean simply an acquired habit, a way of understanding, a chain of memory. That term is far from perfect, though, for two main reasons. Firstly, the strong opposition in the English language between the traditional and the modern means one can give the impression that a “tradition” will always be ill at ease in the “modern” West, where people seem constantly to be in search of novelty and ready to cast off the old way of doing things. (That, paradoxically, is one of the dominant traditions within British and Western culture.) Secondly, using the word “traditional” to describe a Muslim’s perspective can sometimes give the impression that it is authentic or faithful. There is no way round these problems, and over the chapters I do struggle to use the right terminology in the right way. Yet it is worth highlighting that when I describe an Islamic theologian as “traditional” usually I mean to imply that his or her perspective draws strongly from the classical period rather than being based only upon the Qur’an and the sayings of Muhammad. When using the term “classical” I mean to indicate the system of Islamic legal scholarship that was developed primarily between the tenth and the thirteenth centuries.

Similar problems occur when using the words “theology” and “liberal” too of course, but I explore these in Chapter 1. I also explain the meanings of the majority of Arabic words used in the text, though a glossary can also be found in Appendix 1. The one other word I use in the thesis that might cause confusion is “expressivism.” By this term I mean to indicate a broad family of philosophical traditions that places emphasis on the realisation of an inner core or self.

Preface and acknowledgements

This thesis has been three to four years in preparation, but its origins can be traced further back than that, to a little under ten years ago. It grew out of my efforts while still an undergraduate to make sense of what was being said about Islam following the events of September 11th 2001. What I had been trying to fathom then, and what I am still trying to fathom now to an extent, was the depth of suspicion towards Islam; the roots of this new hostility seemed to sink deep. This can be said of other forms of prejudice, of course. Scholars such as Zygmunt Bauman and Paul Gilroy have shown in great detail how negative European attitudes to other “races” can be traced to some of the key thinkers of the Enlightenment.² Yet the way Islam was depicted as a threat during that period seemed to me different. It used to be the case that European racism was supported by various conceptual struts, such as the notion that there are discrete races that have different capacities. Now, though, these struts have all been almost all knocked away; condescension toward individuals with a different skin pigment is now rightly seen as just a visceral reaction whose roots lie in nothing more than confusion and fear. The same cannot be said about Islam. Although it is widely acknowledged that in Europe there is—and has been for a long time—virulent prejudice toward Islam, some of the struts still remain stubbornly intact. It seems, in truth, far more difficult to cut through them. Islam exists as a body of ideas and as a way of interpreting the ultimate ends of human existence. For that reason it is not so easy to write all criticism of it off; one cannot just assume that negative talk about Islam is always prejudiced talk in the same way that one can for talk of “races.”

Between 2003 and 2005 I had been studying some of the writings on Islam by far-Right figures such as Robert Spencer, alongside some of what was being said about the tradition in the media.³ As I did, it seemed to me that a change was taking place. Other writers, Gilroy perhaps foremost among them, had already highlighted a shift in the language employed in public deliberations from talk of “races” to talk of “cultures.” But now the language appeared to alter again: the focus of criticism by the far-Right, and much of the centre-Right, was not a type of person or even a culture; it was Islam as a way of thinking, as a moral system. People’s opposition to Islam was based upon it being (supposedly) intolerant, unreasonable and oppressive to women. This has not gone away: today groups like the English Defence League (EDL) and Stop Islamisation of Europe [*sic*] are careful to stress, it is Islam as *idea* that is the problem. “Racism is the lowest form of human stupidity,” stresses the latter, “but Islamophobia is the height of

common sense.”⁴ Of course, most of this is just a ruse, simply racism dressing itself up as religious criticism. Most is not worth taking at all seriously (even if one has to admit the problem presented by the popularity of these organisations is extremely serious indeed). Even so, I could not—and still cannot—in all honesty say that there are not issues here worth having a debate about.

At the time, this left me more than a little concerned, a concern that might be clarified by drawing a simple contrast. Imagine someone argues black people are constitutionally incapable of governing themselves. This is not something that anyone would consider talking about, such is the silliness of the notion. Now imagine someone maintains that Islam is based upon questionable claims on truth; that it stifles the human spirit and tends toward a dour view of life; that its joyless view of life often leads to restrictions on women, whose sexualities are repressed; that its ultimate vision of a good society implies unacceptable limits upon creative expression. Today I feel just about able to put together an argument against these positions; but it is complicated argument, about which I have numerous doubts. I could not claim that it is not a valid topic for debate any more than I could claim that entering into debates about truth, gender relations or the good life are not all worthwhile activities.

This shift from criticism of races and cultures to criticism of theological ideas has, I feel, wrong-footed a large number of people, particularly those aligned politically with anti-racism, liberalism and the Left. However much of a problem racism may still be within the UK, it has been marginalised and denied a place in significant political discussions because it has been shown to be groundless, devoid of any link to serious biological and sociological inquiry. Some areas of society—sport, say, or modelling—may be racially coded, and institutional racism still remains a significant problem, but no-one in a mainstream publication will claim that black or Asian people are a threat to liberal democracy and political life. This does, though, happen in relation to Islam. Conservatives see it as a threat to British cultural traditions; liberals see it as a threat to free expression; Leftists see it as a backward, conservative way of thinking inimical to progressive ideas; rationalists lump it in with other branches of theism, all of which are considered to be dangerous delusions. Not all of these people can be described as simply prejudiced toward outsiders; I do not agree with, say, Richard Dawkins, but it would be a bit much to compare him to Enoch Powell. Yet no-one appears to know

where to draw a line between prejudice and criticism, and so it has become possible for people to countenance restrictions on Muslims' freedom of worship that we would never tolerate for any other religious group. The problem, I think, can be summed up in this way: racism, including anti-Semitism, has to mask itself today because the battle of ideas at the highest level has been won. However, the quality of public debate about religious belief and the Islamic tradition is so lamentable that massive misconceptions have become common even among the élite.⁵ These misunderstandings are sustaining the kind of anti-Muslim sentiment that an ostensibly literate and open society should be able to recognise and develop a response to.

How is the situation going to improve? The response among well-meaning people has usually been to emphasise two things: first, that Islam is diverse; and second, that the influence of religious ideas has been exaggerated.⁶ These are both necessary points, but on their own they are insufficient. Something more needs to change in the way that religious belief is publicly debated. I do not think that it is ever going to be possible to simply knock the struts away in the same way that theories of race have been gradually discredited. But I do think that it is possible to learn to talk a bit better about religion, and particularly about Islam. There is one specific aspect of our public conversation that is ripe for improvement. What many people in politics, journalism and even academia seem wholly unable to tolerate is the notion that a Muslim might want to influence society in accordance with his or her beliefs, or make the world that bit more "Islamic." Right-wingers such as Melanie Phillips and Daniel Pipes constantly search the writings of ostensibly "moderate" Muslims for some kind of aspiration to shape society and, when they find something that seems to fit the bill, claim that really they are "stealth Islamists"⁷ who think that "Muslims living in the West should do nothing to alienate the indigenous society, but should impose *Shari'a* by a process akin to the Trotskyite long march through the institutions."⁸ This is then enough to see them placed in the same pile of dangerous individuals as Bin Laden, Abu Hamza and others; the only difference, they say, is the means. Most people, of course, refrain from going this far in what they say. Nevertheless, there are very few people who have tried to think this question through, and many people who are just as wary about Islam having any influence, even if they are more restrained.

The simple desire to change society in accordance with one's conception of the good life does not in itself, of course, make one a danger to liberal democracy. Quite the contrary: liberalism relies on these hopes. I would prefer it if asylum seekers were not treated so terribly in the UK, and if I did not have to put up with women in states of undress covering the UK's newspapers. That does not make me illiberal, even though one could argue that a state in which my wishes were honoured would be a more "Islamic" state. Only if I used certain means—coercion or violence, say—would I be a danger to liberal democracy. Where even the most brilliant of liberal thinkers struggle, though, is in getting to grips with the *justifications* used, or with the *terms* in which desires are expressed. If it is suspected that the ultimate basis for one's interests is some conception of God's will for humans—which in Islam is generally expressed in terms of God's path, the *Shari'a*—then one is often viewed by many liberals as not fit for public consumption, as it were. In my view, this tendency has to be thought through much more carefully to clear up the current confusion.

There is one further thing that might help too, that being an improvement in the ability of public conversations to negotiate moral differences. Obviously people can (and generally do) exaggerate the tension between Islamic norms and the mores that are dominant in Western Europe, but it seems naïve to claim that there are no differences, or that these differences have no bearing.⁹ Part of this just means learning to live a little better with many different ways of understanding the nature and purpose of life, and to agree to disagree and tolerate others. Yet this can only ever result in a partial solution, with what John Rawls used to call a *modus vivendi* being worked out rather than a more durable "overlapping consensus."¹⁰ It has, therefore, to mean something more: not only the willingness to try and win people round when one believes that they have something wrong, but also the willingness to take seriously the interests and beliefs of those one disagrees with. It has to mean the willingness to not only convey what it is one values to others, or even to articulate the underlying reasoning behind what one values, but also to understand undistortively the terms in which other people think about the ends and goals of life. There is a paragraph in one of Charles Taylor's essays that captures this sentiment superbly:

Understanding the other undistortively, without being led to deprecate or to relativise the goods one still subscribes to: this can confer [an] important

benefit. Most of the great religions or secular world views are bound up with a depreciatory view of others in contrast to which they define themselves. Christianity relative to Judaism as “merely” a religion of law, or relative to Buddhism or Hinduism as religions unconcerned for the world—depreciatory stories abound. These stories provide some of the support system for faith everywhere. The contrasts are real; and so to come to understand the view against which one’s own is defined, and hence to see its spiritual force, must bring about a profound change. The depreciatory story is no longer credible; this prop to faith is knocked away. Where the faith was nourished exclusively by the story, it will wither. But where not, it will be free to nourish itself on better food, on something like the intrinsic power of whatever the faith or vision points us toward. In this sense, understanding lets our own faith be too. It liberates ourselves along with the other.¹¹

This passage captures one of the main motivations behind this thesis. The details of it I shall explain later, but suffice it to say for now that it represents my modest attempt to consider in a little more detail how the Islamic tradition might be brought into a conversation in the UK, and to try and speak about it undistortively—that is, without refraining from criticism, but also trying to get as far as I can into the core language of the tradition, given my own limitations. I should perhaps mention that I come to this topic from an Anglican background, although I tend to classify myself as an agnostic. (I say more about this at the end of the thesis.) I have no biographical roots in the Islamic tradition and my two main academic fields of interest are sociology and moral philosophy. This has meant that getting to grips with the subject has been a challenge, but ultimately one well worth undertaking.

The process of completing this study has been lengthy and occasionally laborious, and I have benefited a great deal from the assistance and support, both academic and personal, of a large number people and institutions, not all of whom can be named here. Firstly, I must express my thanks to the Economic and Social Research Council, whose studentship (pta-031-2005-00210) made the research for the thesis possible. I also would like to thank the Department of Sociology at Goldsmiths, University of London, for giving me the space to work.

My greatest debt is to Vic Seidler, my supervisor, who has managed to give me both the freedom to explore different ways of approaching the subject matter while at the same time ensuring I stayed on topic. Constructive comments from Michael Keith and Roger Hewitt also helped shape the study. In addition, I must acknowledge a debt to Dave Clarke, formerly at the University of Leeds and now at Swansea University, who introduced me to social theory and showed me that scholarship could be about more than simply serving the “knowledge economy.”

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I would like to express my appreciation to my parents, brothers and sisters in law and to friends in Nottingham, Leeds and London for their encouragement and support. In particular, Jess Robinson, James Robinson, Miranda Lawton, Simon Jones, Hannah Jones and Peter Jones assisted with final checks; Dominic Baker and Jonathan Abeyratne enabled me to maintain a sense of perspective; and Beck Evans helped me keep going during the sanity draining months prior to completion. Needless to say, the contents of the thesis are my responsibility alone.

I should mention finally my late, much missed grandmother, Ruth Jones, whose influence is not obvious, though in many ways it has been the most decisive.

1. Introduction

1.1. The changing character of Islam in Britain

It may not be obvious from the media commentary on Islam, which unfortunately tends to portray the tradition as a homogenous mass, but recent decades have seen fascinating and potentially important changes taking place among the UK's Muslims. The more peripheral aspects of ethnic identity appear to be gradually eroding. A wide variety of academic studies have indicated that faith identification is increasingly being regarded by younger South Asian Muslims as distinct from, and more significant than, ethnic background.¹² The religious tradition itself is also changing. The varieties of Islam that the first generations of Muslim migrants identified with, and that were imported into many of Britain's mosques, have run into difficulties, with younger generations complaining that they feel alienated by them.¹³ The Islamic educational institutions established by these migrants are finding it hard to transmit their religious teachings unaltered to an often sceptical young audience.¹⁴ The Islamic tradition is in transition, in short; and as this transition has slowly progressed the question of what the faith's relationship with British society ought to be has become more and more pressing—not least because it has emerged against a backdrop of intense media scrutiny, driven in large part by suspicion of Muslims.¹⁵

Given this, it is perhaps not surprising that a wide variety of novel initiatives, theologians and activists have surfaced, a number of which have sought to circumvent older institutions and producers of Islamic knowledge, offering information that is not easily accessible via the more established routes. Spurred on by challenging political developments, Muslims in the UK have engaged in discussions about the public good in open debate, contributing to the flourishing of what Armando Salvatore has called the “emerging Euro-Islamic public sphere.”¹⁶ This process has, though, been plagued by troubles and uncertainties. Hostility toward Islam, for a long time present in Britain but largely dormant, has swelled up over the last decade. Islam in the UK is now only barely being tolerated. Recent surveys have indicated that more than half of the UK population would be “strongly opposed” to a mosque being constructed in their neighbourhood, and only a quarter feel positive toward Muslims.¹⁷ In February 2007 a columnist for a centre-Right UK broadsheet drew up a “wish list” that offers a worrying indication of what numerous British citizens would like to see happening: monitor all mosques; control and monitor all imams visiting prisons; monitor all

madrastas; spend far more money monitoring young dual-passport Britons' trips to Pakistan; censor the violent Islamist recruitment sites on the Internet, including, the author says, "insidious hip-hop and rap sites."¹⁸

Part of this hostility can be traced to the perception that Islam is incongruous because it (allegedly) ignores the split between public and private, sacred and secular.¹⁹ It is seen by many as a threat to liberalism, refusing to conform to accepted standards. This has resulted in a rather awkward double-bind. On the one hand, there are a large number of areas of confusion about the tradition and its doctrines. Adherence to Islam is thought by many to involve holding views at variance with democratic society and firmly at odds with the UK's social mores. Muslims are regularly asked to demonstrate their firm commitment to the British nation. Yet on the other, public articulation and deliberation of Islamic principles can be viewed as improper. The place of religion in public life is a constant theme of debate in the UK, as indeed it is elsewhere. There are those who prefer there to be little or no links between religious traditions and states whose foundations should really be secular. Traditional liberals often claim it is best for debates in democratic polities to be conducted in "secular terms" or, as some say, in accordance with the norms of "public reason." It can therefore appear that exactly the thing people in Britain are demanding of believing Muslims—that they show how their beliefs can inform national political commitment—raises suspicions about Islam being unable to remain in the appropriate (read: private) sphere. In such a context, how can Islam be clarified, alterations to it worked out, and a relationship with the social and political traditions and institutions in the UK be negotiated?

1.2. A debate lacking in content

In this thesis I present a study of these emerging deliberations and the initiatives that provide a forum for them. Over the chapters that follow I explore the speeches and opinions of, and debates between, Muslim clerics, scholars and activists operating in a variety of organisations in the UK. The thesis draws from three initiatives in particular, but gives details of others where needed. By doing so I try to offer a window into the ongoing internal Muslim debates about the relationship between liberalism and Islam in Britain—which, in turn, links to a more general argument about the relationship

between religiously grounded moral orientations (and religious organisations) and liberal democratic politics within the UK.

I have two main motivations for undertaking this project. One is my discomfort with the growing hostility toward Islam, and more specifically with the ways in which in recent years “liberalism” and “secularism” have been often used as weapons with which the tradition is attacked.²⁰ To be a liberal secularist is, it often seems, to be in conflict with the Islamic tradition; some, such as the columnist cited above, even seem willing to kill off liberalism to save it. Given that I consider myself both a liberal (of a certain type) and a secularist (again, of a certain type, and perhaps an unusual type), I have felt the need to clarify what the political philosophies associated with these terms actually advocate and consider where they might need revising. This is part of the reason why, although this is a sociological study, the discussion will refer regularly to ideas and debates from political theory.

The second, and the more fundamental, motivation for undertaking this project is the way that Islam has been talked about of late. I do not mean by this simply that discussions in the media in the UK and elsewhere have been dangerously ill-informed, true though that certainly is. Rather, my concern is that scholars and social researchers have tended to be reticent about Islam, not often trying to examine the theological, moral or interpretive aspects of the tradition. There is relatively little in the academic sphere that can give one a sense of the differences in religious interpretation that are present within Britain’s Muslim communities, even despite the fact that there has been a deluge of commentary on Muslims in the UK. Part of the problem is that, barring a few exceptions,²¹ academic studies have not really allowed the non-Muslim public to get a sense for the anguished and passionate intra-Muslim debates taking place in the UK. For example, a large number of studies have provided interested readers with fascinating descriptions of the nature and development of Muslim legal pluralism in Britain (which I look into in Chapter 6).²² Yet as Samia Bano has correctly highlighted, these accounts have paid “insufficient attention to internal contestation and change within Muslim communities,” which ultimately does very little to challenge persistent stereotypes of Muslim homogeneity.²³

Yet the issue is not just a lack of focus on internal debates. The problem, in my view, is a more general lack of attention to religious ideas. To give another example, Sophie Gilliat-Ray has pointed out that while readers can enjoy studies of Muslim community formation and Muslim identity, as well as scholarly treatment of particular issues and debates such as women and the media, few scholars have attempted to document the origins and curricula of Islamic centres of learning.²⁴ In this particular case, the lacuna can be partly explained by difficulties gaining access.²⁵ Yet it also, I suspect, is rooted in a general reluctance to examine religious discussions. When researchers begin to get close to the normative content of the Islamic tradition they frequently seem to hesitate, as if the issue were of little or no importance.²⁶

My contention is that this has made sociologists less able to accurately articulate the contours of Muslim identity in Britain, and has weakened academic discussions of the pressing religio-political questions that haunt UK public life. A large amount of ink has been spilled in recent decades in debates about the ability of the polities in Europe and North America to incorporate, or otherwise come to terms with, moral diversity.²⁷ One of the main points of focus in political theory has been how different moral traditions can be brought into some kind of agreement, or at least talk to one another. Islam, as a moral tradition, will always be ultimately theological, so if scholars find it hard to talk about Islam in these terms, or are unwilling to look into how Islam is debated or worked out, political difficulties will surely be likely.

My hope is that this thesis will go some way to filling the gap. What I have tried to do in it is examine three sites of flourishing debate about Islam within the UK. I chose them partly because each one concentrates on producing and/or disseminating Islamic knowledge to a broad audience, and regularly provides a platform to some of the more innovative Muslim thinkers in the UK. I place them in context in the earlier chapters, and then in the later chapters offer an account of the debates to which they have made contributions. Ultimately, my aim is to show how significant these debates are, to Muslims and to Britain as a whole. It is also to carry through a polemic about the best manner in which to discuss religious traditions.

1.3. Theology and liberalism: some preliminary descriptions

In the title of the thesis, and already at various points in this chapter, I have referred to liberalism and Islamic theology. Both of these terms are ambiguous enough to require a short description so that it is clear what I mean by them and what the thesis will be concentrating on and discussing. Islamic theology, in particular, is a slightly awkward term. Theology, of course, is a Greek word that has a very specific place in Christian history. Members of other religious traditions—including some prominent Muslim intellectuals—do not like to use it.²⁸ More significantly, it implies arcane and (today) usually not particularly influential discussions that take place in underfunded divinity departments in remote universities. Ideally, it might have been better to use the neutral term preferred by Peter Berger: “religious ideation.”²⁹ But that, sadly, would not make for a particularly snappy title or flowing discussion. Suffice to say that when I use the term I mean to imply “God talk in all its forms.”³⁰ Specifically, I mean any interpretation of what it is good to be and right to do (or what can be called, following John Rawls, a “conception of the good”) that draws upon a theistic tradition, and in particular any interpretation of the good that refers to such a tradition for its ultimate basis. This is as broad an interpretation of theology as one is likely to find; it covers not just high-level academic theology and very simple forms of religious interpretation, but a good portion of “secular” moral articulation too, much of which draws in some way from Christian and other theistic traditions (even if that is not known or is denied). Even so, this broad definition suits my aims well.

Using the terms “liberalism” and “Islamic theology” together is particularly risky. The term “liberal” tends to imply a set of dispositions and is often associated with a certain form of moral individualism. It also appears to imply that what I am trying to do is identify a “liberal Islam,” an effort that tends to entail making mistaken assumptions about the tradition (see Chapter 5) and, at worst, just trying to find an Islam that fits a lengthy list of moral stances. I take my understanding of the term from a common contemporary definition that claims the goal of a state is to give equal consideration to each person’s conception of the good life. This definition incorporates a number of conflicting views concerning distributive justice, gender relations and the different routes to human flourishing.³¹ For that reason, it would be wrong to assume it can be aligned easily with one moral viewpoint. I do favour what is known as a “political”

form of liberalism, although I remain critical of some influential political liberals, such as Rawls and Stephen Macedo. For now, though, discussion of this term can be left to one side. What I am interested in is how, having defined liberalism in this way, one should approach *theological* conceptions. What does it mean to respect theological goods alongside other moral traditions? For example, liberals tend to emphasise the importance of deliberation in political life: politics, or public life, is seen as a collective process of working out what shape society should take, what rights people should be given and what the state should encourage. How should theological conceptions be included in these deliberations, if at all? Rawls and Macedo, and many others, think that while it is important to leave space for different forms of belief and observance it is best to remain reticent about fundamental beliefs, to not articulate them in political discussions about society's basic shape. The position I will defend, as I have already indicated, differs from this. In my own view, if one takes this definition seriously then one has a warrant—maybe even an obligation—to give consideration and open space to the different ways in which the good life and society are understood by different people, and this means leaving public space open for the expression of all religious and secular ideas. My concern is that favouring reticence in public debate encourages a truncated understanding of the good and even, in my view, makes it harder to build bridges across moral traditions. I take up this issue directly in a critique of Rawls in the next chapter, but it is an argument that I attempt to illustrate and build upon in the following chapters looking at Islam in the UK.

1.4. Possible reasons for reticence

This brings me back to the widespread reluctance that one finds, among sociologists and political theorists, to try and engage meaningfully with Islam as a way of thinking about the way one should live. I have already mentioned that I think this reticence is not always helpful, but I ought to acknowledge also that there are various reasons—some good, some not so good—why academics might be reluctant to stray into this particular area and into these debates. It is only possible to conjecture about the exact reasons why there may be reticence when it comes to Islam and religion, but all of the following have, I believe, some influence.

First of all, and perhaps most forgivably, talking about religious interpretations requires a level of religious literacy that not many people have. Even though Islam has filled newspapers over the last decade it still remains the case that the majority of people know next to nothing of its language. Strangely, the word processor on which I am typing this essay now recognises *jihad*, *fatwa*, and al-Qaeda as terms one might often use in an essay in English. Terms such as *shahada*, *sawm*, *salat*, *zakat*, *iman* and *tawhid* are all flagged up as spelling errors, despite the fact that these words relate to the absolute basics of the Islamic tradition, the stuff of secondary level religious education. This hints at a distorted understanding of Islam that is not going to be easy to rectify, for reasons Grace Davie has ably spelled out:

British society (just like its European neighbours) finds itself in an embarrassing situation. On the one hand, religion—for a whole variety of reasons—has re-entered the public square and demands a response. On the other, a largely unchurched population has difficulty dealing with these issues: British people have lost the concepts, knowledge and vocabulary that are necessary to talk about religion. This is one reason for the lamentable standard of public debate in this field. Can anything be done?³²

This ignorance is a problem, particularly when people feel that they can hold forth on the topic without knowing what they are talking about. It makes public debates far harder to conduct in amicable terms. Nevertheless, one can understand why a person might consider it better to remain silent simply because they might make a serious error of judgement. This is a difficulty of which I am personally only too aware, not being a formally trained Islamic theologian myself.

Second, even if one is familiar with the inner language of the Islamic tradition this does not mean that one will be able to successfully explain how different religious ideas are popularised, influencing society. I know of only two books that attempt to systematically think through theology's relationship with society, both by the same author, both now thirty-five years old.³³ It is difficult to explain how theological ideas influenced societies that existed many centuries ago; it is even more demanding when one is talking about a contemporary society, and one that is, moreover, incredibly religiously diverse as the UK unquestionably is. There is also a serious *risk* in discussing

theology's role in society. Giving theological explanations for issues that really have mainly economic or material causes can ultimately contribute to misunderstandings about, and suspicions of, Muslims and Islam.

Third, many individuals, and particularly those people on the liberal Left who (if I am being honest) predominate in academia, are frequently very uncomfortable with some of the goods justified in theological terms. Abrahamic traditions are, not entirely without reason, associated with opposition to abortion under any circumstances, gender discrimination and homophobia. There are undeniable moral differences, and these can be linked to deeper tensions between the antinomian tendencies of much liberal- and Left-leaning criticism and the nomocentric traditions encountered in Islam. Such moral differences have recently been used, by people like the late Pim Fortuyn, to justify deeply illiberal measures such as selective restrictions upon immigration and even restrictions upon freedom of worship. At the moment it is only too easy for those who are carefully critical of Islam to get caught up in a storm of anti-Muslim feeling. On the one hand, then, there may be a reluctance to defend a moral tradition some of whose central tenets one strongly disagrees with. Yet on the other, there may be an equal reluctance to question a tradition that is under attack. In such a context, silence can easily appear to be the most sensible option.

Fourth, there is a problem of philosophical incommensurability. Consider as an example currently fashionable poststructuralist approaches, which have been popular for some years within sociology and other areas, particularly in post-colonial theory. This philosophical tradition, which has been influenced strongly by Nietzsche through figures such as Michel Foucault and Gilles Deleuze, tends to be deeply sceptical about universal truth-claims and the existence of a transcendent subject. Philosophically speaking, such an outlook is not easy to square with the theism that is at the core of the Islamic tradition.³⁴ Looking at Islam as a *way of thinking* seems to imply a strong challenge to these core convictions about the human subject and people's abilities to perceive and to coherently articulate truth. Given this—combined with problem no. 3 mentioned just above—it is perhaps unsurprising that post-colonial theories tend not to focus upon Islam, but rather Western prejudices *toward* Islam. Following Edward Said, poststructuralist analyses generally concentrate on how European philosophical and political traditions *constructed* Islam in order to give Europeans a sense of who they were

and are.³⁵ The focus falls on how Europe made an enemy out of Islam,³⁶ or how, in Bobby S. Sayyid's words, "[s]ecularism as a discursive regime ... generates the Muslims as a permanently transgressive subject."³⁷ These are all important points, but they often actually say little about Islam itself.³⁸

The fifth reason links to all these and is, I think, the most interesting. Sometimes reticence in relation to religion seems like appropriate conduct. That is to say, when one is not a member of a religious tradition it can seem like one has no right to speak on matters of interpretation. If one does not ultimately believe Muhammad received divine guidance it can seem that one cannot talk about how the Qur'an should be read. One might argue from a distance, perhaps saying that Islam matters on a cultural, political or identitarian level. But, as both journalists and are academics often keen to stress,³⁹ theological interest is different. To speak about whether Islam enjoins x or y one needs, it seems, to speak *as* a Muslim. This is an interesting matter because, obviously, one does not have to be a Muslim to learn from the Islamic tradition any more than one must be a Christian to appreciate the parable of the Good Samaritan. Ghandi once described Muhammad's sayings as "among the treasures of mankind."⁴⁰ Yet to step over that line and breach that protocol appears to risk undermining the internal debates of religious traditions. It also appears to invite not just appreciation of religious beliefs but also the inverse: open acknowledgement of fundamental differences, which in turn implies more open, visceral conflicts. This, as we shall see, is one of the primary reasons for Rawls's advocacy of reticence, and indeed one of the main reasons why the sociology of religion aspires to neutral description.

1.5. Theology and the multicultural question

One is presented, then, with a whole host of practical challenges when considering offering a sociological discussion of theology. Not only that, one also has to contend with the risk of dredging up irreconcilable philosophical and moral differences and breaking down an uneasy *modus vivendi* that stifles discussion of core beliefs so people can coexist relatively amicably. There are clearly a number of good reasons to be cautious about conversing on the subject. This means one has to come up with some compelling reasons to support doing so. The thesis I shall advance in this study is then

that, even given these problems, there are still good reasons to open the vents and publicly air such perspectives. To indicate where my argument is coming from, it may help to situate it within current debates about nationalism, multiculturalism and ethnic and religious diversity in Britain. Debates on these matters have been running for many years, but recently, and particularly since the London bombings of 2005, they have become increasingly fractious. In these disputes the conservative Right in Britain has tended to stress more strongly the value of a single national culture, while the Left has traditionally adopted a pluralist ethic. Recently, though, ferocious criticisms of the idea of multiculturalism have caused confusion. It has been blamed for, in the words of one influential report, generating the conditions in which “[s]eparate educational arrangements, community and voluntary bodies, employment, places of worship, language, social and cultural networks, means that many communities operate on the basis of a series of parallel lives.”⁴¹ A growing number of individuals who previously identified with the idea have deserted it.

Some longstanding advocates of multiculturalism have argued that, in truth, the ethic cannot be reasonably be held responsible for all that it has been accused of, in particular the London bombings themselves. For example, Tariq Modood, arguably the most prominent advocate of multiculturalism in the UK, recently contended that multiculturalism has always been a form of integration; it just insists upon integration on equal terms.⁴² Anne Phillips has made a similar defence. Phillips, however, does acknowledge one thing: that the *language* of multiculturalism has not always helped. Multiculturalists have never viewed segregation as a worthwhile aim, but, as Zygmunt Bauman has said, the term invites confusion

because it suggests not just cultural *variety*, but variety of *cultures*. More exactly, it suggests cultural systems or totalities—each more or less complete or self-sustained, each to some degree self-contained and “integrated”—so that all its ingredients, like cultural norms, values and precepts, are interdependent. The term conjures up a vision of relatively enclosed cultural worlds living next to each other.⁴³

One of the main problems, Phillips argues, is that “culture” has become a euphemism for many different things. As she explains:

Culture is now widely employed ... as the acceptable way of referring to race, such that people ... talk about their being many cultural minorities when really they mean many people who are black. Some of this is camouflage, with people concealing their racism behind a language of culture. But much of it reflects an uncertainty about the term *race*, and a perception that any use of it could be seen as racist. This can lead to an exaggeration of cultural difference where cultural classification is not really the point... In the United States, multiculturalism became a way of talking—but not really talking—about racial disadvantage and inequality, which then got refracted through the prism of cultural difference....⁴⁴

Although Phillips is not explicit about this point, I would argue that a similar comment can be made about religion and theology. Uncomfortable about discussing theology, scholars talk in terms of community, culture and identity instead. There may be some good reasons for this, but there are drawbacks too. To illustrate, consider Modood's multiculturalism. It begins with what he calls "the fact of negative difference": the fact that some groups—ethnic and religious—are stigmatised, disadvantaged and denigrated in many different spheres of life.⁴⁵ He accordingly advocates remedial measures such as the monitoring of religion and ethnicity in employment to prevent discrimination⁴⁶ and allowances for non-Christian religious holidays.⁴⁷ He also recognises that stigmatised groups may need to mobilise to counter prejudices and entrenched disadvantages—and because religious groups can be stigmatised on religious grounds, multicultural societies ought to recognise religious mobilisations as legitimate. Indeed, Modood criticises Will Kymlicka's multiculturalism (which is based on the Canadian case)⁴⁸ for paying too little attention to the claims of religious minorities.⁴⁹

Beyond this point, though, certain weaknesses emerge in Modood's argument. One of the main points he makes is that religious identities (such as Muslim, Jew or Hindu) can be viewed as comparable to ethnic, gender or class identities (such as black, woman or proletarian), and ought to be treated in a similar way. Those who make a claim upon Muslim identity in public life should be treated in the same manner as those who make a claim upon female, black or working class identity: they should not be unquestioningly respected, but nor should they be vilipended.⁵⁰ Muslims may have distinctive needs (for

prayer spaces, or occasional breaks from work), but so also do women (for maternity leave, or more flexible working hours). Indeed, Modood stresses that recognition and inclusion of Muslims *qua* Muslims need not mean the promotion of religious leaders or the privileging of a religious tradition because the “sense of feeling that one must speak up as a Muslim is ... nothing necessarily to do with religiosity.”⁵¹ One does not need, he notes, to have any interest in the Islamic tradition to be stigmatised, disadvantaged and denigrated for being a Muslim. (This is why discrimination law in the UK covers both religion and perceived religion.) Nor does one have to be interested in Islam to feel a sense of frustration at the plight of Muslims elsewhere in the world who have been subjected to abuse or colonial interference. Modood advocates a “moderate” secularism and thus maintains that “[r]eligious discourses are legitimate civic discourses,”⁵² but he generally prefers to discuss Muslims in terms of identity, culture and community. The following quote illustrates his approach well:

As Peter Jones says, “the recognition that is demanded is the recognition of a group of people rather than at a system of belief ... [e.g.] ... what the majority is called upon to recognise is not Islam but Muslims—not a religious faith but those that subscribe to it.”⁵³ Even “subscribe” is probably too strong; or at least it doesn’t mark where religion begins, for that is (in the present case) not those who subscribe to a faith but those who identify with the Muslim family of communities.⁵⁴

Modood’s point here is, of course, sensible: one doesn’t have to subscribe to a religion to “belong” to it. (Over the last couple of decades church attendance in the UK has hovered around the ten percent mark,⁵⁵ yet over seventy percent of people claimed to be Christian in the 2001 census.)⁵⁶ Even so, there are risks to this approach. Modood is quite right to say that Muslim identity goes beyond religious belief, but religious belief is also more than just a matter of identity. A person may not choose their Muslim identity, in just the same way as a person from a working class background may not choose their working class identity. However, just as Marxism exists as a body of ideas that shapes identities and social formations and that needs to be incorporated into public, political discussion, so too does the Islamic tradition. The politics of Marxism is not just the politics of working class people’s backgrounds, and the politics of Islam is not just the politics of Muslim people’s backgrounds. Modood is right about the need to allow for

mobilisations against prejudice and entrenched disadvantage, but there is also a need to consider how Islam relates to questions about the good life and the good society, and he does not explore these in as much depth.

To see why such an in-depth exploration might be necessary, it is useful to recall what I mentioned at the start of the chapter: that Islam in the UK has been changing, and that this process has engendered a certain amount of dissonance between older and younger generations. (I go into much greater detail about this in Chapter 4.) Recent interview and ethnographic research offers numerous instances of younger Muslims arguing that the older generation “gets religion and culture mixed up.”⁵⁷ Richard Gale and Therese O’Toole cite the following example of a young Turkish woman living in France, which can act as a brief but striking illustration:

When I discovered my religious sources ... I realised that Islam gave me rights my father had forbidden me: studies, my assent for choosing a husband who was not necessarily Turkish, etc.... I proved to my parents they had confused the traditions of their little village with the religion.⁵⁸

In this case, as with the others, the younger individual does not identify with the form of Islam that prevails in Modood’s “Muslim family of communities.” On the contrary, an alternative interpretation of the Islamic tradition is offered as a way of opposing and trying to alter the dominant norms within Europe’s Muslim communities. Modood’s critics, who tend to be less sympathetic toward religious beliefs, have frequently accused him of supporting a model of politics that gives undue influence to religious elders or to self-styled “community representatives.”⁵⁹ In truth, these criticisms tend to distort his argument, and some seem to be based upon a general dislike of religious argumentation. Yet it is easy enough to see how the emphasis Modood places upon identification with a community, rather than a religious orientation, could lead to this problem. A liberal political ethic, even one that does not rule out formal recognition of people’s social identities and group interests, thus has to be able to give consideration to differences in religious understanding, whether these relate to marital norms, faith schools, legal pluralism or any other significant matter. I cannot see how this can be done without at least some attention being paid to theology—that is to say, not just acknowledgement

of religious identities, but consideration of the different theological stances that people of faith identify with. As Maleiha Malik argues:

If all positions are granted “equal respect” without any enquiry into what they are or why they are valued, then—arguably—this is a “hollow” version of recognition. The respect and recognition sought—and the argument that there should be better understanding of faith-based arguments—require some attention to the claim by insiders that these have value.⁶⁰

1.6. Marginalising theological conceptions

Yet as I have been suggesting, this is where one encounters reluctance. Instead of this kind of careful attention, one frequently comes across attempts to talk around, not about, commitments that have a link to theology. One finds this problem, for instance, in the spirited defence of multiculturalism put forward by Anthony Giddens. Like Modood, Giddens resists the claim that multicultural policies have been responsible for greater ethnic segregation and violent Islamic radicalism. He observes that, contrary to popular assumptions, Britain is actually becoming more mixed in ethnic terms, not segregated.⁶¹ He argues the vast majority of troubles witnessed recently in which Islam appears to have played a significant role have normally had larger structural causes: most can be explained, he contends, either by international geopolitical upheavals or by the forms of personal distress engendered by the trauma of migration and settling in a new country across generations.⁶² Finally, he maintains that, contrary to what many newspapers may report, most Muslims both in the UK and in other European states feel little or no contradiction between their faith and their nationality—partly because, and Giddens is particularly careful to highlight this, many of the Muslims that currently live in Britain are not actually very religious at all.⁶³

Giddens’s arguments are all perfectly sensible by and large, and all his statements have a decent basis in evidence.⁶⁴ The problem, however, is that he rebuts all these stereotypes by arguing that Islam is *not the issue*.⁶⁵ The Islamic tradition is pictured as insignificant, even trivial. Of course, this is a perfectly sensible line of defence against some charges, particularly given that it has become common to see “Islam” being cited *sans phrase* as

an explanation for everything from rioting youths to economic failure and political violence. However, it leaves frustratingly unanswered the objection that while the majority of Muslims (as an ethno-religious group) are decent citizens, Islam (the moral tradition) still remains irrational, backward, patriarchal and so on. It leaves the faint impression that the UK's Muslims will fit in within British society only when they remain loosely connected to Islam—meaning, of course, that the more committed a person is to the tradition the more likely he or she is to struggle to settle or to cause problems. This does not seem sufficient given sociological evidence indicating increased emphasis upon religious identity among some Muslims.⁶⁶ Nor does it get to the really significant question concerning how Islam (as a moral tradition) and the UK (as a locus of public values) should relate. Giddens's account does not consider how to bring Islam into what Rawls calls an “overlapping consensus.”

1.7. The structure of the thesis

This gives an initial indication of the argument that I shall advance in the chapters that make up this thesis, which are set out in the following way. I begin in Chapter 2 with an extended critique of Rawls's conception of public reason. This chapter is almost entirely theoretical, although I should emphasise that my interest in it is not simply abstract and in one philosopher. The chapter's main purpose is to examine the proposition that talking about religion in public is not conducive to a well-functioning polity in which respect is given to each person's conception of the good. I argue against this idea, but in doing so I also try to show that the opposition between liberalism and religion is not as strong as many people seem to think. I consider how public reason might be re-cast, at the same time arguing indirectly against the idea that religion is inherently irrational, and suggest possible benefits of using religious reasons in public. While this chapter does differ clearly from the others, it sets out an argument the later chapters, particularly those toward the end, provide support for.

The remainder of the thesis is more straightforwardly “sociological” in tenor. In Chapter 3 I set out the details of the research on which it is based, explaining in more detail the reasons behind my choice of research focus. This chapter also considers the difficulties involved in determining the role theology plays in society. Its main concern

is with debates about Islam in the UK, and how they have been often based upon an abstract and stereotyped picture of the faith that tends to lead to gross exaggerations of its influence within different societies. The chapter also considers the limitations of the approach used in the thesis, focusing especially on the problems of drawing on clerics, scholars and activists as a source of material.

The core of the thesis, from Chapter 4 to Chapter 7, articulates the emergence of new centres of Islamic knowledge production and debate, and endeavours to place them in wider public, political discussions. Chapter 4 has the central task of providing a brief description of Islam in Britain and explaining the background against which new initiatives and interpretations have emerged. It begins by giving details of the changes to the Islamic tradition in Britain that have taken place in recent decades and of tensions between older and younger generations. It then goes on to explain how, in response to these (and other) tensions, a number of Islamic activists, civil society practitioners and intellectuals have stepped out of their “comfort zones” and begun to explore new ways of disseminating Islamic knowledge. In doing so this chapter introduces the three organisations I focus on and some key thinkers.

Chapter 5 begins to explore the ways that the more innovative intellectuals that one finds in these new initiatives relate to Islamic authority, primarily in Britain but also, necessarily, elsewhere too. I explore some of the ways in which different Muslim intellectuals understand issues of national belonging and participation and consider how their arguments make use of, and in some cases unsettle or challenge, dominant traditions and forms of Islamic authority. This requires a discussion of the character of authority in Islam and its differences from Christianity, and also a brief description of the recent “crisis” in traditional Islamic authority.

Chapter 6 alters the focus slightly to concentrate directly upon debates between Muslim scholars and organisations, using the organisations I study as a window onto debates about the tradition in the UK. It explains how different forms of Islamic theology contribute to debates about Islamic law, and particularly the relationship between Islamic and civil law in Britain. In this chapter I outline the character of the legal tribunals operating in the UK and the reasons why there were established in the 1980s. I then go on to articulate the details of disputes going on within, between and beyond

them. The chapter shows that many voices contribute to these debates, and links this to my earlier argument about public reason.

Chapter 7 concentrates upon debates over the relationship of the government in the UK to Islamic organisations. It provides a description of how the most influential Muslim representative organisations came into being, and the role of both Labour and Conservative governments in the process. It examines the ambivalence that Muslim scholars and activists demonstrate toward support of Islamic groups by government, and uses the discussion to examine questions about the pros and cons of formal links between religion and state. This discussion is of great importance to the emergence of new Islamic theologies because, as I explain, the state in the UK has taken a keen interest in fostering a distinctive “British Islam.”

In Chapter 8, the concluding chapter of the thesis, I recapitulate some key details uncovered over the course of the previous four chapters and relate these back to the arguments outlined in this chapter and in Chapter 2. I argue that open expression of the full range of religious and secular worldviews offers the best way to develop a productive and durable overlapping consensus. I also contend, returning to debates over multiculturalism and nationalism, that such openness to a diversity of religious and secular traditions can be used to move past the often unproductive conflict between cultural pluralism and national identity. The thesis ends with a call, directed not just at the wider public sphere but to scholars too, to engage more carefully with the diversity of goods in which people are interested. This is based upon my worry that even many scholars tend to do one of two things: either give respect to religious identities without paying attention to religious traditions, or caricature any moral conceptions that seem to be associated in some way with religious belief. I argue for an attitude toward religious belief similar to that advocated by the Christian historian Stephen Tomkins, who has said the following of his own convictions:

Unlike some protesters, the respect I want from my beliefs is not that people should be nice about them even if they’re dangerously wrong, but that they should listen to and engage and argue with them.⁶⁷

2. Religious talk in public

2.1. The many meanings of “secularism”

Few words in English engender greater confusion than the term *secularism*. It seems to mean very different things for different people, and in consequence tends to provoke wildly different responses. For some, the word implies a positive ideology, a vision of the world and humanity’s place in it. For others, it indicates something vacant, a neutral space where different people may meet. Some view it as opposed to religion, others as essentially indifferent to religion, and still others as needed by religion, something without which religions will never flourish. A good example of a negative interpretation is offered by Talal Asad in his book *Formations of the Secular*, in which he says the following on the subject:

From the point of view of secularism, religion has the option either of confining itself to private belief and worship or of engaging in public talk that makes no demands on life.... So the attempt by Muslim activists to ameliorate social conditions—through, say, the establishment of clinics or schools in underserved areas—must seriously risk provoking the charge of political illegitimacy and being classified *Islamist*.⁶⁸

Asad pictures secularism as a stifling, even an oppressive thing. Such is the scope and ambition of the modern state—it regulates, he says, “all aspects of individual life,” even the “most intimate, such as birth and death”—that it is inevitably a barrier to anyone who wishes to reform life. Yet the religious believer cannot make any efforts to change things without being viewed as a problem. Religious people who draw on their faith to make an argument are, according the principles of secularism, violating norms, failing to abide by the rules. They must therefore bracket—even annihilate—their sentiments. If they do not they risk being viewed as a political threat, especially, Asad implies, if they happen to be Muslims.

But, of course, there are those who see it the other way around, as liberating—and not only atheists and agnostics seeking to get away from what they consider to be threatening religious organisations, but religionists too. The American Muslim legal scholar Abdullahi Ahmed An-Na’im, for example, has not only written a defence of secularism, but has gone so far as to argue that only when living in a secular context can

one fully be a Muslim.⁶⁹ In a different religious context, the theologian Jonathan Chaplin has formulated a “Christian secularism.”⁷⁰ That Chaplin does not view this as a contradiction in terms should offer a reminder that what one person means by the word may not be the same as everyone else.

In fact, given that the word seems to point in many different directions at once, signifying many different things, it can be tempting whenever anyone uses the term to prompt him or her to specify what precisely they mean by it, or even to give up on it as hopelessly overburdened. Yet it is worth noting that, even despite the fact that they have very different views of secularism, both Asad and An-Na’im refer to roughly the same principle or norm, namely, that in liberal democracies there must be certain contexts in which claims upon religious traditions, or religious truth, are not made, are deemed inappropriate. Secularism is about where one can refer to one’s religious (or even non-religious) beliefs, and in what manner. The question may not be, then, what it *means*, but where and to whom it *applies*. Those subtle differences in application are what I want to concentrate on in this chapter.

2.2. Clarifying liberalism and religion

My reasons for wanting to talk about this topic should be fairly clear from what I said in the previous chapter. To repeat what I said there, my main aim in this thesis is to document some of the ways in which Islam is being worked out in the UK, how it is being discussed or negotiated. Yet as Asad intimates in the passage above, even talk about religion can be seen as inappropriate, particularly when that talk moves out of places of worship and into other domains. I also indicated that part of this process of “working out” might involve developing some kind of relationship with the UK, but should there even be any “relationship” between religious traditions and ostensibly secular polities, and if so what kind exactly?

That is the reason why, to restate my aims in a bit more detail, I want here to clarify and critically discuss what liberals have had to say on where and when religious claims should be considered inappropriate or divisive. My main point of focus will be on

forms of liberal philosophy that have advocated reticence about religion in public, with my analysis concentrating on John Rawls, probably the most influential liberal philosopher over the last fifty or so years. Rawls, along similar lines to others such as Thomas Nagel and Bruce Ackerman, maintains that ideally talk in public should be conducted in terms of “public reason” alone. What is meant by this? It seems to imply that the goal of a liberal state is to remove references to religion from open forums. Is that what he really advocates, and if so why?

This chapter will be largely theoretical, its examples, although not hypothetical, not related to concrete settings. Part of what I will be doing in this chapter is clarifying what Rawls and others argue, partly because their arguments are often misread, both by people sympathetic and hostile to religion. In particular, people tend to see Rawls as more hostile to religion than he is, which does little to correct stubborn stereotypes about liberalism and religion being old enemies. In addition, I will be making some criticisms of Rawls’s advocacy of public reason, for I do not find it convincing. I argue that encouraging reserve about religious convictions and beliefs is, while sensible in some contexts, unwise as a general rule. (As we shall see, this will involve identifying flaws in Rawlsian liberalism as such.) My worry is that this norm is making it harder to think sensibly about Islam in the UK, even making it seem like Islam is not something it is wise to have anything to do with. I argue that there may be, in fact, something to be *gained* by talking openly about religion: that religion needs to be articulated for a modern, plural polity to flourish and cohere.

Nevertheless, my interest in this chapter is not simply in setting out a political philosophy I support and criticising those I don’t. In addition to making a general case about liberal political philosophy, my hope is this chapter will mutually support the sociological study that follows. In following chapters I look at spaces where religious figures meet to debate with lawyers and academics. I offer a sketch of some of the ways in which debate about Islam is moving out of traditional spaces such as mosques and centres of religious learning and into other non-traditional spaces, sometimes new media, at other times meeting halls. In Chapter 6 and Chapter 7 particularly I start to focus on discussions among Muslims in the UK about such things as civil and religious law, and relationships between religious scholars and the state. These chapters will, I

hope, give weight to what I have to say here, offering more detail backing up this theoretical argument about “talking God.”

2.3. The settlement and the paradox

When talking about secularism, the obvious place to begin is with the state. It is now majority opinion in the UK that the state should not make religious claims because it is not possible, in a pluralistic context, to establish a popular government which has as its basis any specific worldview. No matter what worldview one chooses, there will always be some who do not adhere to it. Making one conception the basis of political legitimacy easily therefore leads, it is said, to unfairness, and perhaps even forms of coercion and repression, with, say, adherence to a particular dogma being made into a prerequisite for basic rights. Examples of this kind of thing spring all too easily to mind. One thinks of post-*Reconquista* Spain, for example, where all Jews and Muslims were forced to recant their faith or face punishment. One can easily find examples from the UK as well. Until the late eighteenth century only people who subscribed to the Thirty Nine Articles could go to university; the first English university to challenge this, University College London, was initially denied a charter.⁷¹ One way to express this, which Rawls prefers, is to say that it is unhelpful and unjust for a state to make a claim on truth: the “insistence upon the whole truth in politics [is] incompatible with democratic citizenship and the idea of legitimate law.”⁷²

What liberals consequently aim at is some variation of the settlement found in the US, where everyone is permitted the free exercise of their faith with the proviso that no particular faith should be established. Public institutions should not make a claim upon ultimate truth to enable everyone to, within a limited sphere, believe as they wish. An-Na'im, in his affirmation of the secular state, views this as vital to any kind of Islamic belief. In his view, only when the state does not impose upon citizens a specific interpretation of Islam can one be a Muslim by conviction and free choice—and since that is the only way to *authentically* be a Muslim, one cannot flourish as a Muslim in a state that is not secular. This is not a view all Muslims in all parts of the world hold, of course; Mahmoud Mohamed Taha, An-Na'im's teacher, was executed in 1985 by the Sudanese government for advocating similar ideas. But as an aside, it is perhaps worth

mentioning that the idea that inner conviction is a prerequisite for true belief, and that law has no bearing on this, has a long history in Islam. Consider the following example from Abu Hamid al-Ghazali (1058-1111):

The jurist speaks about what is correct and corrupt in *islam* ... but in this he pays no attention to anything but the tongue. As for the heart, that is outside the jurist's authority [*wilayat al-faqih*].⁷³

These ideas, of course, are familiar and accepted by the majority of people, not just in the US and Europe but many other areas. The fact that they are now customary can, though, lead people to assume that the issue is more straightforward than it actually is. On the one hand, it can appear as though truth is not actually relevant to a modern, secular state. Even if atheism is entirely “true,” it would still be unjust to deny rights to religious people on that basis, the clearest example of this being the Terror in France, which saw clergy deported and executed. Young Earth creationists, who *are* wrong, still need to have a degree of freedom, and should not be persecuted if they refuse to admit that theories of evolution are correct. It seems, then, that there cannot be any conception of truth at the heart of political life, whether that is theistic, atheistic, non-theistic, Marxist or whatever else. However, the state is, as Asad correctly observes above, inescapably an ethical institution. Just because it chooses not to publicly affirm a specific comprehensive worldview this does not mean that it can be entirely neutral on questions about the good or truth. Obviously, a public education system cannot be neutral regarding the teaching of science. In the area of law, too, the state determines the legitimate taking of life and decides when and with whom one may get married. So if a government must make these decisions, on what conceptions of truth and life should they be based? In the case of abortion, for example, the state decides on when a foetus counts as a human with ethical significance. Even the fundamental principle that it is not right for a state to affirm a specific conception of truth needs justification: it seems to rely on the claim that treating a person with dignity involves allowing him or her to discover, explore and commit individually, and reject the counterclaim that to treat someone in a dignified way is to treat him or her in the way a truly good or a truly wise person would wish to be treated.⁷⁴ There appears to be a tension between the neutral state and the ethical state, in short. This may help explain why the history of

liberalism is full of paradoxical images, such as George Washington placing his hand on a Bible and swearing to uphold a Godless constitution.

2.4. Pluralism and political liberalism

This tension sits right at the heart of Rawls's work, and in my view he never found a way of dealing with it adequately (although in fairness, I'm not sure that anyone has). Rawls made his name in the 1970s with his book *A Theory of Justice*, which tried to spell out a fair way of distributing goods, rewards and opportunities within a society (or what is formally known as a theory of distributive justice).⁷⁵ His theory was developed using a now-famous thought experiment in which he asked what society everyone would give their assent to if they were all placed behind a "veil of ignorance" that made them unaware of their respective social positions. The people behind the veil of ignorance have no knowledge of their status (man or woman, master or slave) or their abilities (clever or foolish, fast or slow), so they should, Rawls reasoned, be able to reach agreement on society's organisation fairly easily.

However, Rawls did not just eliminate physical attributes and roles but also people's "conceptions of the good": their fundamental beliefs and what the ends are that they will want to pursue. This, of course, raises the question of how a person will be able to decide how society should be arranged if they have jettisoned their understanding of the good life. As an answer to this, Rawls suggested that even without a conception of the good people will still retain "primary goods," or things that a "rational man wants irrespective of whatever else he wants."⁷⁶ He stripped down the human subject to what he considered to be its "original position." Behind all our religious beliefs and other commitments, he implied, lies a universal subject who sees things a certain way. This led Rawls to the conclusion that everyone in the original position will want the same basic system of justice. One can, he said, "view the agreement in the original position from the standpoint of one person selected at random."⁷⁷ From many different types of person, he distilled one conception of justice.

After the publication of *A Theory of Justice*, however, Rawls became dissatisfied with his approach. A number of powerful critiques of it were published that showed how

Rawls's original position excluded people for whom some role or commitment (being Christian, Sikh or woman) is so fundamental to them that they would not be able to understand their goals without it.⁷⁸ Rawls de-linked the nature of the person from the aims that he or she has. Yet for many people a different conception of human nature informs quite different ideas about human flourishing. Rawls came to concede that not all those who disagreed could simply be seen as irrational. As he observed in his later book *Political Liberalism*, "a plurality of reasonable yet incompatible comprehensive doctrines is the normal result of the exercise of human reason within the framework of the free institutions of a constitutional democratic regime."⁷⁹ He conceded also that if his theory, with its conception of human nature, was used to legitimate a state's actions it would be in effect imposing his view.⁸⁰ Rawls, being a liberal, decided that this would not be a just outcome, and so concluded that his conception of justice needed to be "re-cast" because, he acknowledged, "it is inconsistent with realising its own principles under the best of foreseeable conditions."⁸¹

Instead, he devised an unusual—if not novel⁸²—alternative. Justice, Rawls now stressed, should be viewed as "political not metaphysical."⁸³ By "political" he meant that a conception of justice should not base itself on any worldview, should remain on the surface, philosophically speaking. Political institutions should be entirely "free-standing," with no basis in a conception of truth, and be acceptable to all the major religious, philosophical and moral traditions. He contrasted this "political" form of liberalism with other "comprehensive" forms, and this terminology has now become common in Anglophone political theory.

To explain this distinction, it is useful to refer to the liberalism advocated by J. S. Mill. Mill's liberalism was "comprehensive" in the sense that it was based upon a conception of a well-lived life, a conception rooted in the idea that without critical reflection people's innate natures are stifled. For a good illustration, consider this passage from the third chapter of his essay *On Liberty*:

He who lets the world, or his own portion of it, choose his plan of life for him, has no need of any other faculty than the ape-like one of imitation. He who chooses his plan for himself, employs all his faculties. He must use observation to see, reasoning and judgment to foresee, activity to gather

materials for decision, discrimination to decide, and when he has decided, firmness and self-control to hold to his deliberate decision. And these qualities he requires and exercises exactly in proportion as the part of his conduct which he determines according to his own judgment and feelings is a large one. It is possible that he might be guided in some good path, and kept out of harm's way, without any of these things. But what will be his comparative worth as a human being?⁸⁴

Mill's famous argument in *On Liberty* that "the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others"⁸⁵ is based partly on this argument: people should not be just *told* what to do even if it is right, because the good life is encountered in the process of pondering alternatives and making choices. Mill's argument recognises the need for religious liberty, of course, but it also implies that it may be acceptable for the state to use its persuasive apparatus to wean people away from religions based upon a system of piety or the unquestioning respect of elders.⁸⁶ According to Rawls's political liberalism, this is going too far and using state power for the wrong ends. Political liberalism should seek the consent of all reasonable (more on this term later) comprehensive doctrines by asking them to accept some basic political values, such as citizen equality, but not make any claims about the purpose or nature of life. It is not given legitimacy by any one philosophical argument but instead seeks to develop an "overlapping consensus of reasonable comprehensive doctrines."

2.5. False tensions between liberalism and religion

Supporters of Rawlsian political liberalism are often at pains to show that political liberalism takes a more moderate position in relation to religion than comprehensive liberalism does, and they do have some grounds for this.⁸⁷ Political liberalism rejects in no uncertain terms what Rowan Williams calls a "programmatically" secularism that seeks to gain control and establish a "secular creed" like Millian individualism.⁸⁸ In addition to this, Stephen Macedo has argued that the approach supported by political liberalism is less drastic in its way of dealing with everyday public decisions. For example, public education, rather than inculcating critical autonomy of the sort Mill affirmed, will aim to

simply teach what a person needs to know to get by in a democratic society, such as the different ideas and concepts that one is likely encounter.⁸⁹ Perhaps most significantly of all, political legitimacy is based upon the overlapping consensus of the many rather than a theory of rights grounded in one specific worldview, so it appears that a space is left open for all philosophical conceptions, religious and non-religious, to relate to, invest in and judge the state on their own terms.

This appearance is arguably a little deceptive, though, for Rawls, Macedo and other political liberals stress the need to only to employ “public reasons” when entering into debates over political decisions.⁹⁰ In public, Rawls seems to suggest, religious discourse has no place. This may be the most contentious aspect of Rawls’s later work, and a number of critics, such as Stephen L. Carter and Michael Perry in the US, and Chaplin and Veit Bader in Europe, have raised objections to it, at times in uncompromising language.⁹¹ Stephen Prothero, a historian of religion, has said of Rawls that he insists “religion restrict itself to the individual heart, the pious home, and the religious congregation; religion is a private matter that will contaminate civil society if not quarantined from public life.”⁹² *Political Liberalism* has even been characterised as the work of a “secular fundamentalist”⁹³ whose author regards religion as “presumptively irrational” and therefore in need of “containment.”⁹⁴

As I have already indicated, this chapter is not going to be a defence of Rawls’s argument regarding public reason; I believe it is flawed. Even so, it is necessary to begin by pointing out that, with the exception of Bader, these critics tend to distort his stance when making their objections to it. As Kwame Anthony Appiah has commented, “the adherents of ‘political liberalism’ have never been quite so coercively monistic as their critics often represent them.”⁹⁵ By painting him as akin to polemicists such as Richard Dawkins and A. C. Grayling, they not just misrepresent Rawls’s theories, but probably also Rawls the person: he did, after all, consider a career in the clergy and wrote about the meaning of sin and faith when younger.⁹⁶ The main problem is his critics often fail to grasp what Rawls means by “public” and “public reason.” This leads to distortions of his stance and a needlessly hostile argument that ultimately makes liberalism appear much more oppositional than it really is.

Take the notion of the “public,” first of all. As Jürgen Habermas emphasises in *The Structural Transformation of the Public Sphere*, one should always be careful to differentiate between, on the one hand, public spaces where people discuss what is good and bad about the society in which they live and, on the other, the apparatuses of state.⁹⁷ Both of these are “public” domains, but they are not the same, and ruling out religious speech in one is a very different thing to ruling it out in the other. If religious discourse were to be restricted or barred within the institutions of state it could be conceivably defended as being necessary to ensure “non-establishment” of a particular religion. If, however, religious discourse was prohibited within wider civil society that would seriously restrict religious freedom.

In his most detailed statement on the subject,⁹⁸ Rawls is quite clear that when he talks about the need to limit religious speech in public settings he primarily has in mind three specific contexts: first, judges in office; second, legislators enacting laws; and third, any candidates for political office. He distinguishes between these contexts and what he refers to as the “background culture,” by which he means not only places of worship but clubs, teams, societies, educational institutions and the media—civil society, in short.⁹⁹ He argues also, in my view correctly, that many critics of his argument about restricting religious discourse in public assume he is talking about civil society when he is not; he certainly does not argue that religious discourse should be *banned* in civil society, as that would be incompatible with freedom of speech.¹⁰⁰ This is not necessarily to say, of course, that a complete restriction on religious discourse in public institutions—the contexts that Rawls identifies—is wise: there may be a good case for saying that sometimes candidates for office should be allowed to employ religious rhetoric, or that debates in parliament might on occasion carefully use moral justifications from religious traditions. Even so, it is worth spelling out Rawls’s position to lessen the risk of talking at cross-purposes.

2.6. The justification for public reason

Having said that, Rawls still claims that in an *ideal* situation citizens in a liberal state will not baldly state their comprehensive doctrines while debating with one another, but will act “*as if they were legislators.*”¹⁰¹ While he is careful to stress that this should only ever be a

moral rather than a legal obligation, he nevertheless thinks reticence about one's religious convictions is generally for the best. (This is the claim I am going to be concentrating on in this chapter.) The reason for this is Rawls sees it as beneficial, maybe even vital, to conduct debates in terms that everyone can agree on, or that everyone can share.¹⁰² In this, Rawls comes very close to the position of Richard Rorty who, despite adhering to a philosophy very much at odds with Rawls's, was perhaps even more sceptical about religious discourse. Rorty memorably characterised religion as a "conversation stopper," responding to Carter's argument that religious debate in public life is healthy with the following:

Saying [that you oppose abortion based on God's will] is far more likely to end a conversation than to start an argument. The same goes for telling the group, "I would never have an abortion" or, "Reading pornography is about the only pleasure I get out of life these days." In these examples ... the ensuing silence masks the group's inclination to say, "So what? We weren't discussing your private life; we were discussing public policy. Don't bother us with matters that are not our concern."¹⁰³

The only appropriate response to such a claim, Rorty goes on to argue, is, "OK, but since I don't think there is such a thing as the will of God, and since I doubt that we'll get anywhere arguing theism *vs.* atheism, let's see if we have some shared premises on the basis of which to continue."¹⁰⁴ In *Political Liberalism* Rawls advocates a very similar position, emphasising the need for reciprocity, which means avoiding contested ideas on the grounds that others see things differently. Rawls's stance has been summarised clearly by Chaplin in the following list:

1. A liberal democracy is based on the principle of political equality;
2. Political equality means that citizens should adopt a duty of respect towards one another in political debate;
3. The duty of respect requires that citizens only offer reasons for the public policies they advocate that everyone equally can find intelligible and acceptable in principle;
4. Religious reasons can only be found intelligible and acceptable by some citizens, and indeed are repudiated by many;

5. Therefore, religious reasons should not be employed to justify public policies, and;
6. To employ religious reasons to justify a policy—to seek “justification by faith alone”—is disrespectful and inadmissible.¹⁰⁵

This means there are only limited circumstances when revealing or explaining one’s core beliefs is appropriate. Rawls supports two types of religious speech. The first is what he calls a “declaration,” where a person conveys details of his beliefs in order to demonstrate, without expecting everyone to agree with those beliefs, how they can support political liberalism. The second form of speech he applauds he describes as “conjecture,” by which he means an instance where a person explains his convictions to convey his intentions and motivations and to correct common misunderstandings and remedy any suspicions.¹⁰⁶ The importance of these forms of speech should not be underestimated: after all, today Muslims are constantly suspected of not supporting liberal democracy on account of assumptions about the nature and character of Islam and the legal traditions associated with it. If someone said that “Muslims shouldn’t be allowed to establish religious institutions in Britain because Islamic law fails to respect the basic political division between public life and private worship,” Rawls would see nothing wrong with someone retorting with: “In actual fact, most forms of Islamic law have stressed the need to respect people’s privacy, have a strong tradition of the public good [*maslaha*], and have maintained a separation between worship [*ibadat*] and civil relations [*mu’amalat*].”¹⁰⁷ Nevertheless, articulating a *disagreement* in a public debate by making reference to one’s religious convictions is frowned upon, and could possibly lead to one’s position being regarded as improper or inadmissible, or what Rawls prefers just to describe as “unreasonable.”

2.7. Secular reason and public reason

At this point one ought to ask an obvious and really important question: What does it actually *mean* to just argue using “public reasons”? Again, Rawls’s argument on this is frequently misunderstood—although to be honest, one can make a decent argument that any confusion is partly Rawls’s fault. To get to the heart of it, it is helpful to look at the similar position of another liberal philosopher, Robert Audi. On the face of it,

Rawls and Audi seem to make very similar arguments about legitimate justifications in public debate: both suggest that religious reasons may be offered at any time in a public debate *if* they are accompanied by a public reason (in Rawls's case) or a secular reason (in Audi's). But what Audi appears to mean by a secular reason, at least going by the definition given in some of his essays, is very different to what Rawls understands by a public reason. A secular reason, Audi says, is

roughly one whose normative force does not evidentially depend on the existence of God or on theological considerations, or on the pronouncements of a person or institution *qua* religious authority.¹⁰⁸

This definition, although ambiguous, seems to privilege some forms of justification over others. If one adopts this definition and then follows Audi's argument then it would be legitimate to refer in a public debate to a non-religious comprehensive doctrine but not to a religious comprehensive doctrine.¹⁰⁹ To put this more clearly, the argument, "We must all respect one another because we are God's creatures" would be seen as inadmissible while the argument, "We must respect one another because we are all autonomous agents capable of rational reflection" would not. Or, to give another example, in a debate in parliament I would be, if I were an MP, allowed to say that "Abortions should be legal because the soul doesn't exist," but not "Abortion is against God's law." Such religious justifications would only be allowed into a debate if they were "chaperoned" by a secular reason.¹¹⁰

Although his critics rarely acknowledge it,¹¹¹ Rawls thinks this is unfair. One cannot claim that believers have no right to base their views on their religious faith whereas atheists have every right to base theirs on Enlightenment philosophy. This creates a disparity, with the non-believer's conception of the good being given greater respect than the believer's. If one is going to be fair one must exclude judgements based *both* on the existence of God and those based on the non-existence of God. Elsewhere, Audi gives a longer definition that differs slightly:

I am taking a secular reason as roughly one whose normative force does not evidentially depend on the existence of God (or on denying it) or on

theological considerations, or on the pronouncements of a person or institution *qua* religious authority.¹¹²

This is much closer to what Rawls means by public reason. According to Rawls's norm of public reason one should not be encouraged to make the argument that "Abortion should not be allowed because there is no such thing as a human soul" any more than one should be to argue that "Abortion should be banned because a soul enters into a foetus at conception." To try and make the point completely clear, Rawls states that "one must distinguish public reason from what is sometimes referred to as secular reason or secular values."¹¹³ Citizens should be reticent not just about religious beliefs, but about *all* their ultimate convictions; people should attempt to avoid referring to what Rorty calls their "final vocabularies."¹¹⁴

By public reason, then, Rawls means reasons that refer only to "political values," to values that do not involve a claim upon any contested doctrines or truths. Just as political liberalism should, according to Rawls, be intelligible and acceptable to all reasonable comprehensive doctrines, so too should all political values be intelligible to every reasonable person. Both political liberalism and political values remain on the philosophical surface. Indeed, debating in the terms of public reason entails not even disputing the veracity of the comprehensive doctrines that one doubts. "Central to the idea of public reason," Rawls emphasises, "is that it neither criticises nor attacks any comprehensive doctrine, religious or non-religious, except insofar as it is incompatible with the essentials of public reason and a democratic polity."¹¹⁵ So just as atheists can legitimately complain about evangelists who argue that unbelief inevitably leads to immorality, so too can theists legitimately object to "New Atheists" who portray faith as a little more than a form of madness.

Now, one might think having a debate (which, after all, implies disagreement) is not likely to be very useful if everyone must be able to accept all the values that are going to be appealed to in the dispute. Rawls, however, disagrees, and goes to great lengths to try and demonstrate that significant debates—even those over religious issues—can be conducted making reference only to political values. He refers to a famous debate between Founding Fathers Patrick Henry (1736-1799) and James Madison (1751-1836) over the establishment of the Anglican Church in Virginia, where the men invoked not

the “risen Christ,” but instead debated whether or not knowledge of the Christian tradition transmitted through an established church was necessary in order for a peaceful society to be maintained. Debate, Rawls thus emphasises, can be conducted speaking only of good and bad, order and peace, without referring to the grander claims to truth that seem only to divide people.

2.8. The incoherence of free-standing justifications

There is an immensely important question that should be asked of Rawls’s argument regarding public reason at this point. Does Rawls believe that there is no necessary link between political values (that relate to political institutions and that everyone can understand and accept) and comprehensive doctrines (that are deeply contested), and if so is he correct? On this question, Rawls’s position is not always clear,¹¹⁶ and this is why it is rather easy to misread his argument. Yet at points he very clearly indicates that political values should be seen as completely independent of comprehensive doctrines, and need not rely on any kind of philosophical grounding.¹¹⁷ This is clearest when he contends that all political values should be *complete*. “Political values,” Rawls maintains (in an unusually expressive paragraph), “are not puppets manipulated from behind the scenes by comprehensive doctrines.”¹¹⁸ As we have already seen, a polity in a modern state should be “free-standing” according to Rawls, and should not be in any way connected to or founded upon any comprehensive worldview or claim to truth. This “completeness requirement” (as Bader terms it)¹¹⁹ seems to imply that Rawls thinks that justifications can also be “free-standing,” referring only to the “political conception alone.” One can see this in the second of Audi’s definitions too: it implies one *can* make an argument that does not depend upon fundamental beliefs, including belief in God. This is where I want to introduce a first major disagreement, because I do not believe this argument stands up to scrutiny.

At a superficial level, of course, arguments seem to be able to proceed without having need of comprehensive doctrines. Certainly, the majority of arguments I have had in my lifetime have not needed to make any explicit claims about ultimate reality, and only a few academic texts I have read do, with only a minority of those feeling the need to make a claim about God’s existence.¹²⁰ One can be a Hindu, a Christian or an atheist

and argue about, say, the welfare state and most of the time being a Hindu, a Christian or an atheist will seem irrelevant. This gives a surface plausibility to the claim that justifications can be free-standing.

Difficulties begin to emerge, however, when one looks beneath the surface. Let's take two arguments from Rawls as examples:

- Rawls argues that government should not have any interest in a particular form of family life, except insofar as that affects the “orderly reproduction of society over time.” This means he sees objections to same-sex marriage *per se* as reflecting comprehensive doctrines, and therefore improper. Due to family life being a personal affair, public reasons based on political values do not discuss such questions. He concedes, though, that one *could* argue that same-sex marriages are “destructive to the raising and educating of children.” (That is to say, the argument would be “political”; this does not mean Rawls agrees with it himself.)¹²¹
- In the example of the establishment of the Church in Virginia, Rawls cites Henry, the pro-Establishment party in the dispute, claiming that “Christian knowledge hath a natural tendency to correct the morals of men, restrain their vices, and preserve the peace of society, which cannot be effected without the competent provision of learned teachers.”¹²² These are all acceptable for they refer only, Rawls argues (with a caveat about “vices”), to “basic political values, namely, the good and peaceable conduct of citizens,” not the truth of Christianity.¹²³

We have, then, certain values that should be regarded as “political” and that therefore one may use in debates about public life. One can refer to “the orderly reproduction of society over time,” to things that are “destructive to the raising and educating of children,” or to “good conduct” that makes possible “peaceful relations.” These are all political values because their principles apply only to “political and social institutions (the basic structure of society).”¹²⁴ Yet this effort to neatly divide between political and non-political values fails. First of all, it tends to involve re-casting all arguments in instrumental terms. Rawls applauds Henry because he does not argue “for Christian

knowledge as a good in itself but rather as an effective way to achieve basic political values.”¹²⁵ Public reason seems to require citizens to distance themselves from whatever doctrine they support, so the Christian no longer cares about Christianity *per se*, but only what Christian knowledge *does* for society. This, surely, will be fairly taxing for a devoted Christian (or a devoted atheist) to do, and virtually invites disingenuous arguments—a point that is particularly worth noting given that Rawls also argues that *sincerity* is of great significance to public reason.¹²⁶ Arguing about whether or not same-sex couples can adopt only in terms of social reproduction narrows discussion of the moral worth of same-sex relationships too. It might stop overt attacks on the private acts of same-sex couples, but it also places barriers in front of them if they want to argue that their love should be recognised as a good.

The biggest problem with all the political values above, though, is that, as Bader has observed, they are all *under-determined*: they can be interpreted and applied in a variety of different ways.¹²⁷ To illustrate, take one further example: dividing on gender lines in school. Education is, of course, part of what Rawls calls the “basic structure of society.” It plays a fundamental role in the “orderly reproduction of society.” Yet one can advocate very different systems of education while employing exactly the same terms. For some, separating boys and girls in education might be seen as conducive to the orderly reproduction of society through time. It might be viewed as helping children to develop mature relationships at the proper time. For others, orderly reproduction might mean a school in which the genders mix freely. This might be viewed as avoiding unhealthy sexual repression and heteronormativity—that is to say, the inculcation of social norms that presume heterosexuality. The political value is just the same, but the interpretations are quite different. So if one wants to see how these conclusions are reached one needs to look deeper: the first conception of orderly reproduction seems to fit with a philosophy of life that locates the good in long-term adult relationships and restraining adolescent whims and desires. The second fits much better with, say, a philosophy that emphasises the significance of being liberated from social constraints and listening only to one’s “voice within.”

It is relatively easily to illustrate how these different positions might emanate from detailed philosophical conceptions. Traditionally in Islam, for example, the self is divided into components, the *lubb* and the *nafs*. The *lubb* is like a core or “seed” that

inclines toward what is ultimately meaningful in life, particularly the “signs of God” that point to the divine unity (*tawhid*) behind the manifoldness of phenomena. (The word *ayatollah* actually means “sign of God.”) The *nafs*, by contrast, is impulsive and follows its *hawa*, all those trivial desires that cannot be sated. The *nafs* inclines aimlessly to all amounts of money, food, sex, and power even though it is not really possible to have and to enjoy all these things. As a result, being directed by the *nafs* ultimately leads, it is said, to a deep sense of dissatisfaction.¹²⁸ In general, therefore, the Islamic tradition has tended to support a degree of restraint, which has been interpreted as involving the management of libidinal desire, especially in public life. This includes, in the view of some Muslims, single-sex education. Not all Muslims see it this way, of course, but it is certainly true that there have been concerted campaigns by Muslims in Britain over the last three decades on this matter.¹²⁹ Rawls’s argument appears to imply that these efforts should be regarded as “unreasonable.”

Contrast that with what Robert Bellah *et al.* call “expressive individualism.”¹³⁰ This worldview holds that every person has a unique core of feeling and intuition that should unfold or be expressed if individuality is to be realised. This core, although unique, is not necessarily alien to other persons or to nature. Under certain conditions the expressive individualist may find it possible to “merge” with other persons, with nature, or with the cosmos as a whole. The philosophy has its roots in Romanticism, and has been traced back to Rousseau.¹³¹ Today it is sometimes linked with the culture of psychotherapy, and more generally with an emphasis on revealing oneself through truthful expression. In some variations—such as in the poetry of Walt Whitman, for example—it has involved the celebration of bodily life, including celebration of human sexuality.¹³² For that reason the tradition has tended to be wary of techniques for the disciplining of sexual feeling. It celebrates—even sacralises—the self where the Islamic tradition stresses overcoming of the self. Sociological studies have demonstrated the tradition’s continued influence, both within the US¹³³ and UK,¹³⁴ rising in the twentieth century at the same time as sexual permissiveness has grown. This has coincided also with a slow decline in emphasis on single sex education. Clearly, it would be wrong to say these are the only two moral traditions that are “in the mix” when it comes to debating education in the UK; after all, gender-segregated education existed in the UK a long time before mass migration by Muslims (see Chapter 4). Nevertheless, one can see

how these different worldviews relate to this debate, and how it is surely difficult to just de-link them from public deliberations.

Needless to say, these underpinnings seem to indicate that Rawls's "completeness requirement" has significant problems. Indeed, they reveal a difficulty in his conception of public reason, which hinges on the ability of people to debate just using independent political values. Most importantly of all, this unavoidable reliance upon philosophical conceptions seems to hint at a general tension in his political liberalism as a whole. On the one hand, Rawls says today an overlapping consensus is needed, and to find that we need to ensure that many moral conceptions can support the state on their own terms. Yet on the other, Rawls constantly strives to disconnect these conceptions from debates about public matters by encouraging citizens to debate only in political values that, he insists, have to be self-sufficient.¹³⁵ "What we cannot do in public reason," Rawls says, "is to proceed directly from our comprehensive doctrine, or a part thereof, to one or several political principles and values...."¹³⁶ Charles Taylor has noted the basic problem with this argument. Taylor is speaking in this passage of the book *A Theory of Justice*, but the point fits *Political Liberalism* too:

[Rawls agrees] we recognise ... acceptable principles of justice because they fit with our intuitions. If we were to articulate what underlies these intuitions we would start spelling out a very "thick" theory of the good. To say we don't "need" this to develop our theory of justice turns out to be highly misleading... [W]e have to draw on the sense of the good that we have here in order to decide what are adequate principles of justice. The theory of justice which starts from a thin theory of the good turns out to be a theory which keeps its most basic insights inarticulate.¹³⁷

By saying all this I do not mean to imply that an overlapping consensus is not possible. It is perfectly possible for incompatible philosophical traditions to find agreement on the way that certain things ought to be done. Sometimes people portray the West just as individualistic and Islam as narrowly focused self-restraint, but even in the Islamic and expressive individualist traditions there are points of overlap. Rousseau's philosophy supported the underclass, for example, as expressed in his famous claim that "Man was born free, yet he is everywhere in chains." The Islamic tradition, too, emphasises the

need to support the oppressed (the *mustad'afin*). Perhaps in the above-mentioned debate about the welfare state those thinking in terms of these two traditions will overlap? The main point, though, is that if they do, they will still be reliant on an underlying philosophical conception.¹³⁸ For as Taylor observes: “Ontological accounts have the status of articulations of our moral instincts.”¹³⁹

2.9. The cultural specificity of public reason

So Rawls seems to be quite wrong about the question asked at the start of the last section, and in his view that political values are not “puppets manipulated from behind the scenes.” The only thing one might say is that in many debates the puppet strings may remain invisible. The question that obviously follows from this is: If he is wrong on this point, what are the implications for the introduction of comprehensive doctrines into public debates? Does public reason have to be jettisoned, or should some elements of it be retained? These are questions I want to consider later on in the chapter. However, before doing this it is helpful to consider political values in a bit more detail. By looking at where Rawls, in my view at least, goes wrong, one can get a better understanding of how to proceed.

I said above that political values can be interpreted differently depending upon one’s philosophical stance. One way of understanding a political value, then, is to say it is a value lacking in *determining content*. A political value is in need of something to “fill it up” and give it clearer meaning. If I were to claim something is “destructive to the raising and educating of children,” for example, I must be assuming certain things about “destructiveness” unless I spell these out. The pertinent question to ask, then, is does Rawls make specific assumptions? Rawls’s critics argue, correctly in my view, that he makes two in particular: first, he assumes a certain cultural context, particularly the American political culture; second, he relies upon a Kantian conception of the subject, yet is reticent about these philosophical roots.¹⁴⁰

In relation to the first of these, it is worth pointing out that political values can have a much clearer meaning in certain contexts. Imagine, for example, that an MP in the House of Commons makes the case that “The Serious Fraud Office’s suspension of its

investigation into alleged Saudi bribes to British Aerospace was wrong because it breached the principle of the rule of law, and the British government must abide by that principle.”¹⁴¹ In this case it is highly unlikely that this would be followed by any further justification or explanation because all MPs in the House of Commons operate within the context of a particular political tradition that is familiar to everyone and that has accepted normative authority. There is no ambiguity because all MPs know what it is that the “rule of law” enjoins. Similarly, when Henry and Madison debated the Anglican Church’s role in Virginia, I think it is fair to presume that both had an idea of what “good conduct” referred to in that tradition.

There are points in *Political Liberalism* where Rawls’s arguments clearly rest upon an assumed political context. At one point, for example, he argues that a feature of political values is “they can be worked out from fundamental ideas seen as implicit in the public political culture of a constitutional regime.”¹⁴² That is to say, political values are to be supplied by the political culture *as it currently exists*. Now, imagine Rawls was making this point not in the United States but instead the Aztec culture described by Georges Bataille in *The Accursed Share*.¹⁴³ There was in that context not a principle of equal citizenship but of hierarchical division, with slaves having their still-beating hearts torn out in elaborate human sacrifices. I think it is probably right to say Rawls would not support drawing from *that* political culture, only, as he says, political cultures in which every citizen treated as free and equal. This, though, leaves a problem, which William Connolly has spelled out in detail:

Reasonableness finds its grounds in itself if and when it is already widely shared in a cultural tradition. But what does a Rawlsian moralist appeal to when such a tradition is deeply conflictual, or weak, or active in some domains and absent in others? What do Rawlsians appeal to, that is, when the appeal is most needed? Rawls has nothing compelling to say in such cases. This is because, in a way reminiscent of John Caputo, Richard Rorty and Jürgen Habermas, he rules “comprehensive doctrines” out of public discourse in order to protect the impartiality of justice.¹⁴⁴

Connolly perhaps overstates slightly the cultural embeddedness of Rawls’s position in this passage, particularly as he focuses upon Rawls’s notion of the “reasonable,” which

is carefully specified in Rawls's work. (I give more details about this anon.) Even so, he touches on an important point. The main point of Rawls's shift between *A Theory of Justice* and *Political Liberalism* was to correct his stance in response to increasing levels of moral and cultural pluralism, and to make his liberalism fit with different traditions. Yet this apparent reliance upon a pre-existing political context, and his insistence that citizens should not relate the traditions in terms of which they understand the good to that context, works to undermine his efforts. Imagine, for example, that a new moral tradition emerges in a political society (as Islam has in the UK in recent decades, as it happens). Rawls implies that people who follow this new moral tradition should just leave it to one side, instead working out the values in terms of which they are going to debate political issues from their host political culture. This seems a very odd demand, akin even to a form of assimilationism: a Muslim who has migrated to the UK should leave his or her beliefs to one side and instead work out independent political values from the ideas implicit in British political culture. There is no space for translation, or for dissent on the basis of one's beliefs, or any dialogue. This seems to me like a recipe for serious fractures within a political community.

2.10. Moral standoffs

Then there is the second assumption, what Bhikhu Parekh describes as the "rationalist bias" in Rawls's work.¹⁴⁵ One of the clearest explanations of this can be found in the work of Chantal Mouffe, who raises criticisms I have touched on, but who gets to the heart of the philosophical tension in Rawls's work:

One of the central claims of the "political liberalism" advocated by Rawls is that it is ... political not metaphysical and ... is independent of comprehensive views. A clear-cut separation is established between the realm of the *private* where a plurality of different and irreconcilable comprehensive views coexists, and the realm of the *public* where an overlapping consensus can be established over a shared conception of justice.... [However] Rawls cannot succeed in his strategy of avoiding philosophically disputed issues, because it is impossible to develop his theory in the free-standing way that he announces. Indeed, his notion of the "reasonable" as well as his conception of the "person"

necessarily involve him with questions concerning concepts of rationality and truth that he pretends to bypass.¹⁴⁶

To avoid the accusation of moral or cultural relativism, Rawls needs to find a way of securing his political liberalism. He needs to exclude some comprehensive doctrines, as he does not want to offer his support to an overlapping consensus of conspiracy theorists or white supremacists. He does this by insisting that individuals accept that everyone should be treated by the state as a free and equal citizen; any person that does not accept this can be considered “unreasonable.” This, though, implies the need for some kind of philosophical basis, which Rawls finds by drawing on Kant and arguing that everyone possesses two moral powers, namely, a sense of justice and the capacity to form, revise and pursue a conception of the good.¹⁴⁷ At this point, of course, his liberalism ceases to be “free-standing.” As Parekh has noted, irrespective of whether or not one finds his Kantian philosophy compelling, “Rawls implicitly concedes that democratic political culture is *not* self-validating.”¹⁴⁸ Rawls tries to develop a liberalism that remains philosophically neutral, but in the end he bases it on philosophical foundations that remain to an extent hidden.

It is not possible here to go into a lengthy discussion of the merits of Rawls’s Kantian philosophy. However, one thing that can be said about his reticence is that it leads him to make some rather unconvincing arguments about some very significant political debates, in particular over racism and abortion. At one point in *Political Liberalism* Rawls discusses the abolition movement in the antebellum South, where the abolitionists had overcome the argument that black people should not be considered fully human as they do not possess full rational autonomy. They did this by invoking the law of God, but Rawls regards this as not a problem because, he says, they “could have seen their actions as the best way to bring about a well-ordered and just society in which the ideal of public reason could be honoured.”¹⁴⁹ By contrast, when he speaks about the legality of abortion, where the debate turns on the ethical status of the unborn foetus, he says “any comprehensive doctrine that leads to a balance of political values excluding [the] duly qualified right in the first trimester is to that extent unreasonable.”¹⁵⁰ What Rawls does in the first case is use the existing political culture in the US, which fits his Kantian ethics, as an arbiter, retroactively pardoning breaches of public reason that occurred around 1700. This raises the question: Could not anti-abortionists see themselves and

their actions today as working toward a “well-ordered and just society” in which equality is extended also to unborn persons?

To be fair, Rawls is unfailingly cautious on these difficult points. On abortion, he is careful to stress the really important thing is acceptance of the law as legitimate.¹⁵¹ The second quote is also taken from a specific context, where Rawls is trying to make a technical point. Public reason, Rawls contends, is a method of argument based on a balance of political values rather than a contest of comprehensive doctrines. He then illustrates this point by saying that in the case of abortion there are three political values to factor in: respect for human life; ordered reproduction of society, including the family in some form; and respect for women as equal citizens. The remark then follows as an aside in the footnotes.¹⁵² Yet even given this there is a problem because Rawls does not explain why, after balancing the three political values, the woman’s right to an abortion prevails. One suspects that it is because he follows Kant in stressing the normative force of autonomy and choice. None of this can be made explicit, though, because his philosophy remains masked. As a result of this confusion, it is hard not to have at least an element of sympathy for Chaplin when he says the following about the approach of Rawls and other liberals:

We might ask ... why liberal secularists uniformly affirm Desmond Tutu as a hero of liberal democracy (and they do) but uniformly denounce Catholic Cardinals who appeal to *the very same* biblical doctrine in opposing what they see as another form of legalised violence: abortion.... As far as I can see, liberal secularists do not have any remotely convincing answer to that question—other than that they happen to support racial equality but oppose restrictions on a “woman’s right to choose.”¹⁵³

I should perhaps acknowledge here that ultimately I hold the same views as Rawls on the question of abortion. What worries me, though, is public reason closes down rich discussion of the philosophies underlying different positions on abortion, which seems relevant particularly in this case. Rawls argues that arguments both for and against abortion can be put forward using only political values. He concedes that this might lead to a standoff (which I suspect it would) but then suggests that if this happens the matter should just be put to the vote. This is certainly one way of resolving a dispute.

Yet for someone who is a champion of deliberation as a means of enacting political participation and solving problems, it is a rather pessimistic view to take. Rawls claims, in relation to debates in the US over abortion, that citizens “learn and profit from debate and argument, and when they follow public reason they instruct society’s political culture and deepen their understanding of one another even when agreement cannot be reached.”¹⁵⁴ Chaplin’s frustration, mirrored by many less philosophically literate critics, seems to cast doubt on this. Chaplin’s issue seems to be that liberalism appears to know all the answers in advance, its rules being unfair. It calls to mind the late football manager Brian Clough’s famous comment about the appropriate way to manage players: “If I had an argument with a player we would sit down for twenty minutes, talk about it, and then decide I was right.”

This raises the question: Can arguing using the full range of comprehensive views ever improve debates? It would certainly be foolhardy to claim that religious discourse never inhibits productive conversation. At the same time, though, some religious arguments are more sophisticated than others, and some, in my view, contain important insights. For example, Nicholas Wolterstorff recently published an intriguing critique of rights grounded in capacities such as the Rawlsian capacity “to form, revise and pursue a conception of the good.”¹⁵⁵ The problem, he points out, is that some humans inevitably lack whatever capacity one chooses. Although Wolterstorff does not discuss the example of abortion, it can be used to illustrate his point. A capacities-based rights theorist might take the view that foetuses do not possess full human rights because they do not possess the capacity to reflect on the good. This, though, does not work because neither do babies or the severely mentally impaired, and to argue that such persons do not have the right to life would be abhorrent. Even grounding rights (for any of these three persons) in the capacity for suffering has limitations. Animals suffer, and so that presents serious problems to any non-vegetarian. The only way to secure rights for infants or the handicapped is to find a way of developing a conception of the human that is imbued with powerful normative force. Wolterstorff argues that if God loves each and every human being equally and permanently then rights are grounded in that love, and so concludes that grounding is available to Christians (such as him) and other theists. Obviously, this is not available to non-believers. Even so, the challenge still remains. Wolterstorff’s argument implies that it may be far harder than conventionally thought to articulate the *source* of the ethical demand, and that words such as “spirit”

and even “soul” might not be entirely irrelevant to the modern moral vocabulary. I shall make no further comment on what this means for laws relating to abortion, but I do not mind admitting that, though I do agree with Rawls, Wolterstorff’s argument is one of the main reasons why I believe that it is unfair to describe opponents to abortion as simply unreasonable and not worth debating with. I have personally learnt a great deal from his—and not just his—religious convictions. The question this raises is what this might mean for public, political deliberations.

2.11. Re-casting public reason

What needs to be jettisoned from Rawls’s model of political deliberation is the idea that it is desirable, or even possible, to have a realm of “political values” that are independent of any philosophical grounding. The notion that political reasons are in some way “free-standing” or independent of philosophical conceptions turns out not just to be incoherent, but also to risk isolation and possible division between different philosophical traditions. On account of this, Rawlsian political liberalism seems to be placed in serious jeopardy. Yet before simply rejecting it, it is worth recalling that Rawls is dealing with some complex problems. The idea of a free-standing polity may not be, as Mouffe maintains, entirely coherent, but even Chaplin recognises that states ought to refrain from presenting comprehensive doctrines as grounds for the decisions they take. One might be a little sceptical about public reason on account of these problems, but it is still the case that philosophical differences can be divisive, and that there would be something seriously wrong with a president or prime minister publicly saying that Islam, Christianity or atheism are irrational. Moral decisions may always need some kind of basis, but in a plural polity there may be a variety of overlapping justifications that all shape a particular choice by legislators. So the question one needs to deal with is: If public reasoning, as Rawls conceives of it, does not work, are there nevertheless some conventions for debate that should be retained?

There is, I believe, a way of interpreting Rawlsian public reason that, although it cuts against some elements of Rawls’s argument, is more defensible. This comes close to Appiah’s interpretation of the norm of public reason, which he regards basically as “debating tips: as rhetorical advice about how best, within a plural polity, to win

adherents and influence policies.”¹⁵⁶ Such an interpretation could hardly be objected to by religionists (save a few eccentric sects). To get an idea of what this interpretation might mean, it helps to offer a few more examples of “conversation stopping” claims, some of which I repeat from Rorty’s quote:

1. It is God’s will that women should wear a veil in public
2. I would never have an abortion
3. Reading pornography is about the only pleasure I get out of life these days
4. Abortion destroys a human soul, and is hence the taking of a life
5. There should not be any welfare state because humans are essentially animals, and nature is red in tooth and claw

Rorty’s response to these statements, that they are just matters of “personal concern,” seems to me to be wrong. Even the statement about reading pornography, which would in all probability cause most interlocutors to swiftly end the conversation, still relates to some moral, social and political questions. For example, is a life in which reading pornography is one’s only pleasure really a fulfilling life? What kind of society is it that leads to that being the only pleasure one gets in life? Should explicit pornography be accessible, and if so how easily? Like Rawls, Rorty seems in this case to assume a neat split between private views and public arguments.

Rorty’s objection, then, is misdirected. The problem does not seem to be that these quotes are *not relevant*, but that they are *poorly expressed*. Specifically, they are expressed in such a way that they do not appear to have any connection to matters of public concern, or at least not any immediate connection. Nor is the problem that the quotes offer *religious* arguments, but simply *abrupt* arguments; they do not offer any background detail, and do not reach out to any other individuals. What they lack is any kind of additional contextualisation or reasoning. Recall the proviso¹⁵⁷ mentioned earlier that Rawls and Audi both support: they argue religious justifications can be offered *if* they are accompanied by public or secular reasons. Now, if “public reasons” are conceived of as comprehensive doctrines of a non-religious character then this makes little sense: the religious person will state his or her beliefs then, it seems, quickly have to offer the same argument justified by, say, a reading of Rousseau, even if he or she considers Rousseau to be very wrong. It does not make much more sense if one regards, as Rawls

seems to do, public reasons as independent of comprehensive doctrines: the religious reason is then little more than additional detail. However, one could think of Rawls's proviso as a tool that helps develop private concerns into matters of public interest, or that makes a philosophical position intelligible to people who have no knowledge of it. Public reason should, then, imply *translation*.

To illustrate the point, it might help to re-state the first of the claims above in a more "public" and more accessible way:

1. In order for there to be respect for persons there have to be some spaces in society in which sexual inclinations should not be acted upon, where, to borrow Freud's terms, the "reality principle" takes precedence over the "pleasure principle." If public spaces are sexualised there is a very real risk that people, women particularly, will find themselves in a situation where their success and their worth as human beings will be determined by their physical appearance and the extent to which they follow the whims of fashion. For Muslims, a certain standard of modest dress is prescribed, both for men and women, to avoid these problems and also because it is recognised that the most meaningful experiences in life are found within intimate relationships and by saving oneself for a person with whom one is in a long-term intimate relationship. Of course, this usually includes a veil of some form for women. In Islam, since meaning and fulfilment are all gifts of God's mercy (*rahma*), to respect and foster those forms of meaning is to respect and follow God's will.¹⁵⁸

Of course, there are objections that might be raised against this argument. For example, it might be objected that, while there may have to be public spaces in which sexual desires should not be acted upon, it should not be necessary to prescribe modest dress for this to happen; it should just be a matter of people not acting on their impulses (although it may be worth mentioning also that this kind of argument has a place in the Islamic tradition, and indeed the Qur'an).¹⁵⁹ It might also be objected that this argument is silent about traditional gender roles. Or there might be a deeper suspicion of the idea that the suppression of sexual impulses is for the good. Still, it is hard to suggest that the argument is illegitimate or has no value in a debate. Indeed, it might be used

constructively to argue against the prohibition of veils in public places such as schools, which has been a major issue in France.¹⁶⁰

Such an interpretation of public reason leads to a more helpful way of looking at the connection that Rawls makes between the notion of the “public” and specific political and cultural traditions too. As we have seen, Rawls associates political values with already existing political cultures, and at times implies that political values are justifications whose meanings are found within such cultures. This, for reasons already explored, leads to confusion if one views political values as complete or independent. However, if one does not then one is invited to think about the ideal of public reason as a way of attempting to translate the moral tradition that one is drawing from into the terms of the political culture in which one lives. In the Islamic context, one sees this effort clearly in the work of Tariq Ramadan, with his attempts to understand Islamic principles within a broad framework of citizenship.¹⁶¹ One can find clearer examples in the essays of Abdal-Hakim Murad, a British convert to Islam whose work will appear in some of the later chapters of this thesis:

God’s law, for the mainstream *fuqaha*, is an ideal for whose realisation we cherish a firm and ultimate hope. But it also includes the duty to act, out of *maslaha*, within the framework of laws drafted by majoritarian non-Muslim legislatures.... The fundamental objects, *maqasid*, of the *Shari’a* are the right to life, mind, religion, lineage, and honour; and these are respected in the legal codes of the contemporary West.¹⁶²

Another reason why it is helpful to think of public reasoning as similar to translating into a language that is used as standard in a given political context is it helps to clear some of the confusion about the rather unclear line between religious and secular reasons. The English language is, after all, replete with terms that have religious undertones but that are in everyday usage: one could cite “soul,” “spirit,” “holy,” “sacred,” “sanctity” and even the word “secular” itself. One can’t help but notice that the term “comprehensive doctrine” has Christian links. Many common aphorisms and moral teachings come from the Bible, such as “Love thy neighbour” or “Let him who has no sin cast the first stone.” To cut out these terms would be to cut out a significant portion of moral discourse—a portion that is employed by non-religious people as

much as by Christians. This is part of the reason why separating “public” from “secular” terms is, as Rawls rightly says, necessary.

2.12. Reasonableness reconsidered

One of the potential problems with being more open about the connections between political values and comprehensive doctrines is that it seems to open a door to attacks upon non-religious and religious philosophies. As Rawls says in defence of his model, “without citizens’ allegiance to public reason and their honouring the duty of civility divisions and hostilities between doctrines are bound in time to assert themselves, should they not already exist.”¹⁶³ In the same way that the non-establishment clause limits religions in order to maintain individual religious liberty, so too does the norm of public reason restrict religious talk so religions are not subject to hostile attacks upon their internal coherence and truthfulness.

It is tempting to respond to this by saying that, if this is what public reason is supposed to do, it doesn’t seem to be doing a very good job right now, at least not out in the “background culture” where over the last five years *The God Delusion* has managed to sell a couple of million copies by arguing that any belief in God is comparable to a mental illness.¹⁶⁴ Not only is it common currently to encounter the claim that bringing children up in a religious tradition is tantamount to child abuse, one also often hears it said that, in the words of polemicist Sam Harris, religious belief “allows otherwise normal human beings to reap the fruits of madness and consider them *holy*.”¹⁶⁵ There may be something to be said in this about the ability of liberalism to respond to the rough-and-tumble of everyday debate. Still, I shall leave that to one side, and consider a different approach. One way of responding to Rawls’s concern here is by reconsidering the way he separates “reasonable” (or politically legitimate) from “unreasonable” (or illegitimate) comprehensive doctrines.

It is very rare to encounter favourable references to reason in current scholarship in the humanities and social sciences. This is not, as some books have argued, simply because of a decline in standards.¹⁶⁶ Rather, recent scholarship has tended to concentrate upon how certain conceptions of “reason” served as justifications for colonialism and slavery.

Some authors have also examined how rationalists, Rawls included, have neglected the significance of emotional life.¹⁶⁷ Nevertheless, there are some explicit criticisms of Rawls's understanding of the "reasonable" that have been unfair. Paul F. Campos, for example, has said this of Rawls's position:

Rawls's analysis of political issues amounts to little more than the shamanistic incantation of the word "reasonable."... Rawls simply declares that some position is "reasonable" and then condemns the opposing view for being not merely wrong, but contrary to the dictates of reason. The term "reasonable" thus serves the same performative function in Rawls's theory as that served by the term "God" in dogmatic religious argument.

Hence, for Campos, Rawls is a "secular fundamentalist."¹⁶⁸ This criticism does have a basis of sorts. There are certainly some moments in *Political Liberalism* where the word "reasonable" is used to curtly delegitimise an argument about a complex issue, such as abortion (which Campos focuses upon). Yet it is worth paying attention to what Rawls means exactly by "reasonable." As Stephen de Wijze has observed, for Rawls, "reasonableness" and "rationality" are different:

Rational conduct has two important aspects to it: the issue of choosing certain ends given certain preferences and the question of how such ends are to be achieved. The focus here is on the link between preferences and choices and then how to connect those choices to the appropriate action. In a political context, rational persons have a conception of the good and a plan on how to achieve it. What "the rational" lacks, however, is [in Rawls's words] a "particular form of moral sensibility that underlies the desire to engage in fair cooperation as such, and to do so on terms that others as equals might reasonably be expected to endorse."¹⁶⁹

There are many aspects of "reasonableness" that Rawls specifies, not all of which can be detailed here. It includes the Kantian conception of the subject with two "moral powers," so Mouffe's criticisms earlier about Rawls not being able to avoid basic philosophical issues are still very relevant. Yet its most significant aspects refer not to

knowing, but to accepting one *lacks* knowledge. One can distil Rawls's conception of the reasonable into three key points:

1. Reasonableness involves willingness to come to considered conclusions on the basis of reasons and evidence.
2. Reasonableness involves a degree of reciprocity, recognising that others come from different perspectives. Specifically, it involves awareness of the fact that others may reach different conclusions because: evidence is not complete and complex; concepts are vague and subject to hard cases; the way a particular person assesses evidence is influenced by the entirety of his or her personal experience.
3. Reasonableness requires that we enter the world of others as political equals and be prepared to propose and accept fair terms of cooperation with them provided they reciprocate in kind.¹⁷⁰

Rawls refers to the second of these under the heading the “burdens of judgement.”¹⁷¹ One is “reasonable” if one recognises that others might come to different conclusions based upon their experience of life, and one can call someone “unreasonable” if they do not respond in kind. In this way these “burdens” encourage the view that others are equals in a public debate. Whereas “reason” is often linked with rightness, the idea of the reasonable is based on the possibility that one might be wrong. There are significant implications in this for Rawls's advocacy of public reason. Rawls wants to protect people's beliefs from fundamental attacks. However, if one accepts this aspect of his conception of the reasonable as a moral imperative—in the same way that Rawls says using public reasons in civil society should be a moral imperative—then one already has a bulwark against such attacks. If one dispenses with Rawls's approach to public reason one might open up space for at least some criticism of religious faith. If, though, one accepts this aspect of the “reasonableness requirement”—and in my view it is the most sensible aspect—then these criticisms cannot go too far. For example, it may now be acceptable to point to the difficulty some people may have fully accepting a particular religious tradition given that its core claims seem to cut against the everyday experience of life (which contains few miracles). What would not be correct, though, is contending that anyone who believes in God is deluded—just as it would not be right to suggest that unbelief is a serious moral failing. There appears, then, to be a way of debating

publicly that allows for the careful introduction of comprehensive doctrines but that also retains a way of discouraging hostile attacks. This leaves just one more objection to religious reasoning that needs to be addressed.

2.13. Religious reasons and religious communities

A significant portion of the debate about religion's place in society relates to an issue that so far I have not paid much attention to. Anxiety about religious belief is often not concerned so much with arguments and justifications, but rather with forms of *organisation*. The focus falls not just on political parties—such as the Christian People's Alliance—that have some sort of confessional allegiance and that therefore appear to pose a threat to the neutrality of the state; it also falls on organisations that function in the “background culture” as deliverers of the sort of services that are, or ought to be, publicly provided. Gila Stopler has objected to the provision of health services in the US by the Catholic Church, for example, because they have been known to refuse emergency contraception and limit access to abortion.¹⁷² Similarly, in the UK there have been tense conflicts over whether Catholic adoption agencies should be permitted to discriminate against same-sex couples. Another—particularly pertinent—example is the emergence in the UK of a number of unofficial legal councils offering to resolve marital disputes via Muslim personal law.¹⁷³ The issue in these cases is different: it is not whether or not traditional Catholic views regarding the ensoulment of the foetus or certain Islamic views concerning marriage should be allowed to participate in debates about what ought to be illegal; the problem is religious organisations operating “by their own rules,” potentially undermining the state. This is part of the reason why the efforts of religious organisation to do “good things” such as ameliorate poor social conditions through the establishment of clinics or schools in underserved areas (what Asad mentioned at the beginning of this chapter) can cause disquiet: because faith groups can impose their moral stances at the same time.

This is, of course, a complicated subject, and one that it is not possible to cover all aspects of in a thesis, let alone a chapter.¹⁷⁴ All I want to consider in this section is how these concerns regarding autonomous (or semi-autonomous) religious groups relate to the question I have been focusing upon here of whether it is sensible to support open

articulation of religious belief in public forums. Specifically, it is necessary to consider the suggestion that restrictions to religious discourse can be justified on the grounds that religions, unlike secular philosophies, are *communal* forms. In 2009, for example, Habermas and Taylor took part in a public conversation in New York about the role of religion in public life. For a number of years now Taylor has advocated a more open model of secularism, and part of the burden of his argument during this discussion was that religion should not be considered a “special case,” either with regard to political discourse or with regard to reason and argumentation in general. Instead, he suggested, religions should be regarded simply as examples of the more general contemporary challenge of diversity, including diversity in comprehensive conceptions of the good. By contrast, Habermas, although he concurred that religious arguments should not simply be deemed “less rational” than secular arguments, suggested that the majority of secular traditions can be “very clearly distinguished from any kind of religious tradition by the fact that [they do not] require membership.”¹⁷⁵ The basic gist of Habermas’s argument, to use the terms preferred by Chaplin, was that whereas secular orientations are “open” religious orientations are almost always “tribal.”¹⁷⁶

This is undoubtedly a challenging criticism because, obviously, religious life does usually have a communal dimension, and community is often emphasised in the theological discourses of religious traditions. (Think, for instance, of the idea of the *Umma*.) Indeed, one can argue with some justification that religions are becoming increasingly tribal in the modern world. It is not always taken on board by polemicists writing about the subject of faith, who tend to depict religions as homogenous and unchanging, but the major religious traditions do not have the same character as they did in the medieval period. A vast sociological literature has been published demonstrating this point,¹⁷⁷ and it has been summed up well by Parekh:

The traditionalist’s fear or the rationalist’s hope that modernity will see off religion as a legitimate form of thought has paradoxically both come true and been proved false. It has come true because religion is no longer what it was in pre-modern times. It is self-conscious, argumentative, seeks rational justification, and is not a matter of basic ontological trust, an unargued faith, or a taken-for-granted fact of life. The hope or fear has been proved false because religion matters a great deal to large numbers of people, in some

respects even more than it did in pre-modern times, and continues to survive as a culture or a civilisation shaping the thoughts of even those claiming to be free of it.¹⁷⁸

Peter Berger, one of the most philosophically sophisticated sociologists of religion, has persuasively argued that this shift can be deeply *unsettling*. Where once people lived snugly under a “sacred canopy” where the ultimate purpose of life was well-established and woven into cultural structures, now people are constantly faced with alternatives, with literally hundreds of different beliefs. As a consequence, once-stable belief systems appear increasingly precarious. For some religious traditions, the immediate response is to go on the defensive, with religious believers trying to “entrench themselves behind whatever socio-religious structures they can maintain or construct.” The religious group retreats into a “sub-world,” a closed space in which the members of the community can huddle together like penguins in a blizzard.¹⁷⁹ Berger’s main focus is on Christianity, but the same trend has been observed by a number of scholars. Olivier Roy, a sociologist of Islam, refers to it as the process of “communitarisation.”¹⁸⁰ The American legal theorist Ayelet Shachar, who focuses mainly on Judaism, has described a similar tendency using the phrase “reactive culturalism.” Shachar is very careful to point out that within such inward-looking religious organisations fundamental rights are not always fully respected; restrictive impositions, particularly upon women, can be seen as a necessary price for the survival of some kind of meaningful social system.¹⁸¹ As we shall see in Chapter 6, this has a lot of relevance for Islam in the UK.

Rawls does not directly engage with this literature in any of his main texts as far as I am aware. Yet *Political Liberalism* can perhaps be regarded as a response to the challenges it highlights. Rawls’s basic question is: How can different religious and non-religious perspectives coexist within the same society, each one giving their support to the same political system and institutional structure? What kind of conception of justice will help foster a genuine overlapping consensus, preventing both intractable conflicts between philosophical traditions and disconnectedness and mutual isolation existing between religious and secular groups? To put this another way: What political norms might help countervail this move toward tribalism? Now, what Rawls appears to believe, and what Habermas says more explicitly above, is that open articulation of religious conceptions encourages conflict, inwardness and tribalism; public reason, by contrast, encourages

the coming-together of different individuals. Already though (see section 2.9), we have seen that this suggestion is flawed: public reason advises religious and secular people against relating their core beliefs to their political context, insisting instead upon the use of independent, “purely political” values. Religious believers are not encouraged to step out into the wider world but rather retreat into an enclosed, private sphere—a gesture which seems to imply more insularity and tribalism among religious groups rather than less. Might not, then, a more open model of public deliberation offer a better approach? Could an open model that is accepting of both religious and secular justifications (but in which people are encouraged to articulate them cautiously) actually work against the tendency toward insularity and tribalism? Put otherwise, does Habermas above identify a valid problem, but the incorrect solution?

Habermas certainly does make an inaccurate remark in the above quote. The distinction between religious and non-religious traditions is not as clear as he makes out, for a whole number of reasons. Firstly, there are obviously secular organisations such as the British Humanist Association and the National Secular Society that also have members and loose affiliates. It is also worth mentioning, secondly, that while some religious groups see their members as elect and outsiders as damned, it is unfair to use this to restrict all religious traditions, most of which do not. (Roman Catholicism no longer does, which is partly why Rawls considers it to be “reasonable.”)¹⁸² Thirdly, the idea of “belonging to” or being a “member of” a religion is highly complex. Many people in the UK and elsewhere in Europe remain loosely attached to the churches—and to Christianity more broadly—despite not having faith in traditional doctrines like the existence of a soul, an afterlife, and even God.¹⁸³ Even the most aggressive secularists in Britain still admit to having been shaped culturally by the Christian tradition,¹⁸⁴ which is perhaps a reflection of the fact that Christian conceptions have influenced the philosophies that today tend to be regarded as the “successors” to Christianity.¹⁸⁵ Fourthly and finally, the humanist and anti-humanist philosophical traditions that have flourished in the West over the last five-hundred or so years are also, precisely, traditions: Rawls draws from the Kantian tradition, others from expressive individualism. Secular people too can therefore be seen as members of communities of sorts. Secular justifications are not just “open” in contradistinction to religious justifications that are “closed” because, as Chaplin has put it, they are based on “secular confessions.”¹⁸⁶

To say this is not to claim that there is not a tension between religions as communal forms and religious arguments made by individual people, or that collectively operating religious groups never pose serious problems. But it is misleading to suggest an absolute distinction between religious justifications that are related to membership and secular justifications that are not. Religious traditions are caricatured if one portrays them as restricted to specific churches and organisations, particularly non-Christian traditions, many of which do not have the same structures of authority or “churches” *per se* (see Chapter 5). It is unfair, too, to characterise religious traditions as things into which the young are socialised and secular traditions as emerging autochthonously from a natural state or some kind of original position. In trying to articulate what is meaningful, good or just both religious and secular people inevitably employ terms and concepts that they did not invent, and thereby become members of linguistic and moral communities of some form or another.¹⁸⁷ If we take both these two points at the same time then one is forced to at least modify Habermas’s argument. No longer is it possible to argue that leaving people’s “final vocabularies” to one side will result in a level playing field or politically neutral space in which to resolve differences. Rather, the aim must be to try and get all kinds of religious and secular traditions to speak to and engage with the same political and social system on their own terms, and use this as a way of working against the worrying tendency toward mutual isolation.

There are of course some people—though not Habermas, Rawls or Rorty—who take a harder line, believing that religious belief is not fully rational, and that as a consequence it should be viewed as a threat and kept to the margins of society. As I hope is obvious by now, this is not an argument I sympathise with. Religious belief *can* be irrational, but to say all theists are irrational is frankly an insult to those who are not, like An-Na’im, Taylor, Wolterstorff, Berger (as well as non-religious people who draw from religious traditions, as Erich Fromm and Simone Weil did). The suggestion that it is possible to discriminate qualitatively between religious beliefs, or separate Young Earth creationists and apocalyptic Protestants from others, does, though, suggest there is a question to be answered about what institutional conditions might help facilitate wise forms of faith and undermine insular conspiratorial forms of faith—perhaps better education, or more lucid conversations about the subject? I touch back on this subject in Chapter 7, but it will suffice for now to flag this up as the next significant question for scholars engaged in debates about public reason to address.

2.14. Conclusion: moderately agonistic pluralism

Whatever the flaws with Rawls's conception of political liberalism, there can be little doubt that it touches on some fundamental challenges. In states marked by increasing levels of moral and religious diversity getting a wide constituency to accept the same political system as legitimate is hard, especially if one wants that acceptance to be based, as Rawls does,¹⁸⁸ not merely on the assumption that it is not advantageous for anyone to upset the applecart, but upon a moral consensus. To do this one has to work out a system that is acceptable according to people's beliefs, despite the fact that these beliefs are all shaped by conflicting conceptions of the good. This raises the difficult prospect of trying to talk across those conceptions, both to find points of agreement and flatten out, through debate, points of disagreement.

Mouffe argues, I believe correctly, that Rawls's problems all stem from his attempts to simplify these challenges by "circumscribing a domain that would not be subject to the pluralism of values and where a consensus without exclusion could be established."¹⁸⁹ His effort to locate independent political values that everyone can accept and in terms of which everyone can debate is perhaps the best illustration of this. She also argues, with Bader, that when one dispenses with this idealised approach to democratic debate one is left with an "agonistic pluralism." By this, she means a more adversarial form of politics in which tensions between conceptions of the good are not bypassed and in which fellow citizens are people "whose ideas we combat but whose right to defend those ideas we do not put into question."¹⁹⁰ There is no longer any uncontested principle, such as citizen equality, that can be used as a standard by which all moral conceptions are judged. This means that those who support equality—or to be more specific, a particular interpretation of equality—will have to constantly argue or even fight for it, winning round converts to their cause.

Even Mouffe, though, accepts the need to ensure that the severity of these struggles is kept to a minimum and that a certain amount of consensus needs to be found for a liberal democracy to flourish and cohere. The question that she and the other theorists in this field are left with, then, is: What can be done to develop this consensus and, to

use Mouffe's terms, prevent an agonistic conflicts between adversaries from descending into an antagonistic conflict between enemies? For Bader, the answer is to no longer try to establish fixed principles and rules but instead work toward the inculcation of virtues and good practices. In this chapter I have suggested two such practices myself, namely, encouraging a form a public discourse that places emphasis on the need to translating one's conception of the good into the idiom that predominates in the political culture in which one lives, and acceptance that others may have reasons for coming to different conclusions about life. Yet of course, as Bader fully acknowledges, the inculcation of such virtues requires time, alterations to institutional arrangements and probably (for that reason) money too. For now, the key question to flag up is whether such a consensus will be easiest to build by following Rawls and remaining silent about moral disputes and fundamental convictions, or whether open articulation of one's core convictions might actually help build consensus. I shall argue throughout this thesis that more open moral debates can actually help avoid serious conflicts, for reasons Connolly has touched on. I shall end with his words:

People say that Communism kept virulent nationalisms alive in Eastern Europe by suppressing public engagement with them. Maybe secularism in democratic capitalist states has muffled the public ventilation of diverse religious and irreligious perspectives needed to adjust public life to the multidimensional pluralism of today?¹⁹¹

3. Researching and representing religious ideas

3.1. Theology and society

Writing in 1977, the sociologist and theologian Robin Gill observed that “giving a sociological account of theology represents an obvious academic risk. Even though a number of scholars have hinted that such an account is both possible and potentially important, few have attempted it in any thoroughgoing manner. As yet there are no established guide-lines, mile-stones or border posts.”¹⁹² A little less than thirty-five years on there are still relatively few guides to which one can turn when thinking about how to determine the social role of religious ideas; Gill’s work remains one of only a few systematic discussions of the subject. This may be because theology and the social sciences come from quite different starting points. Indeed, some sociological traditions have been in direct tension with theology, and have sought to show how theology “supports the dominant class” or exclude theology from the study of knowledge on the basis that it is knowledge “off its proper course.”¹⁹³ It may be partly because sociologists do not see it as useful. Yet it is hard not to suspect that one of the main reasons is that studying religious ideas is not at all easy. Even at a historical distance, theology’s role in society can be very difficult to determine. Max Weber’s *The Protestant Ethic and the “Spirit” of Capitalism* became a classic precisely because its thesis is very hard to demonstrate, which is why it caused controversy.¹⁹⁴ Today, when religious discourse is increasingly scattered all over the Internet and where dominant theological ideas are increasingly hard to identify, the task is harder still. The social role of religious ideas cannot easily be weighed, measured or quantified, and nor can it easily be worked out just by examining individuals’ life narratives.

Nevertheless, one of the main points of this chapter will be that theological ideas are worth researching, even despite all the difficulties. Part of the reason for this relates to the discussion in the previous chapter. If, as I argued there, religious discussions are of potential importance to public life, it is worth knowing what kind of discussions are going on in the society one is focusing upon. Public debates are not (as liberal theorists at times seem to imply) just abstract things. Another, more important, reason is that recently public discussions of Islam have done a very bad job of representing the role of Islamic theology in contemporary society. The tendency has been to refer simply to “Islam” as the single explanation for all kinds of phenomena, from the smallest (such as rioting amongst disaffected youth) to the largest (such as economic stagnation in the

Middle East and, of course, September 11th). Olivier Roy has shown beyond doubt that the influence Islam has upon present-day societies has been overemphasised.¹⁹⁵ Often, he notes, a verse of the Qur'an is cited as the sole motivation for Muslims' actions. (I give a couple of examples in Chapter 5.) This usually functions not just to render differences of opinion in Islam invisible, but to turn attention away from other factors, ultimately creating unfounded suspicion of Islam.

To illustrate the risk, consider the following example. Data on educational attainment in Britain consistently show that Muslims do much less well in school than other groups, with fewer getting the top grades in school and fewer going into higher education. Strikingly, there are significant differences even between Muslims and other South Asian religious minorities. According to the last census, the number of Muslims leaving school with no qualifications in 2001 was a little under the thirty percent mark, far higher than the figure for both Sikhs (11 percent) and Hindus (6 percent).¹⁹⁶ The data are similar for percentages of people unemployed, where one finds particularly striking statistics for Muslim women. Some 70 percent of Muslim women aged twenty-five and over were economically inactive in 2001. This compares with 30 percent for Christian women and 35 percent for Hindu and Sikh women.¹⁹⁷ This has been the case now for decades, the statistics being similar in the 1970s.¹⁹⁸

On the face of it, it seems like Islam is the obvious root cause of these disparities. After all, it appears to be the single relevant variable. Yet to do this in this case would be, if not entirely wrong, misleadingly simplistic. Examine the data in a little more depth and the picture alters. First of all, it is only Muslims whose ancestors are from Bangladesh or Pakistan who tend to suffer; Indian Muslims, although not as successful as their Hindu co-ethnics, tend to do much better, with only 15 percent leaving school without qualifications. The Egyptian Muslim community based in London is completely different; it includes some fourteen-hundred doctors as well as an élite of several thousand bankers, academics and financiers.¹⁹⁹ The determinant seems not to be "Islam," then, but rather being from a particular religio-cultural context, specifically a rural and relatively poor context. The data concerning the percentages of women in employment are also highly complex. The temptation here is to view the underlying cause as the patriarchal cultures found in contexts where Islam is influential. Certainly, gender norms cannot be disregarded as a salient factor in this case. Philip Lewis cites

the norm of *parda*, or the seclusion of women, as the most significant determinant of these statistics. Yet Humayun Ansari has argued that that norm may not be quite as influential as appears to be the case at first glance. Firstly, the statistics neglect the many Muslim women who do paid work in the informal sector. In addition, taking paid work is not always an appealing option for poorer first generation migrants: the domestic burden tends to be higher as they cannot afford labour saving appliances. There is a lack of decent employment opportunities too, not to mention the fact that Muslim women can suffer from discrimination.²⁰⁰

The Islamic tradition then, mediated through a particular cultural context, does have a social role. Certainly, the forms of Islam that predominate in Bangladesh and Pakistan have influenced the lives of second- and third-generation migrants in the UK, as we will see in Chapter 4. But it is complex; it needs to be contextualised, and if one fails to do this it proves hard to avoid the trap of generating hostility toward Islam by picturing it as *the* problem. Indeed, failing to situate Islam can turn attention away from other social issues (poverty, say) that ought to be addressed.

The main aim of this chapter is to give an account of the research process that formed the basis of this thesis. In it I explain what I wanted to explore in the thesis, why I wanted to explore it, and how I did so. I begin with an account of why I made the choice to examine theology and differences in religious interpretation, using some examples of survey research to illustrate. This is followed by a description of how I went about the research and why I made the choices I did. In particular, I focus in this section on the way in which I represent the research in the four chapters that follow. I also consider some of the significant methodological dilemmas, such as those relating to ethics and possible bias in the research. Underlying the entire discussion, though, will be more general questions about how one thinks about theology's role in society: how theology relates to ethnicity and culture, and how one can avoid overstating or understating the significance of religious ideas.

3.2. Reasons for examining religious ideas

In the Preface and in Chapter 1 I explained a number of the motivations behind this study. Yet it is worth mentioning one more, closely connected motivation that was of particular significance in the choice of methods. As I said, I was frustrated by the way Islam has been discussed in the UK recently, but there was another frustration at the problems with some recent research into Muslims. In recent years a raft of surveys and polls have been published asking Muslims what they feel about the issues of the day, their responses frequently being contrasted with Britain's other residents. The methods employed are usually quantitative, sometimes qualitative, and the authors range from academics to policy think-tanks and polling agencies. But the primary goal—the Holy Grail, as it were—has just been to find out Muslims' views on things like nationhood, Islamic law, politics, the legitimacy of militant violence and homosexual unions.²⁰¹ There are good reasons for this being a point of focus, of course. It is common right now, even in academic publications, to come across individuals making unsupported assertions about Muslims such as the following, from Ihsan Yilmaz: "Muslims do not only wish to be regulated by the principles of Islamic law when they are living in a non-Muslim state; they also seek to formalise such an arrangement within the state's own legal system."²⁰² The obvious rejoinder that this kind of blunt statement invites is: "Do they? How exactly do you know?" It turns out there are actually varied views on this issue, some of which I will explore in Chapter 6.²⁰³

But even this rejoinder has serious limitations. For what does one mean by "Islamic law"? Imagine for a moment that one actually went out and asked five-hundred or so Muslims if they wanted to be regulated by the principles of Islamic law, using that precise phrasing. Would they all have the same legal system in mind when they were offering their responses? Would all of them have a clear idea of what "Islamic law" involves? I think one can be fairly sure that they would not. After all, there are a huge number of countries whose legal systems incorporate Islamic law in some way or other, some claiming that it forms the basis of the state and others including certain family regulations in otherwise secular legal systems.²⁰⁴ There are also substantial differences between the four canonical legal schools (*madhhabs*) in Sunni Islam, and these are drawn on in very different ways by the different traditions found in present-day Islam. The word can refer to very different realities.

The question, “Do you wish to be regulated by Islamic law?” *assumes* that every respondent is “on the same page,” then, and making this assumption can have various negative consequences, some serious. In February 2007, for example, the think-tank Policy Exchange published a report whose findings were based upon a collection of interviews and a survey conducted by the organisation Populus. On the morning that followed its publication the study’s results were reported on the front pages of most of the UK’s newspapers, primarily because of two findings: that 37 percent of Muslims aged between 16 and 24 said that they would “rather live under *Shari’a* law than British law” (this compared to 17 percent of over 55s); and that 36 percent of 16-24 year olds agreed that “Muslim conversion is forbidden and punishable by death.”²⁰⁵ Now, these are, without doubt, findings that should prompt concern, but one should not jump to any hasty conclusions on account of them. It is important to bear in mind that 84 percent of the respondents to the same survey thought that they had been treated fairly by British society, a finding that has been backed up by numerous similar surveys.²⁰⁶ The interviews in the report—ignored by the press—revealed a more complex picture too. Most importantly, one also needs to be aware of how ambiguous these questions are, and the varying ways they can be read. This is partly because of the differences mentioned above, and for other reasons too.

One of the problems is the use of the term “*Shari’a*” in the survey. Traditionally, this word has not described a set of rules, or even a “law.” The term literally refers to a “path” or “track,” or more accurately a “path to the watering hole.” Historically, it has generally been used to describe the best course of action for humans—the “divine path”—as it is known to God. As the American Muslim scholar Khaled Abou El Fadl describes it, the word “*Shari’a*” is, for Muslims, a symbol of society’s collective efforts to work out what God wants from people.²⁰⁷ It has therefore historically functioned as a symbol of justice, authenticity and legitimacy. Where the *Shari’a* has been spelled out as a collection of norms and moral principles it has always been through a process of formal juristic reasoning (*fiqh*). A *faqih*’s goal is to discern the *Shari’a* in almost the same way that an aesthetic philosopher’s goal is to work out the nature of beauty. Thus Fred Halliday has rightly remarked that even

to pose the question as being in favour of or opposed to something called “Islamic law” is to start from the wrong place. The assumption of both sides

of the argument is that *Shari'a*—for it or against it—is a given text, a code available in set form to which jurists and believers may or may not relate.... In fact, *Shari'a* is no more specific than the terms “British way of life” or “the Italian way” or “American values.”²⁰⁸

Clearly, this is not to say that there are not unpleasant laws that have been justified by making a claim upon the *Shari'a*; obviously that is the case. It is just to say that very few Muslims, even those uneasy with what “Islamic law” has come to stand for in some jurisdictions, will repudiate the *Shari'a* entirely, and that may well have influenced respondents. It is also to emphasise the point that the tradition is more complex than appears to be the case from the media. The matter of the laws relating to apostasy (*ridda*) offers an excellent example. The four canonical Sunni schools of Islamic law recommended the death penalty for apostasy early on in Islam’s history, citing certain *hadiths* where this harsh measure appears to be advocated. Since that time both the Ottoman Caliphate and more recently al-Azhar University in Cairo, the foremost centre of learning in the Arab world, have rejected the ruling, citing changed circumstances and ambiguities in the source texts as reasons.²⁰⁹ It is well worth noting, too, that Islam is by no means alone in having this history: William Tyndale was burnt at the stake in 1536 for the “crime” of translating the Bible into English. Today the consequences for Muslims who, say, convert to Christianity can still be very serious, particularly in areas such as Saudi Arabia and Afghanistan where more puritanical varieties of Islam hold sway.²¹⁰ But one shouldn’t just assume that “Islamic law” mandates the death penalty for anyone who loses their faith in Islam.

Once one has taken all this on board the limitations of some surveys of young Muslims become fairly clear, at least when it comes to the more complex aspects of the interaction between Islam and the UK. I am not, of course, saying this research is never worth undertaking: the Policy Exchange’s report did bring to light a concerning tendency among some young Muslims in the UK to take on a more literalistic stance than their parents, and in particular to conceive of an “Islamic state” as a utopia of sorts. (I outline the context for this in Chapter 4.) Nevertheless, it fails to do justice to the intricate subject matter. As Lewis has shrewdly pointed out, if the survey had then gone on to inquire, “What do you know about the *Shari'a* and what parts of it do you especially value?” who knows what kinds of answers, if any, would have been

forthcoming.²¹¹ Similarly, if the respondents had been asked what, precisely, constitutes “apostasy,” or whose views on the *Shari‘a* should be considered binding, or what the process of selection for Islamic scholars in an “Islamic state” ought to be, the answers might well have been just a little confused.

Even if there is value in finding out about people’s immediate responses, then, there is a level of nuance that is needed but is rarely present when complex questions arise about Islam’s relationship with Britain. To a large extent social research—both in and outside the academy—lacks the will and the vocabulary to engage with the more complex deliberations among Muslims. Given this it is worth considering, to illustrate further, the following statement on the same subject from a Muslim theologian speaking at an event in July 2008 in London. I make no claims at all here about its representativeness, but refer to it only to give a tiny hint of some of the complexities. How, one might ask, would this argument fit into the above survey?

Ibn Qayyim al-Jawziyya²¹² says, “When the signs of justice appear and its face is radiant, by whatever means it may be, there you find the *Shari‘a* of God and his religion....” So when you have—for example, in this country—people saying, “Oh, Muslims want to implement the *Shari‘a* as part of English law,” a good answer could be: “Yes, but when there is justice in English law there is already the *Shari‘a*.”²¹³

3.3. Considering the research focus

This is one of the main reasons why I chose to study Islamic theological debates rather than just Muslims’ opinions. Islam is too complex and multi-layered a subject to study only by canvassing people’s opinions about it, and social researchers ought to aspire to research that does justice to this complexity, looking into the different ways that particular concepts and ideas from the Islamic tradition can be interpreted, or mapped on to a specific social or political context. (This, of course, dovetails with my interest, outlined in the previous chapter, in how different moral traditions relate to a political culture and develop an “overlapping consensus.”) If one is going to ask about Islamic law, and whether someone is for or against it, one ought at least to try to develop an

understanding of what each person means by the term. Better still, it helps to have an understanding of the Islamic traditions different people may have been, knowingly and indeed unknowingly, influenced by. This can be, however, a very difficult thing to do, for a whole host of different reasons.

The biggest difficulty is, of course, deciding what to focus on, because inevitably one cannot cover every area. If one is going to dig a little deeper to try and discover and articulate people's different interpretations of Islam it makes it far more difficult to cover as much ground. In his book *The Fall of Public Man* Richard Sennett describes his method as "postholing"—that is to say, he sinks a few "shafts" into the terrain he wants to cover, not retrieving information from every place but going into detail about certain areas.²¹⁴ Sennett acknowledges that if one tries to cover a wide area—and his book covers three centuries—it is very hard to be representative and to avoid leaving oneself open to accusations of bias. Islamic Britain is an enormous and extraordinarily complex terrain. As Ziauddin Sardar has observed, "the sheer diversity of [the] British Muslim community [can be] quite baffling":

To begin with, there is an extensive range of countries of origin—Pakistan, India, and Bangladesh, Egypt, Yemen and Iraq, Morocco, Algeria and Tunisia, Malaysia, Somalia and Turkey, to mention the most obvious. Each nationality also hides a wide range of ethnic backgrounds. So a British Pakistani Muslim may be a Panjabi or Sindhi, a Pathan or a Kashmiri, may speak any one of the scores of languages and dialects of the Subcontinent, and be quite distinct in his or her cultural practices from all other Pakistanis. And, of course, there are a host of religious denominations to which any particular individual may belong. One could be Sunni or Shia, a practising Sufi mystic, a follower of one of the (mostly legalistic) Six Schools of Thought, of a traditional movement such as the Barelwis, of a modernist revivalist movement such as the Muslim Brotherhood, or a totally apolitical group like Tablighi Jamaat. On top of all this, there is the entire spectrum of political persuasions, from the revolutionary left to lunatic right.²¹⁵

Furthermore, this complexity is exacerbated by the fact that many of these Islamic "denominations" have altered greatly as they have settled down in the UK over many

decades. Research by Jonathan Birt has shown how some of the *‘ulama* based in the UK that follow the South Asian Deobandi tradition preach a slightly different Islam to their coreligionists in India.²¹⁶ To add to all of that, one has then to reckon with the fact that a Muslim’s sectarian affiliations are not always obvious. It is a fairly common (but still correct) observation that Islam differs from Christianity by having less formal structures of authority and less hierarchical forms of internal organisation (see Chapter 5). Denominational boundaries are much less clear-cut, particularly in the UK where the tradition is still not very well-established. This means that it can seem that the further one looks into Islam in the UK the more one becomes aware of how little one really knows about it and how hard it is to describe.

The problem then—and it is one of the major issues this study has had to deal with—is that by examining an inevitably limited number of theological positions in a little more depth than usual one risks misleadingly presenting certain Islamic traditions as representative of Islam in the UK as a whole. In fact, given all this, one could argue fairly persuasively that categories such as “Islam in the UK” and “British Muslims” are actually misleading and ought not to be used. Certainly, they can be employed in a misleading way, and often are. One can perhaps question the validity of surveys that claim to offer “the British Muslim view.” I do not, however, believe that inquiring into the relationship between Islam in Britain and British social and political life is necessarily misguided. To indicate briefly why, it is worth remembering one can take this point too far as well, as some analysts occasionally do by saying that there is no one “Islam” but rather many different “Islams.”²¹⁷ Leaving aside the possibility that this may frustrate Muslims who find value in the fundamental unity of the *Umma*,²¹⁸ this approach has major drawbacks. To illustrate, contrast the idea of Islam with the idea of the nation. There are many nations (plural!) in the world, and nationhood does have some normative aspects. People argue over “British character” and what it should mean. In these disputes, the British may contrast themselves with, say, the French (usually in a xenophobic way): “British character” may be viewed as better than “French character.” Frenchness, though, is never seen as a violation of Britishness. In this, Islamic traditions are different. It is not just the case that one tradition or sect might consider itself better than another tradition or sect; one tradition might be considered to violate standards in terms of which both traditions should be judged. That is why debates over what Islam prescribes can and (as we shall see) do cut across different

ethnicities, movements and political persuasions. A sociologist who stresses *just* the diversity in British Islam risks missing this.

3.4. Details of the research focus

As I mentioned in Chapter 1, this study draws from speeches and opinions of, and debates between, Muslim clerics, scholars and activists operating in a wide variety of organisations in the UK, but concentrates upon and draws the majority of its primary material from three initiatives in particular. There were a number of reasons why they were chosen, but two are particularly significant. Firstly, they are interestingly placed in a broad narrative about Islam in the UK. They all emerged against a background of internal change in Islam and two were formed in response to an increasing interest in the faith after the events of September 11th 2001. I give details about this narrative in the following chapter, firstly to situate the initiatives, and secondly because without at least some knowledge of it discussing Islamic theology within the British context is made almost impossible. Secondly, they have some commonalities. Although they do it in slightly different ways, all three of these organisations have the aim of exposing different Islamic perspectives to a broad audience. This means the three organisations provide a window into broader debates in the UK. Each of them provides a platform for Islamic scholars, clerics and activists, many of whom have affiliations with other organisations within the UK. By listening in to their events one can gain an insight into the perspectives of people from major Islamic legal councils in the UK, representative organisations like the Muslim Council of Britain (MCB), Muslim theologians from UK universities and representatives from Muslim women's groups. I did from time to time use these organisations as a way of discovering clerics and activists, many of whose interpretations I have looked into further (see below). This means it has been possible to offer an account of debates that, at least to a limited extent, cut across the various "denominations" that Sardar outlines above.

My encounter with the first of these three organisations was different to the two others, it being earlier, longer and closer. I worked with this organisation, known as Maslaha (after the Islamic legal term for the "public good") initially for three months, three days out of each week. After that, I came into contact at regular intervals either to interview

the organisation's managers, to assist with their work and to attend particular events that they held. The organisation is used at various points to illustrate the arguments made in the following chapters, yet it is worth mentioning that one of the main reasons I got involved with it is to help familiarise myself with and orient myself within the Islamic tradition, both in general and in the UK specifically. The vast majority of the individuals to whom I refer over the following chapters I became aware of first while I was working with that organisation. Working for that organisation also facilitated access to some other clerical figures who might otherwise have been rather reluctant to talk to an unfamiliar individual. Access has been a persistent problem in researching Muslim groups, with many mosques and other religious institutions being wary of having their activities recorded and published. Samia Bano observes in her study of Islamic legal councils that access "proved difficult, lengthy and problematic," as does Sophie Gilliat-Ray in her study of *dar al-ulums*.²¹⁹ I have encountered similar reluctance in an unrelated project that involved interviews with university Islamic societies.²²⁰ Within these contexts—*Shari'a* councils, *dar al-ulums* and Islamic societies, all of which are often seen as "hotbeds of radicalism"—there can be a degree of unease, seemingly based upon concerns about how the research may be used.²²¹ To anyone who has read the sensationalist and frequently unethical research published on these institutions, this wariness is entirely understandable. All too often recent research has simply noted any illiberal utterances in publications and websites and then presented them, without any context and without paying much attention to contrasting perspectives, as the norm within Islam in Britain.²²² In doing so, such research depicts organisations, even Islam in Britain as a whole, as a subversive presence. Understandable as this reluctance to let researchers have access may be, however, it still does not make it any easier to draw up a reliable portrait of Islam in Britain.

The issue of access did, in fact, play a minor part in the choice of organisations. My work with Maslaha came about due to a connection with its parent organisation, and this, in turn, led me toward related individuals, although not directly to the other main points of focus. The other two initiatives I draw from are better known. The second, the Radical Middle Way, grew out of *Q-News*, a Muslim magazine which was established in 1992. Over the course of 2008 and into 2009 and 2010 I attended as many of the organisation's meetings as I could, in addition to interviewing some of the people behind it. These meetings are held sporadically, and normally take the form either of

discussions with prominent Islamic scholars based in the UK and abroad or debates among the Muslim public on matters such as the role of women in Islam in Britain or the effect of the Internet upon the *Umma*. These are normally broadcast on the Internet, meaning that I have also drawn from a number of talks that took place before the period mentioned above. The same can be said, roughly, for the third organisation I concentrated upon, an Islamic circle called City Circle which meets most Friday evenings throughout the year. That organisation was set up in 1999 by a small group of Muslim professionals, but over the years has grown in stature and has hosted a number of prominent clerics, scholars and MPs. Again, during the period of research I attended as many of the organisation's weekly meetings as possible, in addition to interviewing the organisation's former Chair. Of course, all this information was easily accessible because it was gathered at public discussions at which people of any belief (and none) were welcome. This does, however, raise questions about possible bias: those institutions that are wary of social researchers tend to be more conservative. (That is certainly what is indicated from Bano's and Gilliat Ray's projects.) I discuss this potential limitation in more detail below.

Together the information gleaned from these organisations, combined with visits to other organisations like the Islamic Foundation and the Muslim College, provides a wealth of material on a large number of individuals. I then added to this through the gathering together of books, published articles, essays, sermons and talks on various subjects and a total of thirteen interviews. Quantifying all this material is not a simple task, particularly because the amount of information I have obtained from different figures has varied considerably. In the case of the individual I have the most material on, it amounts to one interview, ten lectures of varying lengths, numerous magazine articles and fifteen long essays. In the case of those I have gathered relatively little on, it may be one or two speeches at events in London. The amount of material collected was usually somewhere between the two. The number of individuals I have gathered some kind of information on runs to approximately eighty; obtaining the exact figure is extremely difficult when one starts to factor in individuals on whom I gathered very little information, such as a short talk. But the number of individuals I have compiled a dedicated file on comes to forty seven. One thing I should stress about the research is that I have only rarely made efforts to anonymise individuals. The main reason for this is many of the people to whom I refer are public figures and many have some kind of

religious or academic authority. This means that what a person says often has to be understood in light of their role—not to mention the fact that the thesis brings together many different sources, so at times the text moves rapidly from the sermons of an individual I studied to essays they have written and interviews with them. (I specify all these sources in the endnotes.) This occasionally led to minor dilemmas. I have had to use my discretion from time to time (for example, when interviewees made *ad hominem* comments about other Islamic scholars), and there were some personal details I chose to leave out which, if it had been possible to anonymise the individuals in the study, I would almost certainly have included.

3.5. Locating “floating discourses”

The quantity of information I draw on is, though, less significant than the far more complex issue of how it is *situated*. This is an issue that Roy engages with in depth in his groundbreaking book *Globalised Islam*. Roy recognises that today it is necessary to try and find new ways of examining Islam that look at theological discourses simply because there is, as he says himself, a “growing discrepancy between the forms taken by Islam in the West, and in the cultures of origin.”²²³ But he also highlights a major methodological problem researchers face:

Yes we have data: books, articles, sermons, interviews and the vast amount of material to be found on the Internet, including private sites, chat rooms, and random postings. But it is difficult to ascribe to those who generate such material specific social categories ... and to fathom the impact they have on their fellow Muslims. To what extent do these floating discourses give way to social and political movements or even shape the behaviour and thinking of a significant number of believers?²²⁴

Roy touches upon a whole host of difficulties in this passage. One of the issues that he is interested in is the impact upon the Islamic tradition of recent migrations, global communication flows (including the Internet) and current political conflicts. But this is an inherently difficult thing to do. Sociologists of religion such as José Casanova have managed to assess the effects of the new religious positions taken up by the Roman

Catholic Church after Vatican II within a multitude of different national contexts. This was possible only because of the formal structures of authority in Catholicism. The social researcher is able to look at the theological discussions from the Second Vatican Council and trace their direct influence in contexts such as the US, Brazil and Poland.²²⁵ One of the problems sociologists have when they are looking at Islam is not only is the tradition less centralised, but in recent decades traditional structures of authority have been severely weakened, in part due to the emergence of new technologies such as mass education, print and the Internet.²²⁶ I examine the different effects of these developments in Chapter 5, but for now it is sufficient to merely highlight the huge difficulties they present for those wishing to research and represent Islam: they have made determining the social significance of Islamic theologies incredibly difficult, as increasing numbers claim to speak for Islam.

One of the other difficulties—a closely related problem—is that one needs to be very aware of the way that specific social contexts shape particular utterances, an issue that Gill focuses on. To illustrate, consider one of his examples from a very different period. Christian theology, Gill observes, changed dramatically after the accession of Constantine in 312. In particular, before Constantine almost no theologian approved of Christian participation in battle. After Christianity came to power, however, this changed: very gradually Christian theologians began to justify taking part in wars, eventually developing just war theory.²²⁷ The social context, it seems, had the effect of determining the theological positions. In much the same way, it is necessary to consider how Islamic positions are shaped by context, in this case by things such as the Iraq war, the poor economic position of many Muslims, the evident unease found in the UK and Europe toward Islam, and so on. It is amazing how frequently this issue is completely ignored, giving the impression that a particular expression of a religious idea is shaped by nothing more than the texts. Even John Rawls suffers from this kind of problem. In *Political Liberalism* he simply assumes that “most intractable struggles ... are ... for religion, for philosophical views of the world, for different moral conceptions of the good.”²²⁸ For Rawls, the philosophy of life comes first *then* conflict ensues because of philosophical differences. This does not, however, always seem to be the case, going by historical examples. It was the economic crisis in Weimar Germany that allowed Nazism to flourish. Similarly, the rise of modern militant Islam cannot be understood without looking into the history of colonialism.²²⁹ Material conditions sometimes seem

to be prior to theological justifications. Indeed, as Alain Badiou has said of the “war on terror,” sometimes it seems that “Good, Evil and God [simply] serve as rhetorical ornaments to jousts of financial ferocity.”²³⁰

The third issue, which Roy’s passage does not mention explicitly but which he is very much aware of, is how one locates particular theological accounts within specific traditions. In the UK certain theological traditions have become significant on account of many different factors, but particularly due to the history of migration from former British colonies. When one encounters the sermons or speeches of a particular scholar one will usually not be able to represent him or her accurately if one is not aware of the theological traditions within which he or she works. One could say that when one encounters a particular religious scholar (who I’ll call Scholar X) one needs to give consideration to the following questions in order to successfully locate him or her within the British Islamic landscape:

1. What kind of school of Islamic thought does Scholar X adhere to, or what organisation(s) does he or she belong to?
2. How influential is that tradition or organisation and why? What set of circumstances—social, political, economic—led to it coming into existence and flourishing over a period of time?
3. Is what Scholar X says representative of that school or organisation, or is his or her position stand out within it?
4. What is Scholar X’s standing within that school or organisation? Does he or she have some kind of authority?

3.6. Situating the study

These considerations have all had major implications for this study. Of course, it has been necessary to try and determine how much of an impact upon Islam in Britain the three initiatives I focus upon have, and how broad or narrow their constituencies are. This is not easy to do, but they do play a significant role in my view. I shall explain my full reasoning for this in later chapters rather than here, however, as it requires a significant amount of background detail. The more significant implication, which it is

worth giving details of here, relates to the way the research has been interpreted and presented in the chapters that follow. I mentioned earlier that the majority of research into Muslims and Islam conducted lately, certainly if one includes research conducted by think-tanks and polling agencies, has been survey based. One of the other common approaches, favoured particularly by academics (particularly in anthropology), has been to employ ethnographic methods.²³¹ Unlike the surveys discussed earlier, I have nothing negative to say about this form of research. Indeed, this thesis would not work were it not for a number of available ethnographic studies. However, despite the fact that most of the research for this thesis has been at three “sites,” it would be highly misleading to describe it in these terms, particularly given the way I have needed to present the research over the following four chapters.

One of the challenges for contemporary ethnography is to retain the distinctive aspect of the method, which is based on “immersion” in a particular context, with the increasing interconnectedness of the modern world. Etymologically, the term hints at the “writing” (*graphikos*) of a “unit of people” (*ethnos*); half a century ago it signified the classification of types, even “races,” of people. Yet today, of course, people are not generally found in coherent “units.” In the case of this particular study, even if I had wanted to present an ethnographic account, the sheer diversity of the individuals the research sites present the observer with would have made it almost impossible. During their events it is entirely common to be presented with Islamic scholars from California, Yemen and Egypt, and they address audiences in many different cities. Situating the material requires a huge amount of background detail. Moreover, theological stances often cannot be understood in isolation.

To illustrate the point, consider the issue I discuss in Chapter 5: authority. It is next to impossible to discuss Islam meaningfully without touching upon issues of authority. After all, it is central to defining what Islam *is*: when people say Muslims don’t drink, or eat pork, or that they have to pray five times a day they implicitly rely upon a particular construction of authority in Islam. In this section of the thesis I attempt to consider approaches national loyalty and belonging, but inevitably a scholar’s argument on that topic involves a claim upon Islamic authority; the two issues are intimately linked. If a cleric says that Islam supplies arguments for national loyalty, it inevitably conflicts with other religious figures who claim that it does not. The majority of individuals working

in the organisations I concentrate upon do, indeed, make arguments on those lines, but one needs to know also who they argue against, whose authority they dispute. The topic thus requires a certain amount of contextualisation.

The same can be said for all of the following four chapters. Chapter 6 for instance, which looks at the debates in these initiatives over the issue of recognising Islamic law in Britain, requires background detail about the different legal tribunals in the UK (or specifically, London) and how they were founded. Only then can one make sense of a debate between the individuals who work in them. The same can be said for Chapter 7, looking at attitudes to public funding. The chapters, therefore, each make efforts to contextualise the subject under discussion by outlining a broad picture, and do so by drawing extensively on secondary sources. Each one of them begins by setting the topic in some kind of context, and from there I go on to explore the debates and, in some cases, tease out significant political questions.

3.7. Weaknesses and limitations of the method

It is important, of course, to bear in mind some of the limitations of this study, the majority of which are related to one thing. The main empirical focus of this thesis is the speeches and opinions of what Max Weber called the “religious virtuosi,”²³² which makes it unusual, but also comes with the risk of neglecting what “lay” Muslims think. This issue is particularly vexing for a study informed by the liberal tradition, which has tended to emphasise the equality of all persons to the detriment of religious authority. To an extent, this can be avoided by making use of other research, which is abundant, but there are still some possible problems.

3.7.1. *Access and bias: “open” and “closed” worlds*

I mentioned earlier in this chapter that gaining access to the research sites was not a significant problem, and that this has not been the case in all research looking at Islamic institutions and Muslim groups. This presents a possible pitfall, namely, that the account I offer will be partial, and therefore misleading, on account of its being based

upon organisations that are open and welcoming and not those that are more wary of and reluctant to talk to outsiders—which seem, on available evidence, to be the organisations less open to social engagement. This problem can be overstated, as I have been able to relate the sites I concentrate upon to research conducted on other groups and Islamic traditions based in Britain. I should also point out that, while the three main organisations are managed by more liberal individuals, they still offer a platform to a wide variety of people—not all of whom share their open-ended attitudes to society. Nevertheless, I do acknowledge an imbalance. I do not examine in great detail youthful forms of Islamic radicalism and the utopian ideas that they tend to draw upon. Nor do I go into much detail about organisation such as Jamaat-i-Islami, which have had a significant impact on British Muslim politics.²³³ The only defence I have against this is that, even if there is an imbalance, one cannot object to it too strenuously given the biases of the media. As Charles Taylor has said:

How many times does the European critic meet this kind of response: “But where are the Muslims who are criticising extremist Islam?” Of course, you patiently explain that you are not likely to find them in the drawing rooms of Paris journalists or the French political class.... Contributions ... are urgently needed to impart further depth and realism to the often frighteningly one-dimensional western debate on Islam.²³⁴

3.7.2. Religious authorities, reliability and representation

Another difficulty is that paying an unusually high level of attention to clerics and religious scholars involves having to assess the reliability of specific claims they make about organisations or Muslims in the UK as a whole. Sometimes claims made by the leaders of Muslim organisations are clearly dubious. For example, the founding manifesto of the Muslim Institute, an organisation that was launched following the Rushdie affair and that was driven by a separatist agenda, makes the odd claim that there are no divisions or generational tensions in British Islam.²³⁵ This claim is, as we shall see, quite clearly false. More seriously, some of the clerical figures I spoke and listened to claimed the Islamic legal tribunals in Britain do not disadvantage women in any way, which conflicts with reliable research on the subject. This may be linked to

what could be a tendency to try to present one's organisation, tradition or even Islam as a whole in a positive light. The most vivid illustration of this I encountered was during a discussion of women in Islam in Britain, where the daughter of one of the members of a large Islamic legal tribunal admitted:

It is hard because the men are pleased that I'm there but rather embarrassed, and try to hide me when they can, maybe just bringing me to the front when there's a camera team there because it looks good.

This is where in-depth ethnographic research has a definite advantage over the type of research offered here, as it is better placed to bring hidden aspects and power dynamics to the fore. As outlined above, I do draw upon this kind of research where possible (see Chapter 6 for more detail on this specific issue). In addition, most of the claims I encountered were, I discovered upon checking, well informed. Sometimes also religious scholars are able to relate their own experiences to good effect. Even so, this is a potential weakness and worth bearing it in mind.

3.7.3. Religious authorities and gender

Concentrating on individuals who are regarded as religious authorities also raises a number of significant questions about how this thesis deals with the vexed issue of gender, and gender power within the Islamic tradition. Islam is often characterised, not entirely without reason, as being a male-dominated, structured in such a way that women find themselves marginalised and unable to contribute to debates about how the tradition should be interpreted. The quotation above about where women are placed in the UK's Islamic legal tribunals hints at this problem. The real risk for a study such as this is that by focusing on those who are considered to have some kind of religious authority I contribute to marginalisation of women by allowing the latter to be represented by people who exclude them.

This is obviously a criticism that is not easy to brush aside, but, again, one has to be aware that it is possible to exaggerate the extent to which Muslim women find themselves marginalised in intra-Muslim debates. It is important to stress that while

people who lead prayers (imams) are almost always²³⁶ men there is no barrier in theory, according to many traditions in Islam, to women becoming religious scholars. In the West there are a number of female scholars, such as the German-born convert to Islam Sheikha Halima Krausen and Ingrid Mattson, the current President of the Islamic Society of North America, who visited the UK on a number of occasions between 2007 and 2010. It is worth bearing in mind, too, that not all participants in debates about Islam are religious authorities in the traditional sense. Indeed, Islamic scholars have begun to lose their monopoly on religious interpretation (see Chapter 5).²³⁷ Many of the people contributing to the emergent Islamic public sphere are activists of many kinds, a number of whom work within Muslim women's groups. The chapters that follow include the insights of women activists who are frequently strongly critical of the existing religious authorities. All three of the organisations that I draw from, also, have been at some point managed by women.

It remains the case, though, that the majority of people in the UK who get to speak for and define the Islamic tradition are men. To the best of my knowledge, there are no women in any kind of positions of influence in the Islamic legal tribunals, for example, save in a fairly marginal "advisory" capacity. To try to give an account of a discussion of the different interpretations of Islam one finds in Britain is, to some extent, to describe a conversation that is mostly between men, and from which women can be excluded. It does not necessarily follow, of course, that this study is not worthwhile: the House of Commons is dominated by men too, and no-one would argue that that arena is not worthy of sociological study. Even so, striking a balance between accurately depicting and unwittingly colluding in power relations is a fine one. I have tried to avoid the latter, but some may consider unsuccessfully.

3.8. Conclusion: relating theory to reality

"Political philosophy," Michael Sandel once observed, "seems often to reside at a distance from the world."²³⁸ It can appear that when liberal theorists write about public, political debates often they have in mind, as Bruno Latour has caustically remarked, conversations held only between "men of good will [who assemble] with their cigars in the Habermas Club."²³⁹ In reality, of course, public debates are situated and therefore

messy and frequently antagonistic affairs. Public debates between Muslims in the UK are no exception to this general rule. One of the major problems in British public life at the moment, though, is that debates about Islam have not always fully appreciated this fairly obvious fact. Often, in truth, debates about Islam seem to work from a version of the tradition that existed five-hundred or so years ago rather than the tradition as it exists today. (For a good example of this, see Chapter 6.) There is therefore a need to try and connect the more abstract discussions that one finds in political theory with the actual debates, so to speak, “on the ground.”

Doing this, though, presents many significant practical challenges. Power differences of all kinds suddenly emerge. One has to start considering whether those who publicly articulate what Rawls might call an “unreasonable” position have been influenced by an unfortunate set of social conditions. Most significantly of all, one has to contend with the sheer diversity of perspectives on any given issue. The four chapters that follow, of course, do not get anywhere near to a full account these perspectives. All that they aim to do is facilitate a constructive conversation. For this conversation to be broadened and turned in a positive direction it will take much more sustained reflection on how to best research, represent and engage with religious ideas. One can only hope that such a process of reflection will emerge in the future.

4. Intergenerational transitions and emerging Islamic theologies

4.1. Islam as a permanent feature

Scholars are often keen to point out that Islam is not, contrary to popular perception, a *new feature* in Britain. This was observed recently by Abdullah Saeed, for example, who has observed that rather than it being “a recent phenomenon mostly of the twentieth century, Islam, from its inception in the seventh century CE, has been part of the Christian West and the western psyche.”²⁴⁰ On a level, this is entirely true. As far back as 1641 documents refer to sects existing in London “with a certaine foolish beliefe of Mahomet.”²⁴¹ Further back still, in 1541, Elizabeth I formed an alliance with the rulers of the Ottoman Empire ostensibly on the grounds that Islam and Protestantism are similar faiths, both rejecting the “idolatry” of the Roman Church (although one does suspect that this early exercise in inter-faith engagement was motivated more by mutual political opposition to the King of Spain than it was by principled scriptural reasoning).²⁴² There are even records of the powerful Anglo-Saxon king Offa of Mercia, who died in 796, having coins minted that had the *shabada* inscribed in Arabic on one side.²⁴³ This argument is well-intentioned too, trying as it does to undercut anti-Muslim, anti-immigration rhetoric, which regularly speaks of a recent “invasion.” The point being made is that Islam should not be regarded as a foreign presence in Britain because, as the historian Richard Bulliet has contended, the historical development of Christianity and Islam are so closely intertwined that they are best understood as two strands of a “common socio-religious system.”²⁴⁴

Even so, such arguments cannot hide the fact that the twentieth century, and the last fifty or so years in particular, has seen something quite novel. One can see this just from taking a glance at recent statistics. In 1951 there were 21,000 Muslims in Britain, which at the time accounted for around 0.05 percent of the country’s population.²⁴⁵ In 2001 there were 1.6 million, 2.7 percent of the total, with the figure increasing to 8.5 percent in the nation’s capital and even higher in other cities.²⁴⁶ This trend looks set to continue, for the foreseeable future at least. Britain’s Muslim population is young, the youngest of any religious group in the UK. The Bangladeshi and Pakistani households into which the vast majority of the country’s Muslims are born are on average almost twice the size of those of the white majority. One in three Muslims in Britain is below sixteen, compared to one in five of the population as a whole.²⁴⁷ It is therefore sensible to expect that, regardless of whether or not UK immigration policy continues to

become more and more restrictive, there will be about three million British Muslims by 2021, about 4.4 percent of the total population.²⁴⁸

What has happened for the first time during the last century is that a significant minority of Muslims has settled in Britain—and a number of other European states—permanently. The main driver of this has been economic need, both the needs of the incoming migrants and the need in the UK for greater labour power in the periods before and during the two world wars. The first mass migration to the UK by Muslims occurred around the time of the First World War after the fighting on the Continent resulted in huge demand for men to replace those abroad. Muslim seamen from the colonies were attracted to port towns in the UK such as Cardiff, Newport and South Shields. This first wave of Muslim migrants was, to put it bluntly, treated appallingly after the war ended. The return of the demobilised soldiers and the drastic economic downturn led to increasing hostility toward “coloured” workers, and the passing of the Alien Restriction (Amendment) Bill in 1919 and the Aliens Order in 1920 severely restricted the ability of non-white British residents to get paid work. Many Muslim seamen were driven into desperate poverty and squalor, which the white majority responded to by suggesting they just lacked proper “Christian” morals and standards of propriety. This poor treatment understandably dissuaded more Muslims from the colonies from making the significant journey across to the British Isles, and as a result this migration remained relatively small in numbers—even though these first settlers did beat a path others would later follow.²⁴⁹

As the statistics above indicate, only during the 1960s did migration of Muslim workers from the now former colonies become significant. During the 1950s and '60s large numbers of Muslims came to the UK, drawn primarily by the possibility of work that paid more than, say, the £30 per year that was standard in 1960s Pakistan.²⁵⁰ This migration tended to take the form of a “chain,” with initial “pioneer” migrants from South Asia being later joined first by their immediate family, and then in many cases by members of extended kinship networks (*biradaris*). In addition to this, migrants from a large number of different locations were pushed toward the UK by events such as the partitioning of India and later Cyprus, or various forms of political upheaval taking place in areas such as Somalia. This led, as we saw in the previous chapter, to high levels of ethnic diversity among Britain’s Muslim population. The majority of British

Muslims today—a little over two thirds—are of South Asian origin, with a little under half coming from areas in Pakistan. The remaining third come from a whole host of different national and linguistic contexts: 60,000 from Eastern Europe; 40,000 from Somalia or other central- and east-African countries; 7000 from Nigeria; smaller numbers from Turkey and north-Africa; and then, of course, a fairly small collection of converts whose ancestry is in the UK.²⁵¹

The initial motor for this wave of migration may have been primarily economic, but slowly a more interesting—and it is tempting to suggest meaningful—relationship has developed. The majority of the migrants that made the journey to the UK did not believe that it would become their permanent place of residence, or that they would become “settlers” rather than just “sojourners.” Nevertheless, that is what happened, with the dream of return gradually diminishing. Muslims have in significant numbers set roots down in the UK. This resulted in changes in the composition of the Muslim communities in Britain, changes that will be my primary focus in this chapter. My aim in what follows is to give a brief description of the religious traditions that settled in the UK as a result of these migrations, and then to examine some of the shifts that these traditions have undergone over time, which will involve a detailed account of the organisations that this thesis focuses upon, as well as a broader discussion of some emerging forms of Islamic theology. I begin with a short description of the process of community formation during the 1960s. Then I outline some of the traditions that have been imported into Britain from South Asia before going on to look at some tensions and differences that have emerged across generations. This provides the backdrop to the following discussion of newer theologies. Finally in this chapter I consider briefly the possible emergence of a distinctive British Islam.

4.2. The settling of Islam in Britain

According to Humayun Ansari, prior to the 1950s modernist forms of Islam were in the ascendant in the UK. The Muslim port communities in Cardiff and South Shields were fairly small and slow to establish religious institutions. The main Islamic centres were places such as Liverpool, where for a while there was a Muslim collective active in the public domain led by the prominent convert William Abdullah Quilliam, and

Woking, where members of the pan-Islamic movement (not to be confused with what today is sometimes referred to as “pan-Islamism”) ran a successful mission from the small but impressive-looking Shah Jahan Mosque. Recognising that to make Islam appealing to a British audience it would need to be presented to them in a form they would recognise, these groups wrote in English, drew parallels with Christianity and challenged the traditional position regarding the seclusion of women (*purda*) and punishments for “apostates” in Islam.²⁵² Members of the Pan-Islamic Society in London also distilled the *hadith* collections into short books with the main aim of correcting misconceptions about the Islamic faith.²⁵³

The migrants that journeyed to the UK from South Asia, by contrast, tended to subscribe to a more modest form of Islam, even perhaps a simpler form. As Philip Lewis has observed, most Muslims living in Britain can trace their ancestry to “rural contexts where Islam was part of the rhythm of life, its prayer times and local festivals devoted to ‘the friends of God’—dynasties of holy men accessible through shrines dotting the countryside—enriching its religious calendar.”²⁵⁴ In these contexts, Islam is a largely unself-conscious part of a shared oral tradition. Ansari and Lewis concur that as the first generation of Muslim migrants’ dreams of one day returning to their native country began to fade they started to construct institutions and communities that would enable them to practice their faith as best they could and help them preserve their traditions for future generations. They made efforts to import their particular understanding of Islam into the UK—sometimes literally, with imams being brought to the UK from overseas—and slowly from the 1960s through into the 1970s and ’80s these forms of Islam became dominant. Mosques and *madrasas* were set up which inevitably reflected the particular linguistic and doctrinal character of their founders.²⁵⁵ Indeed, the creation of these institutions following migration led to Muslim migrants separating into groups, as Ansari explains:

Segregation [between Muslims followed chain migration], and previously ethnically mixed Muslim communities increasingly fragmented according to village-kinship, tribal, ethnic and sectarian affiliation. Indians, Yemenis and Turkish Cypriots who had lived together in boarding houses during and after the Second World War, sharing more or less the same religious facilities, gradually separated to form ethnic settlements that then established their own

distinct institutions. Mosques and religious schools also reflected this process of segmentation, and imported religious functionaries reminded Muslims of their traditional values and reinforced conformity to embedded practices. These Muslim communities, close-knit and relatively self-contained though often internally divided, became, as Fred Halliday has put it, “urban villages” interacting with the broader society surrounding them in a selective fashion.²⁵⁶ They were able to generate and sustain institutional infrastructures that embodied and perpetuated specific religious and cultural norms. What emerged at the end of the 1970s was a patchwork of communities, each impressing its particular national, ethnic, linguistic and doctrinal character on the organisations it had created.²⁵⁷

These new communities in which religious, ethnic and cultural identification were all tied into one another were semi-autonomous, often providing support networks for their members. They remained aloof from British society to an extent,²⁵⁸ making few demands and entering into political debates rarely. When Muslims did enter into political debates it was generally to secure accommodations from government, most successfully in education. During the 1970s numerous efforts were made to change education policy, for a variety of reasons—in response to classroom racism, or as part of an effort to purge the curriculum of Orientalist references to the “fanaticism of the infidel”—but primarily to secure the continuation of these ethno-religious groups. For some, this meant protecting younger Muslims from “undesirable” influences in British society, with requests being made for the expansion of same-sex schools, or schools with a specific confessional ethos.²⁵⁹ Such efforts to keep communities together also affected marriage patterns profoundly, the selection of a marriage partner often being partly determined by ethno-religious loyalties. Arranged marriage partners were often chosen from within a specific community or extended kinship network, particularly by South Asian families with strong rural ties.²⁶⁰

4.3. Sectarian affiliations

Because the Muslim population in Britain is so diverse in terms of its ancestry it is impossibly difficult to describe all the different varieties of Islam that emerged in the

UK following the post-World War II period of migration. There are, however, two strands of the Islamic tradition that have been particularly influential due to the fact that they predominate in the South Asian context. The first mosques established in Britain had no obvious affiliations with any particular school of thought or sectarian tradition as most arose out of local initiatives.²⁶¹ Yet as the different ethno-religious communities became more established sectarian affiliations became more pronounced, with the majority of mosques in the UK eventually becoming to some degree linked to the Barelwi or the Deobandi traditions.

Both the Barelwi and Deobandi movements emerged in the 1850s during the period of British colonial rule in India. The former is the largest in Britain, followed by the latter. Barelwis follow a form of essentially Sufi-inspired devotional Islam which was consolidated in Bareilly in northern India, after which the tradition is named. In the Barelwi tradition devotional love of Muhammad is emphasised strongly, to the extent that the Prophet is imbued with almost divine status. In Britain, the Barelwi groups follow primarily the Chisti, Naqshabandi and Qadiri Sufi orders. Mystical experience and intercession between layman and God by minor saints and charismatic spiritual teachers (*pirs*) are both seen as acceptable, a tendency that goes firmly against Deobandi orthodoxy, as well as Saudi Wahhabism. Cities such as Bradford have large Barelwi communities, with fifteen of the thirty-four mosques that were based there during the late 1980s being linked to the tradition.²⁶²

The Deobandi movement is historically based on the teachings of the Dar al-Ulum Deoband in India, which was founded in the 1860s by a group of *'ulama* who were committed to preserving Islamic scholarship and learning at a time when the influence of the British and Christian elite was steadily growing, and who sought to create centres for the study of Islam that would be independent both of British and older aristocratic sources of patronage.²⁶³ The movement is “reformist” in the sense that it has tended to subvert classical scholarship by insisting that Islamic norms must be linked to scriptural proofs found in the Qur'an and collections of *hadith*.²⁶⁴ Its focus on scripture and the concomitant disregarding of philosophy, logic and Persian language and literature has given the movement a reputation for being literalistic and puritanical. This reputation is not altogether undeserved, yet in contrast to politicised Islamic movements such as Jamaat-i-Islami the Deobandi movement has tended to emphasise the importance of

reforming the individual morally rather than concentrating on society or the state. Although it has had political influence in Afghanistan and Pakistan (where it has shaped the thinking of the Taliban), it has generally been apolitical or even anti-political.²⁶⁵ In the UK this anti-political trend has become predominant, partly due to the outreach movement Tablighi Jama'at, which has its European headquarters in Dewsbury. The Deobandi movement is particularly strong in Leicester and Birmingham, and has been successful in establishing a sizeable network of *dar al-ulums* in locations across the UK, with a main centre of learning based in Bury.²⁶⁶

It is an interesting question to ask, and a difficult one to answer, quite how self-consciously Muslims in the UK see themselves as part of these movements, and the extent to which they shape Islam within the UK. Many mosques and institutions such as legal tribunals do not acknowledge any kind of affiliation, but are still influenced by and appeal to a particular tradition's scholarship. Jessica Jacobson recalls that in her interviews with young Pakistanis self-identification with these traditions was very rare, and only occasionally did I come across references to them in my own research.²⁶⁷ For younger Muslims particularly, these denominational affiliations appear to be far less relevant, even an unnecessary inconvenience. There is evidence indicating that these affiliations have been a significant source of conflict between South Asian Muslims in the UK, particularly in relation to control of mosques, reflecting parallel conflicts that have occurred in India and Pakistan.²⁶⁸ They also appear to have influenced the bewilderingly complex web of Muslim representative bodies and organisations aimed at bringing all Britain's mosques under a single umbrella. The Muslim Council of Britain (MCB)—the largest Muslim representative organisation in the UK—only contains on its central committee two Barelwi scholars.²⁶⁹ By contrast, The British Muslim Forum is closely linked to the Barelwi tradition. In the 1980s the two organisations set up to link together different mosques, the Council of Imams and Mosques (COIM) and the Council of Mosques (COM), were split along these lines, the former becoming a pole of attraction for Barelwi organisations.²⁷⁰ The latest organisation to be set up with a similar aim, the Mosques and Imams National Advisory Board (MINAB), has also been accused of excluding Deobandis from its Board.²⁷¹ Finally, it is certainly the case that these traditions have had a significant impact on Islamic education, particularly the Deobandi movement, as noted above.

4.4. Transmitting traditions

There have been vigorous debates, particularly since the terrorist attacks of 2005, over whether it is a good thing to have different ethno-religious minorities living in Britain in semi-autonomous units, each with their own support networks. Some have been deeply unsettled by their emergence. Chetan Bhatt and others have maintained that these “autarchic” (Bhatt’s term) ethno-religious communities all too often, as part of an effort to survive in a confusing and often hostile environment, resort to tactics of disciplining their wayward members, particularly women who have “transgressed.” Self-appointed leaders or elders too often seek, he maintains, to speak for the younger generation, causing profound frustration.²⁷² Other critics, usually on the political Right but increasingly also on the centre-Left, have suggested that these communities have seriously damaged national togetherness.²⁷³ This is, of course, an important debate, but it has not always taken into account intergenerational changes, internal differences, and the profound difficulties that the ethno-religious groups that emerged in the UK in the ’70s have actually had maintaining themselves and their interpretations of Islam in a stable state over time. Lewis is very clear about this, arguing that “many parents and religious leaders, imported into Britain’s mosques from the [South Asian] religious-cultural world, are often at a loss to help their children answer questions about Islam posed by school friends, teachers or youth workers.” They are, he suggests, unable to provide Islamic teachings that “can connect with [the] lived experience [of] British Muslims whose first language is English.”²⁷⁴

An insight into some of these problems can be gained by looking at the content of the curriculum taught in some of the Deobandi *dar al-ulums* in Britain. Research into these institutions has indicated that, at least until relatively recently, they worked from an attenuated version of the religious education syllabus developed in Lucknow known as *dars-i-nizami*, which was itself inherited from eighteenth-century Farangi Mahall scholars. The education syllabus developed by these earlier scholars was rich, covering elements of Persian literature, logic and mathematics. For reasons outlined earlier, these elements were marginalised by the Deobandis in favour of renewed emphasis on the Qur’an and *hadith* and the preservation of the core “Islamic sciences” (that is to say, techniques for exegesis and the formulation of legal opinions).²⁷⁵ This is reflected in the British

institutions too, where the curriculum has focused on the writing and studying of textual commentaries, usually on matters of law and *hadith*. Students are required to translate the Qur'an and the "Sound Six" *hadith* collections from Arabic into Urdu, and are asked to show an awareness of key texts and commentaries. They may be encouraged to ask questions of clarification, but not substance. Teaching itself has often been in the medium of Urdu, with a minimal English curriculum taught in the afternoon to conform to English law.²⁷⁶

The problem with this that a number of academics—and indeed some Muslim religious leaders²⁷⁷—have identified is that it lacks much by way of a relationship to the particular history and character of the UK. The centres produce new religious leaders yet, as Sophie Gilliat-Ray has observed, "what is striking is the absence of subjects that might help graduates engage with British Muslim youth, and the society in which they are based."²⁷⁸ Interestingly, some of the younger Deobandi *'ulama* began to react to some of these difficulties during the 1990s, and these changes have continued up to the present. Jonathan Birt has studied a prominent Birmingham-based *'alim* trained in the UK and the Al-Azhar in Egypt named Riyadhul Haq, and highlighted how he has become a "self-conscious pioneer, struggling to bring the reform message to an often sceptical, even cynical Muslim constituency." In Haq's (usually admonitory) preaching South Asian cultural and religious references are downplayed and very few explicit mentions are made of the virtues of the Deobandi elders, which is standard in many of the seminaries within the UK.²⁷⁹ Haq's sermons are often scornful of the West, and contemptuous of the "war on terror"; he is by no means an open-ended liberal. Yet his preaching has subtly modified the Deobandi tradition in order to appeal to young Muslims for whom South Asia is less relevant.

Yet despite these internal changes most of the institutions of religious learning remain disconnected from the society in which they are placed, and have little appeal for many young Muslims. The situation in mosques seems to be very similar. A recent study of the mosques in the UK, which surveyed five-hundred of the country's fifteen-hundred or so *masjids*, indicated that 44 percent of mosques do not include English in any part of their Friday sermons, preferring instead Punjabi, Bengali or Gujarati.²⁸⁰ Figures from the Foreign Office also indicate that large numbers of imams are still coming to the UK to serve in places of worship,²⁸¹ meaning that perhaps 90 percent receive their initial

religious formation abroad.²⁸² Women appear also to be for the most part excluded from these places of worship: only 46 percent have prayer facilities for women, and only rarely can women speak with an imam.²⁸³

4.5. Broken chains of transmission?

According to many commentators and social scientists, this has resulted in separation between young, English-speaking Muslim men and women who hold their faith to be of fundamental importance and the older, often foreign-born individuals who retain control over the majority of mosques. It has also caused young Muslims to turn to other outlets for their religious guidance. Whatever impact the mosques and *dar al-ulums* have had in the UK, they have not prevented slow sociological changes occurring in Muslim families across generations. In Britain the geographical isolation of South Asian ethno-religious groups has diminished in recent decades.²⁸⁴ Although Muslim families are still usually larger than the average, British-born Muslims tend to have slightly smaller families than those born abroad.²⁸⁵ Nor has it prevented questions being asked about the varieties of Islam passed down by parents. One good example concerns the finding of a marriage partner. Younger Bangladeshis and Pakistanis are far more likely than their parents to consider marriage partners from outside their families' kinship groups or countries of origin, and some are willing to consider partners who are white provided that they are Muslim.²⁸⁶ Pakistani women with high qualifications and who are in skilled employment are particularly likely to be vocal in asserting their choice of a spouse.²⁸⁷ This has, as we shall see in Chapter 6, led to tensions in some cases, the reasons for which Olivier Roy has noted:

The media have tended to focus on the plight of girls caught between two cultures. But if these cases seem to be increasing (forced marriages, the *hijab*, honour crimes, rape), it is because Muslim girls are increasingly escaping from their traditional position. The disruption of traditional family patterns is particularly obvious in Western Europe in neighbourhoods that are often supposed to be experiencing re-Islamisation.²⁸⁸

It is tempting when considering these cases of women “torn between two cultures” to see the differences in terms of a simple binary division: the young women are more Western, more modern and less religious, and their older relatives are more Islamic and more traditional. But the reality is much more complex than that. Firstly, in some cases it appears these conflicts arise because arranged endogamous marriages are being used as a way of bringing friends and distant relatives to the West, so neither “culture” nor “religion” is really relevant.²⁸⁹ It is also worth emphasising that Muslim women in the UK still generally agree that parents should have some say in the choice of the marriage partner for their offspring.²⁹⁰ The real reason this analysis fails, though, is that religion, culture and tradition rarely link up in the way that this binary categorisation implies that they will. Certainly, secular and transgressive aesthetic traditions have been drawn upon by younger South Asians in opposition to the perceived puritanism of the “community elders.”²⁹¹ Yet what is striking about the ethnographic literature on Muslims is how often one comes across younger Muslims making criticisms, not of Islam as such, but rather of parents getting “religion and culture mixed up”²⁹² or confusing “the traditions of their little village with [Islam].”²⁹³ Islamic ideas are drawn upon to contest the form of Islam inherited via a cultural tradition and to challenge the position of women in the ancestral contexts of the first generation. (Both of these two quotes are from Muslims objecting to imposed endogamous marriages.)²⁹⁴

This represents just one way, out of many, in which Islam has been employed in new ways by young Muslims in response to being brought up in a drastically different context to their parents. Of course the cases that tend to attract the most attention, both among academics and the media, are those young Muslims whose frustration with their parents’ faith leads them to adopt a literalistic and intolerant form of Islam. Many analysts of religious literalism in the UK view the growth of young Muslim radicalism as at least partly the consequence of mainstream Sunni Islamic traditions in Britain being unable to connect with Muslims who have been educated—sometimes to a higher level than their parents—in this country. Radical parties can sometimes, in the opinion of one former member of the radical revivalist party Hizb ut-Tahrir, “fill a void for the young intellectually frustrated youth who had been told that Islam is the truth and they must pray and fast by people who couldn’t explain why.”²⁹⁵ The comments of Hassan Saleemi, another ex-Hizb ut-Tahrir member and now one half of the Islam Channel’s *Hassan and Habibah Show*, support this:

By the age of eighteen—with the unearthing of Public Enemy, who were talking about “fight the power,” imperialism and slavery—I was unhappy with Pakistani Asian culture, I was unhappy with British culture and I was not happy with the sectarianism in my local mosque. I felt alienated from Muslims and I had some grounding in colonialism. I had a history GCSE and was doing a history A-level as well, so I knew a bit about colonialism ... and ... Bosnia.... And [then] there was a tall white guy outside my mosque talking about Bosnia and Kashmir, and giving out leaflets, and the fact that he was white struck me. I attended the talk, and you could say the rest is history. [Hizb] were non-sectarian, they were internationalist.²⁹⁶

As Saleemi notes in this passage, groups such as Hizb are “internationalist” in that they aim to traverse all ethnic, national and linguistic differences to bring all Muslims under the banner of Islam through, they claim, the re-establishment of the Caliphate. They thus have, as Roy, Lewis and Bhatt have noted, appeal for Muslims who are seeking to cast off cultural inheritances that do not appeal to them.²⁹⁷ This form of Islam has been described well by Bhikhu Parekh:

Many of them read Arabic, have direct access to the text, and interpret it themselves or rely on others like them. Islam is “purged” of local culture and is textual in its orientation. It is not woven into a taken-for-granted aspect of their lives as it is for their parents, but a self-consciously adopted badge of identity needing constantly to be asserted, an ideology providing them with a clear programme of action. Since it is a matter of conscious commitment, it is shadowed by a deep fear that the commitment might weaken or become diluted. They therefore become rigid and uncompromising in their religiosity, both to guard themselves against the fear that they might slacken, and to ask others to pull them up if they should do so.²⁹⁸

There are reasons to proceed carefully here. To point out that these forms of Islam have been purged of their parents’ cultural influences is not to say that they represent a “pure form” of Islam necessarily—even if that is what the people who affirm this often rigid creed sometimes explicitly state. It would be very wrong to regard these rigid

forms of Islam as the only forms willing to base themselves upon the inner “essence” or “core” of the Islamic tradition. Of course, it is difficult to say whether someone’s interpretation of the Islamic tradition does or does not reflect its “inner core” without offering some kind of theological polemic, which I do not wish to get into now, even despite my undoubted interest in Islamic theology. Even so, there are some points one can make. What is striking about some forms of Islamic revivalism is the way they have drawn upon classical Islamic scholarship, but in novel ways. For example, some forms of religious extremism have argued that military *jihad* is not a matter for political institutions with some form of jurisdiction, but ought to be considered a personal obligation (*jard ‘ayn*) incumbent on every Muslim.²⁹⁹ Extreme interpretations have also been known to employ revolutionary rhetoric, even despite the fact that medieval *fiqh*, particularly in the Sunni tradition, tended to forbid the overthrow of one’s rulers even if they were unjust, as that was regarded as preferable to strife and the dissolution of society (*fitna*).³⁰⁰ Many of these forms of Islam have been, in the view of John Gray and others, shaped as much by the ideologies of the revolutionary Left as they have by the mainstream Islamic legal tradition.³⁰¹

More significantly for this discussion, there are good reasons for thinking these abrasive, uncompromising forms of Islam have been influenced by the very Western societies that movements such as Hizb so vehemently reject. This relationship is certainly multifaceted, taking in aspects of Leftist utopianism (the stress placed upon the future Caliphate’s establishment), youth culture (the mobilisation of a “protest identity” and the use of forums on websites such as “Traditional Islamism,” “Islamic Awakening” and “Salafi Manhaj”)³⁰² and even materialism (the defining of the self through the ostentatious wearing of clothing).³⁰³ Nevertheless, it is hard to deny: one can see from the excerpt above that Saleemi was influenced by Public Enemy. This relationship has not gone unnoticed by some contemporary Muslim theologians too. Suhaib Webb, a charismatic American preacher, has said the following on the issue. If one can overlook the fairly explicit theological polemic, it can work as a fairly accurate précis of what has been argued by Roy and others:

[We need to understand], in the spirit of Ibn Khaldun,³⁰⁴ the sociological reality of the Western Muslim. We come from the DMX *madhbab*.³⁰⁵ We come from Star Wars. We come from professional wrestling. We come from Bruce

Lee. We come from a misogynistic reality that dominates women, in hip hop music.... And you give this religion to someone who comes from that background and what type of mentality is he going to have to his fellow brothers and sisters? He is Luke and Obi-Wan *vs.* Darth Vader.... [T]he social constructs that we live [with] in the West are those of domination. We seek to dominate others—and then we’re given a group mentality that transforms itself into attacking fellow Muslims.... [S]o Hulk Hogan and Andre the Giant now know about Ibn Taymiyya and Ibn Arabi,³⁰⁶ and they’re going to take it to the *masjid* and battle each other! Go on-line and look at our forums about how we talk about scholars and individuals, how we talk about each other—the *hatred*, the *spite*. Why? DMX mentality.³⁰⁷

4.6. New platforms for Islamic knowledge

As I noted earlier, much has been written about these radical, youthful forms of Islam. So much has been written, in fact, that there is there is a real risk that even academics whose main aim is simply to clear up misunderstandings of the nature of “Islamism” can end up giving the impression that these forms are more pervasive and influential than they actually are. It is worth pointing out that, despite the impression the media may give, this kind of radical response to frustration with one’s parents’ religion is not inevitable, or even very common.³⁰⁸ It is thus worth examining some of the other ways in which these differences have come to the surface through different articulations of Islamic ideas and principles. Against this backdrop, it becomes much easier to see why, as I observed in Chapter 1, a wide variety of other novel initiatives, theologians and activists have come to the surface, many which have attempted to circumvent older institutions and producers of Islamic knowledge, offering information that is not easily accessible via the more established routes such as mosques. These are what I propose to examine in the rest of this chapter.

There have been, unsurprisingly, some moves in formal educational institutions to respond directly to changed cultural circumstances. The clearest example of this is the Muslim College, which is located in Ealing in the suburbs of West London. The Muslim College was established by Zaki Badawi, who up until his death in 2006 was arguably

the person who had done most to establish Islamic institutions in Britain and set out arguments in their favour. The institution was established as a response to the perceived need, as one of its current senior figures, Maulana Shahid Raza, has said, to “train our young people here, not only geographically, but also ideologically and emotionally in this country.” Raza shares Gilliat-Ray’s concern that many educational centres do not relate well to the UK, as he observes:

[T]here are many institutions—in the Midlands, in the North—and when you go there you see that some of the British-born children are being educated over there.... [In some of] these institutions, geographically they are here but ideologically they are somewhere else—they are in Saudi Arabia, or in Pakistan, or somewhere else.... [T]hey will be influenced by institutions created maybe one-hundred years ago in the Subcontinent or in the Middle East [that] have been imported, without any amendment, to our children. They get knowledge, but that does not make these young Muslims suitably qualified to lead the community in this country.³⁰⁹

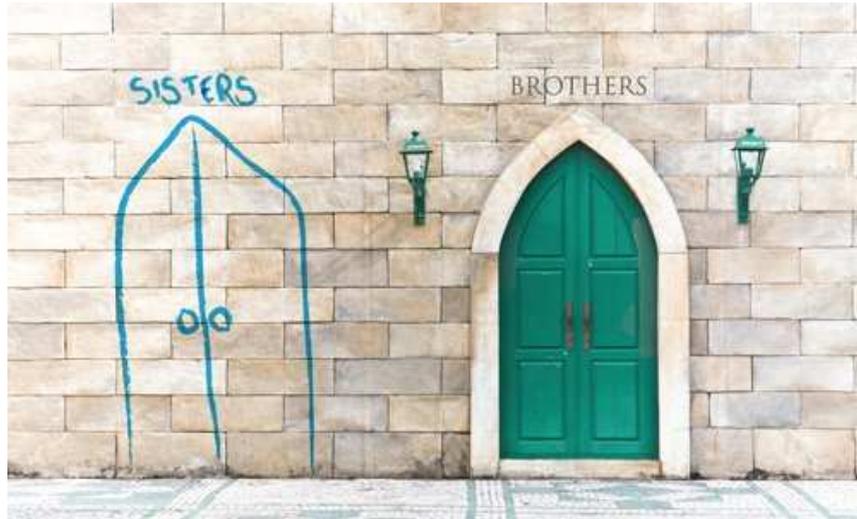
More recently, in 2009, the Cambridge Muslim College has been established to train religious leaders with the ultimate aim of developing, in the words of its website, “new ways to express the faith and knowledge of Muslims in a manner [that is] both meaningful and constructive for the community itself, and comprehensible to its friends and neighbours in Britain.”³¹⁰ Both of these colleges have links with UK universities and invite rabbis and Christian clergy to talk to students about their different religious beliefs. Very recently tentative steps have even been made in this direction in some of the Deobandi centres of religious learning.³¹¹

Yet these colleges, despite their founders’ ambitions for them to act as centres of religious formation,³¹² remain fairly small. Other initiatives, which perhaps reach a wider audience, are not based in educational centres or places of worship but instead use a wide variety of new media to connect with younger Muslims. A good example of an initiative of this kind is Maslaha, an organisation with its base in Tower Hamlets in East London. Maslaha, whose name is taken from the technical Islamic legal term for the “public good,” came into being largely due to the work of Rushanara Ali, who went on in May 2010 to be elected as Member of Parliament for Bethnal Green and Bow. It was

established as a response to what Ali and the current manager of the organisation, Raheel Mohammed, felt to be, in the words of the former, the “lack of available intellectually grounded knowledge of Islam” in the UK.³¹³ The aim of the organisation is thus to disseminate knowledge about Islamic history and tradition and information about the principles of Islam. To achieve those ends it works with both university academics and Islamic scholars, whose opinions it makes available on a wide range of issues, from the permissibility of getting a mortgage to whether a Muslim woman can refuse a proposal of marriage against the wishes of her parents.³¹⁴ For Mohammed, the hope is that by transmitting this knowledge to those who may know little of it from their upbringing or from the national curriculum, Maslaha might be able to encourage a different perspective and different ways of thinking. As he has put it himself, “If I can get just one young person to come away from it thinking a little differently, with a little less frustration, then I’ll be happy.”³¹⁵

Another similar, although slightly older, organisation is the Radical Middle Way (RMW). RMW is an offshoot of *Q-News*, a Muslim magazine that has been running since the early 1990s, and sees itself as, in a sense, a “middle of the road” organisation: its name is a passing reference to the second *Sura* of the Qur’an in which Muslims are described as a “community of the middle way” (*umma wasat*).³¹⁶ Its main aim is to give a platform to *‘ulama*—some from the UK, some from abroad—whose writings would not otherwise find their way into the hands of young Muslims living in Britain. It has given a platform to Islamic scholars from Yemen, Germany, America and Egypt, and when it does so it generally attracts sizeable audiences, upwards of a thousand to events in Bradford, Birmingham and London.

It is hard to make sense of either of these two organisations without taking into account the generational shifts ongoing within Islam in the UK. The fact that they are not based in religious institutions—even if they do, of course, sometimes make use of them—is of particular significance. Their events frequently include overt complaints about the way that things are done in the mosques in Britain. Consider the following advert for a RMW event in 2010, for example:



There are, though, some other reasons one ought to cite for the emergence of these initiatives. Firstly, the events of September 11th have created huge levels of interest in Islam and Muslims, to the extent that it has become normal to perceive the world through the prism of religious identification. Where once young Muslims whose parents came from Pakistan would have been regarded as “Asians” now they are seen as “Muslims.” (The boxer Amir Khan has been described as a “Muslim boxing hero,” something that never happened to Naseem Hamed, the British-Yemeni boxer who retired in 2002.)³¹⁷ It was once the case that one could argue convincingly that religious identities had been generally neglected by sociologists and political commentators.³¹⁸ It is worth remembering that while racial discrimination has been outlawed since the 1970s, religious discrimination was not completely outlawed in employment until 2003, and in the provision of goods and services until 2006. Yet if this swing toward perceiving events through the prism of religion has fixed that problem, it has arguably gone too far the other way. Now there is a seriously confused dialogue in the public sphere about religion’s influence. Rushanara thus cites as her second main motivation for founding Maslaha the desire to “change the vocabulary around Islam” so Muslims are not “viewed through the lens of terrorism.”³¹⁹

The other thing that has happened since 2001 is the state has taken an interest in Islam in the UK. After 9/11 the Labour government made a number of attempts to affect the production of Islamic knowledge in Britain. These efforts were redoubled in the wake of the London bombings of July 2005, an event which prompted ministers such as Ruth Kelly, the former Secretary for Communities and Local Government, to say that it

was “time for a British version of Islam.”³²⁰ Accordingly Labour prioritised Islamic studies in British universities and commissioned reports on the role of the *dar al-ulum* in Britain.³²¹ It also, more controversially, began taking a role in the training of foreign-born imams and, in Kelly’s words again, “inducing a step-change in the role of *madrasas* in teaching about citizenship.”³²² Neither RMW or Maslaha can be entirely separated from this drive; both have received public funding of some form. (I look into this issue in much greater depth in Chapter 7.)

These new platforms of the production and dissemination of Islamic knowledge are, then, responding to rapid and disorienting political changes, but at the same time cannot be detached from slower social shifts. It would be wrong to regard these new platforms just as the product of post-9/11 confusion, or worse, government agencies manipulating things from behind the scenes. It is worth bearing in mind that many of these initiatives predate the new millennium, and thus government interest in the production of Islamic knowledge. This can be said of *Q-News*, and there are some organisations one can name too. For example, in 1999 City Circle was founded by a group of Muslim professionals. Like many Islamic circles, it meets weekly on a Friday, but sees itself as a space for public debate. Its main purpose not, like RMW and Maslaha, the dissemination of Islamic knowledge. Rather, it aims to bring different religious and secular perspectives into conversation with one another over matters that have been exercising Britain’s Muslims. Topics for discussion range from matters of theological principle, to complex questions about the relationship of civil to religious law, to environmental activism. Crucially, a diverse constituency takes part, both women and men and, indeed, Muslim and non-Muslim. It was in fact founded partly to allow younger Muslims to contribute more.

4.7. New theological voices

What is striking about these more recently developed organisations is the fact that they are generally located outside formal Muslim institutions means that, not only do they tend to bypass sectarian affiliations, but they can include a number of different theological and interpretive traditions. For example, Maslaha, in the section of its website that offers religious advice to Muslims, brings together the perspectives of four

scholars, three of whom have been born and educated in Britain, but who have nevertheless different sectarian backgrounds. RMW, similarly, draws from a number of streams of thought. The Islamic scholars whose work it promotes do have things in common: they tend to support principled democratic engagement and argue against those aspects of Islamic law that cut most sharply against liberal democratic norms, such as the medieval penalty from apostasy. RMW tends to disregard the puritanical voices located in Saudi Arabia. Nevertheless, its speakers do not by any means come from one area or school of thought. Since its launch in 2005 it has included at its events scholarly authorities from institutions of higher learning in the Muslim world, such as Ali Gomaa, the Grand Mufti of Egypt and one of the most senior scholars in the Al-Azhar, the ancient and revered centre of Sunni Islamic learning in Cairo. It has hosted Tariq Ramadan too, the noted scholar of Islam who, despite residing outside of the traditional juristic bounds of Islamic authority, has proved capable of inspiring and leading Muslims in many national contexts.

Particularly striking is the prominence of a number of converts to Islam in some of these initiatives who have become Islamic scholars. In her study of Muslim converts in Britain, Kate Zebiri suggests converts tend to play a “disproportionately large role in Islamic institutions and activities.”³²³ For example, Sarah Joseph, the founder and current editor of *Emel*, a Muslim lifestyle magazine that was launched in 2003, is a British convert. RMW has given a regular platform to Ingrid Mattson, a Canadian Muslim who is currently the President of the Islamic Society of North America, and Halima Krausen, a convert to Islam currently based at the Department of Theology at Hamburg University. Zebiri also argues there is evidence that “converts are making a disproportionate contribution to the indigenisation of Islamic practice, thought and discourse in the West.”³²⁴ One British Muslim who reflects this particularly is an imam and lecturer at Cambridge University, Abdal-Hakim Murad (a.k.a. Tim Winter), who is one of the most regular speakers at RMW events and the person on whose original vision the Cambridge Muslim College is based. Murad is an unusual individual, one of the few people in Britain likely to refer in the same sermon to the work of ancient Muslim jurists such as Mohammad al-Ghazali (1058-1111), Christian mystical tracts such as *The Cloud of Unknowing*, intricate Anglican doctrines like the Trinity, and British intellectuals like Thomas Carlyle.³²⁵ He is self-consciously traditionalistic in outlook, making regular references to the “brilliant mediocrity” of the modern age, to the

“aimlessness of the West’s hi-tech pleasuredrome,” or to “England’s desertion of its own identity.” Yet he fits relatively unproblematically into these new settings, speaking to large audiences at RMW events. One of the main aims of his sermons and writings is to “graft the Muslim religion onto the tree of [Britain’s] religious and cultural life,”³²⁶ and to give Muslims “a sense of how they can authentically belong, geographically, to things that are sacred and profound.”³²⁷ Accordingly, he maintains that “an English move to Islam” would not represent “a farewell to [the country’s] heritage [but could instead mean] its unlooked-for revival”³²⁸:

[T]he British Isles have for several hundred years been the home of individuals whose religious and moral temper is very close to that of Islam. To move from Christianity to Islam is hence ... not the giant leap that outsiders might assume.... Islam, once we have become familiar with it, and settled into it comfortably, is the most suitable faith for the British. Its values are our values. Its moderate, undemonstrative style of piety, still waters running deep; its insistence on modesty and a certain reserve, and its insistence on common sense and on pragmatism, combine to furnish the most natural and easy religious option for our people.³²⁹

(This is, of course, relates to the far more significant issue of national identity, which I explore in greater depth in Chapter 5.)

Yet while converts are overrepresented in these initiatives, it still remains the case that most of these new theological voices belong to second generation British-educated *‘ulama* who have made efforts to step outside of the “subculture” of seminary and mosque. Musharraf Hussain, one of the Islamic scholars whose advice Maslaha disseminates, is a good example. Hussain is of Pakistani ancestry, currently in his early forties, and based in Nottingham. He has a PhD in medical biochemistry and studied Islam in Pakistan and the Azhar. In Nottingham he has founded the Karimia Institute, a centre comprising a mosque, sports centre, nursery and private primary school, and the charity Muslim Hands, a relief agency operating out of modest offices in inner city Nottingham that employs sixteen workers.³³⁰

A useful illustration of the ways Muslim identity and religious interpretation can shift between generations is offered by the one imam who has worked in all three of the organisations that are mentioned above. Usama Hasan is a London-based second generation migrant from a family of Islamic scholars who now works as a lecturer, part-time imam and one of Maslaha's advisors. He has spoken at RMW events and between 2007 and 2009 worked as Chair of City Circle. Hasan's grandfather, Abdal Ghaffar Hasan, was involved with the radical Pakistani revivalist movement Jamaat-i-Islami, acting as a senior advisor to Abul A'ala Mawdudi, its founder, before rejecting the organisation and advising his children to do likewise. His father, Suhaib Hasan, is also an Islamic scholar, and was one of the founders of the Islamic Shariah Council, an institution which was set up in the 1980s and which adjudicates on some civil matters. (I look at the ISC in Chapter 6.) Usama's religious formation has come mainly from his family, his grandfather and father each having given him *ijaza*, the authorisation to transmit a certain form of Islamic knowledge. Yet his relationship with his religious heritage is complex. As a young man Hasan, going against his grandfather's advice, was attracted to radical revivalism, and travelled to Afghanistan to train with the *mujahedin* shortly after the Soviets had been ejected from the country (and while they still had the support of the US military). He eventually, like his grandfather, became frustrated with the internecine conflict that broke out among the Afghans, at which point he returned to England to complete his degree and doctoral studies. During this time his religious stance began to alter, away from a Manichaean worldview. Gradually he became, he confesses, "fed up of being a hypocrite":

I felt, when I used to rant against this, that and the other—against the West for example, or ranting at secularism—that religion is supposed to be a state of honesty and sincerity within yourself, a balance between inner and outer, between thought and practice, words and practice, preaching and practice. And I realised: I'm Western; I was brought up in the West. I'm very Western in all my habits, and I saw that in Pakistan when I lived there for a while; I realised how British I was.... I just had to be honest and say, "We agree with [secular laws], as Muslims." There's nothing in the Qur'an against that. The Qur'an promotes that kind of justice. So I felt I just had to reconcile, with all the talk in the Qur'an of unity, the unity of knowledge, the unity of God, but also the unity that comes with sincerity, if you like.³³¹

The religious interpretations that have emerged out of this change are by no means radically new, but they are interesting. Hasan's father, who is senior imam at the same mosque as his son, takes a fairly conservative stance on matters of law and *hadith*, as is fitting for a figure on the Islamic Sharia Council, which is a conservative institution. He has been portrayed in the UK media, most strikingly on the Channel 4 programme *Dispatches* in an episode entitled "Undercover mosque" (broadcast on the 15th January 2007), as a dangerous radical, ultimately intent on gaining political control in the UK. This depiction is misleading, but it is true that he is firmly opposed to women imams, supports traditional *hadd* punishments as a deterrent to crime, and would support the introduction of Muslim personal law within Britain. Usama Hasan, by contrast, takes a more integrationist view, believing—as we shall explore in depth in Chapter 6—that separate jurisdictions are not necessary. Interestingly, his background in the sciences has led him to also, along rather different lines, publish articles calling on Muslims to stop rejecting theories of natural selection.³³²

4.8. The demand for Islamic knowledge

The obvious question that presents itself at this point concerns how significant these new platforms for the dissemination of religious knowledge really are in terms of the impact they have upon Islam in the UK. Addressing this question is incredibly difficult, as these are modern organisations, and their main media are the Internet and events which do not require any lasting commitment from audiences. In that sense, they are representative of the new forms of Islam one finds in the global age, where "floating discourses" can be taken up and acted upon as the individual wishes, without any particular social pressure being applied. I mentioned earlier that these organisations have a greater reach than formal educational institutions and mosques, but they also make more fleeting contact with people.

Nevertheless, the popularity of some of these new religious voices is arresting. I have mentioned the large audiences that they can draw; on one particular occasion that Lewis mentions in Bradford in February 2003 the American *'alim* Hamza Yusuf, founder of the Zaytuna Institute in California, drew an audience of between four- and five-

thousand when he arrived in England to speak at a mosque in Bradford—a huge audience given that the talk took place in a city of around 300,000 people, of whom only 16.1 percent are Muslim.³³³ Such numbers might be explained in part by the wish to get close to a “religious celebrity,” the desire being to get an instant encounter, a little like a nominal Catholic who goes to see the Pope but does not attend mass. Even so, it would be excessive to simply use this as a reason to push the significance of such interest to one side; this kind of curiosity does appear to stem partly from a genuine desire to encounter new Islamic perspectives.

It is also worth bearing in mind that there is a large body of data that indicates the increasing willingness of younger Muslims to make use of religious knowledge when negotiating with their peers and elders. Jacobson, in her study of young Pakistanis in the 1990s, draws together a significant body of literature which gives examples of Muslims make use of different forms of religious knowledge in discussions and disputes with parents and relatives.³³⁴ Similar examples can be found within the discussions taking place inside the organisations and initiatives I have been focusing on in this chapter. The following statement, from a public discussion of women in Islam hosted by RMW in London in April 2008, is fairly typical:

We have to claim back our scholarship. We have to reclaim our Islamic heritage in terms of knowledge. Because if you look at the books—especially the English books—that are out there, the books that are coming from a particular source; it is very narrow in its thinking.³³⁵

Ultimately, I am reluctant to make any firm conclusions on this matter, simply because it is, as I observed in Chapter 3, almost impossible for anyone to tell exactly how influential particular religious ideas are. Many anecdotal examples can be drawn upon, but nothing clear can be inferred. There do appear to be hints of the desire for knowledge of Islam, however, and there are also a number of plausible sociological reasons for why such desire should be there.

4.9. Finding a place in public space

Yet it is important to note also that these pioneering religious figures do not just play in influencing Muslims' religious formation. They also have a noticeable role in the public sphere—or better, spheres. One of the things that magazines such as *Emel* and *Q-News* and spaces for debate such as City Circle enable is a number of different sects and organisations to come into close contact with one another, and with non-Muslim intellectuals and institutions as well. Between 2007 and 2010 City Circle brought into contact representatives from the Muslim Arbitration Tribunal, Women Living Under Muslim Laws, Lincoln's Inn and Queen Mary, University of London, to talk about the relationship between Islam and civil law. It also brought together senior figures from diverse organisations such as EcoMuslim, the MCB, the Institute of Race Relations and the Islam Channel to discuss the benefits, drawbacks and dangers of accepting UK government funding of Islamic organisations. In a sense, then, these organisations act as useful spaces for intra-Muslim debate.

In addition to this, many of the pioneering religious figures are prominent in the debates going on in the mainstream media about social, moral and political questions. Murad, for example, contributes regularly to the BBC Radio 4 programme *Thought for the Day* and has appeared on the flagship BBC2 news programme *Newsnight* speaking about polygynous marriages in the UK and the recognition given to them. Similarly, Hasan has appeared on talk shows to discuss Islam and his own past. (Indeed, on one day I was due to meet him for an interview we had to quickly reschedule after he was called to go on national news, on two different channels, to offer comment upon the initial convictions of Ibrahim Savant, Arafat Waheed Khan and Waheed Zaman for plotting to detonate bombs on a flight to the United States.) For the most part, they appear in the news media discussing “Muslim issues” such as the state of the UK's mosques or, as in the case above, Islamic militancy in the UK, and when they do so they usually appear alongside new Islamic actors who have no institutional clerical position. Occasionally, however, they are called on to communicate Islamic traditions to a wider audience. Both of these two individuals were, for example, asked to contribute to a *Washington Post* series clarifying Islamic doctrine on such things as the law relating to conversion and the purpose and nature of *jihad*.

Such forays into the public sphere are not without risks and pitfalls. Murad, for example, appeared on “Undercover mosque,” speaking negatively about the influence that Saudi-funded theology is having upon the UK’s mosques. His comments were reasonable, yet the documentary itself tended to exaggerate the influence of the radical influences in Britain and has consequently come to be viewed as a set-up by a number of Muslims in the UK. Hasan, similarly, has become used to taking strong criticism for his viewpoints, particularly when he presents views that cut against the majority opinion. “As usual,” he said before his comments on evolution were published, “I’m going to get hammered from all sides.”³³⁶ Yet such engagement is ultimately viewed as a positive thing by both these individuals, a constructive contribution to the emergence of the new “Euro-Islamic public sphere.”

4.10. Conclusion: *e pluribus unum*?

I have been speaking in this chapter about the fact that Muslims have over the last few decades become a significant permanent—and growing—minority in the UK, and how the tradition is altering. What I have only briefly mentioned, however, is that this development has generated widespread consternation, some of which borders on panic. Historians such as Michael Burleigh and Niall Ferguson, novelists such as Martin Amis and political commentators such as Christopher Caldwell and Mark Steyn have all portrayed this demographic growth in Muslims as an indication of the withering, and maybe even the ultimate demise, of Western civilisation.³³⁷ “One implication of current demographics,” the prominent philosopher A. C. Grayling has suggested, “is that in so many generations’ time, Europe will have a majority population descended from today’s Muslim immigrants. People in 200 years’ time are going to be saying how odd it was that women were allowed in our time to have an education and wear bikinis.”³³⁸ In some of these accounts, usually those published in the US, Europe is depicted as having already “fallen” to Islam, with America next to go. The continent is full, maintains the Right-wing journalist Bruce Bawer, of “embryonic colonies” that look like they are going to take it “beyond the point of no return.”³³⁹

The dismay that the new presence of Muslims in the UK and other European nations has caused has prompted some to respond by drawing a parallel between the current

situation and the experiences of Catholics in America between the eighteenth and the twentieth centuries.³⁴⁰ There are certainly similarities between these two cases. In 1789 Catholics made up just 0.9 percent of the US, but by 1850 it was the largest Christian denomination and by 1910 17 percent of Americans were Catholic, prompting serious concern amongst the Protestant majority.³⁴¹ Mutual suspicion was the norm between the two denominations³⁴² and conflict was common, one of the worst examples being the Protestant-Catholic riots in 1844 which left over a dozen people dead and Catholic churches razed to the ground.³⁴³ Right up until the election of John Kennedy in 1961 Catholics were suspected of undermining the country's democracy through their failure to fully commit to the American nation. Gladly, this slowly subsided, and by 1980 Catholicism had transformed into a significant public presence. With around a quarter of Americans currently now nominally Catholic, the Church has launched official campaigns against everything from the Vietnam War to nuclear armament, health cuts and the relaxation of family planning laws.

One of the reasons this parallel is useful to draw is simply because it puts things in perspective, and reminds all concerned not only that inter-religious antagonisms are not new, but also that they can be overcome. Yet it is also worth referring to because Catholicism then, much like Islam now, was forced to overcome ethnic differences as an older generation gave way to a new one. In 1916 America's Catholics were organised into Irish, Polish, Italian, Mexican, German and other ethnic parishes that together spoke a total of twenty-eight different languages.³⁴⁴ After immigration restrictions came into force in the 1920s, however, these distinctions began to collapse, meaning that by the 1960s there was left just one American Catholicism contemplating how to manage the relationship between nation and religion in the wake of Vatican II. In this chapter I have tried to outline some of the similar transitions that are going on within Islam in the UK. Ansari, in his history of Islam in Britain that I quoted at length earlier in this chapter, acknowledges a similar change:

As the influence of the societies and cultures from which they originated on attitudes and behaviour has faded with the emergence of British-born and -educated Muslims (around 70 percent of British Muslims are under 25) they have come increasingly to identify common features, as reflected in greater solidarity across ethnic and regional differences.... Muslims are much more

exercised today than earlier by their experience of British society and how they can respond to issues of greatest concern to them.³⁴⁵

Does this mean, then, that there is now one British Islam contemplating how to work out the relationship between nation and religion in the wake of events such as the Rushdie affair, September 11th and the London bombings? It is clearly far too early to say that. Indeed, even if all ethnic ties were to wither away completely—which is extremely unlikely—it is improbable that Islam in Britain would end up looking homogenous. But then, Catholicism in America is not uniform; that doesn't mean that one cannot talk about a distinctive American Catholicism. In the same way, there may emerge a distinctively British form of Islam. Whether—or in what way—that happens depends on how the tradition is negotiated.

5. Emerging theologies, contested authorities

5.1. Religious authority and religious prejudices

The relationship between religious authority and the willingness or ability of religious people to be part of, participate in or remain loyal to a political community is highly complex and often obscured by layers of confusion, if not straightforward prejudice. A huge portion of the writing on the subject over the decades has been influenced in one way or another by some form of chauvinism. Yet it is undoubtedly the case that religious authority has at many different times and in many different places influenced the ways that believers belong. The history of Roman Catholicism offers a number of helpful illustrations, both of intolerance rooted in a distorted view of the influence of religious authority, and of authority having a real impact on believers' commitments. We saw at the end of the last chapter how it was quite common in nineteenth- and twentieth-century America for Protestants to be suspicious of Catholic Americans, much of which was, as Stephen Macedo has said, motivated simply by "xenophobia, prejudice, and sheer racism."³⁴⁶ Religious authority was often at the heart of this. There is an illuminating televised interview with Reinhold Niebuhr from 1958 in which the interviewer, Mike Wallace, asks the renowned theologian if he would ever vote for a Catholic politician. When Niebuhr responds by saying that not only would he, he has done so on many occasions, his interlocutor goes on to inquire why he does not think that there is a risk of Catholic politicians being influenced, potentially against the interests of America, by a "foreign sovereign."³⁴⁷

Yet while there may be examples of Catholic authority being exaggerated for the wrong reasons, there are also obvious instances of Catholic authorities discouraging and obstructing civic participation. For example, in the UK in 1871 when religious tests were abolished at Oxford and Cambridge, allowing for the first time Nonconformists, Jews and Catholics to attend, the response among the Catholic hierarchy was mixed. Only in 1895 did Pope Leo XIII permit Catholic students to attend Oxbridge, and only then if there was a Catholic chaplain who could offer teaching in the philosophy and history of Catholicism.³⁴⁸ Macedo maintains that in the American case, too, religious authority has limited Catholics' participation in the country's legal system and in civic life more generally. There have been cases in which Catholic clergy advised reconciled divorcees against registering re-marriages with the civil authorities.³⁴⁹ The hierarchy also encouraged American Catholics to reject public schooling, which they then did "in

impressive numbers.”³⁵⁰ For Macedo, therefore, before 1965 Catholic authority actually obstructed American democratic politics:

Prejudice against Catholics should be distinguished from not unreasonable fears that those educated in relatively authoritarian religious doctrines may be more prone than others to reject liberal democratic political norms and institutions.... Recent research supports the notion that institutionalised Catholicism in its traditional form, with its “vertical” patterns of authority, discourages the formation of an associative civic culture supportive of liberal democracy. Only where the Catholic Church itself [undergoes a] levelling of authority patterns ... does it appear to promote a social order supportive of active citizenship and healthy liberal democracy.³⁵¹

Such a levelling is of course, as Macedo then goes on to say, just what occurred in the 1960s when the Catholic Church radically altered following Vatican II. The Church, as José Casanova has put it, changed gradually from an “oligarchic” institution into a “people’s church,” its leaders adopting the language of human rights and supporting participation in civil society rather than encouraging social isolation or attempts to undermine secular states.³⁵² The influence of Catholic authority altered. Macedo and Casanova argue—persuasively, even if they both occasionally take a rather uncritical view of the Church’s activities after 1965³⁵³—that the institution became “a positive and in many instances decisive force for liberalisation around the world”³⁵⁴ on account of the new theologies adopted by its episcopate.

5.2. Authority and belonging in Islam

In the UK, other parts of Europe and the US dubious rumours are, of course, common regarding Islam as well. In the summer of 2010 a plan to construct a Muslim cultural centre in lower Manhattan (the so-called “Ground Zero Mosque”) caused widespread rumours about disloyal Muslims trying to topple America from within. (As I write, this issue is yet to be resolved.) Political violence, even dissent by Muslims, is frequently attributed to the fact that Islam’s adherents feel an overriding sense of commitment to the *Umma*, as Anthony McRoy has claimed:

How do we explain the presence of British Muslims fighting alongside al-Qaeda and the Taliban ... [or] the British Muslim bombers who caused such carnage in London on 7 July 2005? The answer is the concept of the *Umma*.... This *Umma* is the primary community to which Muslims in Britain belong, and it can be seen from this that the strongest communal links for any Muslim—according to Islam—will be those with the *Umma* rather than with fellows of his race, ethnicity or nationality.... [T]he tendency for second- and third-generation Muslims to ... identify their distinction from the rest of the British population as being essentially the membership of the *Umma*, is not only natural but actually “scriptural.”³⁵⁵

Along very similar lines, it is sometimes argued that Muslims are committed only to their religious law, a commitment that renders any professions of loyalty to a secular state dubious, as Roger Scruton has said:

It is not possible for a Muslim to believe that the conception of the good that is so clearly specified in all the intricate laws and Maxims of the Qur’an is to be excluded from the social contract. On the contrary, in Muslim eyes this conception, and this alone, gives legitimacy to the political order: a thought which has the most disturbing corollary that the political order is almost everywhere illegitimate, and nowhere more so than states where Islam is the official faith.... The opportunity never arises, for the student of the Qur’an, to distinguish those matters which are open to political negotiation from those which are absolute duties to God. In effect, everything is owed to God, with the consequence that nothing is owed to Caesar.³⁵⁶

Neither of these arguments is particularly convincing. While what McRoy says is partly true, his argument is nevertheless incredibly simplistic, for reasons that this chapter will go some way toward explaining. Scruton’s account is even more misguided. Leaving aside the fact that what he says is just a little reminiscent of old anti-Semitic tropes, his explanation bypasses those elements of Islamic jurisprudence that deal with political loyalty and public duties.³⁵⁷ His suggestion that anyone who is dedicated to the Islamic faith will never accept an established political order implies that an enduring Muslim-

majority political community is impossible, leaving one to wonder how the Ottoman and 'Abbasid empires managed not just to cohere but, particularly in the latter's case, generate great centres of scientific inquiry.³⁵⁸

Is it possible, though, to follow Macedo and cut through this confusion to talk accurately about the effects of Islamic authority on social and political life? It is certainly the case that some organisations, like Hizb ut-Tahrir, refuse to take part in elections, regarding them as illegitimate.³⁵⁹ It is also the case, as we shall see in the next chapter, that some Islamic institutions have (knowingly or unknowingly) encouraged Muslims to bypass the civil legal system. However, it is hard to analyse this issue in a systematic way because, as I noted briefly in Chapter 3, authority in Islam cannot be directly linked to a Vatican-like body. What, or who, should be taken as authoritative in Islam is complicated and deeply contested. Although Scruton and McRoy misread the character of Islam quite drastically, the fact that they locate authority not in a "foreign sovereign" or church-like institution but in concepts and norms does hint at a truth: that authority in the tradition is decentralised.

In the previous chapter I began to outline a number of initiatives and theological voices that have recently emerged on the public scene in the UK, many of which, cutting against the analysis offered above somewhat, advocate of a form of Islam that is supportive of Muslims' efforts to be part of, participate in and even remain loyal to the country in which they reside. My main concern in this chapter is in trying to offer an overview of where these efforts sit in relation to the issue of authority. What I intend to examine here is how that attempt to promote such an understanding of Islam challenges some forms of authority, draws on others, and even in some cases involves considering the creation of new forms. This is quite a demanding task, requiring rather a lot of background detail about the tradition. The chapter therefore begins with a short explanation of authority in medieval Islam, before going on to explain how traditional forms of authority have been put under stress. It locates some UK-based initiatives within these sociological processes, and then goes on to offer an outline of some of the recent directions of Islamic reform movements. To talk about "reform" in Islam is in itself rather challenging as the categories of "reformist," "traditional," "liberal" and so on do not map neatly onto the Islamic landscape. As a result much of the discussion in this chapter is given over to efforts that are being made by some Islamic scholars in

Britain to “reclaim” the tradition from new political movements that are considered to offer an unduly narrow, literalistic interpretation. Finally, the chapter reflects on what the eventual results of these contests may be.

5.3. Traditional structures of authority in Islam

The contrast in the nature of authority in Islam and Christianity can be traced back to the medieval era. As Peter Berger has said, the medieval Latin Church represented “a very unusual case of the institutional specialisation of religion.”³⁶⁰ The reason for this is it divided sharply between sacred and profane realms, the Church being seen as—and seeing itself as—the exclusive locus of the sacred, the sole mediator between humans and God. On the one side was the institution of the Church, on the other the fallen world. To remain in God’s favour one had to remain in communion with the Church and regularly receive the sacraments, the instruments of salvation without which a person would be unable to enter heaven. In the Islamic tradition there has never been this kind of institutional specialisation. Intercession between God and humans by saints or clerical figures is less common (although it does happen in Sufi-influenced traditions like the Barelwi movement).³⁶¹ The medieval *‘ulama* did not see themselves as mediators but rather teachers of sacred knowledge. (The Arabic word *‘ulama* literally means “those with knowledge.”) There was certainly widespread concern about blasphemy, and the punishments for those who were deemed to have left Islam were harsh, but no single institution determined what “Islam” was. The major legal schools managed to coexist while formally conflicting with one another. Indeed, there has never existed in Islam a “church” *per se*, meaning that, as Khaled Abou El Fadl has pointed out, the issue of separating church and state differs slightly. The origins of European democratic theory were based on efforts to prevent Christian churches from monopolising the public sphere and to keep religion in its place. “Islam,” as Abou El Fadl observes, “has had a very different experience with religion”:

In Islamic history, the absence of an institutional church ensured that religion could not monopolise or control the public sphere. Rather, religion or the representatives of *Shari‘a* law were always forced to compete to influence the public sphere in a variety of ways. Importantly, throughout Islamic history

there has never been a single voice that represents *Shari'a* law or the canons of religion. The Islamic faith and *Shari'a* law have been represented by several schools of theological and jurisprudential thought, the most powerful and notable of these organised into privately run professional guilds. Although the state often claimed to rule in God's name, the legitimacy of these claims were challenged by these professional guilds.³⁶²

This, even today, is part of the reason why it is much harder to find a representative to speak for Islam, whereas the spokesperson for Roman Catholicism is obviously the Pope (although there are clearly Catholics who get frustrated with the decisions of the Church and who feel the Pope does not speak for them). Traditionally in Islam legal norms have not been established by one person or institution, but rather through consensus among the scholars, or *ijma*, which has generally been considered one of the “roots” (*usul*) of Islamic law rather than one of the “branches” (*furu*)—that is, a part of the foundations rather than the main edifice.³⁶³ So just as Henry Kissinger could never work out who to call when he wanted to “speak to Europe,” there has not been since its earliest years one definitive voice in Islam.

5.4. The effect of modern social processes

Of course, there are huge differences between Islam in the medieval period and Islam today. If anything, it has become even harder to say who speaks for Islam. Significant social and political transformations have profoundly affected the tradition. Numerous studies have identified the following hugely significant developments taking place in Muslim contexts (I quote Casanova's list):

- the intrusive penetration and colonization of the traditional life world by administrative states and markets, under colonial and postcolonial regimes;
- the mass migration to urban centres and distant lands, Muslim and non-Muslim;
- the expansion of mass education promoted by nationalist “developmental” regimes;
- the revolution in mass communications: print, electronic, and high-speed travel;

- and the proliferation of global networks building upon already highly developed Muslim transnational networks.³⁶⁴

The impact upon Islamic law of the first of these changes—interference by colonial powers in Muslim-majority contexts—has been enormous. With the emergence of the British and French empires the legal systems of many Muslim-majority nations became a mix of traditional Islamic and European common law. The collapse of the Mughal Empire in 1858, for example, saw Islamic law reduced to personal regulation, with the *‘ulama* having a say only in such matters as marriage, divorce and inheritance.³⁶⁵ In many different contexts the private endowments (*waqfs*) that allowed the schools of Islamic law to flourish were nationalised and became state-owned property. Many legal schools were shut down, with some carrying on just as poorly preserved tourist attractions.³⁶⁶ In many cases this caused venerable scholarly traditions to be displaced by narrower curricula. The rise of the Deobandi movement, with its strict study of scriptural proofs, occurred against this backdrop, for instance. The narrow curriculum of the Deobandi *dar al-ulums* found in Britain is partly the result of the ancient centres of learning in India being undermined by the colonial authorities.

The sociological changes have been just as far reaching, although their impact is harder to sum up. Arguably the most coherent attempt to make sense of them can be found in the books of Olivier Roy.³⁶⁷ Roy draws heavily on the work of the sociologist Danièle Hervieu-Léger, who conceives of religion as a “chain of collective memory” passed from generation to generation. What she argues, drawing on the literature on secularisation, is that modern social processes make it harder to transmit memories coherently so that the younger generation spontaneously become part of a lineage or taken-for-granted tradition.³⁶⁸ Chains of memory break down—or, to mix metaphors, once-coherent social fabrics become increasingly frayed, with their threads being tied together in ever-more unusual ways.

Something like this, Roy contends, has been happening to the Islamic tradition, particularly in the kind of urban, post-migration contexts in which the vast majority of Britain’s Muslims live. In the medieval period, he suggests, the Islamic tradition was a coherent social fabric, a set of beliefs and values that were embodied in various roles, norms and cultural forms. The religious scholars were, in a sense, the guardians of the

tradition, the protectors of Islam's shared memory. The emergence of mass education and communication, however, assisted by colonial interference, undermined this. The tradition was "disembedded," its beliefs and principles no longer set into cultural foundations. The monopoly that the *'ulama* enjoyed over the production of religious knowledge, and by extension their control over Islam itself, was lost. Muslims have increasingly interpreted the central texts for themselves, and inevitably the tradition has fragmented as a result. As Roy and others have noted,³⁶⁹ the Islamic tradition has suffered a crisis in authority from which it has never really recovered. The creation and transmission of Islamic knowledge has been, as Peter Mandaville has suggested, "democratised," resulting in "the intensification of a tendency towards decentralised authority that has always been present in Islam."³⁷⁰

5.5. New Islamic actors

Because of these changes it has become harder to assess the importance of honorific titles such as *'alim*, *mujtabid* or *mubaddith*. It has become harder to determine how valuable traditional *ijazas* (certifications) are, and how socially significant a particular *fatwa* is amidst the many that are produced and transmitted to disparate locations via satellite television and the Internet. Roy argues that the *individualisation* of Islam has occurred, with Muslims increasingly turning away from formal theology in favour of an immediate understanding of truth through individual faith, to the detriment of traditional educational and religious institutions. Perhaps most significantly, a number of "new Islamic actors" have emerged: religious intellectuals who are frequently self-taught and who often are engineers or doctors rather than dedicated teachers.³⁷¹ Such figures have managed to displace traditional scholars in the new religious marketplace, leading popular movements. Many of the individuals who are called upon to offer the "Muslim perspective" in public debates in the UK now, for example, are not Islamic scholars. Up until 2006 the most prominent Muslim representative body was the Muslim Council of Britain (MCB), an organisation whose spokespersons are, as Tariq Modood notes, "more likely to be chartered accountants or solicitors than imams."³⁷² (I say more on this organisation in Chapter 7.)

Needless to say, none of the initiatives and organisations that I mentioned in the last chapter cut against Roy's analysis. On the contrary, to a large extent they can be regarded as useful illustrations of it. RMW, Maslaha and City Circle are not traditional institutions at which students spend years studying the intricacies of *fiqh*. As I noted in the last chapter, they remain aloof from mosques and formal educational institutions, instead usually meeting in "secular" spaces. The Internet is their main medium for the dissemination of information, and browsers can dip into and out of the different sermons and teachings they provide. Maslaha is a particularly striking example. It was founded and is run by two individuals who wanted to improve the transmission of Islamic knowledge in the UK, yet neither is schooled in Islam in any formal way or makes claims about being an Islamic scholar. In these different ways, the initiatives all represent a transition in Islam away from the steady transmission of juridical theory as developed over thirteen centuries and toward more mobile, more fluid ways of communicating Islamic moral conceptions.

That having been said, scholarly authority does play a role in these initiatives, and some of those active in UK public life have religious qualifications. Zaki Badawi was unusual in that he was seen as a "Muslim representative" but was also a classically trained Islamic scholar. Abdal-Hakim Murad, similarly, has studied at institutions such as the Al-Azhar in Egypt. In addition, the Radical Middle Way (RMW) is unusual in its emphasis on promoting formal Islamic scholarship. While Maslaha's managers are not themselves religious authorities, they make no efforts to interpret the tradition themselves. There was an event shortly after the set-up of the initiative when Raheel Mohammed, the initiative's manager, came into conflict with a prospective supporter. His comments about the experience are instructive:

I explained the project to him, and he just kept saying: "What right do you have?! What authority?" I tried to explain that *I* was not going to be the person giving the advice; the organisation is merely a vehicle. We are using religious scholars, you know?³⁷³

This is part of the reason why it is a little simplistic to see these organisations simply as illustrations of the trend toward individualised forms of Islam, textual immediacy and the undermining of traditional scholarship. They have a relationship with the classical

period that is worth exploring, particularly because it helps to understand the contests for authority in which these organisations have been engaged. To do this, though, it is necessary to first give more background detail.

5.6. Directions of Islamic reform

There is a tendency in the West to associate all challenges to religious authority with liberalism and tolerance. This is doubtless mainly the product of a popular historical narrative that views modern Westerners as having cast off the fetters that had been placed upon them by oppressive belief systems. In popular commentary and political theory the Christian Reformation is often portrayed as not much more than one positive step on the path to greater personal freedom.³⁷⁴ As a result, the tendency in the West has also been to view this crisis in Islamic authority as, in Mandaville's words, "a positive and progressive 'democratization' of knowledge production and reception in Islam, with Muslims increasingly reshaping religion with their own hands (rather than relying on 'crusty' clerics) and willing to offer these new formulations to critical consumers within the market of the public sphere."³⁷⁵

While the withering of socially sustained authority can certainly allow people to express their beliefs in new ways, there are nevertheless reasons to be circumspect about these slightly "Whiggish" assumptions. The Reformation, after all, was a reaction to a centralised system of religious authority that never existed in medieval Islam, as we saw earlier. Indeed, there are a number of problems with simply transposing this rather Eurocentric narrative, as Modood has noted:

Westerners repeatedly ask if Islam will ever have its Reformation; the fact is that the upheavals and wars that characterised the Reformation are present in the Muslim world today—but with one major difference: non-Muslim powers, especially the US, are major players. (It is an interesting speculation what Muslim Reformation would look like if it took place without imperial intervention or what the European Reformation would have looked like if the Ottoman Empire had been one of the key players.)³⁷⁶

Mandaville has his own problems with this assumption, pointing out that “it should be obvious that the mere fact alone of more people being able to serve up a wider range of ideas about religion—that is, a widening of the public sphere—does not in itself produce more pluralistic (in the sense of being more tolerant or open-ended) knowledge.”³⁷⁷ A similar point has been made, more directly, also by Murad (who is, it is worth noting, also an academic historian):

Sometimes one hears the claim that Muslims cannot inhabit the West, or—as successful participants—the Western-dominated global reality, because Islam has not passed through a reformation. This is a tiresome and absent-minded claim that I have heard from senior diplomats who simply cannot be troubled to read their *own* history, let alone the history of Islam. A reformation, that is to say, a bypass operation which avoids the clogged arteries of medieval history and seeks to refresh us with the lifeblood of the scriptures themselves, is precisely what is today underway among those movements ... the West finds most intimidating. The Islamic world is now in the throes of its own reformation, and our Calvins and Cromwells are proving no more tolerant and flexible than their European predecessors.³⁷⁸

Murad’s point here, with Mandaville and Modood, is that “reform” in Islam has not always gone in a liberalising direction. Indeed, the recent history of Islam has thrown up some deeply reactionary reform movements.

5.7. Challenges to the classical tradition

There are two particular Islamic movements that are worth outlining briefly, the first being the Salafi movement. The Salafi movement has its origins in Islamic modernist thinking, which emerged in the nineteenth and early twentieth centuries and was based primarily³⁷⁹ in Egypt. Islamic modernism came to prominence against a backdrop of colonial interference by the West: one of the first modernist thinkers, the Egyptian scholar and translator Rafa’a al-Tahtawi (1801-1873), was born in Tahta just a few years after Egypt was invaded by Napoleon in 1798.³⁸⁰ The first modernists found much to admire in Western philosophy, science and political organisation. Tahtawi, after living in

France for some years, even commented on one occasion: “In Paris, I saw Islam but there were no Muslims, but in Egypt, I see Muslims but there is no Islam.”³⁸¹ Later modernists such as Muhammad ‘Abduh (1849-1905), who was also Egyptian, and Rashid Rida (1865-1935), who lived much of his life in Egypt, also engaged with European thinkers in a positive way.³⁸² Rida read Darwin, and attempted to reconcile the Qur’an with theories of evolution.³⁸³ Yet ‘Abduh and Rida were (understandably) ambivalent about Western power. They were impressed by European philosophers and were concerned that some Islamic traditions had hindered the development of the Islamic world, yet also portrayed the West as a place of widespread hypocrisy and profligacy. This ambivalence can be seen in Rida’s apologetic *Al Waby Al Mubamadi*, in which he quotes ‘Abduh claiming that

the nations of the West will suffer from the troubles of their civilisation and its political decadence to such an extent that they will be forced to seek an outlet; that outlet will be found only in Islam—the Islam of the Qur’an and the *Sunna* and not that of the theologians and jurists.³⁸⁴

Highly uncertain about the West and thoroughly dissatisfied with a juristic framework they considered dilapidated and restrictive, ‘Abduh and Rida supported a thorough reformulation of Islamic traditions, which they believed would allow Islam to respond to modern social, political and intellectual challenges and strengthen Muslims’ hearts worldwide. They suggested bypassing the classical era and returning to the original vision espoused by the Prophet and his Companions (*Sahaba*). ‘Abduh accordingly became involved in initiating a reform movement called *Salafiyya*, the name of which referred to the “predecessors” (*salaf*): the people living at the time of Muhammad and the two generations that followed him. This movement opened up the task of interpretation to many more people, and these interpretations went down two paths, largely reflecting the ambivalence of its founder. The Salafi movement, as it became known, appealed to those sympathetic to liberal traditions but also to disenfranchised Muslims who wanted to retreat into the past. Although ‘Abduh was a modernist, his ideas were extended by some of his followers to emphasise the normative significance of the first generations of Muslims at the expense of historical contextualisation and changes in practices and belief. Salafism in the end became a revivalist movement that

idealised a lost age, reinterpreting it as a time of Islamic perfection and developing it into a model for a hoped-for Islamic future.

Salafism has impacted upon a variety of national contexts.³⁸⁵ A significant number of the young literalists whose disenfranchisement I discussed in the previous chapter describe themselves as Salafis. The movement has played a significant role, alongside sociological changes and colonial conflicts, in undermining the juristic traditions of the medieval period. Those calling themselves Salafis tend to be scornful of established political institutions and traditional *'ulama*. Their opposition to traditional markers of Islamic authority and legitimacy is even visible in the most extreme British Muslims, who are generally disdainful of classical scholarship, with its cautious approach. Abu Hamza al-Masri, the former imam of Finsbury Park Mosque who was extradited to the US before being convicted in the UK on terrorism charges, furiously rejected *ijaza*. “The people who have been bestowed *ijaza* give us nothing but headache,” he once opined. “What is the use of all this ‘Islamic’ knowledge if it’s not bringing anything positive to the Muslim people and Islam?”³⁸⁶

5.8. The genesis and influence of Wahhabism

Yet Salafism did not go from being a modernising movement to a puritanical creed without any outside influence. It was pushed in this direction by a second “reformist” movement known as Wahhabism, which is named after its intellectual figurehead Muhammad ibn ‘Abd-al-Wahhab (1703–1792). Wahhabism emerged in the eighteenth century in Saudi Arabia as a challenger to the theologies of the declining Ottoman Empire, its eponym maintaining that Ottoman Islam had become impure and that for the tradition to be restored it would have to be purged of the innovations (*bid'a*) that had crept into the religion, including mysticism, intercession, and Greek rationalism. It developed³⁸⁷ into a rigid, anti-intellectual creed, scornful of non-Muslims and, for that matter, the majority of Muslims too, many of whom it saw as heretics. Interestingly, it might not have made a lasting impact upon the world were it not for the influence of two other political forces: first, the Al-Sa‘ud family, which wanted to defeat all other contenders and rule over Arabia; and second, the British government, which wanted a strong power in the peninsula that would serve British interests by granting exclusive

oil-mining concessions.³⁸⁸ They helped Wahhabism become the official creed of Saudi Arabia, and that remains the situation today.

Today Wahhabism and Salafism have blended together to some extent. Muslims who reject classical and liberal Islam usually refer to themselves as Salafis, while their critics tend to use the Wahhabi moniker. In its original form Salafism was not entirely hostile to classical knowledge or anti-intellectual, but the fact that it opened up interpretation to anyone, combined with its claim upon the authenticity of the earliest Muslims, meant it was easy to co-opt. When the Al Sa'ud family took power in Saudi Arabia it was viewed with suspicion by many Muslim-majority nations; Nasser even attempted to overthrow their government.³⁸⁹ In part, this was because Wahhabism was viewed as potentially dangerous: its rejection of many forms of Islamic belief caused Muslims to worry about it ruling over Mecca and Medina. This meant the tradition needed to establish its credentials, which it did by re-branding itself as "Salafi" and by initiating a campaign of global proselytisation. Wahhabism, unfortunately, is financially strong due to the oil wealth of the Saudi élite, which was, of course, funded largely by the West—first the British and, more recently, the Americans. It has been estimated that Saudi spending on religious causes abroad has been between two- and three-billion dollars a year since 1975, spent on fifteen-hundred mosques, two-hundred and ten Islamic centres and dozens of schools.³⁹⁰ It is difficult to be precise about the influence of this tradition on Britain's mosques and centres of learning; recent reports have tended to exaggerate its influence upon Islam in the UK.³⁹¹ Yet it seems certain that it has had an impact, giving further reason why some Muslims are frustrated with Britain's centres of Islamic learning. Murad has given the following description of the Central London Mosque in Regent's Park, for example:

There has been a recession in the last twenty or twenty-five years since I have been visiting that establishment, from a relatively hospitable openness with a diversity of views on their bookshelves to an absolute, totalitarian closure of the Muslim mind—imposed, we must assume, by the consensus of the Arab embassies who control the Central London Mosque.³⁹²

This is a particularly difficult issue because, irrespective of who controls it, the Arabian Peninsula is where Muhammad lived; observant Muslims turn toward it in prayer five

times a day. For that reason it is easy to regard it as the core of Islam, comparable perhaps to what Vatican City is for Catholics. The truth is that until very recently the region was, although obviously significant for Muslims, on the intellectual margins, not comparable to places such as Cairo or Istanbul. This fact is not obvious to most people living in the UK, however, so when reports emerge of women being tried for adultery after being repeatedly raped or of girls being left to burn to death in fires rather than being allowed out in public unveiled—both of which have occurred in Saudi Arabia due to the influence of the Wahhabi creed³⁹³—the immediate response among many people in the UK is to see that as the Islamic norm.

5.9. The struggle to re-cast Islam

For most of the British Muslim activists trying to develop Islamic teachings that allow Muslims to authentically be part of the West, and just about all those I refer to here, the biggest adversary is this Salafi/Wahhabi tendency. For example, Mustafa Ceric, who is the Grand Mufti of Bosnia (*Reis-ul-Ulama*) but who visits the UK regularly and has spoken at the RMW's events numerous times, depicts Salafis as the “new Kharijites.” The Kharijites (meaning “the seceders”) were a group of early Muslims who refused to give their allegiance to the successors to Muhammad, and who were at the heart of the conflicts (*fitna*) among the early *Umma*. For many Muslims, they are synonymous with unreasonableness and extremism. Ceric writes that it is “simply too risky for the Muslim global community to be left at the mercy of Kharijite political thought, which might lead Muslims to undesired isolation.”³⁹⁴

Of course, Muslim religious leaders in the UK can only do so much to address the economic deprivation and social isolation that helps to make Salafism popular in Britain, and even less to shape the geopolitical conflicts that have led to Wahhabism emerging as a theological force. They cannot do much to dislodge the common perception that Saudi Arabian Islam is normative either: the kind of assumption that Newt Gingrich, the former Speaker of the House of Representatives, made when he argued that building of mosques should be banned in lower Manhattan “so long as there are no churches or synagogues in Saudi Arabia.”³⁹⁵ However, some efforts have been made by Muslim religious authorities to dislodge these perceptions. The most

prominent of these has been the initiative *A Common Word*,³⁹⁶ an open letter offered to Christian leaders in October 2006 calling for convivial relations between the two traditions that, as of October 2007, had been signed by 138 Muslim scholars, clerics and intellectuals, including many individuals cited in this and the previous chapter: Ingrid Mattson, Ali Gomaa, Hamza Yusuf, Ceric, and Murad. What was unusual about this initiative is that it attempted to draw a number of different Islamic authorities—the most prominent perhaps being Gomaa, a senior figure at the Al-Azhar, arguably the most venerated centre of Sunni Islam in the world—to address not only Wahhabi interpretations, but also Westerner’s assumptions about Islam. The main goal of the initiative was articulated expertly by Mattson, speaking to an audience in Cambridge at a RMW event held in October 2008:

I’ve spent many years speaking to people about Islam, and what I’ve noticed is that over the past decade responses to what I have to say have changed... What I find is that the audiences I speak to have already established their perception of what a Muslim is, what Islam is, and now they’re very sceptical of what I have to say. So I’ve had people stand up in the audience, for example—imagine this, an ordinary person standing up and saying: “But what you don’t understand about Islam is...” So they are claiming knowledge of Muslims, a knowledge that trumps my knowledge—someone who is a professor, someone who is the leader of a Muslim organisation—and it’s not simply an act of arrogance; they really do believe that they have knowledge of Muslims and Islam.... [But] the more people who speak about [this initiative], you know, using its trademark name.... We should speak about it over and over and over. Use *A Common Word*; talk about *A Common Word*, because then we will have a message that will stick with people and that will help dislodge these misconceptions.³⁹⁷

It is perhaps wise not to be too effusive about developments such as this, positive though they may be. They are easily missed in a media culture where the worst news travels fastest and furthest. *A Common Word*, although it was widely reported at the time of its launch, generated fewer column inches than, say, the arrest and conviction of four Muslim men from Walthamstow who planned to detonate “liquid bombs” on a plane going across the Atlantic in August 2006. More importantly, politicians in the West

such as Hillary Clinton can applaud these efforts, as she did in the 2009 annual Freedom of Religion Report, without doing anything to address the political problems in Israel, Iraq or Afghanistan that play a significant part in generating resentment and encouraging Islamic militancy. The event at which Mattson was speaking in 2008, entitled “Do we need *A Common Word?*” was organised to try and debate some of these very good reasons for being sceptical about the initiative, and a number of the people present voiced concerns of exactly this kind.

Despite this, the launch of *A Common Word* was notable, it being one of the first times Muslim scholars from a variety of national contexts, both in- and outside of the West, managed to enter Western secular public spheres and affect debates about Islam in the UK and elsewhere. It brought together different forms of authority from the Middle East, North Africa, South Asia, Europe and America, who collectively authored a message that managed to influence debates about what Islam stands for. The initiative continues to communicate *fatwas* (religious judgements) formulated in areas of the world the Western media pays little attention to such as Egypt, Yemen, Kuwait and Turkey, in doing so taking small steps to create new forms of authority in Islam and, it is hoped, fill the current vacuum.³⁹⁸

5.10. Liberalism, fundamentalism and tradition

What is especially striking about these internal debates within contemporary Islam are the different arguments that are used in opposition to the Wahhabi/Salafi tendency. These differences are often missed in discussions of Islam in the West, where debates are usually framed in terms of “liberal” or “modern” opposition to “fundamentalism.” This kind of description is simplistic because, as we have seen, modernist and Salafi forms of Islam share historical roots and both have worked to challenge classical scholarship.³⁹⁹ At their worst, such descriptions can give the impression that the conflict is simply between a traditional, backward-looking interpretation of the texts and a progressive, forward-looking interpretation. This makes it appear that Islam simply needs to “catch up” with the modern West, and portrays traditionalist and literalist forms of Islam as basically the same thing. In truth, there are (at least) three different approaches in these disputes over authority.

There is, of course, a conflict between modernist and liberal forms of Islam and the scriptural literalism embodied in Wahhabism. Within the UK, organisations such as British Muslims for Secular Democracy (BMSD) work to oppose radical and intolerant forms of Islam and argue for clear separation of church and state without recognition of any form of religious law.⁴⁰⁰ The most prominent European voice arguing against the idea that it is impossible to be firmly committed to the tradition and still be a fully participating member of a political community is Tariq Ramadan, who, though not an advocate of a “liberal Islam” as such,⁴⁰¹ has clearly taken on and been influenced by a number of the liberal tradition’s themes. Ramadan clashes most clearly with Wahhabi thought over civic participation. Where Wahhabism has become influential it has undoubtedly acted as a negative force, preventing the kind of civic interaction on which a healthy democracy depends. Abd-al-Wahhab affirmed a doctrine, said to be widely discussed in Wahhabi circles, known as *al-wala wa al-bara* (literally, “loyalty and disassociation”) that claimed allegiance should be given only to the immediate imam, and not to “man-made” authority. Frequently this is taken to mean one should not associate with any non-Muslims.⁴⁰² The contrast between this view and Ramadan’s position could not be starker. “The best way to be close to God,” he has said in one essay, “is to claim your rights as a citizen.”⁴⁰³ This emphasis on citizenship gives his thought an “individualistic” side, similar to the “ethical individualism” affirmed by the liberal philosopher Kwame Anthony Appiah.⁴⁰⁴ In his text *Western Muslims and the Future of Islam* Ramadan re-casts the tradition, rejecting the classical categorisations of territories such as *dar al-Islam* (“abode of Islam”), *dar al-harb* (“abode of war”), *dar al-ahd* and *dar al-sulb* (“abode of treaty”). Instead he argues that Muslims should base their understanding of the modern West upon Mecca before the Hijra, and regard it as *dar al-dawa* (“abode of testimony”).⁴⁰⁵ By doing so, Ramadan casts Islamic ethics less in social and cultural terms, and more as a set of personal loyalties, placing emphasis particularly on the individual conscience⁴⁰⁶ and trying to ensure that personal autonomy and privacy are both protected. The ethical emphasis he places upon the individual is best illustrated using his remarks on homosexuality:

For more than twenty years I have been insisting ... that homosexuality is forbidden in Islam, but that we must avoid condemning or rejecting individuals. It is quite possible to disagree with a person’s behaviour (public or

private), while respecting that person as an individual. This I have continued to affirm, and gone further still: a person who pronounces the attestation of Islamic faith becomes a Muslim; if that person engages in homosexual practices, no one has the right to drive him or her out of Islam. Behaviour considered reprehensible under the rules of morality cannot justify excommunication. There is no ambiguity, and ample clarity: Muslims have the right to express their convictions while at the same time respecting the humanity and rights of individuals.⁴⁰⁷

For many people, of course, the word “liberal” implies acceptance of all sexualities, so using this passage to illustrate the influence of the liberal tradition might seem strange. What is worth highlighting about the passage above, though, is the way it divides between the individual’s choices and behaviour, on the one hand, and the “rules of morality,” on the other. Like Mill, Ramadan accepts morality shouldn’t be enforced and, like Rawls, he appears to indicate that the individual *qua* citizen can be fully respected in public even if one disagrees with his or her actions. The second part of his argument will not convince everyone: some (myself included) would argue full respect includes respect for all aspects of a person, sexuality included. It is, though, a position which coincides with aspects of liberal political philosophy.

Many of the other new theological voices in Britain are, however, more wary of bypassing ancient traditions, choosing instead to draw directly from classical forms of Islam that Salafis and Wahhabis repudiate. Ramadan, like the first modernists, is not hostile to classical Islam but emphasises the need to “repair” the tradition (*islah*) by returning to the “sound form of origin.”⁴⁰⁸ For others, the classical period is a more direct source of inspiration and guidance. Many of these theologians are not based in the UK, but contribute to British debates. Hamza Yusuf is a good example of this. His primary intellectual influence is the Mauritanian scholar of Maliki law ‘Abdallah bin Bayyah, who has argued during his long career as an *‘alim* that classical *fiqh* required conviviality and respect for non-Muslim neighbours, and allowed adaptations of even fundamental religious rules, such as prayers, to facilitate the integration of Islam. Both bin Bayyah and Ceric depict the West as *dar al-sulh*, which they (and Yusuf, who is a translator of bin Bayyah’s *fatwas* and speeches) choose to translate either as “abode of

treaty” or as “abode of social contract.” This is what bin Bayyah has said about the subject in one of his public speeches:

[W]hen I came to this country, they issued me a visa, and I signed something. In the issuance of the visa and my signing of it, a legally binding contract occurred which was a *sulh* [a treaty]. It was an agreement that when I came into this country, I would obey the laws and would follow the restrictions that this visa demanded that I follow. This was a contractual agreement that is legally binding according even to the divine laws. In looking at this, we have to understand that the relationship between the Muslims living in this land and the dominant authorities in this land is a relationship of peace and contractual agreement—of a treaty. This is a relationship of dialogue and a relationship of giving and taking.... [I]t is absolutely essential that you respect the laws of the land that you are living in.⁴⁰⁹

An even stronger emphasis on the normative role of tradition is visible in the remarks of Umar Abd Allah, another American Muslim theologian who has taught in Jeddah and the United States. The following passage, taken from a talk in Birmingham Central Mosque in 2006, is particularly revealing:

Extremism often expresses itself in a personal quest for immediately accessible knowledge. In other words, pamphlets; we read pamphlets, we read easy books.... And often this is in defiance of authority; I mean by that in defiance of traditional authority, of the schools, the tradition, the teachers. As one of the great scholars that I used to know in Morocco used to say, who was a great *muhaddith*, he would say: “I studied *hadith* all my life; I studied Islam all my life, and a young man who doesn’t even pray goes into the movie theatre, comes out, buys a pamphlet, and the next day he’s calling me a *kaffir*.” So this is an example of the quick fix: immediately accessible knowledge and then defiance of authority. You, who’ve studied Islam all your life, and your grandfather studied it, and it’s like: “I can condemn you in five minutes because I read this pamphlet, and I saw that what you’re doing doesn’t suit that. This is typical of extremism wherever you find it. The religiosity of extremism is often based upon personal experience, and not *legacy*.”⁴¹⁰

Of course, Yusuf, bin Bayyah and Abd Allah are not present in the UK often enough to make an enormous impact, although all three have been published in *Q*-News and spoken on various occasions at RMW events. Nevertheless, there are UK-born Islamic scholars who take a similar approach, of whom Murad is the most obvious example. Murad's theological writings contrast the doctrine of *al-wala wa al-bara* adhered to by Wahhabis with what he calls "traditional Sunnism," a doctrine that values the "tree of *tawhid*," and resists efforts to "tear it up by the root":

We need renewal, every Muslim accepts that. The religion has become old, doddering, cantankerous. The sole source of renewal is that which was good for the earliest generations of this *Umma*; that's established, nobody will deny it. But the difference between 'alim and the amateur is that the 'alim says we'll deal with the tree as it is, we keep it going; *alhamdulillah* we still have it and over the years it has acquired a certain magnificence, that in itself has the right to be respected and enjoyed. The amateur scholar says, "No, the best thing is to cut it down and we'll be back in 1453 again, or indeed back at the time of the Hijra, in the time of the Prophet, *sallallahu alaihi wa sallam*." This is really what is at stake. We have a tree that is more intact than the trees of the other [major religions]; but we have, given the nature of the age, an increasing proliferation of people who misunderstand it, who are not grateful for it, who can't see its current beauty, who have not trained with those who have been looking after it, and think that the solution is actually to cut it down. The great calamity in our age is not that Islam needs a Reformation or that we need a liberal Islam; the great calamity is that we are not being true to our own traditions of scholarship.⁴¹¹

The real value in traditional Sunnism, according to Murad, is that it allows Islamic traditions to be "embedded" in different cultures rather than radically refusing links with surrounding culture. "The tradition's legal and theological capacity to allow conviviality and adaptation has," he argues, "been demonstrated in many historical contexts."⁴¹² As an example, Murad cites Poland, where Muslims fought alongside the Christian rulers against the Teutonic Knights between 1409 and 1411, and where Polish traditions have influenced mosque architecture, with Polish sonorities even being used

in religious ceremonies.⁴¹³ He also cites medieval China, where Sayyid-i Ajjal (1211-1279), the Yüan governor of Yunnan, established the province's first ever Confucian temples despite being a Muslim himself.⁴¹⁴ He stresses, too, the point that classical *fiqh* traditionally recognised local laws and customs (*'urf*)⁴¹⁵ if they did not directly conflict with Islamic teachings.⁴¹⁶ "Islam, as a universal religion, in fact as the only legitimately universal religion," Murad emphasises repeatedly in essays, "also makes room for the particularities of the peoples who come into it."⁴¹⁷

This, of course, links into a wider project of developing a form of Islam that fits into the UK, or better, blends with it. This argument informs the Cambridge Muslim College, and, although Murad himself has been less directly involved, other initiatives such as the Muslim College in Ealing and RMW. The Cambridge-based imam has even edited a book of Muslim songs of the British Isles, taking traditional British folk songs and fusing them with Islamic themes.⁴¹⁸ Together these voices represent, in the view of Abdul-Rehman Malik, one of the staff at RMW, an attempt by Western scholars to "reclaim the classical heritage."⁴¹⁹ This, then, is why some of the new initiatives that have emerged in the UK, despite making use of modern technology, do not follow the trend toward personalised interpretation and challenges to traditional forms of authority entirely: many are engaged in an effort to draw upon the authority of the classical period to challenge modern scriptural literalism.

5.11. Theological contests and social contexts

It is not easy to say how successful these challenges will be. Such traditional and liberal forms of Islamic theology certainly have a number of obstacles to overcome if they are to successfully undermine the decontextualised and often literalistic readings of the texts preferred by Salafi and Wahhabi groups. The problem is not just that Wahhabi interpretations of the tradition are well financed and appealing to young Muslims who have suffered racism and economic exclusion and who have been frustrated by the foreign policies of the US and Britain in the Middle East. Nor is it just that the Western media tend to focus on more puritanical forms of Islam, offering little assistance to Muslims trying to counter those interpretations. There is also the problem that in the UK, with its fast-paced media culture constantly spewing masses of information, it is

hard to transmit and discuss a religious tradition coherently. This is an especially large problem given that the Islamic tradition, as Zaki Badawi observed many years ago, does not yet contain in its vast corpus many systematic discussions on the subject of how to live as a minority.⁴²⁰ It was partly for this reason that the *Journal of Muslim Minority Affairs* was first published toward the end of the 1970s.⁴²¹ There are various areas that are in need of discussion, but conditions make it hard.

Many social scientists and political analysts, particularly those, such as Tariq Ali, who have links with the secular Left, as a result tend to push to one side all talk of theological conflict as irrelevant.⁴²² For them, contests over religious texts are seen as less important than the social and historical conditions in which those texts are read. This is a view Roy inclines toward, noting that, in general, theological arguments such as bin Bayyah's about whether Muslims should consider British laws binding are not really of much relevance. Responding to a debate between Abou El Fadl and Bernard Lewis over whether most classical *'ulama* considered it permissible for Muslims to live under non-Muslim rule, he suggests:

As is so often the case, the impact of such theoretical and legal discussions on current practices is overemphasised by Western orientalists and contemporary Muslim fundamentalists. "Real" Muslims act and live without waiting eagerly for the *ulama's* point of view. The idea that Muslims are reluctant to live as a minority is contradicted by the facts... [This idea] overestimates the impact on societies of religion in general and Islam in particular... [T]here are simply Muslims who are negotiating new identities by conflicting means, usually peacefully, sometimes violently.⁴²³

Clearly, given all the massive structural forces outlined above, one has to concede that Ali and others have a point. And obviously, what Roy says in this passage is correct: those who came to Britain in the '50s did not seek the consent of clerics. Just because an *'alim* claimed around 1350 that Muslims should not live in a jurisdiction in which Islam is not dominant it does not mean Muslims will never be able to live settled lives in Western, secular contexts, as some claim. Nevertheless, such commentators can be a little too quick to discount the influence of ideas. Marxists such as Ali are not usually quite so quick to discount Marxism as an idea, after all; it tends only to be theological

ideas, which hints at a minor progressive bias. Roy's analysis, too, might be improved if he recognised that "negotiations" about Muslim identity are generally conducted in a theological language. Although the initiatives mentioned above are all small first steps, one can nevertheless trace certain ideas being turned into organisational forms. The traditionalistic riposte has been influential, and the influence of liberalising theologians can also be observed: the inspiration behind Maslaha was actually a presentation by Ramadan in London in 2006. These are just hints, and need to be set against the kind of long term changes explored in the last chapter, but to say they are of no interest to anyone interested in public life is highly unfair. At worst, this attempt to undermine the overemphasis on Islamic concepts (by people like Scruton and McRoy above) can lead to the insinuation that the arguments and the moral orientations of Muslims do not matter and are not worth considering. As Abou El Fadl has suggested in a response to Ali, millions of human beings "acknowledge God as part of their moral and material universe. This is why theology matters. If theology does not matter, then they do not matter, and, ultimately, I do not matter either."⁴²⁴

5.12. Creating new forms of authority?

Intriguingly, a number of Muslim scholars in Europe have responded to the obstacles listed above (as well as those challenges mentioned in the last chapter) by calling for the creation of new authorities. Ceric has been the most enthusiastic advocate of such an idea, putting forward a proposal for unifying Sunni and Shi'a traditions under a single European Islamic authority, a development that he regards as necessary to strike a decisive blow to the "new Kharijism."⁴²⁵ Murad, although much more sceptical about the idea than Ceric (for reasons to be discussed in Chapter 7), nonetheless admits that "the problem generically in the Muslim world is that the very top flight elite scholars sometimes are disconnected ... so the middle-range scholar interested in maintaining credibility in a congregation that might be fearful and wary of new ideas no longer has great scholars to whom he can refer."⁴²⁶ Even some who are not formal scholars, such as Ramadan, have expressed similar views:

Do we need a platform of scholars, at least at the national level? We need scholars at different levels. In Britain, we need people who know the country,

come from the country, are raised in the country, who know the fabric and the culture, the language and the whole collective psychology. We need people who come from diverse readings of the Qur'an. We need a platform which will give direction.... This is for national issues and we may think of another platform for international issues.⁴²⁷

The creation of religious authority is, of course, generally associated with challenges to liberal democratic politics. But these intellectuals, oddly enough, regard the creation of a platform for the transmission of new, authoritative interpretations as potentially a force for liberalisation, or at least for enabling harmonious coexistence between the different European moral traditions. The hope is that such an institution might be able to formalise and establish an Islamic tradition in Europe based upon the principles of, as Ceric has it, a “Muslim social contract.” Indeed, Ceric aspires to something akin to a Vatican II-style *aggiornamento* (“updating”) so that Islam can be turned away from the path of scriptural literalism and toward a situation where all Muslims take part in society as, as he says himself, quoting Rawls, “free and rational persons concerned to further their own interests [who accept] an initial position of equality as defining the fundamental terms of their association.”⁴²⁸

5.13. “Actually existing” Islamic authority

Whether it will ever be possible to develop such an institution or institutions, either at a national level or continent-wide level, is not easy to tell. The dream is certainly a long way from the reality at present. The closest thing to a European Islamic authority currently is the European Council for Fatwa and Research (ECFR), which was formed in 1997 and has its headquarters in Dublin. Rather than being a training centre for aspiring religious leaders like the Muslim College, Cambridge Muslim College or the many Deobandi *dar al-ulums*, the ECFR’s primary function is to provide judgements on such things as (to take examples from its first *fatwa* book) whether it is permissible for a Muslim to settle permanently in a non-Muslim country, whether the traditional punishment for apostasy is still relevant, or whether a Muslim woman is required to wear a head covering of some sort. It has not yet achieved widespread acceptance in the UK, however, for a number of reasons.

The single biggest reason is its claim to be a *European* Islamic authority looks a little dubious from the outside. Only half of the thirty-eight *‘ulama* that make up the Council are actually based in Europe; the remainder are from either the Middle East, Central and East Africa, South Asia or North America.⁴²⁹ To add to this, the president of the organisation presently is Yusuf al-Qaradawi, the controversial Egyptian *‘alim* and televangelist. Qaradawi has been widely condemned for his views on homosexuality, apostasy (he takes the classical view) and his support for suicide bombers in occupied Palestine, as well as his involvement with the Muslim Brotherhood, the Egyptian political movement.⁴³⁰ In February 2008 he was denied entry into the UK for medical treatment, the Conservative leader David Cameron describing him at the time as a “dangerous and divisive” preacher of hate.⁴³¹ One can quibble about the wisdom of this judgment given that: 1) Qaradawi condemned in no uncertain terms the attacks on New York in 2001 and the bombings in London in 2005; and 2) Conservative leaders have in the past had no problem welcoming, among others, Augusto Pinochet to the UK, a person whose political record makes Qaradawi’s views seem decidedly tame. Even so, it will always be hard for a non-European individual with such views to represent Islam in Europe—particularly when that individual is not lawfully permitted to enter one of the continent’s most populous countries.

Despite these misgivings, it is worth noting that the ECFR’s judgements usually have avoided serious controversy, reflecting the fact that its members hold different views, not all as hard-line as Qaradawi’s stances. Its first book of *fatwas* goes against the classical position on apostasy (although its wording is a little unclear), as well as stressing that living as a minority is acceptable and that, while Islam does prescribe the wearing of a head covering, it should not be forced upon women.⁴³² This does not mean the organisation is without flaws, but it is interesting to note that it has proved a valuable resource for some clerics: Usama Hasan, for example, the young imam mentioned in the previous chapter, cites the ECFR as one of the authorities on which his support of religious freedom is based.

5.14. Conclusion: tradition and authority

Authority has always been a slippery quality, something that is hard to pin down and easy to build myths around. In the Islamic tradition, in present day Britain at least, authority is increasingly diffuse and thus elusive, which may be part of the reason why so many myths and rumours surround it. There is, in fact, an irony in the way Islam is portrayed by many commentators in the UK. As Roy has observed, the more radical movements and revivals that have surfaced in the UK are often looked upon as just importations of authoritative traditions born in the Middle East or the wider Muslim world. In truth, those movements, often influenced by Salafi and Wahhabi thought as well as by processes of globalisation and modernisation, have been at the heart of the slow weakening of ancient Islamic traditions.⁴³³

Weakened as the traditional structures of authority may be, however, the issue of Islamic authority is not likely to go away soon. As we have seen in this chapter, a number of efforts have been made to create new forms of authority, many of those who are involved giving serious thought to how Islam can be reformulated in such a way as to ensure protection of personal freedoms (in Ramadan's case), facilitate full participation (in Ceric's case) or encourage the Islamic tradition to entrench itself in British culture (in Murad's case). These, however, conflict sharply with those forms of Islam that have been propagated by the clerics based on the Arabian Peninsula since the 1970s that have tended to firmly resist any form of political engagement, instead retreating into a past reimagined as a golden age. Significant theological contests look certain in the future, and not only in Britain.

The outcome of these contests is not easy to predict, for two significant reasons. Firstly, they are taking place against a backdrop of economic and political struggles and wide-ranging social changes. Salafi and Wahhabi forms of Islam may be simplistic, but they offer iron certainties and an escape from a hostile world that can be appealing during a time of rapid change. They are also, as we saw earlier in the chapter, extremely well financed. On the other side, the theologies propagated by the scholars discussed above may be more nuanced, but they can also struggle to connect, seeming removed from people's real-life problems. Transforming the wide-ranging vision that they offer into institutions and social movements may be difficult, not least because they are easily

caught up in political conflicts and co-opted by interested parties. As we shall see in Chapter 7, the UK government has taken a keen interest in those forms of Islam that are supportive of political participation in Britain. These expressions of interest can have the effect of tainting certain perspectives, giving the impression that they are being pushed by a secular state for political reasons.

Secondly, there are a number of differences between scholars' perspectives. In the Anglophone world most people have become familiar with attempts to divide Muslims into the categories of "radical" and "moderate." These are, of course, highly simplistic. Not only are a whole host of political movements and social formations (from the puritanical Saudi élite to Egyptian and Pakistani militants, Turkish political parties and young, disaffected European Muslims) usually lumped together in the former group, a number of different and often opposed individuals (including liberals and modernists, scholarly traditionalists and nominal Muslims with little interest in the intricacies of theology) are also placed together in the latter. The emergence of Salafi and Wahhabi forms of Islam has prompted a wide variety of theological viewpoints to come together in opposition, with traditional scholars from the UK and abroad forming an alliance of sorts with large numbers of younger Muslims. Yet there are still differences that will need to be worked out. In particular, the attempts to "reclaim the classical heritage" will need to work out how to revitalise the Islamic tradition's language to allow it to speak to modern conditions, addressing questions about things such as living as a religious minority and women's participation in public life. The problem is that traditional *fiqh* has serious limitations in these areas: most forms of classical Islamic law prohibit full recognition of women and non-Muslims as citizens.⁴³⁴ For that reason, simply stressing the normative authority of the classical era in opposition to Salafi literalism, as some do, represents at best a partial solution. To move further, it will be necessary to open up the tradition to reinterpretation, running the risk of further fragmentation and even schism. There is a great deal at stake in these debates over interpretation, and so it is of great significance how they are allowed to unfold.

6. Debating civil and Islamic law

6.1. Communication breakdown

If there is one thing that unites liberal political philosophers—even many who regard themselves as on the margins of the tradition, and who prefer to be thought of as socialist, feminist, conservative or communitarian—it is the belief that the tackling of injustice and the shaping of progress rely on a constant, engaged public conversation. As Nancy Fraser has put it, in liberal states “political participation is enacted through the medium of talk.”⁴³⁵ For conditions to improve there must be a space, in Zygmunt Bauman’s words, “where private problems meet in a meaningful way—that is, not just to draw narcissistic pleasures or in search of some therapy through public display, but to seek collectively managed levers powerful enough to lift individuals from their privately suffered misery; [a] space where such ideas are born and take shape as the ‘public good,’ the ‘just society’ or ‘shared values.’”⁴³⁶ This basic belief has been implicit throughout this study so far: to argue about whether religious reasons should be used in public debates and to examine the negotiation of religious beliefs and identities is to presuppose that reasoning and negotiating *matter*, and that without successful, open debates liberal democracy is in serious trouble.

It is precisely because so much hangs on public conversations that it is easy to become despondent when they go awry—when, for example, they become no more than excuses for outpourings of aggression, or when they are based upon dubious premises from the outset. And go awry they frequently seem to do, particularly when those conversations are about Islam. A good example of this occurred in 2008 when Rowan Williams, Archbishop of Canterbury and the leader of the Church of England, offered his thoughts in a public lecture on the relationship between English and Islamic law.⁴³⁷ During this lecture Williams contemplated, without offering firm conclusions, the possibility of incorporating certain aspects of Muslim personal law in the UK with a view to remedying the problems encountered by people who have loyalties both to their country and to a religious system with its own norms. His talk was by no means perfect in every detail—and it was far from media-friendly—but at the very least it hit on a significant and complicated problem. Within any religious tradition that has norms of action, and particularly those that are (like Muslims in the UK) not well established, there is a risk of groups operating semi-autonomously, in effect cut off from the state. When this situation occurs, a number of risks emerge: people who fail to register their

marriages may find they have no claim to inheritance or compensation payments;⁴³⁸ or worse, vulnerable people in the community might be forced to do certain things or be prevented from claiming rights. There are two ways of avoiding these problems, but neither can be regarded as a panacea. The state could interfere with that group, but then there is a risk that religious freedoms will be infringed, with consenting members of the group being seriously hindered. Or it could formalise the norms of the religious community within the civil system—that is, delegate authority to its leaders so that religious rites become recognised in civil law. Then, though, there is a danger that any oppressive practices will become entrenched. All this was acknowledged in Williams’s lecture, which advocated an open conversation working toward “mutual questioning and ... mutual influence towards change.”⁴³⁹

This conversation was, however, cut short just a day or so after the lecture took place, the discussion giving way to paroxysms of rage that paid little attention to the content of the lecture and even less to the lives and beliefs of the Muslim communities based in the UK. The prelate was ridiculed,⁴⁴⁰ and calls were made from across the political spectrum for him to resign as the head of the Church. Approximately seventy articles were published on the subject of the lecture in the two weeks that followed in the broadsheet press alone, around nine tenths of which were relentlessly hostile.⁴⁴¹ The following excerpt from Charles Moore in *The Daily Telegraph* gives a good indication of the kind of thing that was said:

“*Shari‘a*,” says Dr. Williams, “is not intrinsically to do with any demand for Muslim domination over non-Muslims.” Actually, under *Shari‘a*, Jews and Christians have only what is called “*dhimmi*” status, a sort of protected, but second-class citizenship. But in a way, he is right. *Shari‘a* does not “demand” domination; it assumes it.... Islam, like Christianity, is a religion of conversion. Its *Shari‘a*, unlike the teachings of Christianity, is a programme of law to be turned into a political reality, if possible everywhere. Poor, dear Dr. Williams mutters into his beard about a “market element” of taking a bit of *Shari‘a*, and a bit of this and a bit of that, as if these things were herbs to spice our multicultural soup. People who want *Shari‘a* do not see it like that. For them, it must be the only dish on the table.”⁴⁴²

It is hard to convey briefly how wide of the mark this passage is, and it will be one of the aims of this chapter to show the distance. To borrow Wolfgang Pauli's quip, not only is this statement not right; it isn't even wrong. To be called "wrong" it would have to have read the situation right and then made an unwise suggestion. But this passage is barely more than a paranoid fantasy: it is completely unrelated to the character of and the debates about Islam in Britain. To begin with, it is worth mentioning that, although the medieval *dhimma* system of citizenship that Moore mentions had a place in classical *fiqh*, it has not been transformed fully into a formal political reality anywhere since the Tanzimat period⁴⁴³ of the Ottoman Empire. The only recent attempt to institute the model was made in the 1990s by the Taliban in Afghanistan, and even that stammering effort resulted in the almost total isolation of the regime and its condemnation by Muslims the world over. (Taliban rule, it is worth noting, was only recognised by four of the more than forty-four Muslim-majority countries in the world.)⁴⁴⁴ In the UK I have never seen the concept mooted apart from one off-the-cuff remark from a radical cleric quoted in a far-Right publication.⁴⁴⁵

The real problem with this situation is that it has made it almost impossible to work out any kind of solution to the problems mentioned above, all of which, as this chapter will try to show, are entirely relevant in the UK. There have certainly been problems with Muslim communities bypassing the civil system and of vulnerable young Muslims being subject to forms of coercion, but these problems have become much harder to resolve because the debate has been skewed by those who appear to think that Islam poses a mortal threat to Western civilisation. (*The Sun's* Whitehall editor, playing to these perceptions, asserted that Williams had claimed Britain "must accept the strict Islamic code" and thereby "handed victory to al-Qaeda.")⁴⁴⁶ It has become the case that the flimsiest research examining on-line *fatwas* that have, in some cases, not even been made in Britain can make front page news,⁴⁴⁷ while careful ethnographic work on Islamic legal councils goes ignored by the press.

To try and make some headway on this subject, this chapter will do two things. The first is simply clear the way for a sensible debate about Islamic law in the UK by outlining some significant information about the issue. To do this it will draw on both primary and secondary research to offer an account of what the Islamic legal tribunals in the UK (and specifically the London area) do, and of when and why they emerged.

This will give a rough sense of the challenges and questions they present for liberalism in Britain. The second is a little more unusual. It will seek to articulate some of the internal debates on the subject, highlighting the different interpretations that have been put forward on Islamic law and looking at how these are being discussed with a view to reconciling Islamic norms and the civil system. Even in the academic sphere there is not a great deal of discussion of this. This is a shame, because these debates offer one of only a few sources of hope in the confusion. Over the previous two chapters I have been looking at some of the changes that have been taking place within the Islamic communities and traditions in Britain, and at some of the new theological voices and perspectives that have been emerging. In this chapter my main interest is in illustrating how some of these emerging debates open up possibilities and even hint at solutions to these extremely complicated problems. As will become clear, some of the initiatives outlined earlier in the thesis fulfil a useful function as spaces to work through complex questions, offering a location where many different perspectives on Islam can be put forward without immediately being misread; they may even offer lessons on how to improve public religious debate in the UK as a whole.

6.2. The genesis of Islamic legal tribunals

The Islamic legal tribunals in the UK occupy an unusual position within British Islam. Most are, like the mosques in Britain, run by the older generation of British Muslims. Indeed, many emerged under the guidance of mosque leaders, some being established because the existing imams were finding that far too much of their time was being taken up with marital disputes. For this reason the largest councils, established in the early to mid-1980s primarily to deal with marriages and divorces, can be seen as part of the process of community formation discussed in Chapter 4. However, the tribunals differ from institutions such as mosques and *dar al-ulums* in important respects. As we saw in Chapter 4, most mosques in Britain have links with traditions from abroad due to their being established to cater for the specific needs of an ethno-religious group. The largest tribunals, by contrast (on which I focus here), aim to cater for all Muslims regardless of ethnic or sectarian affiliation. They are a product of internal community dynamics, but reflect gradual changes within Islam in Britain and the overcoming of certain ethnic and sectarian boundaries.⁴⁴⁸

In fact, internal change has been central to the emergence of the legal councils in the UK. While most mosques and educational institutions attempted, initially at least, to maintain particular Islamic traditions for Muslim migrants and their offspring, the tribunals emerged partly as a way of negotiating between Islamic traditions and the English legal system. Although, as we shall see, they do have an awkward relationship with English law, they did not just emerge as a challenger to it, or as part of an effort to undermine or circumvent it. Indeed, what is particularly interesting about the legal tribunals is that they do not simply operate according to the norms of the (mainly South Asian) legal traditions with which their founders were familiar. Werner Menski and David Pearl, in their work on Muslim law Britain in the 1990s, coined the term “*Angrezi Shariat*” (“English *Shari‘a*”) as a way of trying to highlight the fact that during the last few decades forms of Islamic law have emerged that have been clearly distinguishable from the legal traditions in the regions from which most British Muslims originate. Certain legal practices have emerged, they write, that have “built the requirements of English law into traditional legal structures.”⁴⁴⁹

There is one particularly significant reason cited as why Islamic legal tribunals were created. In many traditional forms of Islamic law men are given the right to initiate divorce unilaterally without recourse to anyone. All he needs to do is declare *talaq* three times, usually in three consecutive months, and the marriage is ended (although in many Muslim-majority countries today, such as Pakistan, a man pronouncing *talaq* has to register it in writing at the earliest opportunity).⁴⁵⁰ A woman seeking to obtain a divorce, by contrast, has traditionally needed either to ask for it from her husband or, if her husband does not give his consent, appeal to some kind of formal authority.⁴⁵¹ A very similar situation applies in some traditional conceptions of Jewish law, where the husband has to grant his wife a *get*.⁴⁵² The argument made in the UK therefore is that because no legal tribunals were established Muslim women were encountering serious difficulties. A civil divorce might be obtained by a woman, but because the divorce had not been consented to by her husband she would still be considered by her relatives and peers to be married “Islamically,” making remarriage difficult. In the Jewish context women in this situation are usually called *agunot*, literally meaning women who are “chained” to a marriage, unable or unwilling to remarry and have children who might

be deemed illegitimate.⁴⁵³ Referring to the British Islamic context, Menski and Pearl describe these as “limping marriages.”⁴⁵⁴

6.3. Claims about emancipation

Quite the extent to which this was a problem twenty-five or so years ago is incredibly difficult to determine with precision, but there is no real reason to doubt that it was and may still be an issue in some cases. The majority of the fifteen-hundred or so cases that the Leyton-based Islamic Sharia Council (ISC), arguably the largest tribunal and one of two that I shall be focusing on in this chapter, dealt with in the first decade of its existence centred upon a husband who had not recognised his wife’s divorce for some reason.⁴⁵⁵ Since then legislation has been passed to deal with the issue, namely, the Divorce (Religious Marriages) Act of 2002, which allows anyone whose spouse is refusing to offer or accept a religious divorce to apply to the court handling the civil case for an order stalling a Decree Absolute.⁴⁵⁶ Even today however, as research by Samia Bano has shown, by far the most common reason Muslim women have for making contact with Islamic legal tribunals in the UK is to obtain an Islamic divorce.⁴⁵⁷ Because of this, the clerics in charge of the tribunals have sometimes tried to portray themselves as interested mainly or even exclusively in the emancipation of vulnerable women in Muslim communities. Consider, for example, this statement from Faizul Aqtab Siddiqi, principal of the Nuneaton-based Hijaz College and founder of one of the Birmingham-based Muslim Arbitration Tribunal, a new institution that does not deal with marriages and divorces but offers alternative dispute resolution within the terms of the Arbitration Act (1996):

It’s argued that what *Shari’a* courts do is subjugate ... women. Nonsense! Absolute humbug! You know the reality is that some of these *Shari’a* councils were created to give women the right to walk away from marriages which they were stuck in for decades, so that they could walk away from them with certainty and a definitive cut from the past.⁴⁵⁸

This is an unusually forceful pronouncement, but one of many that could be cited. The senior figures in the ISC have made similar claims. Maulana Shahid Raza and the late

Zaki Badawi, of the Ealing-based Muslim law (Shariah) Council UK (MLSC), have both cited this as their tribunal's main purpose, with the latter being quoted in both Menski's work and by another legal scholar, Ihsan Yilmaz.⁴⁵⁹ The MLSC, the second of the two tribunals I shall be concentrating on, is affiliated with the Muslim College (outlined in Chapter 4), and is for that reason perhaps the best known tribunal in the UK. These claims are, I believe, sincere, and to a certain extent truthful too. Even so, one has to approach them with caution, particularly when they are used to depict the tribunals as institutions that have brought nothing but benefits for Muslim women. In some scholarly accounts of Muslim personal law in the UK, particularly those that focus on clerics' views, there is a tendency to take these statements at face value. As a result academics have sometimes been sanguine about—even openly supportive of—the idea of delegating some form of authority to legal tribunals as a possible future for Muslims in the UK.⁴⁶⁰ However, as Bano, whose research on this topic is the most extensive I know of, has noted, these accounts rarely examine the experiences of the women using the councils and for that reason sometimes miss some of the serious problems that they can encounter. These have to be examined before it is possible to make any detailed comments. As we shall see, the tribunals have an ambiguous role, sometimes being highly restrictive, at others more positive.

6.4. Tradition, family and *nomos*

One thing that it is important to highlight is that not all the women seeking to obtain a religious divorce via an Islamic legal tribunal have already secured a civil divorce; many, in fact, are not even married in English law. This issue of marriage registration is a complex one, and I shall return to it again later in the chapter. But one can say with some confidence that the failure to register marriages has been a serious problem in the British Islamic context. In Bano's study of twenty-five Pakistani Muslim women who had used an Islamic tribunal less than half were married according to civil law, a figure supported by other publications on the subject.⁴⁶¹ One woman, in the most worrying case that she cites, was not even aware her marriage had no legitimacy in English law.⁴⁶² The number of mosques registered as approved premises also remains extremely low, not only compared to well-established religious groups, but also to recently arrived ones. According to the Office for National Statistics, while ninety percent of Catholic

churches and seventy-nine percent of Sikh temples are registered as premises in which marriages may legally be conducted, only nineteen percent of Britain's mosques are.⁴⁶³ This lower figure might be explained partly by marital norms in Islam. There are some Muslim religious leaders in the UK who argue that marriage in Islam differs from the Christian traditions in which British culture is steeped, it being more of a private matter. For example, Usama Hasan, the part-time imam we encountered in Chapter 4, argues that while many Muslims in the UK celebrate their marriages in mosques "you don't actually need ... a holy man or an imam to conduct [an Islamic] marriage or divorce."⁴⁶⁴ It just needs, in his view, the two partners and two adult (traditionally male) witnesses. Tariq Ramadan has even gone so far as to argue that the French Civil Solidarity Pact (akin to a civil partnership in the UK) is closer to the Islamic concept of marriage in traditional *fiqh*.⁴⁶⁵ It may not always be, then, a case of imams simply being negligent. Nevertheless, it seems to be the case that some Muslim communities operate semi-autonomously, disconnected from the state.

Such detachment can, of course, be related to the process of community formation described in Chapter 4, which saw the development of semi-autonomous groups. In the original Greek, the word "autonomy" is comprised of two terms: *auto* (meaning "self" or "one's own") and *nomos* (which is usually translated as "law" but can also be taken to mean "order," "norm" or "custom"). Some sociologists, particularly Peter Berger, use the latter term to describe the process by which human experience is socially ordered: the genesis of roles, rules, habits and standards.⁴⁶⁶ This sociological interpretation can help one understand why the Islamic legal councils came into being and the context in which they operate. As the research of Bano and others⁴⁶⁷ demonstrates, it is common among South Asian Muslim communities for marriages to be endogamous, the partners being brought together by family members. This practice is commonly influenced by all manner of norms, expectations and socially sustained—although by no means uncontested—conceptions of male and female roles. The expectation often placed upon women is that they will marry early and within the group, their failure to do so being seen to cause a loss not just of their own honour (known as *izzat* in the Pakistani context and *namus* in Turkish and Kurdish contexts), but the honour of their family, particularly its male members.⁴⁶⁸ In some cases this can lead to elaborate negotiations, sometimes involving considerable social pressure. There is not the space here to really do justice to the sheer complexity of these discussions, much less to the nuanced ways

in which individual choices and social expectations interrelate. Yet the following passages from Bano's interviews provide some helpful insights. In the following excerpt a Pakistani woman who had contacted an Islamic tribunal about a divorce, and who had chosen to marry a person from outside her immediate kinship network (*biradari*), describes the loss of face suffered by her parents:

I did understand where they were coming from because in Asian communities it's the norm to marry in your own *biradari* and I knew my parents were going to get a lot of stick from the community.⁴⁶⁹

A second excerpt describes the pressure placed on women to marry more explicitly:

I don't believe it's just an Asian thing because women from all backgrounds face the pressure to get married or have to consider getting married. But in our communities, marriage carries the added burden of *izzat* and so there's always some pressure.⁴⁷⁰

Bano's divides her study of twenty-five women into thirteen arranged marriages, eight own-choice marriages and four forced marriages. (This sample is of women who have used Islamic legal tribunals, it ought to be noted, and is unlikely to be representative of British Pakistani or British Muslim women generally.) Yet as she acknowledges, this split is rather artificial because the line between freely choosing, choosing with others and being forced is often hazy. Within a *nomos* that has its own set of expectations and norms, one's choices may be influenced by others' perceptions (so a woman who chooses a partner may still seek parental consent). A network of support can turn into a means of coercion, with parents who apparently want to do the best for their children subtly imposing restrictions. This is hinted at in the research on attitudes to forced marriage among Bangladeshis in East London and Pakistanis in Bradford conducted by Yunas Samad and John Eade, which indicated that, although older generations tend to downplay the extent of forced marriage among South Asians, younger generations often report that supposedly arranged marriages feel coerced.⁴⁷¹ Another quotation from Bano's work offers a vivid illustration of this complexity. This excerpt is from a woman who had been forced into a marriage, but who nonetheless stated that parental input remains important in her plans to re-marry:

Having an arranged marriage was the only option for me and I never thought about challenging my parents. Getting married the way I got married was like for... well, for keeping the family together; you're meant to be keeping the ties together. It's meant to be like this, you know, some sort of guarantee that if anything goes wrong, then you've got the family there to help sort things out. I'd have another arranged marriage.⁴⁷²

6.5. Aside on individuals, groups and liberal theory

Before returning to the Islamic legal tribunals and examining how they fit into this, it is worth relating these accounts to discussions in liberal theory that deal with group identification and group rights. Liberalism, of course, is generally regarded as ethically individualist in the sense that everything that matters morally, matters because of the impact it has upon individuals. Taking the lead from Kant, the tradition tends to view dignity and individual autonomy as intimately linked. However, in recent years a vast literature has emerged⁴⁷³ that had tried to engage with the idea that certain goods are *social*—that is to say, that there are some experiences, forms of meaning, emotional bonds, standards and virtues that are only accessible within a specific social context, outside of which they become unavailable.⁴⁷⁴ A particular act may only possess the significance it does when it is placed in a specific setting, and when certain meanings are shared. In fact, it has been suggested by some, such as Victoria Harrison, that certain goods are acquired only through personal formation and that “without a certain degree of ... inculturation, a person will be unable to express, and, hence will be incapable of having, certain kinds of religious experience.”⁴⁷⁵ One of the main propositions that this literature has debated at length is that, if some goods can be found only within a particular social context, then there may be some good reasons for the state to offer protection to cultural groups, or to *nomoi*.

Keen research such as Bano's has significant implications for these debates. Her account does not refute the idea of a social good; it is clear that many of the women she studied value at least some of their religious and cultural inheritances and would be damaged if they disappeared. However, there are two challenges that emerge. First, it is

clear that there are, as Lois McNay has observed in her critique of communal rights, power relationships at the heart of *nomoi*, intricately woven into their systems of meaning and value.⁴⁷⁶ *Izzat*, for instance, is a “social good” in a sense: it represents an idea of what is right and wrong and it is socially constructed and sustained. But it has caused women to be ignored, pressured and in the very worst cases (of so-called “honour killings”) murdered.⁴⁷⁷ Secondly, it presents a challenge to one of the most common suggestions about how a liberal state can preserve cultural or religious groups while also protecting individual autonomy. This is to say that different social forms and institutions—Islamic legal tribunals are a very good example—can be allowed to function and even be supported by the state *if* those who use them are offered an overriding right to exit a community. Williams relied upon this right in his lecture on Islamic and English law, saying that “no ‘supplementary’ jurisdiction could have the power to deny access to the rights granted to other citizens or to punish its members for claiming those rights.”⁴⁷⁸ Bano’s research highlights one obvious difficulty with this, namely, that exiting a social system is no simple task; it can mean wrenching oneself from every financial and emotional support one has, and having to redefine one’s self-understanding. A fourth quote taken from Bano’s interviews on the subject of an arranged marriage illustrates this superbly:

I couldn’t just leave; I knew everyone would turn their backs on me. And anyway, where would I have to go? I do feel constrained at home but I know being on the outside isn’t all it’s made up to be. I know some girls who’ve run away and they’re really alone and with no support. I couldn’t do that cause... well I just couldn’t live that way.⁴⁷⁹

It is precisely because of these difficulties exiting a *nomos* that Ayelet Shachar, one of the most sophisticated theorists of group rights, has argued that the right to exit a group is unlikely to be enough on its own. If a religious community makes demands of a person he or she might choose to leave it. But that, Shachar comments, might simply throw “upon the already beleaguered individual the responsibility to either miraculously transform the legal-institutional conditions that keep her vulnerable or to find the resources to leave her whole world behind.”⁴⁸⁰ Anne Phillips, similarly, argues that states concerned with respecting equally people’s different interpretations of the good

life need to be aware of the role of *voive* as well as exit.⁴⁸¹ This is an argument I would like to look at in greater detail at the end of this chapter.

6.6. The role of the legal tribunals

The UK's Islamic legal councils can be regarded as one actor in this complex and always changing process of negotiation. They could be viewed as one conversation partner, although they occupy an unusual role. They are privileged and powerful in some ways, yet possess no magic wand to alter traditions and customs within Muslim groups they disapprove of. They follow certain traditions (sometimes stubbornly, as we shall see), yet are not simply conservative. They appear in some cases to offer assistance to women who are trying to find a decisive way out of a failed marriage without having to exit a particular kinship network, yet also—and this is a crucial point—impose their own procedures, or hoops to jump through.

There are many norms common among British Muslims that the leaders of legal tribunals have expressed frustration at. For example, Shahid Raza at the MLSC, which is the more flexible of the two tribunals discussed here and which aspires to remove antagonisms between Muslims in the UK and the English law (details to follow), is strongly critical of those clerics and lay Muslims who do not register marriages with the state, a habit that makes his own role much harder:

I would say that almost eighty percent of mosques and imams are still conducting Islamic marriages without conducting civil marriages first... [W]e have seen ... girls who are on some occasions vulnerable.... They go and marry according to *Shari'a* law, and maybe after three months the man walks away from the marriage. Then the girl comes here crying, cursing God, cursing Islam, cursing the *Shari'a* Council and cursing Muslim custom. "Who the hell are you?! You are not helping me; my husband has thrown me out. What are my rights? Where shall I go?" She has no rights. Nothing is protected according to the law of the country. We have been referred so many cases of that nature.⁴⁸²

Another frustration voiced by some scholars at the tribunals relates to Muslims who use Islamic principles just to further their own interests. Abdul Kadir Barkatulla, who is one of the more open-minded of the *mufitis* at the ISC, has complained about Muslim men who leave their partners without granting an Islamic divorce and then take a second wife on the grounds that Islam permits polygyny. He has also expressed frustration at divorcing couples who attempt to rearrange their finances to fall in line with what is taken to be Islamic tradition rather than accepting the rulings of civil divorce courts. In response to this, he has developed the argument that both monogamous marriage and the property rulings of civil divorce cases in the UK can and should be considered '*urf*' by British Muslims. '*Urf*', as we saw in the last chapter, is an Islamic legal term denoting a custom that, whilst not necessarily "Islamic," is seen as acceptable. This excerpt from a debate at City Circle gives an indication of his views:

People think that polygamy is the first principle of Islam.... [But it is not as if] by not doing it we are committing sin. Voluntarily we can forgo the right, and anywhere by accepting citizenship and by accepting residence in any country, you tacitly undertake to abide by the law of the land. So for me the property rights of women, if you are living by the *Shari'a* and you have the law of the land, then [such things] become your '*urf*', '*urf*' meaning local custom, a local custom that is one hundred percent enforceable by the *Shari'a*.... [The same applies for divorce law.] I still, I get asked, a woman asked after being awarded by the court fifty percent [of property in a divorce], she said: "Is it allowed for me to take this?" That lady, I advised her, "Of course!" We are constantly bombarded by "scholars" who just open the book and say there is no place for common property rights in *Shari'a*.... Those who say women do not have property rights are really robbing them. And I have to *convince* them of this. That is the hardest thing, I find.⁴⁸³

Even the most conservative clerics in the councils also accept, in principle at least, that Islamic marriages are not valid unless both husband and wife give their consent, and thus are strongly opposed to coerced marriage.⁴⁸⁴ In this case though, as in various other areas, the further that one gets into the matter the more complex problems emerge. Although both the tribunals are steadfastly opposed to forced marriage (particularly when it is bound up with cultural practices such as arranging marriages

within kinship networks), there remain a number of Islamic norms that can play a highly restrictive role. The approval of the *wali*, or the “bride guardian,” is particularly relevant here. In most traditional interpretations of Islamic law the consent of the bride’s guardian—the father usually—has been regarded as a necessary element for a *nikah* contract to be considered legitimate.⁴⁸⁵ In theory, this is only in addition to the consent of the bride: all four of the traditional Sunni *madhhabs* agree that the *wali* may not decide on behalf of his daughter, whose views are supposed to be taken very seriously. However, given that there can be, as we have seen, a blurred line between consent and coercion it is hard to be sure that this norm is always innocent. While I know of no clerical figure who has publically attempted to justify forced marriage in the UK, a number do insist upon the *wali*’s consent—although, as we shall see later in the chapter, this principle has been fiercely debated in the UK in recent years.

6.7. Negotiating within the tribunals

The ambiguous role played by the tribunals is best demonstrated by examining the way negotiations are conducted within them. In general, when a woman contacts one of the tribunals to obtain a divorce the first thing the scholars do is send a notice to the husband of the woman’s intentions to see if he will give his consent to the divorce (in the form of a *talaq nama*). If he does not reply after being contacted a number of times over a series of months the council will usually offer the women a certificate (*kehul*) that declares that the marriage is ended. During this process, though, the councils do their best to reconcile the parties through mediation—which follows advice contained in the Qur’an on marriage and divorce⁴⁸⁶—and try to establish the grounds on which the divorce is to be based. It is in relation to these processes of mediation and evidence gathering that the most concerning data emerge.

In some instances, details negotiated within civil divorce courts such as custody of children have been renegotiated in Islamic tribunals under very different conditions. One case file Bano cites from the MLSC illustrates the problem particularly well. The case refers to a young Muslim woman who was seeking an Islamic divorce at the same time as going through a civil divorce. The woman apparently had no desire at all to enter into any mediation process, and after speaking with her the scholars concluded

that reconciliation was unlikely to be successful. The husband initially refused her request for an Islamic divorce, but at some point during negotiations his solicitor sent a letter to the MLSC stating that if the woman would be willing to meet for mediation sessions and allow him access to the children—which seems to have been denied by the civil courts, possibly due to violence and emotional abuse⁴⁸⁷—then he would grant her a quick Islamic divorce. Thus the council, even though it defers to the authority of the state, nevertheless seemed to function in this example as a place where the husband managed to negotiate a more favourable outcome.⁴⁸⁸

The mediation sessions themselves are also a matter for concern, particularly at the ISC, where it appears women have been in some instances pressured into participating in reconciliation sessions when they were highly reluctant to do so; some women have even been pressured into meeting with husbands against whom they had obtained injunctions on grounds of violence or abuse. A deliberate attempt is made to ensure the parties try to resolve their differences in the presence of a religious scholar because that is viewed as the scholar's duty.⁴⁸⁹ The interviewees' accounts of these reconciliation sessions in Bano's study vary markedly. In some cases the women view the mediation process as useful and constructive, but some of the accounts are far more troubling, revealing some serious intra-group inequalities:

They were right from the beginning on his side; they didn't even listen to what I was saying. I mean I do read books. I don't go into it that much but do know the basics, you know, what a husband has to do. I was really disappointed with the [imam] because he just wouldn't blame my ex-husband and I was blamed for everything.

It was weird but it felt as though I was the one being told off and when I tried to put across what I thought was wrong ... it's as though [the imam] didn't want to hear it.

I told him that I left him because he was violent but he started saying things like, "Oh, how violent was that because in Islam a man is allowed to beat his wife"! I mean I was so shocked. He said it depends on whether he really hurt

me! I was really shocked because I thought he was there to understand but he was trying to make me admit I had done wrong.⁴⁹⁰

(In Bano's account the councils these quotations refer to are not named. They may refer to tribunals that are not discussed here.) Consequently, Bano concludes, one ought to acknowledge that at least some tribunals "construct boundaries for group membership that rely upon traditional interpretations of the role of women in Islam, primarily as wives, mothers and daughters."⁴⁹¹

6.8. Debates and prospects for change

Clearly, there is evidence enough to show that the proposal of formally recognising religious scholars and legal tribunals has to be approached with extreme caution, even if one might not rule out such an idea completely. It also casts in a completely different light the claim made by Siddiqi earlier that the idea that Islamic legal councils restrict women's rights is "nonsense." Yet despite these sobering details, there are numerous other points to make, many more positive. In the rest of this chapter I will outline these by looking at prospects for change. One of the most striking findings in Bano's study is the willingness of the interviewees to contest both norms of family honour and the processes within the Islamic tribunals. Many contended that currently Muslim women are being denied rights given to them in Islam, and were very keen to explore the ways in which marriage and divorce norms could be reformed.⁴⁹² To explore these prospects for change one needs to go beyond the councils, looking at differences not just within and between them, but also examining the debates that are going on beyond them in other arenas. City Circle has been a particularly important space for debating these questions, frequently bringing Islamic scholars, barristers, academics and activists on women's issues in Islam into contact. It was also closely involved in the launch of a campaign to change marital norms in British Islam. I draw on these debates, as well as other sources, in the following sections.

One intriguing possibility for future reform is in the area of divorce, particularly the disparity between women's and men's access to it. One way in which this has been remedied in certain Muslim-majority contexts has been via a process called *talaq al-*

tafwid, where the husband “delegates” his right to unilateral divorce at the start of the marriage. *Talaq al-tafwid* is a centuries-old Islamic norm that has been included in the standard marriage contracts of Pakistan and Bangladesh since the Muslim Family Laws Ordinance 1961. It is also recognised in some form by the governments of India, the Philippines and Morocco.⁴⁹³ At present, of the two tribunals based in London only the MLSC recognises *talaq al-tafwid*, with its marriage contract giving the woman the option of initiating divorce.⁴⁹⁴ (Of course, because there is no standard or authoritative Islamic marriage contract that is recognised by all Muslims in the UK, and because the tribunals usually have little direct involvement in the marriage process, the use of this contract is left to the couple’s discretion. So while the MLSC encourages delegation, it has limited influence.) The ISC, though, takes a very different stance on the matter of *talaq al-tafwid*, although there seem to have been significant internal disagreements over the validity of the norm. During the summer of 2008 Barkatulla, who works with the ISC, was involved in drawing up a new marriage contract that made *talaq al-tafwid* the default form of Islamic divorce.⁴⁹⁵ It was created by the Muslim Institute (MI), an organisation that grew out of the Rushdie affair and that was once politically extreme (see Chapter 7), but which in recent years under its current director, Ghayasuddin Siddiqui, has moderated its political stance significantly. The new contract was drafted by three people primarily: Barkatulla, Ghayasuddin Siddiqui and Cassandra Balchin, an activist and journalist who has worked with Women Living Under Muslim Laws (WLUML) and the Muslim Women’s Network. As Balchin explains in the following excerpt from a debate at City Circle, one of its main aims is to introduce into Islam in Britain the kind of norms that, she maintains, are standard in many Muslim majority contexts, but that have not yet been accepted within the UK:

In Muslim contexts there are many forms of divorce which are recognised, and which are intrinsically a woman’s right to divorce. So this myth that *kebul’* is the only form of divorce available to women I find very surprising—it is certainly not the case in many, many other Muslim contexts, including, for example, Pakistan. Also interesting is [the idea] that ... *kebul’* is something that the woman has to ask for from the man: [that] is certainly not the law that operates in Algeria, in Egypt, in Pakistan, in Bangladesh, in Nigeria—those are the ones that I can immediately think of.⁴⁹⁶

She continues in another public discussion, also at City Circle:

[So] what [the MI contract is doing] is something that is very much reflected in the Muslim communities and countries across the world. It's not just in Britain. In fact, I would say in many instances Britain is lagging behind.... The world's largest Muslim population, Indonesia, has a law; their marriage law specifies equal rights and responsibilities in marriage. And as I mentioned, the Algerian code—you wouldn't necessarily regard Algeria as the, sort of, most progressive, most forward thinking—their new law insists upon harmonious cohabitation and mutual respect.⁴⁹⁷

Interestingly, when this contract was launched the ISC's most senior figures reacted badly, swiftly producing a stern denunciation of it.⁴⁹⁸ Some of the *'ulama* at the ISC, it seems, were hostile to Barkatullah's stance regarding *talaq al-tafwid* and the other norms found in the MI contract, resulting in a schism.

6.9. Different attitudes toward the state

The details of this dispute will be outlined in more detail later in the chapter, but first it is helpful to summarise some of the differences one finds between Muslim scholars in their attitudes to English law. Again, there are differences between the two councils on this question. There are also other opinions one can find among *'ulama* who do not work in any of the tribunals. I divide these positions into three different options, although, as we shall see shortly, this division is too simple, implying a sharper divide between the scholars than one finds in reality.

6.9.1. *Overlapping consensus*

The first position—and this tends to be, for reasons that ought to be fairly obvious, advocated most strongly by Islamic scholars who are not involved in any tribunal—is to give the civil legal system theological legitimation, so when a couple obtain a civil marriage or divorce certificate they are regarded as being immediately married or

divorced “Islamically.” This option is seen by some supporters as potentially offering a solution to the problem that Muslims in the UK encounter of having to marry and divorce twice, both religiously and civilly. Usama Hasan, the son of one of the ISC’s senior figures (see Chapter 4), is a particularly keen supporter of this stance. Muslims, he says, should regard a civil marriage

as *nikah* because all the essential elements are there, the consent of both parties, two witnesses minimum.... They’re equivalent, and having conducted myself fifty to one-hundred weddings, you know, the processes are the same. And the same with divorce, the grounds, the way of divorce.... You’ve got to ... make [Muslims] realise that British law actually works on the same principles as *Shari’a*, of justice and fairness, and you’ve got to include them and make them feel more integrated.⁴⁹⁹

Notably, one of the things that frustrates Hasan at present is the fact that civil marriage ceremonies are not allowed to feature hymns, religious readings or prayers, which he believes makes it far harder for religious minorities to connect themselves emotionally with the civil system. “I think you should allow for a civil registration with hymns or Islamic songs, the recitation of the Qur’an,” he says. “If people are saying that religion is dividing everyone into the mosques and temples and things, I would say that this is one way of bringing them back together.”

6.9.2. Complementary law

The second option is to support a system of Islamic law that operates within the UK alongside the civil system but not formal recognition of that system. This is the stance taken by both Shahid Raza and, before his death, Badawi, both of whom work(ed) at the MLSC. Badawi had two main reservations about recognising Islamic law officially. The first was that, beyond sloganeering, the process of actually delegating authority to legal councils would be incredibly difficult. (Asked once whether he would support state recognition of Islamic law he responded simply with: “Which Islamic law?”⁵⁰⁰) The second was that legal pluralism could potentially place political equality in serious jeopardy. “[U]niformity of the law is central in ensuring that justice is served to all

members of society,” he once stated, concluding that therefore “there should be just one legal system which should be applied to all.”⁵⁰¹ The ideal role of Islamic tribunals, then, is to *complement* English law, although what this means exactly is not always completely clear. It can mean that the Islamic tribunal plays a role in supporting the state, trying to act essentially as an intermediary between the civil system and British Muslims’ religious and cultural traditions while deferring to the civil authorities on important matters. This is illustrated by Shahid Raza’s insistence that the MLSC will only proceed with a divorce after the relevant civil certificates have been obtained. The MLSC was formed after a meeting of a collection of Islamic religious authorities from all over the UK, which the organisation’s founders took as a mandate to adjudicate on certain civil matters. But Shahid Raza and Badawi do/did not see themselves as undermining the civil system, as the former explains:

Our understanding is very straightforward. When we insist on the civil ceremony we do so because it is in the best interests of the community. It is only because for the safeguard of our daughters. There is nothing [in this] which may be [interpreted] as making a compromise. And at the same time, we live in this country; we have made it home. This is our country. The courts, the institutions, the system—it’s ours. We are part of it. Why should we try to undermine it? I don’t understand this attitude at all. And similarly with divorce: [this] *Shari’a* council, as far as I know, we are the only legal council who will insist that we will not issue an Islamic divorce until the woman has first obtained a civil divorce.⁵⁰²

There is, though, another dimension to this “complementary” approach. In addition to mediating between the Muslim custom and English law, the MLSC regards itself as helping the Muslim communities in Britain to “live up to” the *Shari’a*.⁵⁰³ While it is not a legal regulator then, it does do its best to encourage Muslims to live in a certain way and so it acts, in a sense, as a moral regulator. This is where some of the problems seem to emerge, as we saw earlier in the case of the divorcing husband and his solicitor using the MLSC as a forum for negotiation.

6.9.3. *Legal pluralism*

This leaves one further option, which the ISC has advocated for many years. That is for Muslim personal law to be officially recognised by the English legal system. This position has been justified on the grounds that, as the late Sheikh Syed ad-Darsh, one of the founders of the ISC, has suggested, “when a Muslim is prevented from obeying his law he feels that he is failing to fulfil a religious duty. He will not feel at peace with his conscience or the environment in which he lives and this will lead to disenchantment.”⁵⁰⁴ In the eyes of its supporters this approach is the best way to avoid confusion over whether or not Islamic marriages and divorces have any kind of legal standing in the UK. Maulana Abu Saeed, who is currently the Chairman of the ISC, has offered the following argument on the subject:

We think and hope that if concerned Muslims from legal and socio-political spectrum of society put their concerted efforts with us to persuade the British authority to recognise Muslim personal law as they did in British India ... it will be a historic step and [a move toward] a harmonious relationship between the host and guest communities.⁵⁰⁵

This, of course, looks unlikely to become a reality in the UK any time soon, partly because of legitimate concerns about the norms by which the ISC and other tribunals operate, but also because the hostility currently felt toward Islam makes it all but impossible for any politician to consider. This means that in the meantime the ISC and the MLSC perform fairly similar roles, the ISC doing its best to encourage Muslims to “live up to” its conception of *Shari'a* law.

6.10. The three stances in practice

While distinguishing between these positions is necessary for purposes of clarity, it should be reiterated that separating them out is not easy. Far from being clear and distinct, these different positions tend to muddle together and overlap. For example, while it is true that the ISC has consistently advocated the delegation of authority to (some of) the UK’s Islamic tribunals, it is also true that a number of the institution’s senior figures have not only recommended registering all Islamic marriages civilly as a

pragmatic measure, but have moved toward the first, overlapping position. Darsh, for instance, argued the following in one publication:

A civil marriage—if attended by the guardian of the girl and at least two male Muslim witnesses—amounts to a correct Islamic marriage. It is only the social aspect which leads to another ceremony in a mosque with an imam, although these things are not required Islamically.⁵⁰⁶

There are, of course, two prominent caveats here, both of which make the situation a good deal more complex. Needless to say, no British registrar could or would attempt to dictate the faith of the witnesses to a civil marriage or insist that the bride's father must be present; serious questions would rightly be asked if one did. Darsh in this passage is certainly not going as far as Hasan does above. Even so, there is still an element of convergence. The curious, even remarkable, thing about this statement is that it actually works to undermine the very institution that Darsh was involved in setting up. After all, if all civil marriages were genuinely considered by every Muslim based in the UK to constitute an Islamic marriage then eventually the tribunals would lose their *raison d'être* and become redundant.

6.11. Disputes over the *wali*

A third area where there is disagreement and perhaps the possibility of reform is in relation to the need for a *wali*. During the medieval period one of the four significant *madhhabs*, the Hanafi, argued that adult women should be allowed to contract their own marriages without a *wali*.⁵⁰⁷ In the UK this school is influential due to its being the prevalent school in Pakistan, yet still the right of a woman to marry who she wants without parental consent is vigorously debated. There are many scholars, activists and lay Muslims who have argued the Hanafi position should be adopted, particularly in the UK given its laws. A number of the women in Bano's study had argued with their parents that they should be permitted to marry who they wish, some claiming that Islam gives them that right.⁵⁰⁸ Sheikh Abdallah bin Bayyah, the renowned Maliki *'alim* from Mauritania who was discussed in the previous chapter, has suggested that in the West the Hanafi position should be accepted.⁵⁰⁹ Usama Hasan, similarly, believes the

requirement for the *wali* is problematic, particularly in the UK, as he explains in this extract from a discussion at City Circle:

[The practice of obtaining the *wali*'s consent] was instituted centuries ago in a tribal society in order to protect the rights of women. It was a very patriarchal society and women were incredibly oppressed. The whole point of [having] a father [as guardian] would be to look after the rights of his daughter. But what we've seen in this country over and over again is *walis* abusing their right, and refusing a good match for their daughter.... [T]hey say, "No, he's not of the right race or caste," or, "He doesn't earn enough." Often it's a racist issue because a lot of this "caste system" has been imported into the Muslim community; people are the wrong colour, especially when there are reverts involved—that is, black or white converts to Islam. I know a number of couples who really should have got married and they are, you know, heartbroken; it has ruined their lives.⁵¹⁰

Perhaps unsurprisingly, the marriage contract launched by the MI also rejects the idea that the *wali*'s consent is needed. This is based partly on recognition that in the UK today there is not a firm division of labour along gender lines. As Balchin explains: "You've got a situation now where very often husband and wife are earning equal amounts, or indeed she's actually the main breadwinner."⁵¹¹ Even Darsh, who was by no means a liberal cleric (he argued that there is nothing wrong a man in the UK taking a second wife, for example), accepted that when a prospective couple's parents were being unfair they could be ignored.⁵¹²

Nevertheless, there are some scholars who display considerable unease at the prospect of the abrogation of this legal norm. I mentioned earlier that the ISC rejected the MI's contract when it was launched in 2008. Initially this contract had carried the ISC's endorsement, and also that of the London-based Utrujj Foundation and the Muslim Council of Britain. Shortly after it was made publicly available, however, all three of these organisations publicly distanced themselves from it. The ISC's official response was particularly critical, claiming that any marriage that was based upon the MI's contract would be invalid in Islam because of its rejection of three crucial principles.

First of all, the ISC claimed that the new contract's complete rejection of polygynous marriage in the UK was irresponsible:

Allah allowed a man to marry four wives and no-one has the authority to make illegal what Allah has made legal and lawful. Allah states, "Then marry women of your choice, two or three, or four but if you fear that you shall not be able to deal justly [with them], then only one."⁵¹³

Second, it rejected the delegated right to divorce, as noted above:

The reason behind the rejection of this kind of *tafwid* (delegation) is the fact that it goes against the text and the aims of *Shari'a* in marriage. Throughout the Qur'an, wherever Allah talks about divorce, He addresses men divorcing women. It is neither in the Qur'an nor in the *Sunna* of the prophet that a woman divorces her husband. Linguistically, for a woman to even say, "I divorced my husband" is an invalid statement.⁵¹⁴

Third and finally, it disagreed strongly with the new contract's contention that a bride guardian is no longer a necessity, concluding ultimately that the MI contract amounted to "an ideological attack to undermine Islam itself":

The contract is at fault for taking part of the Hanafi view regarding the issue of the *wali* and ignoring the condition of suitability.... [O]ne must understand the Hanafi position properly before using it to justify any agenda. We also feel the need to point out that there is a huge difference between "allowing" a certain action and encouraging it, let alone promoting it or making it the norm. In the *Shari'a*, a woman is never to be forced into marriage. What is meant is that a marriage should be conducted with a mutual understanding between the woman and her guardian.⁵¹⁵

This dispute demonstrates, again, the need to exercise caution before advocating the integration of the existing legal tribunals within the English legal system. As we saw earlier, the legal councils in the UK are usually treated too harshly, with their presence being viewed as evidence of the mortal threat that "Islamism" poses to liberalism or

British culture. However, there are occasions when they have been treated a little too leniently, one suspects as a reaction to the severe and often uninformed criticism to which they have often been subjected. Daniel Bell in *The Guardian*, for example, once described the ISC as an institution that is “committed to [a] liberal interpretation of *Shari‘a*.”⁵¹⁶ As I’ve been arguing, the word “liberal” is rather malleable and open to a variety of different interpretations. Yet describing an institution whose current leaders seem to be determinedly opposed to the idea that women and men should be able to marry and divorce in the same way as “liberal” is surely stretching it a little. It is worth re-emphasising that *talaq al-tafwid*, in particular, has a long history in Islamic law.⁵¹⁷ The literalistic reading above cannot therefore even be regarded as an example of a faith community resolutely resisting modernity. Rather, this response is best viewed as an example of what Shachar terms “reactive culturalism”—that is, where a religious minority feels endangered by rapid social changes and responds by clinging doggedly to any distinguishing practices as part of an effort to prevent it disintegrating and being “swallowed up” by mainstream society.⁵¹⁸ This seems to be evident particularly in the comments above about the necessity for a *wali*.

6.12. Conclusion: Islamic law and public debate

It should be clear from the discussion in this chapter that there is no simple answer to the question of what place Islamic law ought to have in the UK, primarily because “Islamic law” is not an uncomplicated, uncontested thing. As long as people in the UK are permitted to associate with, worship with and advise one another there will always be some space for informal regulation by Islamic legal principles, and trying to completely eradicate this regulation seems unhelpful. Not only would that stop the established tribunals from supporting and encouraging the use of the civil legal system, which they do at least sometimes, it would also give too little consideration to those Muslims whose conception of the good is bound up with the principles of Islamic law and who follow Islamic norms willingly. Moreover, it would be impossible to do without illiberal interference in religious communities, with government needing to monitor mosques and community centres. Nevertheless, there are clearly significant areas of concern. It is far from certain that the tribunals, as spaces for the discussion of marriage and divorce, offer a safe location for women where they will be free from any

kind of coercion. Some of the tribunals also play a role in instituting practices that conflict quite sharply with British legal norms.

It cannot be the purpose of this chapter to outline in a systematic way how the state should approach Islamic legal tribunals. Yet it is possible to make a contribution to the debate in the form of two specific points. The first point is that Islamic theology's relationship to the state seems to be far more complex than legal theorists who focus on minority religions often assume. Take, for example, the model for accommodating minority religious communities that has been developed by Shachar, which she gives the name "transformative accommodation." According to this model, the state should remain open to the idea of developing formal links with the *nomoi* communities that it is host to, but should always try to ensure that the relationship is developed in such a way that coercive practices are discouraged. To do this, Shachar suggests, it should use "external protections" to reduce "internal restrictions."⁵¹⁹ This terminology comes from Will Kymlicka's work, and is used to differentiate between acceptable and unacceptable group-differentiated rights systems.⁵²⁰ Kymlicka argues states can pass laws that protect cultural groups, but only when they do not restrict group members. Shachar develops this idea to suggest that states should offer to officially recognise "private" religious traditions but only on the condition that clerics agree to dispense with any practices that put people at risk. In this case, this might mean offering to recognise Islamic marriages and divorces *if* those offering them agree to accept certain principles, such as the right to exit and full access to divorce for women.

It is easy to see why this approach has appeal for those (like Williams, who drew on the idea of transformative accommodation heavily in his lecture) who can see that value in minimising the occasions on which a person is forced to choose between their religious identity and their legal rights. Nevertheless, Shachar, like many others, assumes rather too quickly that recognition of private traditions and norms is what religious minorities are after. The most significant point to emerge in this chapter, in my view, is the fact that there is not the desire among all the Islamic scholars based in the UK for such recognition, let alone among all British Muslims. Indeed, many Islamic scholars in the UK, even some of the most conservative, use Islamic principles to support and affirm the civil system. There is something odd about supporting the formal recognition of Islamic marriages and divorces in Britain given that many British clerics argue that a

civil marriage contract amounts to a valid Islamic marriage. This is not to say, of course, that the preservation of Islamic traditions is not a concern for anyone; clearly it is. My point is that these traditions are nuanced, and leave much space for negotiation. These nuances will, I think, need to be appreciated more fully before headway can be made reconciling civil and Islamic law. The assumption that living according to “Islamic law” means living as part of an isolated group whose rules are determined by conservative clerics will need to be challenged because, though not entirely wrong, it is simplistic—and also dangerous given the legitimacy it gives to narratives about Islam undermining British law by gradually instituting the *Shari‘a*.

The second point, which follows on from that, is that the focus in this discussion over civil and religious law may need to shift slightly, away from what the state can do to “manage” Islamic scholars and Muslim groups and onto the wider debates about how norms are worked out in religious traditions. Earlier in this chapter I mentioned some of the problems with the focus that liberal theorists place upon exit as a way of “sorting out” the problems religious groups seem to pose. In Philips’s view, this emphasis upon exit reflects a degree of intellectual laziness, even bias, among liberal theorists. Although she does not contest the idea that individuals should be free to choose their religious commitments, she worries that their reliance on the exit principle is not just insufficient, but reflects an unconcern for people whose sense of the good is theological. She writes that, in the view of many cosmopolitan liberals

cultural outsiders would probably be advised to leave their oppressively conformist communities. They will probably always retain vestiges of their initial cultural influences ... but basically, these people should move on... [Often] engaging with religious texts or arguments in order to establish the basis for a more progressive treatment of women is presented as a bowing to necessity, something imposed on people by the fact of living in a Muslim country or needing to engage with a Muslim community. The expectation, however, is that [those making these arguments] will eventually free themselves from this constraint and situate themselves on the terrain of secular rights. It is as if religious assertions can only be understood as strategic. The implication is that no-one who cared about rights or equality could really take them seriously... [Liberals’ emphasis on the right to exit therefore] does

not provide enough protection to those living in oppressive conditions, but it also does not offer enough of a solution to those with a strong normative commitment to their cultural or religious group.⁵²¹

The term “exit” was popularised by the American political scientist Albert Hirschman. He saw it as one of two ways people may influence the affairs that concern them, the other being “voice.”⁵²² “Voice,” in Hirschman’s work, stands for demanding changes in the way things are done; “exit” for turning one’s back and going elsewhere. The difference between the two, as Zygmunt Bauman has said, is “between engagement and disengagement; responsibility and indifference.”⁵²³ In Phillips’s view, emphasis on exit in liberal theory reflects an indifference to religious belief, and therefore liberals ought to pay more attention to voice. What this means in practice is not, of course, easy to work out. It might mean supporting steps taken by the state to empower people who are vulnerable and who have been marginalised by religious leaders, making sure that their voices are heard. Before being voted out in 2010, the Labour Government had actually been trying to do this, albeit a little hesitantly and haphazardly, by giving funding to a number of Muslim women’s groups. (I shall say no more on this here, but will return to it in the next chapter.) At a more general level, though, it also seems to imply a need for liberal political theorists to recognise the importance of negotiating norms via a conversation, and to pay attention to and even become involved in the normative debates that are at the heart of this issue: those over the value of arranged as opposed to individually worked out relationships, and over the value of parental responsibility and individual autonomy. More attention needs to be paid to the way that conversations on these subjects can be brought into a debate about the shape society should take. Indeed, more attention needs to be paid to the ways that theology, society and politics relate—as Balchin has in fact said, referring to her understanding of the Islamic legal tradition and women’s rights in it:

You may not agree with me. This is fine; this is my interpretation. But ... the whole question of [religious] interpretation is a social and political one, and if we recognise it as a social and political question then we have to say we need to start debating these issues.⁵²⁴

7. Emerging Islamic theologies and state support

7.1. Old question, new setting

Fibi ma Fibi, the book of lectures delivered by the poet, mystic and scholar Jalal al-Din Rumi, opens with the following *hadith*:

The Prophet, on whom be peace, said: “The worst of scholars is he who visits princes, and the best of princes is he who visits scholars. Happy is the prince who stands at the poor man’s door, and wretched is the poor man who stands at the door of the prince.”⁵²⁵

Rumi’s book, which has been published in English as the *Discourses* (although the title could be more accurately rendered as “In it what is in it”), was composed seven and a half centuries ago. The aphorism cited must therefore be at least that old, and it is probably much, much older. Indeed, if the *hadith* is attributed accurately—and I have to confess I am unable to comment on this one way or the other⁵²⁶—it must be around fourteen-hundred years old. It thus predates the beginnings of what Mark Lilla calls Europe’s “Great Separation” of church and state (or, more specifically, the uncoupling of political and confessional allegiances within Europe) by four centuries at least, and maybe by as much as a millennium.⁵²⁷

It is not hard to find reasons to like this passage. One good reason is it offers a small illustration of a point that other scholars⁵²⁸ have argued at greater length: namely, the claim that the Islamic tradition has never differentiated between religious truth and political power, or tried to separate that which is owed to God from that which is owed to Caesar, is inaccurate. This may be asserted by some Muslim polemicists as well as many critics of Islam; one of the best known radical Islamic revivalists, Sayyid Qutb, played a significant part in spreading the revolutionary idea that “Islam is not merely a belief, so ... it is the duty of all believers to annihilate all [secular political] systems.”⁵²⁹ Yet such arguments are unusual. Of course, the aphorism cited above does not argue for a separation of “church” and “state,” and certainly does not suggest that “religion” should be kept out of “politics.” It is unlikely these modern concepts would even have been recognised by Rumi’s peers.⁵³⁰ What it does argue, though, is that it is necessary to maintain a distance between the wealthy and powerful and the learned, clerical classes. The message is straightforward: it is best for those with knowledge—as noted in

Chapter 5, Islamic religious scholars are generally known as *'ulama*, or literally people with *'ilm*, knowledge—to keep themselves separate from those in positions of political authority. The most significant questions about what is ultimately good, just and meaningful should not be meddled with; there needs to be a realm of truth that is left untouched by the powers that be.

This is not the only reason the aphorism is easy to like. One has to admire its precision too. It does not say that the actions of the rich and powerful shouldn't be influenced by the ethically wise. What it says, rather, is that the wise person's ethical position should not be influenced by the desire for prestige. Power should not corrupt knowledge; that is certain. But knowledge can and should influence those in positions of power. As Rumi goes on to clarify, a little captiously:

[T]he worst of scholars ... first applies himself to the pursuit of learning with the intention that the princes bestow upon him presents, hold him in esteem, and promote him to office.... When, however, the ... scholar has not become qualified with learning on account of princes but rather his learning from first to last has been for the sake of God ... such a scholar is subject to the control and direction of reason.... If such a scholar goes to visit the prince, it is himself who is visited and the prince who is visitor, because in every case the prince takes from him and receives help from him.⁵³¹

Perhaps the main reason that the passage is easy to admire, though, is despite the fact that contemporary Britain is far removed from thirteenth century Konya, where the itinerant mystic died, it is still entirely relevant. There are still examples of “scholars” being pressured by “princes.” For instance, in 2009 David Nutt, a professor at Imperial College, was sacked as drugs adviser to the government after arguing that alcohol is more dangerous than most illegal drugs. In the religious context, and specifically the British Islamic context, there are a host of examples one can refer to. Over the last two decades both Conservative and Labour governments have developed close relations with Muslim scholars and representative organisations, with the latter taking steps to educate clerics and shape a specifically “British Islam.” Public funding has been poured into Islamic organisations and Islamic education. Indeed, the state has funded precisely the kind of initiatives that I have been focusing on in this study, those encouraging

interpretations of Islam that prioritise public engagement. This has raised fundamental questions about the independence of the forms of theology whose details I have been exploring in this thesis. In fact, there is a significant question about the extent to which the initiatives outlined in Chapter 4 are the products of internal changes within Islam in Britain or whether their existence is actually the result of “state engineering.” In this chapter my aim is to explore these specific questions and the wider issues about the relationship between Islam and the British state. First, the chapter outlines some of the details of the relationship between government and Muslim representative bodies, and looks at how their relationship changed between the 1990s and the first decade of the new millennium. It then goes on to explore the attitudes of the scholars and activists I have examined in previous chapters toward government, and specifically to the funding that has been available to Muslim groups. In the closing sections it examines some of the issues that government assistance brings up, such as possible tensions between state support, religious autonomy, and political dissent.

7.2. Islam goes public

This discussion, as with earlier chapters, requires a certain amount of historical detail to place the opinions I quote in context. In this case the most appropriate place to start is with the Rushdie affair, which more than any other event spurred government involvement with Muslim organisations. As Humayun Ansari has noted, the Rushdie affair marked the first time that Muslims in Britain bridged ethnic and sectarian divides to enter into national political debates. Muslims had organised to oppose and support political developments before, but these were mainly on a local basis, and when they did have a wider agenda they were usually mobilised through distinct community organisations. *The Satanic Verses* was published around the time younger generations of British Muslims were beginning to realise their lack of political involvement had proved detrimental to their interests, and after ten years of a Conservative government that had little sympathy toward minorities. The book’s publication eventually resulted in the emergence of a broad alliance that, if only for a very brief time, traversed not only sectarian but also generational divides.⁵³²

The precise origins of the protests against the Rushdie's novel are not simple to trace. As Chetan Bhatt has pointed out in his incisive analysis of the affair, the reaction to Rushdie's novel was actually initially fairly muted. Only after Muslim MPs in the Indian opposition Janata Party started a campaign to ban the book did protests begin to become vocal in the UK.⁵³³ Rather than the response to the book being spurred only by British Muslims' aggravation at Rushdie's irreverent depiction of the Prophet in the (in)famous dream sequence,⁵³⁴ the protests had a number of catalysts, one of the most significant being transnational activism. The first organisations to mobilise against the novel were almost all linked in some way with Jamaati-i-Islami, the radical Pakistani revivalist party. The three most significant institutions involved in the campaign (the Islamic Foundation in Leicester, the Union of Muslim Organisations in Walsall and the Central London Mosque in Regent's Park) also received Saudi funding.⁵³⁵ According to Bhatt's account, this gave much of the anti-Rushdie rhetoric an anti-colonial twist, the writer being pictured as a "pawn" of the colonisers. This was visible in the arguments of the most uncompromising organisation to be formed in response to the affair, the Muslim Institute (MI, also known as the Muslim Parliament). It considered the book tantamount to a declaration of war on Islam and suggested that its publication was the consequence of an organised government attack. It advocated a campaign of civil disobedience and suggested Muslims should consider British laws illegitimate.⁵³⁶ The MI is still in existence today, although it is important to note that after Siddiqui died in 1996 it was taken over by Ghayasuddin Siddiqui (no relation), under whose guidance the institution has moderated its stance significantly. (Ghayasuddin Siddiqui, we might recall, was one of the three main figures behind the MI's liberalising Muslim marriage contract, examined in the previous chapter.)

Other, more influential groups were also linked with this transnational activism. Individuals close to Saudi patronage became prominent in the UK Action Committee on Islamic Affairs (UKACIA), which was formed in 1988 to protest against the book and which was convened by the Saudi diplomat Mughram al-Gamdi, who was at the time director of the Central London Mosque.⁵³⁷ It was in this organisation that Iqbal Sacranie, perhaps Britain's most prominent and influential Muslim activist over the last twenty years, cut his teeth. This organisation was also involved in the initial contact between Muslims and the UK government. While at the UKACIA Sacranie, along with other delegates, was invited by the then Home Secretary Michael Howard to London

for a consultation session.⁵³⁸ There the Conservative MP is reported to have expressed some confusion, as Maulana Shahid Raza, whom we met in Chapter 4 and who was present on that particular occasion, explains:

I remember that when Michael Howard was Home Secretary we went to see him.... And there were fifteen Muslim representatives at the table and he came and he said, “Look, I don’t know who the leader is among you. I can speak with you and we can agree on something, but the next day my office might receive a call saying, ‘They are not the leaders; they are self-made representatives. We want to meet you. We are the real leaders.’ We can’t keep meeting delegations of Muslims one after the other. We can’t do that. We don’t have ministers available for every Muslim who comes and demands a meeting. So you must sort out this problem.”⁵³⁹

Based on Howard’s advice, the UKACIA set about constructing a National Interim Committee on Muslim Affairs with the ultimate aim of building a national umbrella body to deal with “Muslim issues.” The organisation that emerged out of this process was the Muslim Council of Britain (MCB), which was launched in 1997 a few months before the Conservatives were voted out of power. With Sacranie voted in as its first Secretary General, the MCB was for many years the immediate port of call for British politicians and media representatives. After its election, New Labour proved willing to leave a space at the “public table” for religious representatives, and tended to view ethnic minorities through a “faith lens.” As the Department of Communities and Local Government (CLG) acknowledged in a document published in 2007, at “all levels of government—local, regional and national—the contributions faith communities make to community life are increasingly being recognised.”⁵⁴⁰ It happily liaised with Sacranie, his immediate successor Yousef Bhailok, and a number of other significant MCB figures throughout the later years of the 1990s and the first four or five years of the new millennium. The MCB’s leaders were occasionally even invited to Muslim-majority countries as part of Foreign and Commonwealth Office delegations.⁵⁴¹ For good or ill, the MCB still remains today, as the journalist, academic and British Muslim convert Yahya Birt has acknowledged, the “*primus inter pares* among an increasingly large alphabet soup of representative bodies.”⁵⁴²

7.3. Community engagement or patron-client politics?

This way of engaging with Muslims is the first of two types of relationship between the state and Muslims in Britain I intend to outline. It follows a pattern of community engagement that became, while Labour was in power between 1997 and 2010, the norm. New Labour tended to depict faith groups in its policy reports⁵⁴³ as repositories of “social capital,”⁵⁴⁴ and accordingly encouraged local authorities to involve nearby faith communities in neighbourhood renewal. It regarded faith engagement as a way of bringing into the public sphere socially excluded groups (Muslims particularly) whose main mode of self-identification seemed to be religious, and invited faith leaders onto bodies like the Faith Communities Consultative Council. This pattern of engagement was highly controversial from the outset, resulting in long-running disputes between sympathisers⁵⁴⁵ and vehement critics.⁵⁴⁶ Academics who have defended the strategy have contended that, at its best, it enabled the building of bridges between religious traditions and inspired new forms of civic participation.⁵⁴⁷ Scholars who have been more critical, by contrast, have highlighted occasions where the reality of New Labour policy appeared not to match up to the affirmative rhetoric. Philip Lewis for example, who has been by no means the harshest critic of government policy, has pointed out that over the thirteen years it was in power New Labour—sometimes knowingly, at other times possibly out of a misplaced sense of cultural sensitivity—allowed a pattern of patron-client politics to develop in towns such as Leicester and Bradford, with elders consolidating “ethnic vote-banks.”⁵⁴⁸

A particularly vexed aspect of this debate, particularly as far as Muslims in Britain are concerned, is over representativeness. Here the MCB does seem to have had a large problem. Even Adam Dinham, one of the most favourable analysts of Labour’s stance regarding faith groups, has commented that after 9/11 the UK government found out that, “despite its claims to the contrary, the MCB at the time represented only a limited constituency of Muslims.”⁵⁴⁹ The MCB did not, he argues, manage to cover all the ethnic and sectarian differences within British Islam, even despite its protracted consultation process and its, as of 2004, four-hundred or so affiliates at local, regional and national level.⁵⁵⁰ Those less sympathetic to Labour’s strategy have argued that this lack of representativeness has had deleterious consequences. According to Bhatt, the

courting of activists at the centre of the protests over *The Satanic Verses* (with their links to Saudi funding) led to marginal sympathisers for parties such as Jamaati-i-Islami working themselves into positions of political influence that ought to have remained inaccessible.⁵⁵¹ More generally, Bhatt and others have contended that New Labour's faith engagement resulted in the strengthening of reactionary religious elders and the disciplining of "wayward" community members, particularly South Asian women.⁵⁵² It also seems likely that, as Lewis has argued, Labour policy played a role in frustrating young Muslims in Britain whose voices were ignored in favour of intermediaries from the older generation.⁵⁵³ Labour's efforts to be inclusive and foster social cohesion, then, appeared to generate serious social isolation.

Criticisms of New Labour involvement with the MCB and other religious bodies have come from Muslim, South Asian women's and antiracist groups as well as from academics. Women Against Fundamentalism (WAF), a group that opposes almost all public recognition of religion and that was created in response to the protests against *The Satanic Verses*, consistently opposed New Labour's strategy regarding religious communities. Cassandra Balchin, the Muslim activist and journalist we encountered in the previous chapter, has also been critical, arguing that the British government has tended to pay attention only to "the most conservative people imaginable."⁵⁵⁴ Abdul-Rehman Malik, an activist working for the Radical Middle Way (RMW), is sceptical too. With Birt,⁵⁵⁵ he regards the MCB as not open and accountable enough given its ambition of being the voice of all of the UK's Muslims:

Ultimately [the MCB] should be appealing to its constituency, and if they have the support of what they think their constituency is and they feel confident then they should go out there: let the battleground of ideas and perspectives be public, let it be transparent; let us all put our cards on the table and say, "Who do we claim to represent? On what basis? And what do we *do* with that representation?"⁵⁵⁶

He is just as critical of what he calls the Labour government-fostered "Islam industry," which he regards as similar to colonial India:

With questions of integration, cohesion, and multiculturalism now deeply connected to the “war on terror” and the prevailing concerns over security, governments have sought to find representatives to speak to. It is a communitarian approach the Raj would have been proud of. The “take me to your leader” school of community relations cuts out the majority of Muslim voices, particularly those who have little clout within their communities—namely women, young people, and minority ethnic communities present within broader Muslim communities.⁵⁵⁷

Much of the confusion and controversy surrounding the representativeness (or not) of the MCB can be traced to its unclear relationship with Islam. The MCB was formed in the wake of religious protests and out of a perceived need to bring Muslims together as a religious group. New Labour also, as we have seen, tended to view communities through the prism of religious belief, recognising and respecting their status as Muslim or Jewish. Despite this, though, there has always been a haziness about the MCB’s relationship with the Islamic tradition. It takes as its model the Board of Jewish Deputies, a federation of Jewish organisations that is a communal partner to, but independent of, the British state. Its leadership, like that of the Board of Deputies, consists of laypersons whose aim is not to articulate religious teachings but to represent “community interests.” It has never claimed to represent Islam but “British citizens with an Islamic heritage,” implying the full range of Muslims, from the devoutly religious to those who do not identify with any theological vision. Scholars more sympathetic toward the MCB, such as Tariq Modood,⁵⁵⁸ regard this as a good thing, as it lessens the influence of religious authorities. Yet the problem is that MCB’s religious influences are still there, but beneath the radar. When it argues that, say, Muslim children have certain needs that state schools ought to accommodate⁵⁵⁹ their arguments are based upon an interpretation of good conduct that has roots in religious tradition, yet the religious interpretations are not articulated, which means they cannot easily be made the subject of broad public debate.

This is at least part of the reason why the array of Muslim representative bodies in the UK can be so confusing, particularly for someone trying to work out the way that Islam and liberalism in Britain relate. Shortly after 2001 a number of competitors to the MCB began to gradually surface. Some of these, such as the British Muslim Forum (BMF)

and the Sufi Muslim Council, appeared be linked with sectarian differences.⁵⁶⁰ Others though, like British Muslims for Secular Democracy (BMSD), Progressive British Muslims (PBM) and particularly the Council for Ex-Muslims appear to have emerged in part as a reaction to the MCB's attempt to represent even nominal Muslims whose faith is private, unorthodox or none-existent. They have not been nearly as keen to stress the different "cultural needs" of Muslims.⁵⁶¹ Indeed, in some cases the aim of mobilising Muslim identity seems to have been to make the rather paradoxical point that not all Muslims want to be looked upon *as* Muslims.

7.4. Government relations with "Islamists"

The most uncompromising of the criticisms directed at the MCB, unsurprisingly, have come from the British media, particularly from journalists on the Right and Leftists who, like Nick Cohen and Martin Bright, have turned against the mainstream Left in the UK, claiming it has become tainted by its "affair with Islamism."⁵⁶² This criticism has tended to focus almost exclusively on the apparent links between organisations like the MCB and Islamic Right movements such as the Muslim Brotherhood and Jamaati-i-Islami. Jamaati-i-Islami is a party whose supporters have been accused of numerous acts of violence and religious hatred, particularly during the bloody conflict that led to the founding of Bangladesh in 1971,⁵⁶³ and there are undoubtedly supporters of the movement with links to the MCB. The Islamic Foundation, an educational institution based in Leicester that is affiliated with the MCB and whose publications have been endorsed by many British MPs,⁵⁶⁴ was founded by Khurshid Ahmad, the one-time vice-president of Jamaati-i-Islami in Pakistan.⁵⁶⁵ (Khurshid Ahmad is not to be confused, incidentally, with the BMF's Chairman Khurshid Ahmed, an entirely different person with very different opinions.) One of its main roles early in its history was to translate the writings of Maulana Mawdudi, the party's founder, into English. Not surprisingly, therefore, journalists in the UK such as Bright have sought to highlight these links and question the involvement of the British government with an organisation whose leaders appear to be seriously compromised.

There is nothing to be gained by denying these links, which neither of the institutions would contest. Nevertheless one can, without by any means suggesting that the MCB or

the Leicester-based institution are perfect, criticise the way that Bright, Cohen and other people in the UK media have depicted them. For example, in November 2009 Cohen made fierce criticisms of Inayat Bunglawala, the MCB's media secretary, for an article he wrote apparently defending Sheikh Yusuf al-Qaradawi, the prominent *'alim* whose views were outlined in Chapter 5. Why, Cohen inquired, is Bunglawala entertained by MPs when he defends a cleric who supports the “murder of apostates and homosexuals”?⁵⁶⁶ Now, one need not have much sympathy either for Bunglawala or for the MP, John Denham, who “entertained” him (or of course for Qaradawi himself) to see something wrong with this. The positive comments that Bunglawala has made about Qaradawi have focused on the fact that he 1) condemns al-Qaeda and 2) should be allowed into the UK just as the anti-Islamic Dutch MP Geert Wilders should. More significantly, Bunglawala is one of only a few prominent Muslim commentators who has openly argued not only that freedom of religion should be secured for all,⁵⁶⁷ but also that “discrimination based upon sexuality is as wrong as that based on religion,” and that the MCB should take a gay Muslim support group as an affiliate.⁵⁶⁸ Too often the criticisms of Cohen and others, loosely based on fact, have been used to distort the views of British Muslim representatives.

The same problem can be identified in discussions of the Islamic Foundation. It was ruthlessly criticised in a BBC *Panorama* documentary in 2005 and described as an “outpost of militant Islamist ideology” for its links with Jamaat-i-Islami. These links are not fictitious, but what the media reportage has generally failed to see (or has wilfully ignored) are the internal changes that have taken place in the organisation since it was founded in 1973. As Seán McLoughlin has shown in detail, the Islamic Foundation began to alter its output toward the end of the 1980s, possibly due to the streams of Saudi funding beginning to run dry. During the 1990s and early 2000s—precisely the time the media turned against it—it started to “de-emphasise” its original goal of “counter-cultural Islamisation.”⁵⁶⁹ Its publishing arm has moved away from revivalist literature and into other areas. (The one time I visited the institution myself, the book that was most prominently displayed was called *Hilmy the Hippo Learns about Vanity*.) Ahmad also welcomes the fact that it no longer imports its staff from abroad, many of whom have become prominent advocates for less oppositional forms of Islam such as Dilwar Hussain, Sughra Ahmed and Birt.⁵⁷⁰ As McLoughlin is careful to point out, it has not simply transformed into a liberalising institution; many of its books still take

what he calls a “particularistic” approach, stressing the need for Muslims to mix only with coreligionists wherever possible.⁵⁷¹ It is not, though, correct to view the institution as part of a concerted effort to somehow subvert democratic politics in the UK, as is sometimes implied. It is an institution in which many different outlooks coexist, and in which more open-ended approaches are becoming more influential. A similar form of coexistence has been identified in other institutions, such as the largest Deobandi *dar al-ulum* in Bury.⁵⁷² Hussain actually worries that these liberalising transitions could be stalled or even turned in the opposite direction by media coverage that portrays these institutions merely as “Islamist outposts”:

[Media criticism] actually works against what those people are trying to do because it pushes you into a corner. If there are organisations that we think have the potential for going in different directions and one of those is going in a more sinister, dangerous direction, if anything you should open up a space with them to stop them going in that direction.... [B]uild connections with them so that they can move out from where they are. You know, you don’t want to push them even further.⁵⁷³

7.5. Government engagement post-7/7

Whatever the rights and wrongs of these criticisms of the MCB and the other institutions that New Labour worked with while it was in power, it is undeniable that the party’s choices—always attentive to the public mood—altered markedly after the attacks on London in 2005. After the bombings opinion turned sharply against New Labour’s faith engagement,⁵⁷⁴ which led to the party’s connections with the MCB being downgraded in 2006 and to party leaders searching, largely in vain, for a new set of favoured interlocutors. More significantly, under pressure to do something about religious extremism, New Labour developed the “Preventing Violent Extremism” (PVE or “Prevent”) agenda. Announced in February 2007 by Ruth Kelly, the then Secretary for Communities and Local Government, the agenda’s explicit aim was to develop a “British version of Islam.”⁵⁷⁵ This mirrored the remarks of Nicolas Sarkozy in France, who has favoured a more “corporatist” approach to state engagement with Muslims⁵⁷⁶ and who has stated on various occasions that what he would like to see is an “*Islam de*

France” rather than “*en France*.”⁵⁷⁷ At the time of its launch five-million pounds were dedicated to Prevent, money to be spent training foreign-born imams and, Kelly said, inducing a “step-change in the role of *madrasas* in teaching about citizenship.”⁵⁷⁸ The strategy progressed at a high speed: in 2008/2009 one-hundred and forty million pounds were earmarked for Prevent-related community initiatives.⁵⁷⁹ It was completely Muslim-centred too: when the plan was announced to local authorities by CLG it was requested that only authorities with a Muslim population of more than five percent (the national average is three) bid for the money.⁵⁸⁰ Other forms of extremism, such as white supremacism, were entirely neglected.⁵⁸¹

The emergence of Prevent, as part of a much wider sea change, brought about a slightly different relationship between the state and Muslims in the UK, and posed a number of complicated new questions. The funding of Muslim groups increased and at the same time broadened. Prevent money was offered to a bewildering array of community initiatives, some very different to the others. The Preventing Violent Extremism Community Leadership Fund was offered out to organisations such as, in 2007/2008: the Muslim Youth Helpline (£35,000); Khayaal Theatre Company (£38,450); the Muslim Youth Development Partnership (£40,000); the Sufi Muslim Council (£58,500); the Luqman Institute of Education and Development (£30,000); and the Fatima Women’s Network (£10,000). At the same time, funding pots like the Community Leadership Fund were made available to groups such as the BMF, BMSD, the Sufi Muslim Council (again) and the Mosques and Imams National Advisory Board (MINAB), which received just over £75,000. Finally, money was targeted specifically at Muslim women’s projects such as the Muslim Women’s Network with the aim of “enabling [women’s] voices to be heard and empowering them to engage with Muslims at risk of being targeted by violent extremists.”⁵⁸² This broadening of funding brought about a number of challenges, explored below.

7.6. Counter-terrorism and community engagement

As the title clearly indicates, Prevent funding was closely connected with government efforts to forestall terrorist attacks. The PVE strategy was, in fact, one part of Labour’s counter-terrorism strategy, known as CONTEST. This led to it becoming incredibly

divisive, to the extent that when Prevent was dropped following a parliamentary report in March 2010⁵⁸³ and the general election in May there was what could only be described as a collective sigh of relief among Muslim organisations—and among a number of secular organisations too.⁵⁸⁴ In theory, there are a number of possible benefits to the state offering funds to Muslim organisations. One, which was put forward by Zaki Badawi at the Muslim College as early as 2001,⁵⁸⁵ is that training imams and offering Islamic education is a costly exercise, and Muslims in the UK, as some of the country's least well off, are rarely able to fund it themselves. As we saw in Chapter 5 and earlier in this chapter, funds from Islamic institutions abroad—particularly the Middle East—can result in the importation of specific worldviews and traditions that have little awareness of the character of UK society. Money from the state can therefore seem a sensible alternative. In August 2009 the student Muslim organisation Campusalam, itself the recipient of public funding, held a debate about government funding at City Circle. At the event the following case was made by Omar Faruk, a lawyer and founder of the organisation Ecomuslim:

I don't think there's a government conspiracy. Anybody who's worked in government, central or local government, will realise that rather than conspiracy it's actually cock-ups; most of the time it's cock-ups.... Anybody who thinks that they can socially engineer the Muslim community to do x , y and z is barking mad, absolutely barking mad.... And the other thing about government funding: we are very happy to accept funding from outside of government, be it Saudi, Kuwaiti, Qatari—that's fine. But God—I'm going to take something from my *own* government?!⁵⁸⁶

Yet, as this quote hints, there is a good deal of apprehension linked to government funding—and though Faruk light-heartedly brushes it aside, it is understandable at the very least. To illustrate, consider MINAB. MINAB, as noted in Chapter 4, is an institution that tries to act as the central organising body for all the mosques in the UK, both Sunni and Shi'a. Officially it is independent, but it was heavily funded by the Labour Government, which pushed hard for its creation. Maulana Shahid Raza of the Muslim College, who is also Chair of MINAB, is adamant that this government interest has not been linked to surveillance (see below). Yet Paul Goodman, the former Shadow Minister for Communities and Local Government (who stepped down at the 2010

general election) has openly stated that the best reason for creating MINAB is to allow the public authorities to “monitor the *masjids* and *madradas*.” The state, he proposes, needs to “[i]nspect them, regulate them, control them and subject them to the blizzard of best practice and quality standards guidance.”⁵⁸⁷ With MPs making such suggestions it easy to see why there may be concern.

This is far from the only illustration to which one can refer. Arun Kundnani in his study of Prevent funding gives numerous examples of community organisations that received funding and that subsequently discovered that, in the words of one youth worker based in London, they were

supposed to report back information to the Prevent Board, such as mapping movements of individuals. You have to provide information if an individual is at risk. But you also need to give information about the general picture, right down to which street corners young people ... are hanging around on, what mosques they go to, and so on.⁵⁸⁸

With this being the situation, it is not hard to see how there could be a breakdown of trust. To give a clearer indication of the difficulty, consider one further example. One setting where there has been particular anxiety about extremism is in higher education institutions, particularly since Umar Farouk Abdulmutallab, a young Nigerian who had attended university in the UK, was charged with placing a destructive device on an aircraft shortly after Christmas 2009. In response to this anxiety the now defunct Department for Innovation Universities and Skills (DIUS) produced guidelines for universities in 2007.⁵⁸⁹ Some of this advice, taken in isolation, is entirely sensible. DIUS suggested increasing provision for Muslim chaplaincy, for example, which (if one leaves aside any qualms about religious professionals working in secular educational institutions) is something that could be positive. This was set, though, against a background of other guidelines recommending, among other things: that clear policies regarding acceptable use of university facilities be developed, including Internet access; that procedures be put in place to ensure that any publications or literature being held or distributed on campus can be translated quickly into English; and that clear reporting mechanisms be set up for staff and students to register any concerns within the institution, with senior staff identified to act as official contact points with the authority

to make decisions about when to contact the police. Set in that context, the suggestion that chaplaincy provision for (just) Muslims should be increased seems like a narrow measure to stop Muslim students from being “radicalised”—or worse, to monitor what Islamic societies might be up to. In light of cases like that of Hitcham Yezza, the University of Nottingham student detained under terrorism legislation before narrowly avoiding deportation for doing nothing more than conducting postgraduate research on al-Qaeda, some wariness is surely reasonable.⁵⁹⁰

7.7. Suspicion of government and new Islamic initiatives

These kinds of concerns have been expressed by a number of prominent figures in a variety of Muslim organisations. At the City Circle/Campusalam debate mentioned above, for example, the MCB’s Deputy Secretary General Daud Abdullah offered the following view, disagreeing with Faruk:

All of this spending is not inspired by the principle of social justice but rather the expediencies of security needs. What we have is a number of projects supported to deliver certain security goals—mapping of communities, delivery of information, and intelligence, as it is claimed, though the back door. What is the effect of all of this? Well, instead of integrating Muslims it has isolated the community. Most of these projects are based on the premise that we have a “problem community,” a community that is a “threat” to society. They have been isolated.⁵⁹¹

Abdullah is among the most politically outspoken and controversial members of the MCB. Indeed, he is part of the reason why the organisation’s relationship with Labour soured. He was asked to step down from the MCB in 2009 by Hazel Blears, the then Secretary of State for Communities and Local Government, after he signed a Global Anti-Aggression Campaign declaration following the Israeli government’s incursion into the Gaza strip in February 2009 (known as Operation Cast Lead). That document offered support for Hamas, condoned violence against Israel and, Blears alleged, any Jews in any location.⁵⁹² It was Abdullah’s signing of the document that led to Blears withholding her usual invitation to the MCB to consult with CLG at its regular Faiths

Communities Consultative Council meetings. Nevertheless, Abdullah's sentiments on this matter are shared by many others, including Kundnani, who argues that Prevent "constructs Muslims into a 'suspect community,' in which the failure of Muslim individuals or organisations to [mobilise against extremism] makes them suspect in the eyes of the counter-terrorist system."⁵⁹³ The problem was even acknowledged in the parliamentary report on the policy, which, while arguing that information gathered through the project was never used to combat crime or prevent terrorism, expressed concern at finding out that a number "of our witnesses ... felt that Prevent had been used to 'spy' on Muslim communities."⁵⁹⁴

One of the significant effects of these perceptions is that they have caused major problems for emerging Islamic initiatives, including many of those explored over the last three chapters. Tehmina Kazi, currently Director of BMSD, observed shortly after Prevent was abandoned that one of its main effects was to make the work that BMSD does appear inauthentic and inorganic:

Muslim civil society organisations, like mine, which advocate universal justice, and openly speak out against discrimination and violence committed in the name of religion, are assumed to be "parrotting the government's line" on every issue under the sun. They are also assumed to be in receipt of Prevent funding at any given time, even when they are not! This gives greater credibility to hard-line groups, who are seen by certain Muslims to be promoting a more "authentic" form of Islam.⁵⁹⁵

The same problem has been acknowledged by others. Maslaha, for example, decided for this reason not to look into obtaining Prevent funding, despite the fact that the project was initiated shortly after it became available and money was for a long time in short supply, with the project's manager, Raheel Mohammed, being at times only weeks from losing his income. This is how Mohammed explained his reluctance to access Prevent funding to me in an interview, stressing the importance, both to him and others, of the autonomy of the initiative:

RM: I remember I was ambivalent about not going for [the PVE money] for a while. But so many of the people I've been talking to have been so very

supportive; they've agreed it was the right thing to do. Generally the feeling has been that taking it would compromise the project. We were just... we wanted to be doing something without help.

SJ: Oh, OK, so it wasn't just... You wanted it to be a "sisters doing it for themselves" kind of thing?

RM: Exactly, that's exactly it.⁵⁹⁶

Similarly, Malik at RMW, which receives public funds but not through Prevent, admits that there is in UK Islam at present "a big trade-off in terms of fighting for credibility and fighting for the money to operate." "We fight that credibility battle," he notes. "You can see it on-line; it's all there."⁵⁹⁷ Abdal-Hakim Murad, the historian, theologian and Chair of Trustees at Cambridge Muslim College, is equally wary of government funding, describing the funds offered as a "poisoned chalice." "You have," he argues, "to be very sceptical of religion building":

The only significant impact it has is to generally discredit those liberalising points of view that have been presented, because everyone assumes that point of view is being pushed for political reasons by the same politicians that support Israel and smashed up Iraq. Anybody else apparently independent or sincere who comes along with the same views, to them it's kind of the kiss of death. This is why I oppose any kind of state interference in the internal conversations of Muslim communities—firstly because politicians are generally illiterate in their own religion, let alone Islam, and so they are likely to make disastrous errors of judgement; and secondly because even when they have the right idea the fact that they are giving that idea their blessing is going to alienate further precisely those alienated youth who are the only ones one should really be worrying about.⁵⁹⁸

7.8. “Empowering Muslim women”

One of the hardest things to comprehend about government approaches to Muslims and Islam post-7/7 has been the unusual conflation of preventing terrorism with other issues, with everything from chaplaincy provision to funding for artistic productions being justified in terms of the ability to forestall extremism. This is perhaps clearest—and most difficult to fathom—in government efforts to enhance the voices of British Muslim women. This is another area where it is possible to put together a fairly plausible defence of some kind of government assistance. The last chapter explored some reasons why amplifying the voices of women who may not have much power and influence might be helpful; and one could argue that, even if it did at times pay too much attention to older “community representatives,” New Labour’s willingness to provide funding for Muslim women’s organisations such as the Fatima Women’s Network and the Muslim Women’s Network allowed opinions that might not have otherwise found a platform to be articulated.⁵⁹⁹ In June 2009 City Circle hosted a debate about Muslim women’s civic participation in the UK where one of the participants expressed a deep sense of frustration at being marginalised by religious elders and prevented from setting up a women’s group at her local mosque. Safia Ahmed, an author and one of the members of the panel at the discussion, responded with the following suggestion. It is hard to say how widely shared her views are, but it does show that at least some people value public funding:

The problem we [Muslims] have is just power-hungry, misogynistic mosque leaders. I’ve experience; I just got sick of them. Just ignore them. Have you approached the government for funding? You know, I don’t want to sound like I’m just advertising New Labour, but the Labour Government have been very willing to help Muslim women’s groups.⁶⁰⁰

Regularly, though, decisions to fund women’s groups were justified only by claiming that women “can play a vital role in building strong communities and tackling violent extremism.”⁶⁰¹ This is, one suspects, an exaggeration, and even if not it is troubling, as the implication seems to be that New Labour’s efforts to “empower” Muslim women were just instrumental measures—that is, Muslim women were engaged with only as a means to the end of preventing terrorism.

The fact that these social engineering measures have been so often justified only in terms of preventing extremism can direct one's attention away from a general shift toward what tends in liberal theory to be called a "perfectionist" approach—that is to say, an approach where the state attempts to "improve" a religious tradition, directly shaping it.⁶⁰² This has been visible in many different areas, especially education (more on which below), but it is nowhere clearer than in government approaches to Muslim women. CLG argued in its Prevent literature that women "have too often been excluded" from Muslim communities and that therefore it would take steps to break down barriers to mosques.⁶⁰³ To this end, Britain followed France in imposing upon some Muslim organisations (such as MINAB and the Conseil française du culte musulman [CFCM]) a specific structure, one that included women in positions of influence. In the French case, Sarkozy demanded that at least five Muslim women should be included in the first general assembly of the CFCM.⁶⁰⁴ A very similar demand was made by New Labour while MINAB was being created, as Shahid Raza explains (speaking while Labour was in power):

There is the involvement of government, and recently they have been pushing it very hard. There are mainly political reasons behind it because they think that before elections they must deliver something... They want MINAB to be something which can be accommodated within the wider agenda... I think that there is a ... section of the community, who are suspicious about MINAB; that perhaps these four organisations⁶⁰⁵ have become the tools of the government or the intelligence agencies so that through MINAB these imams and mosques can be monitored... But I am sure there is nothing like that. Yes, there are certain demands, certain criteria, being demanded. And we should look into that—if the demands are fair and in the benefit of the community, why not? We have been told that twenty percent of the elected council should be women. We know that ... some would ask why it is being imposed upon us. But I see it as something good, something good for the community. Why are we excluding women?⁶⁰⁶

Raza is, as one can see from this quote, not too worried about the demand to include women on MINAB's council. Even so, it is worth pointing out that in both the UK and

in France this is not something the state demands of other religious traditions. As Alexandre Caieiro correctly comments, it is “ironic that the religiously neutral French state places greater demands on some traditions than others. Women are absent from virtually all the main religious bodies in France and their exclusion is a burning issue in French Catholicism and Judaism alike.”⁶⁰⁷ One imagines that if Sarkozy or Gordon Brown had tried to alter the gender balance of these religious communities the outcry would be rather bigger than it was in the Muslim case. This makes their actions rather inconsistent, but does it make them wrong? Anyone who is frustrated by the gender inequalities present in some religious traditions will have at least some sympathy for these efforts. Yet, even if one leaves to one side the issue of extremism, the question is still a complex and difficult one. In some perfectionist accounts, which are usually more popular among “comprehensive” than “political” liberals (see Chapter 2 on these terms), academics appear to go too far, implying the state can interfere in religious life at will. Gila Stopler, for example, maintains that if religions limit the opportunities of women then they ought to be considered “unreasonable doctrines” in the Rawlsian sense of the term. Indeed, she suggests that

applying Rawls’s requirement that all comprehensive doctrines be reasonable to patriarchal [i.e. orthodox] religions would result in their discouragement and indeed their exclusion not only from the political domain but also from the non-political (or private) domain.⁶⁰⁸

It is not hard to see the danger in this passage. For where might the interference with religious communities end—with the forced takeover of mosques, or even with the disruption of families considered patriarchal? Although Stopler’s view is grounded in the value of autonomy, of women especially, there is a serious risk that her position could be twisted to support oppressive ends. This is one of the main reasons why her stance would scandalise others, such as the legal theorist Stephen L. Carter, who views the autonomy of religions as almost sacrosanct. Carter recognises a basic tension in a liberal state. “One must come down,” he avers, “on the side of equality or on the side of religious freedom, for in this conflict it is impossible to do both.”⁶⁰⁹ However, he tends to come down on the side of religious freedom on the basis that it is a crucial bulwark against tyranny. He thus offers reluctant support to, for example, Catholics who exclude gays and lesbians from public events.⁶¹⁰ Martha Nussbaum is also wary of

using state power to “correct” religious groups, but tries to find a path between these two positions, suggesting that some minor changes can be made by the state if there is a “compelling government interest.”⁶¹¹ This, in my view, is the best path to follow in this particular case. As we saw in Chapter 4 and Chapter 6, in Islam in the UK there is a good deal of frustration at the state of mosques and restrictions placed on women, and this, along with the openness of Raza to the change, seems to give reason enough for some (gentle) encouragement. While the prevention of terrorism may not give a “compelling justification,” this, in my view, does.

7.9. Theological independence

This consideration of perfectionism connects to another issue that has been constantly present in this chapter, albeit in the background: namely, the independence, from the state, of religious interpretation. As we saw earlier in the chapter, theology was not something that often came to the fore in the 1990s when New Labour engaged with the MCB. Yet with the creation of Prevent and the expansion of funding for religious organisations theology has become more of an issue. The UK government has not just done dealings with favoured “representatives” of the UK’s Muslim communities, meaning “those with an Islamic heritage”; it has, on occasion, tried to influence the production and dissemination of Islamic knowledge, assisting some of the theologians and initiatives that I have been discussing.

Of course, there are many different ways in which a government might influence theology, and a minimal relationship is unavoidable. Imagine, for example, a religious group whose reading of the Genesis story leads to the conclusion that people should never wear clothes (as it was in Eden, perhaps). At some point the members of this group will probably be arrested, and their beliefs will be challenged and delegitimised in that process. Simply by enforcing laws governments are always undermining some religious traditions and supporting others, in this case treating the Biblical nudists more harshly than, say, the majority of Muslims. Governments can still, though, aspire to religious neutrality in the enforcement of law, at least in a certain sense. Clearly, a state cannot remain neutral in the *effects* of its laws: its actions will, as Kwame Anthony Appiah puts it, “have differential impacts on people of different identities, including

religious identities.”⁶¹² But the state could in this case be completely unaware of the religious convictions of the naturists and it would make little difference; those arrested could not claim that they had been singled out.

In the UK, however, New Labour did develop a non-neutral approach to different Muslim traditions, singling out certain groups for privileged attention. This is what certain commentators, such as Bright, had actually suggested, maintaining that the UK government ought to seek out partners from the “Sufi majority” in Britain.⁶¹³ Bright’s interpretation of Sufism is more than a little simplistic: he, like many in the West (whose opinions have often been informed simply by a few images of whirling dervishes), portrays Sufism as private, spiritual, peace-loving, apolitical—everything that a religion in a secular state should be, in short. In reality, Sufism and its history are much more complex, having taken a variety of forms and influenced all manner of movements and traditions including ascetics, libertines and religious martyrs.⁶¹⁴ But leaving that small objection to one side, what Bright seemed to argue was that the UK government ought to seek out Barelwi interlocutors, who make up the largest Islamic tradition in Britain and who are generally closer to the mystical aspects of Islam than the scripturally-oriented Deobandi and Salafi groups. That is indeed what New Labour appeared to do post-7/7, freezing out the MCB and giving funds to the BMF and the Sufi Muslim Council and then justifying this by saying it would only now talk with those who “reject and condemn violent extremism.”⁶¹⁵

In fact, New Labour went further still. Ministers such as Kelly began to quote Muslim intellectuals such as Tariq Ramadan, suggesting they offer a vision for a fully integrated British Islam.⁶¹⁶ In addition to this, Islamic Studies was named by the Labour Government as a strategically important subject in 2007.⁶¹⁷ This was also supported by government-sponsored university-based initiatives such as “Contextualising Islam in Britain,” a CLG-funded project based at the University of Cambridge whose main aim was to allow Muslims to come together to discuss what it means to faithfully live as a Muslim in modern Britain.⁶¹⁸ This project did not shy away from talking about theology, covering Islamic conceptions of justice, the objectives (*maqasid*) of Islamic law, and the nature of divine sovereignty. It also involved a number of the scholars and activists whose names have been mentioned previously: Usama Hasan, Dilwar Hussain, Yahya Birt and Musharraf Hussain. Finally, of course, CLG funded the RMW and other

similar organisations that disseminate religious knowledge. It is therefore not just the case that New Labour privileged certain existing Islamic traditions over others; it also sought to develop *new* traditions, trying to accelerate the growth of organically emerging Islamic theologies. This, as Appiah has observed, is what the idea of perfectionism in the liberal tradition is really all about.⁶¹⁹ Perfectionists want to make people's lives go better by making *people* better, by encouraging conceptions of life that, in the view of the state, are likely to be conducive to human flourishing. In this case, the perfectionist might want to see more intelligent forms of religious faith fostered, forms that are more culturally and philosophically literate.

From what has been said above, the dangers of this kind of enterprise should be already fairly clear. Firstly, the notion of a nominally secular government engaging in the promotion of particular theologies seems to imply a danger to religious liberty, to religious autonomy and, most significantly of all, the ability of religions to offer principled dissent on political matters. (It has been suggested that part of the reason links between the MCB and Labour were cut may have been because of the former's "failure" to support the war in Afghanistan in 2001.)⁶²⁰ It seems to imply an attempt to alter what it is Muslims believe, to intrude upon their religion. Moreover, it appears to imply that *Islam* is all that needs to change: it implies that there is not an issue with young Muslims encountering difficulties with racism, cultural alienation and social and economic exclusion, and that recent political developments such as the invasions of Iraq and Afghanistan are not significant—all that needs to change are the doctrines being propagated and "cohesion" will ensue. Given this, it is even easier to see why some Muslim organisations and intellectuals worry about having their views promoted by the state for essentially political reasons.

Yet compelling as these criticisms may all be, the issue is still not a simple one. In itself, the fostering of more intelligent forms of faith is not usually considered to be outside a state's remit. Indeed, it would be an unusual form of government that had *no* role in shaping the convictions, religious or otherwise, of its citizens. It does not appear unreasonable for universities to discuss Islamic theology, just as few would consider it unreasonable for universities to study Christian theology. Wariness of state interest in Islam may, then, be sensible, but to quote Appiah,

a moment's reflection will remind us [that] this can't be the whole story... Autonomy, we know, is conventionally described as the ideal of self-authorship. But the metaphor should remind us that we write in a language that we did not ourselves make. If we are authors of ourselves, it is state and society that provide us with the tools and the contexts of our authorship... And so, if the state cannot but affect our souls, we can fairly ask both how it does and how it *should* do so.⁶²¹

7.10. Religious autonomy and religious wisdom

With this point, and the general confusion that surrounds this debate, in mind, I think it is worth ending by spelling out as clearly as possible the two values at stake in the UK government's involvement in Islamic theology. Firstly, there is the more obvious value of religious autonomy. As I noted earlier, Carter is perhaps the most persuasive defender of religions as autonomous entities. He argues, following Toqueville, that self-governing religious groups are needed in any modern state because they offer an "independent moral voice." They are, he maintains, "sources of moral understanding without which any majoritarian system can descend into simple tyranny."⁶²² For him, the main reason that it is necessary to maintain a separation of church and state is not so that the state is protected from religion, but so religion is protected from the state, which he sees as the far more dangerous entity. That is why he thinks it is wrong for states to dictate the gender norms of religions, "just as it would have been wrong, back in the days of legally mandated racial segregation [in the US], for the state to press racially integrated congregations to 'reform.'"⁶²³

Much like Rumi, Carter believes that it is important that a state is not a person's first or highest allegiance: it is a good thing that religious groups (and secular groups too, of course) see particular forms of political organisation as insignificant relative to their beliefs, as this helps subordinate the state to ethical principles that transcend it and in terms of which it should be judged. To illustrate his point, it is helpful to take two contrasting examples of theological arguments. Neither of these can be viewed as representative of Islam in the UK, but both are taken from theologians familiar from earlier chapters of the thesis. First, consider the following extract from one of Murad's

sermons from 2008, during which he discusses the contemporary meaning of the *Sira*, Muhammad's biography. For Murad, the *Sira* illustrates the fundamentally liberative message of Islam. To quote from that talk:

'I am with the broken hearted,' He says, *Subhanu wa T'ala*, in the *hadith*; that's where you expect truth to exist. And in this country that is what a lot of people can't understand. They can't get that some middle class guy in a big cathedral and who goes to church once a year on Easter Day might actually not be what God is interested in, and that God is interested in precisely the people who the establishment ethos and all of the media are least respectful of.... That's the radicalism of the prophetic vision.

What is notable about Murad's argument is that, later on, he goes on to suggest that one of the difficulties Muslims currently face is attempts to water down that aspect of the Islamic tradition. In Mecca before the Hijra religion was, he suggests, "like modern Western religion—it's a civic religion, you have your own faith community and your own little festivals ... but what really counts is money." Muhammad challenged others' beliefs because they were bound up with a social system that was fundamentally unjust, and that, Murad argues, is still the case today:

What [the Prophet's adversaries] want is not for him to stop worshipping his god, but just to say: "You can worship your god as long as you'll just let us worship ours." But their deities are linked inextricably to this oppressive system. Their deities are unable to inspire them with the long-term vision and the humanity and the softness of heart that enables them to do something about the people in the street selling the Big Issue.⁶²⁴

What is heavily implied in Murad's argument is that, as he has put it elsewhere, "the function of prophetic religion is to challenge people, and it would probably be very good for modernity to be slapped around and mocked and challenged."⁶²⁵ It is to independently judge the political status quo.

A similar refusal to accept the status quo can be found also in the speeches of Riyadhul Haq, the reformist Deobandi *'alim* I looked at briefly in Chapter 4, although his

message is quite different. In his sermons, Haq pictures post-9/11 hostility toward Muslims as but one part in a long story:

Nothing has changed. The persecution of Muslims ... enmity, hostility, hatred of the *Umma*.... [R]idicule and vilification of Islam [is] part of a constant battle between *haqq* and *batil*, truth and falsehood, which did not start on 9/11 but [was] present from the beginning [of Islam].⁶²⁶

Haq's message does not sit easily with the UK government's interest in "cohesion." He argues that this *fitna* (strife) was sent as a test to Muslims, and those who will pass the test will remain steadfastly attached to Islam, not engaging in Western practices and culture or keeping company with non-Muslims. Those who stay firm, he insists, will benefit when Islam ultimately prevails. Rather than emphasising cordial relations with the People of the Book (*Ahl al-Kitab*), he stresses the superiority of Islam above all other religions and ways of living. Like Murad, Haq views the modern West as unjust. Unlike the Cambridge-based theologian, however, he is contemptuous of national loyalties and political commitments. What has worried some journalists particularly has been the hints of anti-Semitism that have appeared in his talks, especially references to Jews controlling "usury" and the media.⁶²⁷

These two excerpts help support Carter's position, but also illustrate some of the difficulties with it. Religious autonomy can be a powerful bulwark against state oppression, but it is a double-edged sword. In light of this, it is helpful to consider the second of the two values at stake in the government's involvement in Islamic theology, what one might call, following David Ford, *religious wisdom*.⁶²⁸ Carter is based in the US, a context where church and state are strictly separated and where religious autonomy is so prized that there is next to no religious education in state schools.⁶²⁹ In most of Europe, by contrast, the situation is different. In Germany, for example, the state still plays a role in funding theological faculties. Indeed the current pope, Benedict XVI, was educated at a state-funded religious school in Bavaria. According to Rolf Scheider, this involvement of the state in religious knowledge results in "a pay-off for both sides. The churches get well trained preachers and teachers from the state and the state makes sure that the theology which is taught in the churches is of a high scholarly standard."⁶³⁰ In his view, it reflects a different national attitude:

Germans do not believe in the individual's capacity to take care of his or her religious education; instead, they believe that the state is a good institution to govern this field. Americans are very suspicious of the state's involvement in religious matters, and they are confident that the individual is able to organise his or her [own] religious life.... Germans view religion as potentially dangerous; Americans see religion as an important human resource for building civil society. Germans want the state to civilise religion, Americans believe in the civilising potential of religion.⁶³¹

This is a rather blunt description of national difference, but even so the comparison is illuminating. What Scheider is arguing is that closer involvement between the state and religion can help foster more sophisticated forms of belief and act as a barrier against religious literalism, which is “not a problem in Germany.” Opening up more space to discuss religion, particularly in the education system, gently encourages “[t]he capacity for historical and self-critical thinking,”⁶³² On this basis Scheider supports the similar inclusion of Islamic scholarship. His argument could be applied to the UK too. There are differences between Britain and Germany (in which there has been a direct attempt to institutionalise Islam from above).⁶³³ Nevertheless, the discussion of Islam in British universities, the dissemination of Islamic knowledge and the construction of bridges between universities and Islamic educational centres like the Muslim College and the Islamic Foundation⁶³⁴ can be looked on not just as attempts to “control” Islam, but to facilitate flourishing Islamic scholarship—and, by extension, to encourage more thoughtful religious belief. This is certainly how Birt perceived “Contextualising Islam in Britain,” saying the following of the project:

One obvious irony was that there are few if any comparable platforms, due to internal politics or lack of resources or vision, for sustained reflection on pressing theological issues by such a wide theological diversity of British Muslims, except for official ones. The fact [is] that British Muslim institutions, being perceived as biased in one way or another, would have struggled to collect together Sunnis and Shiites, Sufis and Salafis, liberals and conservatives, and Deobandis and Barelwis (the latter being British Islam's most important sectarian Muslim division) under one roof.⁶³⁵

7.11. Conclusion: balancing competing values?

The real challenge for the British state in future, especially given the recent coming-to-power of a new Coalition government, may be to facilitate wise forms of religious faith without compromising religious autonomy. After all, in theory these two values need not necessarily be at loggerheads. It ought to be possible to encourage informed religious belief and discourage anti-intellectualism without suppressing principled dissent. Being well informed about a subject should, in fact, make such dissent more accurate and effective rather than weakening it. Appiah, in his consideration of the appropriate influence a state can have upon people's core convictions, suggests that the state might legitimately work to undermine "abhorrent" identities by, for instance, teaching that there is not a Jewish elite controlling the media or an organised Western conspiracy to destroy Islam. Such encouragement would interfere with aspects of the theological vision espoused by Haq and in the MP's original manifesto, but that is not to say dissent would be impeded thereby.⁶³⁶

Unfortunately, however, the record of the outgoing government does not give one too many grounds for optimism, and nor do the statements of some Conservative MPs. The history of government involvement in Islam and Muslims is littered with mistakes, short-termism and excessive overreactions to the threat of violent extremism that, at times, have been deeply illiberal. As a starting point, to improve the current state of affairs and mollify suspicions it will be necessary to avoid the patron-client relationships that have sometimes characterised Muslim identity politics. It would also surely help if the new government in the UK could resist the temptation to justify sensible measures—such as the provision of chaplains or the administration of mosques—just in terms of the prevention of extremism. This helps no-one in the long run, not even, I am fairly certain, counterterrorist efforts. If the state is unable to do these things, it may be best just to keep at a distance from Islam.

To end on a hopelessly optimistic note, it might also help if, in discussions of the relationship between Islam and the state in the UK, the whole of Rumi's *hadith* could be kept in mind rather than just the first half. For what really makes the *hadith* easy to like

is it recognises that when one talks about the relationship between theology and the state, or between scholars and princes, the exact relationship between the two parties is not everything: no amount of nuanced negotiation of the appropriate relationship between religions and the state will lead to mutually acceptable results as long as more serious social, economic and political problems go unaddressed. Facilitating discussions of Islam can be helpful, as can ensuring proper relations between politicians and religious clerics, but it helps to remember too that:

Happy is the prince who stands at the poor man's door; wretched is the poor man who stands at the door of the prince.

8. Conclusion

8.1. Breathing life into old traditions

In 1985 Robert Bellah *et al.* published *Habits of the Heart*, a book that, in America at least, had an uncommonly large impact for a piece of empirical sociology, appearing on the front pages of a number of national journals and getting near to the summit of a number of bestseller lists. The book, which was republished for a third time in 2008, sets itself an unusual task: to describe what the authors call the “moral ecology” of the United States—that is to say, what Americans value, how they think they should live and what shape they think society should take. Despite its sizeable flaws, it makes for an invigorating read, particularly because it moves skilfully from the lives of the people the authors interviewed—therapists, activists, bankers and what have recently become known as “community organisers”—to the moral traditions by which they had all been influenced: Protestant individualism, expressivism, utilitarianism and (small “r”) republicanism. Written in direct opposition to the then nascent free market orthodoxy (given the name “Neocapitalism” by the authors) and to the idea of a purely managerial state, it ends with a provocative contention:

We need to learn again from the cultural riches of the human species and to reappropriate and revitalise those riches so they can speak to our condition today.... This would not result in a neotraditionalism that would return us to the past. Rather, it might lead to a recovery of a genuine tradition, one that is always self-revising and in a state of development. It might help us find again the coherence we have almost lost.⁶³⁷

What worried the authors of *Habits*—and it is not a concern that has gone away—was the problem that the vast majority of the people they interviewed no longer seemed to be able to relate the narratives in terms of which they made sense of their lives to the new political reality of the United States. Instead, they seemed to be retreating either into a narrow form of individualism or an aimless nostalgia for times past, causing a deep crisis in American public life. What they recommended to address the problem was a revisiting and revivifying of America’s most significant moral traditions in order to revitalise public engagement and enable the country to renew itself. They suggested marshalling the power of tradition (defined, following Jaroslav Pelikan, as “the living

faith of the dead”) while avoiding the constant temptation of traditionalism (or what Pelikan calls “the dead faith of the living”).⁶³⁸

As I observed above, the book has its flaws. Many of those who criticised it did so for the wrong reasons or unfairly,⁶³⁹ but in it the authors affirm a number of warm and fuzzy concepts—such as “family values” and “community”—a little simplistically. The most glaring problem with the book is that it does not find a way of incorporating moral traditions that regard themselves as—or are viewed by others as—*outsiders* to American nationhood for whatever reason. The contemporary reader of *Habits* finds no way of getting a better grasp of the narrative traditions that Rev. Jeremiah Wright drew on in the sermons that almost derailed Barack Obama’s election campaign. He or she certainly finds no way of addressing the perception that Obama himself is not a citizen of the US, or that he is not actually a Christian. The book’s portrayal of nationhood, consequently, is too simple, and just a little too cosy.

The flaw of that book can, though, illuminate one of the fundamental dilemmas within this thesis. The pretext and point of departure for this study was the premise that Islam in the UK is in transition. This is not an insight that I can claim as my own sadly, but I have, I hope, managed to add weight to that point. New expressions of the tradition and new organisations have been gradually emerging now for twenty to thirty years. This transition has been hampered to some extent by traditionally-minded elders, but it is ongoing. New platforms, upon which I have been focusing here, have emerged and begun to contribute to significant debates about the good in Islam, and indeed the good in society at large. Yet this is not a debate that right now it is easy to conduct. As yet, no-one has written a *Habits of the Heart* based in the UK. (It would be an interesting project to attempt.) Yet it is not particularly controversial to claim that similar confusions are commonplace. At the level of formal political organisation, the representatives for the different parties appear less and less in touch, not just with the public, but with any kind of programme or moral tradition with which a person can identify. The Labour Party has gradually accepted the majority of the maxims of the Thatcher years, while the recently-restored-to-power Conservative Party have taken to describing their stances as “progressive,” “liberal,” “forward-looking”—in so doing emptying the terms of coherent meaning. Politics in Britain increasingly looks like the art of effective management rather than of just government, and as a result apathy is up,

party membership down.⁶⁴⁰ Beyond that, anxiety is rife about national identity. Paul Gilroy has persuasively argued that the British—the English particularly—have become prone to frequent bouts of “post-colonial melancholia.”⁶⁴¹ A good portion of social commentary has become little more than a lament for an apparently once-proud but long since lost sense of English- or Britishness.⁶⁴² The confusion is perhaps deepest in the area of religion: most of the UK population (over 70 percent according to the last census)⁶⁴³ seem to believe that Christianity means something to the British, but few seem to have a clear idea of what precisely that might be—apart, perhaps, from it being a convenient way of marginalising religious minorities.

Placed in this kind of context, it would take a visionary of almost superhuman abilities to revivify the moral traditions that are frequently regarded as a fundamental part of British national identity, whether socialism, conservatism, Anglicanism or even Millian liberalism. What, then, would it take to reappropriate and revitalise the riches of the Islamic tradition so it can speak to the UK’s dilemmas, given it is feared by many and considered an outsider by most? How does one begin to have a conversation about the faith’s relationship with British law and society when the tradition’s core language is so often misinterpreted and abused? How should one respond to the enthusiasm of politicians and journalists in the UK for a form of Islam that is authentically British, when a good number of those same individuals seem often to be faintly suspicious of the Islamic tradition, and at worst apparently convinced that “Britishness” can be roughly defined as that which is not Islamic?

8.2. Islam as one of the UK’s the cultural riches

In light of this difficulty, my intention is to conclude this study by drawing upon the chapters that have gone before to consider one final question. It is a question that has particular salience when set against the political discussions about ethnic and religious minorities conducted in the UK recently. I sketched an outline of these debates in the opening chapter, but it might be useful to spell them out once more. Simplified slightly, one could say that, on the one hand, the conservative Right in Britain has tended to emphasise the need to, as Roger Scruton has put it, “adjust immigration policies to the goal of integration” and to cease “denigrating the national and political culture upon

which we depend.”⁶⁴⁴ At their best, the arguments of individuals located in this camp have had the aim of building a political culture capable of including the entire adult population in a common civil society. Yet often this is seen to require allegiance to, or at least knowledge of, a common history and tradition, and the privileging of that tradition in compulsory education.⁶⁴⁵ Rarely is much consideration given to how those whose heritage stands outside of that core historical narrative might bring themselves into this political culture, and so many people are effectively asked to abandon their history, their identity and even their faith, something that proves not just difficult but almost impossible for most people to do.

On the other, a liberal-Left multiculturalism, damaged but still standing after the fierce criticisms directed at it post-7/7, has tended to emphasise the need to open space for cultural diversity, for many stories. Sceptical of talk of national loyalty, commentators in this camp frequently have little or no time for discussions of nationhood, stressing instead the syncretic, partial, constantly changing and ultimately fragmentary nature of nations, cultures and identities.⁶⁴⁶ Different scholars have slightly different stances, of course. Specifically, one can distinguish between those who doubt the ability of any national narrative to include those who are not part of the white, Christian (or post-Christian) majority⁶⁴⁷ and those who are cautious but nonetheless willing to argue for a “patriotism in fragments.”⁶⁴⁸ At their best, these arguments expose and undermine the exclusivity of the conservative stance, and for that reason I incline toward this camp when forced to choose. Yet even those who accept the importance of a national story of some form rarely consider in much detail what it might mean to bring about the transformation of a once-unfamiliar moral, cultural or spiritual tradition into a basic part of a national landscape. So the question I want to consider is this: What would it take to create, and what is there to be gained (and even lost) from the emergence of an Islamic tradition that the future writers of a UK-based *Habits of the Heart* might be able to count among Britain’s cultural riches?

8.3. Looking to the long term

Some answers to this question come only too readily to mind, the first being time. Whatever the future of Islam in Britain might be, one thing that one can be sure of is

that changes will not happen too fast. One of the flaws of British governments, noted in Chapter 7, has been their desire to push this fourteen hundred year-old tradition too far too fast, hoping something called a “British Islam” might be created instantly. Deeply ingrained prejudices and misunderstandings, also, do not disappear overnight. Even now, despite the obvious easing of European anti-Semitism, it is still hard to say how confidently one can speak of Judaism being a “part of” the UK. Of course, today the West’s “Judaeo-Christian” heritage is celebrated, and to some extent this does reflect a welcome openness to Judaism. Yet as Victor J. Seidler persuasively argues in his book on Jewish philosophy’s relationship to Western culture, the tendency in the West is to see Judaism just as what came *before* Christianity. The term “Judeo-Christian” only emerged in the middle of the twentieth century, and there is evidence to suggest that, rather than being the product of religious dialogue, the linking of the traditions was a secular political move aimed at limiting the influence of the Roman Catholic Church in the US by stressing the similarities of its opponents.⁶⁴⁹ As it is used today, the term implies a progressive historical transition that moves from Judaism, to Christianity to Enlightenment and modernity—which makes Jews, as Pope John Paul II once put it, the “older brothers” of Christians. This not only neglects the fact that many of the core texts of rabbinic Judaism were written later than the Gospels, but it also prevents Jewish traditions from being expressed on their own terms. Seidler, whose Polish father was the sole member of his family to survive the Holocaust, thus admits to having “always lived with a tension between Jewish philosophies and ‘Western cultures.’” The dominant historical narratives and intellectual traditions in the West make, he argues, the articulation of ideas influenced by Judaism more difficult.⁶⁵⁰ Islam, also largely excluded from that same historical narrative, suffers similar problems, evident in well-meaning but usually misguided suggestions that it undergo a “Reformation.” There is an urgent need to begin to work through this historical narrative and perhaps, as Bellah *at al.* might put it, open it up to new interpretations.

8.4. Future challenges for Islam in Britain

The second thing that it will take is a good deal of perseverance. When one speaks about Islam in the UK one has to remember that, even if one completely disregards the negative attitudes toward the tradition that many British people have, it still faces some

enormous challenges in what are very difficult circumstances. Firstly, there are a number of local or national difficulties. Every longstanding religious tradition in the UK is struggling to cohere in a fast-paced, impersonal consumer culture, and one can see people from many faiths reacting to this pressure by adopting what Bhikhu Parekh calls a “pathological” religious identity.⁶⁵¹ Yet these struggles are magnified in the case of Islam, where the tradition that parents try to transmit often has its roots in kinship-dominated rural contexts quite different to modern Britain. Islam in the UK has had to undergo an enormous cultural transition, and, as sociologists such as Steve Bruce have observed, such processes of cultural transition can frequently result in the defensive entrenchment of religious practices and identities, which can have the effect of making conversations about reform difficult.⁶⁵² To add to all of this, one has to bear in mind the basic fact that many Muslims in Britain are, relative to most other religious or ethnic groups, not at all well off. Young Muslims in the UK are more than twice as likely to be unemployed than the national average. The rate for those with no qualifications is even higher, at almost 40 percent.⁶⁵³ Needless to say, this varies markedly between different ethnicities (as we saw in Chapter 3),⁶⁵⁴ but it would be foolish to deny that it has some impact on religious expression. Marx, in my view, hit on an important point when he described religion as the expression of and protest against distress, and as the “sigh of the oppressed creature, the heart of a heartless world, just as it is the spirit of a spiritless situation.”⁶⁵⁵ (This was in addition to describing religion as a “defect” and an “opiate,” of course, but I’ll leave that aside.)⁶⁵⁶ It appears that for some young Muslims espousing an aggressive form of Islam forms part of a defence against and escape from their unfeeling social and political environment.

As if this were not enough, one also has to factor in the various international issues discussed in Chapter 5. The history of colonialism has had a massive impact on Islamic thought in many different contexts, and when anti-colonial and Islamic themes have fused the results have not always been positive, generating radical movements like Jamaat-i-Islami and the Muslim Brotherhood whose impact has been felt far beyond their nations of origin. The most worrying product of this colonial encounter has been the strengthening of Wahhabi thought in Saudi Arabia. Wahhabism has not only shaped Islam in Britain directly through international funding, but has, in addition, projected an image of Islam as barbarous and reactionary. This colonial disruption has been related also to the widespread weakening of traditional Islamic authority. The philosopher

Alasdair MacIntyre is well known for his characterisation of the state of contemporary moral discourse as a fragmented, incoherent babble, with particular terms now being isolated from the contexts that once supplied them with meaning.⁶⁵⁷ A pessimist could argue with some justification that the technical language of Islamic law and theology is becoming—perhaps has become—a little like that, with terms such as “*jihad*” and “*fatwa*” being scattered about without many people having awareness of their precise usages in traditions of *fiqh*. Together all of these difficulties, when combined with the general ignorance and suspicion of many non-Muslims, make having a conversation about the Islamic tradition immensely difficult.

Given all of this, one could be forgiven for not hoping for a great deal from the burgeoning Euro-Islamic public sphere. Yet, as we have seen, a variety of creative expressions and unusual alliances have emerged. Indeed, the concentrated focus upon Islam may have had a few surprising results. The spectacular emergence of religiously-justified terrorism has prompted many traditional *‘ulama* as well as younger Muslims to emphatically state what they believe Islam is against, which in turn prompts the obvious question: What, then, is Islam for? Theological arguments are thus now being pushed to the fore where previously they might not have been articulated and certainly would not have been publicised. The theological debate on Muslims living in non-Muslim lands can offer a useful illustration. As I mentioned in Chapter 5, the Muslims who migrated to the UK in the ’50s and ’60s did not devise or refer to theological justifications for their actions; they just moved. Only when certain radical Muslims and Western Orientalists began to claim that in Islam it is not permissible for Muslims to live as a non-ruling minority did the question even arise.⁶⁵⁸ But being forced to respond to such arguments can result in an open discussion of the kind of commitments one has to the state in which one lives, and a contemplation, conducted in theological terms, of the good and bad things about the society one resides in. What is really unusual about the Islam in Britain at present is that this need to respond has resulted in an alliance of sorts between older, sometimes traditional, Islamic scholars and younger Muslim activists dissatisfied with the quality of public debate about Islam in the media and the forms of Islamic knowledge currently being disseminated. Organisations such as the RMW and Maslaha are good examples of this, as are more traditional establishments like the Muslim colleges in Ealing and Cambridge.

8.5. The public ventilation of comprehensive conceptions

The third thing it will take, in my view, is an opening of the public vents to facilitate the diverse expression of religious perspectives and the relation of those perspectives to questions about the public good, law and national identity. There are sometimes in some contexts, as philosophers such as Rawls recognised, good reasons to be reticent about the different core convictions people have. But what Rawls failed to see was that there are also occasions when refraining from articulating one's "comprehensive" commitments can lead to a stifled public debate, heightened confusion, isolation and increases in episodes marked by mutual incomprehension. Such episodes have been all too common recently, from the Rushdie affair to the Danish cartoons controversy, so perhaps now would be an appropriate time to more openly explore the conceptions of the good that underlie people's immediate moral responses. This might mean exploring in a little more depth why freedom of expression is valued, but also, at the same time, reflecting more openly on why Muslims venerate Muhammad and why some avoid the creation of images (more on this issue anon).

The main reason this is necessary is just because it is hard to see how otherwise it will be possible to find a way past the Scylla of a nationalism that is hostile toward all supposedly non-European traditions, and the Charybdis of a multiculturalism that has little vocabulary with which to address questions of national identity and belonging. To illustrate the point, consider a few of the arguments encountered in the previous chapters. In Chapter 3, for example, I referred to a theologian who argued that the full recognition of *Shari'a* law in the UK was not necessary because "as long as there is justice in UK law, there is already the *Shari'a*." In Chapter 6 I explored examples of *'ulama* who argued that Muslims ought to recognise certain English legal practices as customs (*'urf*) in Islamic law, and that a civil marriage contract ought to be considered by Muslims as amounting to an Islamic marriage. In Chapter 4 and Chapter 5 I looked at examples of attempts to weave the Islamic tradition into the cultural and religious life of the UK. One can even encounter the argument among certain British Muslim intellectuals that to "fight for the Allies [during World War II] was unquestionably a *jihad*."⁶⁵⁹ These arguments are all tentative first steps. Much remains to be worked out and there are various points of tension between the various positions. They are also all

constantly in danger of being appropriated and undermined by UK governments seeking to advance narrow policy agendas. Even so, in different ways they all engage with questions of national identity and law, challenging both exclusivist nationalism and less thoughtful forms of multiculturalism. They all, to put this in different terms, work toward a genuine overlapping consensus, the kind of which Rawls advocated but couldn't fully realise because he was ultimately unable to include diverse philosophical conceptions in a public, political conversation.

Such a public ventilation of diverse religious and non-religious perspectives will need to avoid the kind of double standards that one sometimes encounters among liberal philosophers and in wider public debates. For many, Rawls included, offering theological support for liberal democratic political norms is acceptable, even laudable, yet opposing the liberal status quo is considered improper. British Muslims are likely to be applauded for describing the Battle of Britain as a *jihad*, but not for opposing the invasion of Iraq in the same terms. They are likely to be commended for supporting civil law, but not for finding fault with civil legal norms. Although obviously it helps when political opposition is accurate and expressed in terms that are comprehensible to as wide an audience as possible, it is hard to see how this kind of double-standard can help in the long run. It implies that liberalism as it currently stands is beyond serious reproach, which it is not, and certainly not in the UK at present. It indicates a real danger of removing the ethical core from public debates, which only leaves the door ajar to the worst forms of national idolatry. Perhaps just as significantly, it is also hard to see how allowing the introduction into public life of one side of a theological debate but not the other will encourage the creative expressions of Islamic identity outlined above to deepen and eventually bear fruit.

8.6. Arguing with the Islamic tradition

This suggestion might, of course, engender unease among certain people, as indeed might the general prospect of Islam becoming a more fundamental part of the British moral landscape. It seems to imply opening up a space for arguments in favour of, for instance, polygyny. One of the best-known figures to have expressed these kinds of reservations in recent years is the late Dutch politician Pim Fortuyn, an individual who

based his political stances on the argument that wherever Islam becomes a powerful moral tradition life is made much harder for people like himself who are openly gay. For Fortuyn, as for many in the UK, little was to be gained and much lost from Islam becoming one of Europe's "cultural riches." Fortuyn is a challenging figure. He was in many ways similar to other far-Right figures, such as Geert Wilders, who have offered support for bans on mosque construction. Yet his libertarian outlook illustrates how ostensibly liberal conceptions of the good can be turned to illiberal ends. What his views highlight is the need to find a way of arguing about, and forcefully disagreeing with, theological conceptions without unwittingly supporting intolerant sentiments. If this path cannot be found it is difficult to see how comity can be maintained between the UK's many different moral traditions.

As a way into this problem, it might be helpful to consider a few of the stances from the previous chapters that I personally oppose. In Chapter 6 we saw occasional double-standards in the way expectations and norms are applied to young Muslim women but not to men, for instance. These double-standards may be partly explained away as just a product of the particular heritage of South Asian Muslims living in the UK, but there remain debates to be had about certain theological perspectives. The idea that a woman's honour is dependent upon her chastity, or that divorce should not be as easily available to Muslim women as it is to men, cannot be viewed as just "cultural" issues with no "religious" relevance: both of these arguments can be found among Islamic texts and scholars based in the UK.⁶⁶⁰ Although I have not had the space to engage with this issue in the detail it deserves, similar comments could be made about the moral status of homosexuality in Islam too. I am wary of portraying the tradition as undifferentiated on any issue, and there are debates about this, but I am yet to come across an Islamic theological argument that goes further than just accepting that what a person does in private is his or her business, and argues that an intimate same-sex relationship can have intrinsic value. Quite the opposite is argued by many of the scholars that I have referred to in this thesis.⁶⁶¹ In fact, while survey data indicate that there are very few differences between Muslims and non-Muslims in the UK when it comes to obviously "political" matters such as national identity and democracy, there does appear to be some significant differences of opinion regarding aspects of private morality, particularly same-sex relationships.⁶⁶²

One traditional liberal way of responding to these differences is to stress the need for a clear distinction between public and private morality so that both those who are gay and those who view same-sex relationships as morally unacceptable can live with one another in relative harmony. This is the position that Tariq Ramadan supports, as we saw in Chapter 5, and it does offer a way of going on, a *modus vivendi*. The position has, however, many significant limitations. Some of the positions mentioned above, those that relate to women especially, are so severe that there may be good reason for the state to intervene. Indeed, in the UK the state has tried to undermine theologies that do not support equal access to divorce by taking steps to ensure that a religious divorce is granted to any woman who needs one. Even where using the persuasive apparatus of the state does not seem appropriate, there will still be many who will feel the need to contest conceptions of women's honour. In addition to this, one also needs to consider how the UK's "operative public values," to use Parekh's term, will be worked out.⁶⁶³ In Britain, for example, monogamous marriages are recognised but not polygamous or same-sex marriages. Personally, I would like to see committed, consensual relationships between members of the same sex being given exactly the same recognition in law as heterosexual relationships. If I am going to argue for that, I will inevitably come up against traditional religious perspectives, including (although of course it will not be my only opponent) aspects of the Islamic tradition.

8.7. Careful exploration of the good

How should these arguments proceed, if fundamental antagonisms are to be avoided? Two suggestions, I think, can be made. First of all, it would help if reductive accounts of religious morality could be avoided, and academics are often as guilty of this as other, more journalistic commentators. One sometimes hears the complaint, occasionally even from scholars such as Bellah,⁶⁶⁴ that the modern West is prejudiced toward religion. This is sometimes justified by making reference to cases such as the disqualification of Rocco Buttiglione as prospective justice commissioner of the European Commission for his refusal to denounce the Roman Catholic stance on homosexuality.⁶⁶⁵ I am ambivalent about this suggestion, but I would argue that scholars are not always very good at talking about values that are not rooted in the expressivism on which Mill based his account of human flourishing. Caricatures of value systems that do not stress

the importance of self-realisation are very common. This makes it hard to sensibly discuss issues over which there are significant disagreements, such as sexual modesty or the difference between chosen and arranged marriages—precisely the things that are at the heart of debates about Islam in the West.

There are numerous examples to which one might refer. In 2010, for instance, Catherine Hakim published a theory of “erotic capital” which contended not only that there exists a thing called erotic capital that attractive people use to their benefit (which is uncontroversial), but also that women naturally have more of it and that any argument that expresses reservations about the limitless exploitation of it is part of a “puritanical” drive to control women.⁶⁶⁶ According to her account, anyone who believes that the commercial sale of sex might undermine the goods inherent in intimate relationships is complicit in patriarchy.⁶⁶⁷ The same goes for people who feel uneasy about attractive people being preferred over less attractive people for jobs, not just in acting or modelling, but in, say, higher education.⁶⁶⁸ This is a very odd argument, and one that can only hold itself together by being based on a caricature of the moral traditions that Hakim does not seem to identify with. There are many objections one could raise to it, but two seem sufficient. First, one can object that her stance is not conducive to respecting women fully, as that, surely, rests upon recognition of the full range of women’s capacities, not just erotic, and their humanity, which is not grounded in any capacity at all. Second and more important, it completely neglects power dynamics, which are right at the heart of this matter. One is reminded of Alain Badiou’s barbed comments about the French “veiling debate”:

Everywhere you hear it said that the “veil” is the intolerable symbol of control of feminine sexuality. Is it that you imagine feminine sexuality is not controlled in our day and age, in our societies? This naiveté would have made Foucault laugh. Never has feminine sexuality been scrutinised with such meticulousness, had so much expert advice thrust on it, been subject to such fine discriminating between its good and bad uses. Enjoyment has become a sinister obligation. The exposure of supposedly exciting parts is a duty more rigid than Kant’s moral imperative.⁶⁶⁹

This is perhaps the most obvious scholarly example, but it illustrates a wider tendency. Feminist critics such as Gila Stopler and Susan Okin fall into a similar trap, although the latter's position is more nuanced. Kevin McDonald⁶⁷⁰ cites an argument by Mervat Nasser that goes so far as to equate the uncoerced wearing of a veil with anorexia. Both the anorexic woman and the veiled woman, Nasser maintains, pursue their "externally different but psychologically analogous and culturally approved objective with fanatical and compulsive devotion."⁶⁷¹ This argument does at least accept, in a way that Hakim does not, that living up to ideals of beauty over which one has little control can be damaging to a person, but the stance is hardly any better. Leaving aside the point that there is one obvious difference between these two phenomena (anorexia is potentially fatal, while wearing a veil is, in itself, not), Nasser fails entirely to engage with the wider account of the good associated with modest dress. Veiling is equated with conformity, conformity with oppression, and willing veiling is therefore seen by her as a pathology, a little like Stockholm syndrome.⁶⁷² Though Nasser does not state this, she thus gives the impression that any moral tradition that justifies veiling—in this case Islam—is nothing more than a system of oppression. This kind of assumption, so prevalent in the UK, only strengthens Fortuyn and others. This is why, now more than ever, one has to insist on exploration of the range of goods associated with veiling, such as, say, the association of modesty with, as Badiou says, a "woman's intangible right to undress only in front of the person of her choosing."

Those who want to lessen the influence of those aspects of religious traditions they disagree with need, I would argue, to engage in a more incisive way with the ideas that underpin the norms they criticise. If I were to offer criticisms of, for example, the pressure put on young Muslim women (but not men) to follow the wishes of their parents and to be modest, I would surely be best placed if I were able to distinguish quite clearly between the gender imbalance and the other virtues (modesty, respect for elders). If men and women are being asked to live up to the same standards of modesty (certainly, the Qur'an enjoins both men and women to observe sexual modesty), then one can have a conversation about to what extent these standards are conducive to human flourishing. Only when men are not being asked to live up to the same ideals or when women are regarded as a dangerous temptation does the accusation of gender repression appear correct. To be clear, I do not mean by this that forceful criticism of Islamic theologies is never appropriate. Some of the literature used in the UK's *dar al-*

ulums indicates that women are congenitally deficient, and that therefore a woman's legal testimony is worth half a man's.⁶⁷³ Such perspectives ought to be opposed, and as forcefully and effectively as possible. My worry, though, is that by presenting religious traditions as simply "patriarchal" without any qualifiers or attempt to understand religious traditions as they understand themselves (as Okin and Stopler tend to do)⁶⁷⁴ potential allies within those traditions are lost, evitable antagonisms occur and criticism of Islam is ultimately rendered less effective.

I would also argue, secondly, that a careful exploration and articulation of one's beliefs and moral convictions can actually help to win round one's adversaries in a way that avoids unnecessary tension and conflict. Michael Sandel's 2009 Reith lecture entitled "Morality in politics" can help to show why. The focus of this lecture was the debate over recognition of same-sex marriage. Sandel argued in favour of such recognition, but he did so in a slightly unusual way. One common argument put forward in favour of recognition, he observed, is based on the principle that people should be allowed to live as they wish and marry who they wish: the moral status of homosexual relationships, it is claimed, does not need to be part of the debate. (We saw in Chapter 3 that Rawls defends this kind of view.) Sandel, however, pointed out that this argument does not stand up to scrutiny. The state in the UK does not consider disestablishing marriage entirely, or letting all associations (with four men and one woman, or with two women and three men) pass. The reason for this, he argued, is that marriage is a normative institution, honouring virtues. Polygynous cohabitations may be permitted in the UK, but polygynous marriages are not recognised because the state does not (currently) consider them to be worthy of recognition, presumably on the grounds that they encourage the marginalisation of women.⁶⁷⁵ Those in favour of same-sex marriage thus have to accept, he went on, that they are involved in a moral dispute over whether or not such relationships are worthy of recognition. Specifically, they need to argue: 1) that the begetting of children should not be seen as the *sine qua non* of civil marriage (not least because couples that cannot conceive can still marry); and 2) that the exclusive and permanent commitment of partners to one another is a good that is worthy of official recognition by the state, regardless of gender.

Now, this seems to imply a more open and antagonistic conflict than the Rawlsian way of approaching the issue, as the moral difference is now in the open. I believe, however,

that this appearance is rather misleading. If one argues for the recognition of same-sex marriage just by saying that people should be allowed to live as they wish and marry who they wish then finding common ground with one's opponents will surely be extremely difficult, particularly if they are traditionalistic opponents concerned about declining moral standards and commitments. If, however, one takes the second option one can show that, much like one's opponents, one cares for human commitments and for moral relationships. The difference will remain, but one will have a shared interest around which to organise the discussion. The challenge for those who oppose socially conservative stances, then, may be to offer their critique in such a way that reaches out to the concerns of the people they disagree with. This, in my view, is the best way to avoid slipping into a Fortuyn-like polemic. This is a view I share with Sandel, whose conclusion is, I think, worth quoting in full:

In recent decades, we've come to assume that respecting our fellow citizens' moral and religious convictions means ignoring them, leaving them undisturbed, conducting our public life insofar as possible without reference to them. But this stance of avoidance makes for a spurious respect. Often it means suppressing moral disagreement rather than actually avoiding it. This in turn provokes backlash and resentment, as we see in the rise of religious fundamentalism. A more robust public engagement with our moral disagreements could provide a stronger, not a weaker, basis for mutual respect. What would that look like? Well, rather than avoid the moral and religious convictions of our fellow citizens, we should attend to them more directly—sometimes by challenging and contesting them, sometimes by listening and learning from them. It is always possible that learning more about a moral or religious doctrine will lead us to like it less, but we cannot know until we try.⁶⁷⁶

8.8. Asking the right questions

I have been trying to sketch out in this concluding chapter a way forward that might allow the Islamic tradition to flourish in the UK, and think about how to debate those aspects of it some people find objectionable. With a little bit of time, perseverance, openness and robust but thoughtful argument I believe that it will be possible for the

Islamic tradition to flourish in the UK, particularly because one can already see it happening, despite the many challenges. What I have not said anything about though, and what I did mention in my initial question, is what might be *gained* from having an Islamic tradition in Britain that is comfortable with diversity and capable of contributing to public debates. This is a question that academics do not often spend a great deal of time discussing. This may be because such an enterprise seems just a little bit speculative. It may be because it is thought that Islam has nothing to give, that all the tradition needs to do is “catch up” with the West. It may also be because of a reluctance to talk about what one values about a religious tradition, which can seem inappropriate, particularly for a sociologist whose supposed role is, as Bruce says, to describe and explain, not to regret or rejoice. The first and the third of these reasons— if not the second—do have some merit. Nevertheless, I would like to end by spelling out what my views are about what the Islamic tradition may be able to bring, in a personal and, I stress, not entirely scholarly way.

To do this I need to place myself more fully than I have up until now. I was born into a practising Christian family and belong to a sizeable cohort⁶⁷⁷ of essentially lapsed Anglicans, people who are not confirmed and are not observant but who still have a loose attachment to the tradition. In my case, that attachment extended to being, by the age of around sixteen onwards, angered by any attempts by the BNP to make a claim upon Christianity and frustrated by the one-dimensional portrayals of Anglicanism in the media, but not a great deal further. It meant being sceptical of doctrines such as the Incarnation and the Trinity, but impressed by the uncompromising commitment to the downtrodden found in the Gospels. At its best, the Christian tradition presents a view of the cosmos in which an ethical demand is placed upon every person, a demand that is absolute, that comes from something far higher than oneself, and that is woven into very the fabric of reality in such a way as to render every form of social status or hierarchy utterly insignificant. The clearest expression of this is perhaps the vision presented in Mathew 25, where God states that “That which you do not do for the least of those among you, you do not do for me.” The same uncompromising demand can be encountered in the writings and sermons of a number of the early Christians, such as Basil of Caesarea (330-379), for example:

That bread which you keep, belongs to the hungry; that coat which you preserve in your wardrobe, to the naked; those shoes which are rotting in your possession, to the shoeless; that gold which you have hidden in the ground, to the needy. Wherefore, as often as you were able to help others, and refused, so often did you do them wrong.⁶⁷⁸

This aspect of the Christian tradition has always stayed with me, even despite the fact that I grew up with little interest in religion. Christianity was not something I felt the need or the desire to seriously interrogate. Indeed, only reluctantly did I begin to study theological ideas, having eventually been convinced to do so by the suspicion that Islamic theology was being dangerously misrepresented and that public conversation about the tradition was going seriously wrong. I came to Islam, then, from a specific Christian-influenced background. For someone from such a background, some aspects of the Islamic tradition are easy to recognise. The ethical demand that is placed upon human beings is very similar, for example:

Goodness does not consist in turning your face towards East or West. The truly good are those who ... give away some of their wealth, however much they cherish it, to their relatives, to orphans, the needy, travellers and beggars, and to liberate those in bondage; those who keep up the prayer and pray the prescribed alms; who keep pledges whenever they make them; who are steadfast in misfortune, adversity and times of danger. These are the ones who are true, and it is they who are aware of God.⁶⁷⁹

Yet it is the differences that are worth highlighting here. Stephen Prothero argued recently that the social study of religion has encouraged the mistaken view that there is a basic unity beneath religious variety, and that all the religions can be regarded as traditions that address similar problems.⁶⁸⁰ Religious traditions are frequently portrayed as different routes up the same mountain, which means that the only issue that has to be worked out is whether that mountain is worth climbing (as Ghandi argued) or not (as Richard Dawkins argues). One of the problems with this is that it can lead to people taking a particular aspect of a familiar (read: Christian) doctrine or tradition and turning it into a universal attribute of “religion.”⁶⁸¹ As we saw in Chapter 5, for example, it is fairly common for people to assume that Islam and Christianity have similar structures

of authority. In a similar way, it tends to be assumed that “religion” is against sex, when really this is a medieval Christian notion. The Islamic tradition, although it has tended to advocate a degree of restraint, has not generally regarded sexual desire as a thing to be thwarted or recommended celibacy. On account of these differences many of the attacks on or attempts to subvert or escape religion that have been popular in the West misfire when they are applied to Islam. For example, when Rousseau published *Emile* it scandalised the Church at the time by asserting that humans have an inner nature or light that is inherently good. The book was publicly burnt because it was (correctly) seen as an attack upon the notion of original sin. The Islamic tradition does not contain a comparable doctrine. To be rightly placed in relation to the good is to be in balance with nature (*fitra*). Islam does not regard itself as “above” nature as both Christianity and humanism have done at different times.

By making this point I do not mean to imply that Islam is beyond criticism, but rather that to engage with it is to be forced to recognise that the category of “religion” covers more fertile philosophical terrain than many people—including, before I began this thesis, myself—tend to think. What I began to see as I looked into the tradition was that my understanding of religion was rather truncated, and that in fact complex ideas lie behind many religious norms. Consider, for example, the prohibition on images in the Ten Commandments, which Mark Lilla in his book on religion cites as evidence of theism’s inherent irrationality.⁶⁸² This demand seems baffling, and yet the humanist psychoanalyst Erich Fromm explains its rationale deftly in his account of the historical evolution of the devotional love of God:

[The historical evolution of religion] goes in the direction of transforming God from a figure of a father into a symbol of his principles, those of justice, truth, and love. God *is* truth. God *is* justice. In this development God ceases to be a person, a man, a father; he becomes a symbol of the unity behind the manifoldness of phenomena, of the vision of the flower which will grow from the spiritual seed within man. God cannot have a name. A name always denotes a thing, or a person, something finite. How can God have a name, if he is not a person, not a thing?

The most striking incident of this change lies in the Biblical story of God's revelation to Moses. When Moses tells him that the Hebrews will not believe that God has sent him, unless he can tell them God's name ... God makes a concession. He tells Moses that his name is "I am becoming that which I am becoming." "I-am-becoming is my name." The "I am becoming" means God is not finite, not a person, not a "being." The most adequate translation of the sentence would be: tell them that "my name is nameless." The prohibition to make any image of God, to pronounce his name in vain, eventually to pronounce his name at all, aims at the same goal, that of freeing man from the idea that God is a father, that he is a person.⁶⁸³

The norm, Fromm continues, can be seen as part of an effort to transform faith in God into "faith in the principles that 'God' represents," so the religious person "thinks truth, lives love and justice, and considers his life only valuable inasmuch as it gives him a chance to arrive at an even fuller unfolding of his human powers."⁶⁸⁴ Recognition of this deeper complexity can do a number of things. It can make one realise that the immediate association of theism with foundationalist philosophies (or philosophies of being and truth rather than of becoming) may be too simple. It can also make one aware of the different ways of reading a religious tradition. In Christianity, of course, the idea of God as father is prominent, which is part of the reason why "God" tends to be associated with a bearded man in the clouds. Yet the example Fromm gives is a basic part of the Christian, Jewish and Islamic traditions. In fact it is perhaps not just a coincidence that Islam, which has the strictest prohibition on the image, also contains as a central component the doctrine of the Names, in which God is conceived of *as* the Just, the Good, the Merciful and the Loving.

I remain, I should stress, an agnostic as I was before. Nevertheless, the encounter with Islam is what enabled me to consider my own Christian inheritance in a new light, to open it up as an area for philosophical reflection. This is what engaging with another tradition can do, and this is what, I think, Islam might be able to do in the long run for the UK and perhaps Europe too. The tradition is often portrayed by people on the Right and far-Right of the political spectrum as the major challenger to the West, the thing that threatens its cultural foundations. Such perceptions are, as I have been trying to argue in this thesis, deeply misguided. Nevertheless, in a sense Islam can be seen as

presenting a challenge. That challenge is to wrestle with it, engage with it, argue with it, learn from it and where necessary disagree with it. Where there is a point of moral difference—even over something minor, such as whether one should drink or not—the challenge is to take the other person’s view seriously, and to consider in depth why it is that one’s own argument is preferable. This may mean having to uncover buried goods or re-examine old philosophical traditions. Indeed, it may mean having to reappropriate and revitalise neglected cultural resources. In the current atmosphere of hostility it is difficult to be too optimistic about the future, but I nevertheless believe that the Islamic tradition can assist a much-needed cultural renewal—not because the tradition has all the answers, but rather because by casting Western traditions in a new light it might enable us to start asking the right questions.

Notes

¹ Michel Foucault, "The order of discourse," in *Untying the Text: A Post-Structuralist Reader*, ed. Robert Young (London: Routledge, 1982), 67.

Preface and acknowledgements

² Zygmunt Bauman, *Modernity and the Holocaust* (Cambridge: Polity, 2000); Paul Gilroy, *Between Camps: Nations, Cultures and the Allure of Race* (London: Penguin, 2000).

³ Some of my reflections on this can be found in Stephen H. Jones and David B. Clarke, "Waging terror: the geopolitics of the real," *Political Geography* 25, no. 3 (2006): 298-314.

⁴ See www.sioe.wordpress.com

⁵ The Cabinet currently includes MPs who have suggested that the West is currently facing an "Islamist threat" that is comparable to the rise of fascism and communism. See Michael Gove, *Celsius 7/7* (London: Weidenfield and Nicolson, 2006).

⁶ For examples of the first response see Abdullah Saeed, "Muslims in the West and their attitudes to full participation in western societies: some reflections," in *Secularism, Religion and Multicultural Citizenship*, ed. Geoffrey Brahm Levey and Tariq Modood (Cambridge: Cambridge University Press, 2009), 200-215; Sami Zubaida, "Islam in Europe," *Critical Quarterly* 45, no. 1 (2003): 88-98. For an example of the second see Olivier Roy, *Globalised Islam: The Search for a New Ummah* (London: Hurst & Co., 2004).

⁷ This is what Pipes called the Khaled About El Fadl, arguably the most significant American Islamic legal thinker, for his refusal to repudiate "the *Shari'a*." See Khaled Abou El Fadl, *The Great Theft: Wrestling Islam from the Extremists* (San Francisco: Harper, 2007), 1.

⁸ This quotation from Phillips refers to Bosnia's Grand Mufti, Mustafa Ceric. See Melanie Phillips, "Dangerous naivety," *The Spectator: Blogs*, May 28, 2008, <http://www.spectator.co.uk/melaniephillips/735986/dangerous-naivety.shtml>.

⁹ See the differences identified on the issues of homosexuality and abortion in The Coexist Foundation, *The Gallup Coexist Index 2009: A Global Study of Interfaith Relations* (London: Gallup, 2009), 31-32, <http://www.muslimwestfacts.com/mwf/118249/Gallup-Coexist-Index-2009.aspx>.

¹⁰ For a more detailed description of this split see John Rawls, *Political Liberalism* (New York: Columbia University Press, 2005), xxxviii-xli.

¹¹ Charles Taylor, *Philosophical Arguments* (Cambridge, MA: Harvard University Press, 1997), 164.

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¹² For example, Richard Gale and Therese O'Toole, "Young people and faith activism: British Muslim youth, glocalisation and the *umma*," in *Faith in the Public Realm: Controversies Policies and Practices*, ed. Adam Dinham, Robert Furbey, and Vivian Lowndes (Bristol: Policy Press, 2009), 143-162; Peter E. Hopkins, "Youthful Muslim

masculinities: gender and generational relations,” *Transactions of the Institute of British Geographers* 31, no. 3 (2006): 337-351; Jessica Jacobson, “Religion and ethnicity: dual and alternative sources of identity among young British Pakistanis,” *Ethnic and Racial Studies* 20, no. 2 (1997): 238-256; Jessica Jacobson, *Islam in Transition: Religion and Identity Among British Pakistani Youth* (London: Routledge, 1998).

¹³ On feelings of alienation from mosques see Samia Bano, “Complexity, Difference and ‘Muslim Personal Law’: Rethinking the Relationship between *Shariah* Councils and South Asian Muslim Women in Britain” (PhD diss., Warwick: University of Warwick, 2004), 121 fn. 93; Philip Lewis, *Young, British and Muslim* (London: Continuum, 2007), 94-96; Humayun Ansari, *The Infidel Within: Muslims in Britain Since 1800* (London: Hurst & Co., 2004), 218-219. Ansari quotes one young Muslim calling the UK’s mosques “alien, hostile and irrelevant to our needs.”

¹⁴ For descriptions of these difficulties see Jonathan Birt, “Locating the British imam: the Deobandi ‘*ulama* between contested authority and public policy post-9/11,” in *European Muslims and the Secular State*, ed. Jocelyne Cesari and Seán McLoughlin (Aldershot: Ashgate, 2005), 183-196; Sophie Gilliat-Ray, “Educating the ‘*ulama*: centres of Islamic religious training in Britain,” *Islam and Christian-Muslim Relations* 17, no. 1 (2006): 55-76.

¹⁵ Although my focus in this thesis is the UK, similar transitions seem to be underway in other European settings too. For a study of the French case see Dounia Bouzar, *L’Islam des banlieues—Les prédicateurs Musulmans: Nouveaux travailleurs sociaux?* (Paris: Syros la Découverte, 2001). For an analysis of such changes in the Netherlands see Thijl Sunier, “Interests, identities and the public sphere: representing Islam in the Netherlands since the 1980s,” in *European Muslims and the Secular State*, ed. Jocelyne Cesari and Seán McLoughlin (Aldershot: Ashgate, 2005).

¹⁶ Armando Salvatore, “Authority in question: secularity, republicanism and ‘communitarianism’ in the emerging Euro-Islamic public sphere,” *Theory, Culture and Society* 24, no. 2 (2007): 135-160.

¹⁷ The results of the 2010 British Social Attitudes Survey reported in *New Statesman*, “Britain has nothing to fear from Islam,” *New Statesman*, February 15, 2010, 5. For a more comprehensive discussion see Erik Bleich, “Where do Muslims stand on ethno-racial hierarchies in Britain and France? Evidence from public opinion surveys,” *Patterns of Prejudice* 43, no. 3 (2009): 379-400.

¹⁸ Minette Marrin, “We’re far too nice to Muslim extremists,” *The Sunday Times*, February 4, 2007. The irony of this author’s argument is that a few sentences before drawing up this list she pours scorn on a Muslim’s complaint that Britain is becoming like the Stalin-era Soviet Union—before then going on to advocate measures that could almost have been lifted from a KGB manual.

¹⁹ That is how it is seen in, for example, Roger Scruton, *The West and the Rest: Globalisation and the Terrorist Threat* (London: Continuum, 2002).

²⁰ Consider, for example, the following from Melanie Phillips:

Muslims not only despise western secular values as decadent, materialistic, corrupt and immoral. They do not accept the distinction between the spiritual and the temporal, the division which in Christian societies confines religion to the margins of everyday life.

Melanie Phillips, “How the West was lost,” *The Spectator*, May 11, 2002, <http://www.melaniephillips.com/articles-new/?p=43>.

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- ²¹ The clearest exception is Lewis, *Young, British and Muslim*.
- ²² See, *inter alia*, Werner Menski and David Pearl, *Muslim Family Law*, 3rd ed. (London: Sweet & Maxwell, 1998); Richard Jones and Welhengama Gnanapala, *Ethnic Minorities in English Law* (Stoke-on-Trent: Trentham, 2000); Ihsan Yilmaz, *Muslim Laws, Politics and Society in Modern Nation States* (Aldershot: Ashgate Publishing, Ltd., 2005).
- ²³ Bano, "Complexity, Difference and 'Muslim Personal Law,'" 17.
- ²⁴ Gilliat-Ray, "Educating the 'ulama,'" 55. The exception here is again Lewis. See Philip Lewis, *Islamic Britain* (London: I. B. Tauris, 2002); Lewis, *Young, British and Muslim*.
- ²⁵ This is explored in Sophie Gilliat-Ray, "Closed worlds: (not) accessing Deobandi *dar ul-uloom* in Britain," *Fieldwork in Religion* 1, no. 1 (2007): 7-33.
- ²⁶ For a good example see Olivier Roy, *Globalised Islam: The Search for a New Ummah* (London: Hurst & Co., 2004), ix, and the discussion of Anthony Giddens below.
- ²⁷ For an insightful overview of these debates see Bhikhu Parekh, *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (London: Palgrave Macmillan, 2000).
- ²⁸ Umar Abd Allah comments quite rightly that the majority of ethical questions in Islam are considered "not matters of theology but fundamental questions of religious law." Tariq Ramadan has even contended that "there is no 'Islamic theology.'" Umar F. Abd-Allah, "Theological dimensions of Islamic law," in *The Cambridge Companion to Classical Islamic Theology*, ed. Tim J. Winter (Cambridge: Cambridge University Press, 2008), 237; Tariq Ramadan, *Western Muslims and the Future of Islam* (Oxford: Oxford University Press, 2004), 11-12. The term is sometimes used to describe the discipline known as *kalam* (literally, "discourse"). While certainly not irrelevant, *kalam* is, like formal Christian theology, highly specialised. Indeed, *kalam* has been regarded by some Muslims as just unhelpful speculation.
- ²⁹ Peter L. Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York: Anchor, 1967), 40.
- ³⁰ The definition given in William C. Chittick, "Worship," in *The Cambridge Companion to Classical Islamic Theology*, ed. Tim J. Winter (Cambridge: Cambridge University Press, 2008), 221.
- ³¹ Will Kymlicka has argued, with Ronald Dworkin, that this interpretation is accepted by all the participants in the "liberal-communitarian" debates of the '80s and '90s. See Will Kymlicka, *Liberalism, Community and Culture* (Gloucestershire: Clarendon Press, 1991), 21.
- ³² Davie quoted in Linda Woodhead, *Religion or Belief? Identifying Issues and Priorities* (Manchester: Equality and Human Rights Commission, 2009), 27.
- ³³ Robin Gill, *The Social Context of Theology* (Oxford: A. R. Mowbray & Co., 1975); Robin Gill, *Theology and Social Structure* (Oxford: A. R. Mowbray & Co., 1977). There is also a shorter discussion in Berger, *The Sacred Canopy*, 179-185.
- ³⁴ This point has been noted by Muslim theologians. See Tim J. Winter, *British Muslim Identity: Past, Problems, Prospects* (Cambridge: The Muslim Academic Trust, 2003), 4.
- ³⁵ Edward W. Said, *Orientalism* (London: Vintage Books, 1979).
- ³⁶ For example, Gil Anidjar, *The Jew, The Arab: A History of the Enemy* (Stanford CA: Stanford University Press, 2003); Gil Anidjar, "Secularism," *Critical Inquiry* 33, no. 1 (2006): 55-77.
- ³⁷ Bobby S. Sayyid, "Contemporary politics of secularism," in *Secularism, Religion and Multicultural Citizenship*, ed. Geoffrey Brahm Levey and Tariq Modood (Cambridge: Cambridge University Press, 2009), 199. See also Bobby S. Sayyid, *A Fundamental Fear: Eurocentrism and the Emergence of Islamism* (London: Zed Books, 2003).

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- ³⁸ For further discussion see Chetan Bhatt, *Liberation and Purity: Race, New Religious Movements and the Ethics of Postmodernity* (London: Routledge, 1997).
- ³⁹ For example, New Statesman, "Britain has nothing to fear from Islam," 5.
- ⁴⁰ Mohandas K. Gandhi quoted in Abdullah al-Mamun al-Suhrawardy, *The Sayings of Mubammad* (New York: Arno, 1980), 7.
- ⁴¹ Ted Cante, *Community Cohesion: A Report of the Independent Review Team* (London: Home Office, 2001), 9.
- ⁴² Tariq Modood, *Multiculturalism: A Civic Idea* (Cambridge: Polity, 2007), 14.
- ⁴³ Zygmunt Bauman, *In Search of Politics* (Cambridge: Polity, 1999), 199.
- ⁴⁴ Anne Phillips, *Multiculturalism without Culture* (Princeton, NJ: Princeton University Press, 2007), 53-54.
- ⁴⁵ Modood, *Multiculturalism*, 37.
- ⁴⁶ Tariq Modood, "Muslims, religious equality and secularism," in *Secularism, Religion and Multicultural Citizenship*, ed. Geoffrey Brahm Levey and Tariq Modood (Cambridge: Cambridge University Press, 2009), 172.
- ⁴⁷ Modood, *Multiculturalism*, 25.
- ⁴⁸ For details see Kymlicka, *Liberalism, Community and Culture*; Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Gloucestershire: Clarendon Press, 1996).
- ⁴⁹ Modood, *Multiculturalism*, 21-36.
- ⁵⁰ Modood, *Multiculturalism*, 133.
- ⁵¹ Modood, *Multiculturalism*, 137.
- ⁵² Modood, *Multiculturalism*, 136.
- ⁵³ [Peter Jones, "Equality, recognition and difference," *Critical Review of International Social and Political Philosophy* 9, no. 1 (2006): 29.]
- ⁵⁴ Modood, *Multiculturalism*, 136.
- ⁵⁵ Grace Davie, "Europe: the exception that proves the rule?" in *The Desecularization of the World: Resurgent Religion and World Politics*, ed. Peter L. Berger (Michigan: William B. Eerdmans, 1999), 69.
- ⁵⁶ Ceri Peach, "Islam, ethnicity and South Asian religions in the London 2001 census," *Transactions of the Institute of British Geographers* 31, no. 3 (2006): 353-370.
- ⁵⁷ Taken from an interview excerpt in Yunas Samad and John Eade, *Community Perceptions of Forced Marriage* (London: Community Liaison Unit, Foreign and Commonwealth Office, 2002), 86.
- ⁵⁸ *Ibid.*, 148-149.
- ⁵⁹ For example, Sunny Hundal, Nick Pearce, and Nick Johnson, "Multiculturalism and citizenship: responses to Tariq Modood," *OpenDemocracy*, May 20, 2007, http://www.opendemocracy.net/faith-terrorism/response_madood_4630.jsp; Chetan Bhatt, "The fetish of the margins: religious absolutism, anti-racism and postcolonial silence," *New Formations* 59 (2006): 98-115.
- ⁶⁰ Maleiha Malik, "Faith and the state of jurisprudence," in *Faith in Law: Essays in Legal Theory*, ed. Sionaidh Douglas-Scott, Peter Oliver, and Victor Tadros (London: Hart, 2000), 141.
- ⁶¹ Anthony Giddens, *Over to You, Mr Brown* (Cambridge: Polity, 2007), 157.
- ⁶² *Ibid.*, 158-159.
- ⁶³ *Ibid.*, 149.
- ⁶⁴ On national identity see Modood, *Multiculturalism*, 108-109 (plus the footnote); The Coexist Foundation, *The Gallup Coexist Index 2009: A Global Study of Interfaith Relations* (London: Gallup, 2009), <http://www.muslimwestfacts.com/mwf/118249/Gallup>

Coexist-Index-2009.aspx. The Gallup survey actually indicated that Muslims in the UK identify more strongly with Britain than non-Muslims.

⁶⁵ To this end, he draws on Roy, *Globalised Islam*. Roy makes a very similar, although far more detailed, argument.

⁶⁶ For further evidence of this trend see Munira Mirza, Abi Senthilkumaran, and Zein Ja'far, *Living Apart Together: British Muslims and the Paradox of Multiculturalism* (London: Policy Exchange, 2007), 37-44, <http://www.policyexchange.org.uk/images/libimages/246.pdf>. Generally in polls around 90 percent of South Asians, the majority of whom are Muslim, tend to agree that religion is important to them, compared to only 13 percent of those in the "white British" category. The figure is lower for young Muslims of Pakistani and Bangladeshi origin, at around 66 percent, but still much higher than young whites, for whom the figure is 5 percent. See Kate Zebiri, *British Muslim Converts: Choosing Alternative Lives* (Oxford: OneWorld, 2007), 19-20.

⁶⁷ Stephen Tomkins, "Book review: *Paul*, Howard Brenton," *Third Way* 29, no. 1 (2006): 29.

Chapter 2: Religious talk in public

⁶⁸ Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford Ca.: Stanford University Press, 2003), 199. I should note that Asad does not argue that secularism has a fixed, once-and-for-all essence that one can just oppose or support. Indeed, his work goes to great lengths to identify the different "discursive formations" of the secular. Nevertheless, rarely does he have anything positive to say about secularism as it currently functions in political life.

⁶⁹ Abdullahi Ahmed An-Na'im, "The interdependence of religion, secularism, and human rights," *Common Knowledge* 11, no. 1 (2005): 56-80; Abdullahi Ahmed An-Na'im, *Islam and the Secular State: Negotiating the Future of the Shari'a* (Cambridge, MA: Harvard University Press, 2008).

⁷⁰ Jonathan Chaplin, *Talking God: The Legitimacy of Religious Public Reasoning* (London: Theos, 2008).

⁷¹ Sophie Gilliat-Ray, *Religion in Higher Education: the Politics of the Multi-Faith Campus* (Aldershot: Ashgate, 2000), 21-22; Gordon Graham, *The Institution of Intellectual Values: Realism and Idealism in Higher Education* (Exeter: Imprint Academic, 2005), 7-9.

⁷² John Rawls, *Political Liberalism* (New York: Columbia University Press, 2005), 447.

⁷³ Al-Ghazali quoted in William C. Chittick, "Islam in three dimensions," in *Faith and Practice of Islam: Three Thirteenth Century Sufi Texts*, ed. William C. Chittick (Albany: SUNY Press, 1992), 3.

⁷⁴ This distinction is taken from Ronald Dworkin, "Liberalism," in *Public and Private Morality*, ed. Stuart Hampshire (Cambridge: Cambridge University Press, 1978), 113-143.

⁷⁵ John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971).

⁷⁶ *Ibid.*, 91-92.

⁷⁷ *Ibid.*, 139.

⁷⁸ Michael Sandel, "The procedural republic and the unencumbered self," *Political Theory* 12, no. 1 (1984): 86; Michael Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1998).

⁷⁹ Rawls, *Political Liberalism*, xvi.

⁸⁰ I should note that whether or not the approach Rawls uses has a legitimating or strictly evaluative role is a point of debate among political theorists. For details see Chandran Kukathas and Philip Pettit, *Rawls: A Theory of Justice and its Critics* (Stanford CA: Stanford University Press, 1990), 26-31.

⁸¹ Rawls, *Political Liberalism*, xvii.

⁸² Bhikhu Parekh has cited Michael Oakeshott as having developed a similar theory to Rawls in the 1970s. See Bhikhu Parekh, *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (London: Palgrave Macmillan, 2000), 82.

⁸³ John Rawls, "Justice as fairness: political not metaphysical," *Philosophy and Public Affairs* 14, no. 3 (1985): 223-251.

⁸⁴ John Stuart Mill, *On Liberty and Other Essays* (Oxford: Oxford University Press, 1991), 65-66.

⁸⁵ *Ibid.*, 14.

⁸⁶ Mill actually argued something like this in relation to Calvinism. See Martha C. Nussbaum, "A plea for difficulty," in *Is Multiculturalism Bad for Women?* ed. Joshua Cohen, Matthew Howard, and Martha Nussbaum (Princeton, NJ: Princeton University Press, 1999), 108-109.

⁸⁷ Political liberalism's moderate attitude toward religion is defended in Stephen Macedo, "Liberal civic education and religious fundamentalism: the case of God vs. John Rawls?" *Ethics* 105, no. 3 (1995): 468-496; Nussbaum, "A plea for difficulty."

⁸⁸ Williams quoted in Chaplin, *Talking God*, 21.

⁸⁹ Macedo, "Liberal civic education and religious fundamentalism," 475.

⁹⁰ This is also argued in Robert Audi, *Religious Commitment and Secular Reason* (Cambridge: Cambridge University Press, 2000); Thomas Nagel, "Moral conflict and political legitimacy," *Philosophy and Public Affairs* 16, no. 3 (1987): 215-240.

⁹¹ Stephen L. Carter, *The Culture of Disbelief* (New York: Basic Books, 1993); Michael Perry, *Love and Power: The Role of Religion and Morality in American Politics* (New York: Oxford University Press, 1991); Veit Bader, "Secularism, public reason, or moderately agnostic democracy?" in *Secularism, Religion and Multicultural Citizenship* (Cambridge: Cambridge University Press, 2009), 110-135; Chaplin, *Talking God*.

⁹² Stephen Prothero, *Religious Literacy: What Every American Needs to Know—and Doesn't* (New York: Harper, 2008), 29.

⁹³ Paul F. Campos, "Secular fundamentalism," *Columbia Law Review* 94, no. 6 (1994): 1814-1827.

⁹⁴ Timothy S. Shah quoted in Robert Furbey, "Controversies of 'public faith,'" in *Faith in the Public Realm: Controversies Policies and Practices*, ed. Adam Dinham, Robert Furbey, and Vivian Lowndes (Bristol: Policy Press, 2009), 32.

⁹⁵ Kwame Anthony Appiah, *The Ethics of Identity* (Princeton, NJ: Princeton University Press, 2005), 81.

⁹⁶ See John Rawls, *A Brief Inquiry into the Meaning of Sin and Faith: With "On My Religion,"* ed. Thomas Nagel (Cambridge, MA: Harvard University Press, 2009).

⁹⁷ Jürgen Habermas, *The Structural Transformation of the Public Sphere* (Cambridge, MA: MIT Press, 1989). See also Nancy Fraser, "Rethinking the public sphere: a contribution to the critique of actually existing democracy," in *Habermas and the Public Sphere*, ed. Craig Calhoun (Cambridge, MA: MIT Press, 1992), 109-142.

⁹⁸ Namely, "The idea of public reason revisited," in Rawls, *Political Liberalism*, 435-490. This essay does not appear in earlier versions of *Political Liberalism*.

⁹⁹ *Ibid.*, 443-444.

¹⁰⁰ As Rawls argues in *ibid.*, 445.

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- ¹⁰¹ Ibid., 444.
- ¹⁰² “[C]onstitutional essentials and basic justice are to rest on the plain truths now widely accepted, or available, to citizens generally.” Ibid., 225.
- ¹⁰³ Richard Rorty, *Philosophy and Social Hope* (London: Penguin, 1999), 171.
- ¹⁰⁴ Ibid.
- ¹⁰⁵ Chaplin, *Talking God*, 33.
- ¹⁰⁶ Rawls, *Political Liberalism*, 465-466. To be honest, I am not sure why Rawls calls it conjecture, as it seems a very imprecise way of describing the point.
- ¹⁰⁷ These legal nuances are all explored in much greater depth in Mohammed Hashim Kamali, *Freedom of Expression in Islam* (Cambridge: Islamic Texts Society, 1997). Of course, not every Muslim accepts, or is even aware of, these legal nuances. It is certainly the case that some interpretations of Islamic law clash with Rawlsian “political liberalism.” All I am trying to point out here is that such an argument would not be seen as improper by Rawls. That said, there are some British Muslims who have made similar arguments, such as Dilwar Hussain (see Chapter 7).
- ¹⁰⁸ Robert Audi, “The place of religious argument in free and democratic society,” *San Diego Law Review* 30 (1997): 677.
- ¹⁰⁹ This point is made by Rawls in reference to Audi in Rawls, *Political Liberalism*, 457 fn. 40.
- ¹¹⁰ I borrow this term from Chaplin, *Talking God*, 34.
- ¹¹¹ Chaplin, for example, fails to see anything significant in the difference between “secular” and “public” reasons, although he does note that Rawls distinguishes between the two. He thus gives the impression that Rawls thinks non-religious comprehensive conceptions of the good are admissible. See *ibid.*
- ¹¹² Robert Audi, “Liberal democracy and the place of religion in politics,” in *Religion in the Public Square: The Place of Religious Convictions in Political Debate*, ed. Robert Audi and Nicholas Wolterstorff (London: Rowman and Littlefield, 1997), 26.
- ¹¹³ Rawls, *Political Liberalism*, 452.
- ¹¹⁴ Richard Rorty, *Contingency, Irony, and Solidarity* (Cambridge: Cambridge University Press, 1989), 92.
- ¹¹⁵ Rawls, *Political Liberalism*, 441.
- ¹¹⁶ For example, early on in *Political Liberalism* Rawls acknowledges that political values and comprehensive doctrines are “somehow related” and that the former can flow directly from the latter, which conflicts sharply with the other quotations I offer later on in this section. See *ibid.*, xix.
- ¹¹⁷ Ibid., 453.
- ¹¹⁸ Ibid., 454.
- ¹¹⁹ Bader, “Secularism, public reason, or moderately agnostic democracy?” 127-128.
- ¹²⁰ There only recent philosophical text I know of that makes an argument for God’s non-existence is Alain Badiou, *Being and Event* (London: Continuum, 2005).
- ¹²¹ Rawls, *Political Liberalism*, 457.
- ¹²² Ibid., 474-475.
- ¹²³ Ibid., 475.
- ¹²⁴ Ibid., 453.
- ¹²⁵ Ibid., 475.
- ¹²⁶ Ibid., 241.
- ¹²⁷ Bader, “Secularism, public reason, or moderately agnostic democracy?” 126.

- ¹²⁸ For a detailed account of this philosophy of the self and the associated values see Tim J. Winter, "Introduction," in *Al-Ghazali, On Disciplining the Soul and Breaking the Two Desires* (Cambridge: Islamic Texts Society, 1995), xv-lxxi.
- ¹²⁹ For details of these see Humayun Ansari, *The Infidel Within: Muslims in Britain Since 1800* (London: Hurst & Co., 2004), 315-317.
- ¹³⁰ Robert N. Bellah et al., *Habits of the Heart: Individualism and Commitment in American Life* (London: University of California Press, 2008), 333-334.
- ¹³¹ For a full intellectual genealogy see Charles Taylor, *Sources of the Self: The Making of the Modern Identity* (Cambridge, MA: Harvard University Press, 1992).
- ¹³² Bellah et al., *Habits of the Heart*, 33-35.
- ¹³³ This is shown in Bellah et al., *Habits of the Heart*.
- ¹³⁴ Paul Heelas and Linda Woodhead, *The Spiritual Revolution: Why Religion is Giving Way to Spirituality* (London: Blackwell, 2005).
- ¹³⁵ Bader, "Secularism, public reason, or moderately agnostic democracy?" 123-124.
- ¹³⁶ Rawls, *Political Liberalism*, 455.
- ¹³⁷ Taylor, *Sources of the Self*, 89.
- ¹³⁸ This point is argued further in Chaplin, *Talking God*, 38-40.
- ¹³⁹ Taylor, *Sources of the Self*, 8.
- ¹⁴⁰ These are both made in Parekh, *Rethinking Multiculturalism*, 312-313.
- ¹⁴¹ This example refers to a real-life case. I draw extensively here from Chaplin, *Talking God*, 39.
- ¹⁴² Rawls, *Political Liberalism*, 453.
- ¹⁴³ Georges Bataille, *The Accursed Share: And Essay on General Economy* (New York: Zone Books, 1988).
- ¹⁴⁴ William Connolly, *Why I Am Not a Secularist* (London: University of Minnesota Press, 1999), 64.
- ¹⁴⁵ Parekh, *Rethinking Multiculturalism*, 312-313.
- ¹⁴⁶ Chantal Mouffe, "Deliberative Democracy or Agonistic Pluralism," *Reihe Politikwissenschaft: Political Science Series*, no. 72 (December 2000): 7, http://www.ihs.ac.at/publications/pol/pw_72.pdf.
- ¹⁴⁷ Rawls, *Political Liberalism*, 19.
- ¹⁴⁸ Parekh, *Rethinking Multiculturalism*, 83.
- ¹⁴⁹ Rawls, *Political Liberalism*, 250. Rawls actually says that the fact that they saw themselves in this way means they did follow the norms of public reason.
- ¹⁵⁰ *Ibid.*, 243 fn. 32.
- ¹⁵¹ *Ibid.*, 480.
- ¹⁵² Thus Rawls has defended himself by saying that this particular passage expresses an *opinion*, not an argument. *Ibid.*, 479 fn. 80.
- ¹⁵³ Chaplin, *Talking God*, 44.
- ¹⁵⁴ Rawls, *Political Liberalism*, 478-481.
- ¹⁵⁵ Nicholas Wolterstorff, *Justice: Rights and Wrongs* (Oxford: Princeton University Press, 2008), 323-361.
- ¹⁵⁶ Appiah, *The Ethics of Identity*, 81.
- ¹⁵⁷ This is the technical term Rawls uses for this principle, I should stress.
- ¹⁵⁸ For similar arguments from Muslim women see Kevin McDonald, *Global Movements: Action and Culture* (Oxford: Blackwell, 2006), 187-188.
- ¹⁵⁹ This principle of restraint is expressed in terms of the virtue of *ghadd al-basar*, "lowering the gaze." See 24: 30 in the Qur'an; Winter, "Introduction," xlii.

¹⁶⁰ For a very similar argument, albeit without a theistic basis, against the prohibition of the veil see Alain Badiou, *Polemics* (London: Verso, 2006).

¹⁶¹ Tariq Ramadan, *Western Muslims and the Future of Islam* (Oxford: Oxford University Press, 2004).

¹⁶² Abdal-Hakim Murad, "Muslim loyalty and belonging: some reflections on the psychosocial background," *Masud*, 2003, <http://www.masud.co.uk/ISLAM/ahm/loyalty.htm>.

¹⁶³ Rawls, *Political Liberalism*, 485.

¹⁶⁴ Richard Dawkins, *The God Delusion* (London: Bantam, 2006).

¹⁶⁵ Sam Harris, *The End of Faith: Religion, Terror, and the Future of Reason* (London: The Free Press, 2006), 49.

¹⁶⁶ For example, Alan D. Sokal and Jean Bricmont, *Fashionable Nonsense: Postmodern Intellectuals' Abuse of Science* (New York: Picador, 1999); Francis Wheen, *How Mumbo-jumbo Conquered the World: A Short History of Modern Delusions* (New York: PublicAffairs, 2004).

¹⁶⁷ Victor J. Seidler, *Unreasonable Men: Masculinity and Social Theory* (London: Routledge, 1994). For criticisms of Rawls ignorance of emotional life specifically see Bader, "Secularism, public reason, or moderately agnostic democracy?" 132.

¹⁶⁸ Campos, "Secular fundamentalism," 1816-1817.

¹⁶⁹ Stephen de Wijze, "Shamanistic incantations? Rawls, reasonableness and secular fundamentalism," *Politics and Ethics Review* 3, no. 1 (2007): 112-113. The passage quoted is Rawls, *Political Liberalism*, 51.

¹⁷⁰ For a more detailed summary see Wijze, "Shamanistic Incantations?" 114-115 fn. 8 & 10.

¹⁷¹ Rawls, *Political Liberalism*, 54-58.

¹⁷² Gila Stopler, "The liberal bind: the conflict between women's rights and patriarchal religion in the liberal state," *Social Theory and Practice* 31, no. 2 (2005): 191-231.

¹⁷³ I deal with this issue myself in Chapter 6, but for details of Muslim law in the UK see also Samia Bano, "Complexity, Difference and 'Muslim Personal Law': Rethinking the Relationship between *Shariah* Councils and South Asian Muslim Women in Britain" (PhD diss., Warwick: University of Warwick, 2004); Samia Bano, "Muslim family justice and human rights: the experience of British Muslim women," *Journal of Comparative Law* 2, no. 2 (2007): 1-29; Werner Menski and David Pearl, *Muslim Family Law*, 3rd ed. (London: Sweet & Maxwell, 1998).

¹⁷⁴ For a much more detailed discussion of these kinds of questions see Adam Dinham, *Faiths, Public Policy and Civil Society: Problems, Policies, Controversies* (Basingstoke: Palgrave Macmillan, 2009), 119-161.

¹⁷⁵ For the full transcript see Jürgen Habermas, Charles Taylor, and Craig Calhoun, "Rethinking secularism: Jürgen Habermas and Charles Taylor in conversation," *The Immanent Frame*, October 22, 2009, <http://blogs.ssrc.org/tif/2009/11/20/rethinking-secularism-jurgen-habermas-and-charles-taylor-in-conversation/>. The conversation is also reproduced in Judith Butler et al., *The Power of Religion in the Public Sphere* (New York: Columbia University Press, 2011).

¹⁷⁶ Chaplin, *Talking God*, 38.

¹⁷⁷ For just a few (and in my view the finest) examples from this immense literature see Peter L. Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York: Anchor, 1967); Danièle Hervieu-Léger, *Religion as a Chain of Memory* (Cambridge: Polity, 2000); Olivier Roy, *Globalised Islam: The Search for a New Ummah* (London: Hurst & Co., 2004); Charles Taylor, *A Secular Age* (Cambridge, MA: Harvard University Press, 2007).

- ¹⁷⁸ Bhikhu Parekh, "Foreword," in *Faith in the Public Realm: Controversies Policies and Practices*, ed. Adam Dinham, Robert Furbey, and Vivian Lowndes (Bristol: Policy Press, 2009), v.
- ¹⁷⁹ Berger, *The Sacred Canopy*, 152-153.
- ¹⁸⁰ Roy, *Globalized Islam*, 149.
- ¹⁸¹ Ayelet Shachar, *Multicultural Jurisdictions: Cultural Differences and Women's Rights* (Cambridge: Cambridge University Press, 2001).
- ¹⁸² Rawls, *Political Liberalism*, 476-477 fn. 75. For details about the Latin Church's gradual acceptance of human rights see José Casanova, "Secularization revisited: a reply to Talal Asad," in *Powers of the Secular Modern: Talal Asad and His Interlocutors*, ed. David Scott and Charles Hirschkind (Stanford CA: Stanford University Press, 2006), 12-30.
- ¹⁸³ Peter L. Berger, "Religion and the West," *The National Interest* 80 (2005): 112-119; Grace Davie, *Religion in Britain since 1945: Believing Without Belonging* (Oxford: Blackwell, 1994).
- ¹⁸⁴ See Richard Dawkins, "Forgive me, spirit of science," *New Statesman*, December 29, 2010, <http://www.newstatesman.com/religion/2010/12/king-james-bible-poetry-shall>.
- ¹⁸⁵ For contrasting perspectives on this issue see Charles Taylor, *A Secular Age*; Charles Taylor, *Sources of the Self: The Making of the Modern Identity*; Gil Anidjar, "Secularism," *Critical Inquiry* 33, no. 1 (2006): 55-77; Mark Lilla, *The Stillborn God: Religion, Politics and the Modern West* (New York: Alfred A. Knopf, 2007).
- ¹⁸⁶ Chaplin, *Talking God*, 39.
- ¹⁸⁷ For a more in-depth defence of this argument see Taylor, *Sources of the Self*.
- ¹⁸⁸ See the distinction between a *modus vivendi* and an overlapping consensus made in Rawls *Political Liberalism*, 147.
- ¹⁸⁹ Mouffe, "Deliberative Democracy or Agonistic Pluralism," 8.
- ¹⁹⁰ *Ibid.*, 15.
- ¹⁹¹ Connolly, *Why I Am Not a Secularist*, 4.

Chapter 3: Researching and representing religious ideas

- ¹⁹² Robin Gill, *Theology and Social Structure* (Oxford: A. R. Mowbray & Co., 1977), v.
- ¹⁹³ Examples of these Marxist/materialist and positivist approaches are given in the early chapters of Gill, *Theology and Social Structure*.
- ¹⁹⁴ See the insightful editors' introduction to Max Weber, *The Protestant Ethic and the "Spirit" of Capitalism and Other Essays* (London: Penguin, 2002).
- ¹⁹⁵ This is demonstrated to great effect in Olivier Roy, *Globalised Islam: The Search for a New Ummah* (London: Hurst & Co., 2004), 13-14. See also Chapter 6.
- ¹⁹⁶ Nabil Khattab, "Etho-religious background as a determinant of educational and occupational attainment in Britain," *Sociology* 43, no. 2 (2009): 311. To be exact, the figures are 27 percent for Pakistani Muslims and 29 percent for Bangladeshi Muslims.
- ¹⁹⁷ Philip Lewis, *Young, British and Muslim* (London: Continuum, 2007), 27.
- ¹⁹⁸ Humayun Ansari, *The Infidel Within: Muslims in Britain Since 1800* (London: Hurst & Co., 2004), 267.
- ¹⁹⁹ Lewis, *Young, British and Muslim*, 20.
- ²⁰⁰ Ansari, *The Infidel Within*, 268-269.
- ²⁰¹ For example, The Coexist Foundation, *The Gallup Coexist Index 2009: A Global Study of Interfaith Relations* (London: Gallup, 2009), <http://www.muslimwestfacts.com/mwf/118249/Gallup-Coexist-Index-2009.aspx>; Pew Global Attitudes Project, *The*

Great Divide: How Westerners and Muslims View Each Other (Pew Research Centre, 2006), <http://pewglobal.org/reports/pdf/253.pdf>; Yougov, *YouGov Survey Results* (YouGov, 2005), http://www.yougov.co.uk/extranets/yougovarchives/content/pdf/TEL050101030_1.pdf; Munira Mirza, Abi Senthilkumaran, and Zein Ja'far, *Living Apart Together: British Muslims and the Paradox of Multiculturalism* (London: Policy Exchange, 2007), <http://www.policyexchange.org.uk/images/libimages/246.pdf>.

²⁰² Ihsan Yilmaz, "Law as chameleon: the question of incorporation of Muslim personal law into the English law," *Journal of Muslim Minority Affairs* 21, no. 2 (October 2001): 299.

²⁰³ In addition to this chapter, see the contrasting account in Samia Bano, "Muslim family justice and human rights: the experience of British Muslim women," *Journal of Comparative Law* 2, no. 2 (2007): 1-29.

²⁰⁴ For an overview see Abdullahi Ahmed An-Na'im, ed., *Islamic Family Law in a Changing World: A Global Resource Book* (London: Zed Books, 2002); Women Living Under Muslim Laws, *Knowing Our Rights: Women, Family, Laws and Customs in the Muslim World* (London: WLUML Publications, 2006); Reza Aslan, *No God But God* (London: William Heinemann, 2005), 257-258.

²⁰⁵ Mirza, Senthilkumaran, and Ja'far, *Living Apart Together: British Muslims and the Paradox of Multiculturalism*, 47.

²⁰⁶ For example, The Coexist Foundation, *The Gallup Coexist Index 2009*.

²⁰⁷ Khaled Abou El Fadl, *The Great Theft: Wrestling Islam from the Extremists* (San Francisco: Harper, 2007), 34.

²⁰⁸ Fred Halliday, "Islam, law and finance: the elusive divine," *OpenDemocracy*, February 12, 2008, http://www.opendemocracy.net/article/globalisation/global_politics/islamic_law.

²⁰⁹ For a reliable discussion of this issue based on scriptural sources see Mohammed Hashim Kamali, *Freedom of Expression in Islam* (Cambridge: Islamic Texts Society, 1997). As Kamali points out, in the medieval era "apostasy" would often have been equivalent to sedition or high treason, which partly explains why the punishment was so harsh.

²¹⁰ For a useful, if flawed, account of these difficulties in various contexts see Ziya Meral, *No Place to Call Home: Experiences of Apostates from Islam, Failures of the International Community* (Surrey: Christian Solidarity Worldwide, 2008).

²¹¹ Lewis, *Young, British and Muslim*, 12.

²¹² [Ibn Qayyim al-Jawziyya (1292-1350) was a renowned Sunni Islamic jurist.]

²¹³ Yahya Michot, "Muslims under non-Muslim rule: a classical *fatwa*" (presented at City Circle, London, July 18, 2008).

²¹⁴ Richard Sennett, *The Fall of Public Man* (London: Penguin, 2002), xvii.

²¹⁵ Ziauddin Sardar, "Book review: *The Infidel Within: Muslims in Britain since 1800* by Humayun Ansari," *The Independent*, April 30, 2004, <http://www.independent.co.uk/arts-entertainment/books/reviews/the-infidel-within-muslims-in-britain-since-1800-by-humayun-ansari-561666.html>.

²¹⁶ Jonathan Birt, "Locating the British imam: the Deobandi *'ulama* between contested authority and public policy post-9/11," in *European Muslims and the Secular State*, ed. Jocelyne Cesari and Seán McLoughlin (Aldershot: Ashgate, 2005), 183-196.

²¹⁷ For a critique of this tendency see Bobby S. Sayyid, *A Fundamental Fear: Eurocentrism and the Emergence of Islamism* (London: Zed Books, 2003), 37-44.

²¹⁸ Despite sectarian differences, many Muslims are keen to stress the essential unity of Islam. The Qur'an explicitly criticises creation of sects (30: 32).

²¹⁹ Samia Bano, “Complexity, Difference and ‘Muslim Personal Law’: Rethinking the Relationship between *Shariah* Councils and South Asian Muslim Women in Britain” (PhD diss., Warwick: University of Warwick, 2004), 70-71; Sophie Gilliat-Ray, “Closed worlds: (not) accessing Deobandi *dar ul-uloom* in Britain,” *Fieldwork in Religion* 1, no. 1 (2007): 7-33.

²²⁰ I conducted this research for the project Religious Literacy Leadership in Higher Education in 2010. See www.religiousliteracyhe.org

²²¹ See, for example, Bano, “Complexity, Difference and ‘Muslim Personal Law,’” 69.

²²² See, for example, Denis MacEoin, *The Hijacking of British Islam: How Extremist Literature is Subverting Mosques in the UK* (London: Policy Exchange, 2007); Denis MacEoin, *Sharia Law or ‘One Law for All’?* (London: Civitas, 2009); John Thorne and Hannah Stuart, *Islam on Campus: A Survey of UK Student Opinions* (London: The Centre for Social Cohesion, 2008).

²²³ Roy, *Globalised Islam*, 103.

²²⁴ *Ibid.*, 7.

²²⁵ José Casanova, *Public Religions in the Modern World* (Chicago, IL.: Chicago University Press, 1994).

²²⁶ For a selection of studies see Gary R. Bunt, *Islam in the Digital Age: E-Jihad, Online Fatwas and Cyber Islamic Environments* (London: Pluto, 2003); Dale Eickelman, “Mass higher education and the religious imagination in contemporary Arab societies,” *American Ethnologist* 19 (1992): 643-655; Francis Robinson, “Technology and religious change: Islam and the impact of print,” *Modern Asian Studies* 27, no. 1 (1993): 229-251; Stanley Kurtz, “Text and context,” in *The Place of Tolerance in Islam*, ed. Joshua Cohen and Ian Lague (Boston, MA.: Beacon, 2002), 51-55..

²²⁷ Gill, *Theology and Social Structure*, 36.

²²⁸ John Rawls, *Political Liberalism* (New York: Columbia University Press, 2005), 4.

²²⁹ I give more details of this in Chapter 5. See also Abou El Fadl, *The Great Theft*.

²³⁰ Alain Badiou, *Infinite Thought: Truth and the Return of Philosophy* (London/New York: Continuum, 2004), 159.

²³¹ For a couple of examples see Gabriele Marranci, *Faith, Ideology and Fear: Muslim Identities within and Beyond Prisons* (London: Continuum, 2009); Pnina Werbner, *Imagined Diasporas among Manchester Muslims* (Oxford: James Currey, 2002).

²³² Max Weber, *Economy and Society* (Berkeley and Los Angeles: University of California Press, 1978), 538.

²³³ See Chetan Bhatt, *Liberation and Purity: Race, New Religious Movements and the Ethics of Postmodernity* (London: Routledge, 1997).

²³⁴ Charles Taylor, “What is secularism?” in *Secularism, Religion and Multicultural Citizenship*, ed. Geoffrey Brahm Levey and Tariq Modood (Cambridge: Cambridge University Press, 2009), xvi.

²³⁵ Kalim Siddiqui, “The Muslim Manifesto—A Strategy for Survival” (The Muslim Parliament, n. d), <http://www.muslimparliament.org.uk/MuslimManifesto.pdf>.

²³⁶ There are of course ongoing disputes about this, with the most obvious campaigner against the norm being the American Amina Wadud. In October 2008 Wadud caused protests in Oxford when she led Friday prayers following a conference.

²³⁷ Frank Peter, “Individualization and religious authority in Western European Islam,” *Islam and Christian-Muslim Relations* 17, no. 1 (2006): 105-118; Roy, *Globalised Islam*.

²³⁸ Michael Sandel, “The procedural republic and the unencumbered self,” *Political Theory* 12, no. 1 (1984): 81.

²³⁹ Bruno Latour, “Whose cosmos, which cosmopolitics? Comments on the peace terms of Ulrich Beck,” *Common Knowledge* 10, no. 3 (2004): 456.

Chapter 4: Intergenerational transitions and emerging Islamic theologies

²⁴⁰ Abdullah Saeed, “Muslims in the West and their attitudes to full participation in western societies: some reflections,” in *Secularism, Religion and Multicultural Citizenship*, ed. Geoffrey Brahm Levey and Tariq Modood (Cambridge: Cambridge University Press, 2009), 201. For a good historical account of Europeans’ interest in and responses to Islam between 850 and the present see Karen Armstrong, *Muhammad: A Biography of the Prophet*, New Ed. (London: Phoenix, 2001), 21-44.

²⁴¹ Humayun Ansari, *The Infidel Within: Muslims in Britain Since 1800* (London: Hurst & Co., 2004), 27.

²⁴² Ansari, *The Infidel Within*, 26; Mark Mazower, *Salonica, City of Ghosts: Christians, Muslims and Jews 1430-1950* (New York: Vintage, 2004), 173.

²⁴³ Gurharpal Singh, *The Adab—‘Respect’ Programme: A Perspective on Muslim Sikh Relations in the United Kingdom and Causes of Tensions and Mistrust between the two Communities* (London: Faith Matters, 2010), 12.

²⁴⁴ Richard W. Bulliet, *The Case for Islamo-Christian Civilization* (New York: Columbia University Press, 2004), 15. Bulliet argues that the differences between Christianity and Islam ought to be regarded as roughly comparable to the differences between Western Christianity and Eastern Orthodoxy.

²⁴⁵ Philip Lewis, *Young, British and Muslim* (London: Continuum, 2007), 19.

²⁴⁶ Calculated from Ceri Peach, “Islam, ethnicity and South Asian religions in the London 2001 census,” *Transactions of the Institute of British Geographers* 31, no. 3 (2006): 358.

²⁴⁷ Lewis, *Young, British and Muslim*, 19-20.

²⁴⁸ This is Lewis’s estimate. I calculated the percentage figure using the projections at the Office for National Statistics. See <http://www.statistics.gov.uk/cgi/nugget.asp?id=1352>.

²⁴⁹ Ansari, *The Infidel Within*, 40-45 & 97.

²⁵⁰ *Ibid.*, 152.

²⁵¹ Lewis, *Young, British and Muslim*, 19.

²⁵² Ansari, *The Infidel Within*, 130-133.

²⁵³ Abdullah al-Mamun al-Suhrawardy, *The Sayings of Muhammad* (New York: Arno, 1980). This book contains *hadiths* such as, “Every man who calls a Muslim infidel will have the epithet returned to him,” “Admonish your wives with kindness,” and “Make peace between one another: enmity and malice tear up heavenly rewards by the roots.”

²⁵⁴ Lewis, *Young, British and Muslim*, xvii. Although Lewis makes no explicit reference to the tradition in this passage, I suspect he is referring to the Barelwi tradition, in which minor saints play a prominent role (see below).

²⁵⁵ Ansari, *The Infidel Within*, 342-343; Philip Lewis, *Islamic Britain* (London: I. B. Tauris, 2002), 56-58.

²⁵⁶ [Fred Halliday, *Arabs in Exile: Yemeni Migrants in Urban Britain* (London: I. B. Tauris, 1992).]

²⁵⁷ Ansari, *The Infidel Within*, 343.

- ²⁵⁸ For data giving details of the isolation of these communities see *ibid.*, 213. Ansari calls some of the Pakistani and Bangladeshi groups “ghetto-like,” though he points out that part of the reason for this was white families moving out of the area.
- ²⁵⁹ *Ibid.*, 309-317.
- ²⁶⁰ *Ibid.*, 278-282.
- ²⁶¹ *Ibid.*, 345-346.
- ²⁶² Ansari, *The Infidel Within*, 346-347; Chetan Bhatt, *Liberation and Purity: Race, New Religious Movements and the Ethics of Postmodernity* (London: Routledge, 1997), 118-119.
- ²⁶³ Jonathan Birt, “Locating the British imam: the Deobandi ‘ulama between contested authority and public policy post-9/11,” in *European Muslims and the Secular State*, ed. Jocelyne Cesari and Seán McLoughlin (Aldershot: Ashgate, 2005), 183; Lewis, *Islamic Britain*, 36-38.
- ²⁶⁴ Birt, “Locating the British imam,” 188; Ansari, *The Infidel Within*, 347.
- ²⁶⁵ Lewis, *Young, British and Muslim*, 93-103; Birt, “Locating the British imam,” 183-184.
- ²⁶⁶ Lewis, *Young, British and Muslim*, 89; Birt, “Locating the British imam,” 187.
- ²⁶⁷ Jessica Jacobson, *Islam in Transition: Religion and Identity Among British Pakistani Youth* (London: Routledge, 1998), 157.
- ²⁶⁸ Anya Hart Dyke, *Mosques Made in Britain* (London: Quilliam Foundation, 2009), 30-31. For details of the theological disputes between the two groups in the South Asian context see Philip Lewis, *Islamic Britain*, 40.
- ²⁶⁹ Lewis, *Young, British and Muslim*, 106. That was the case in 2007, at least; since then there has been an election of new leaders, which may have altered the situation.
- ²⁷⁰ Ansari, *The Infidel Within*, 361.
- ²⁷¹ Inayat Bunglawala, “Minab: community initiative, or quango?” *The Guardian: Comment is Free*, May 15, 2009, <http://www.guardian.co.uk/commentisfree/belief/2009/may/15/minab-mosques-imams-islam>.
- ²⁷² This argument, or something similar to it, can be found in Chetan Bhatt, “The fetish of the margins: religious absolutism, anti-racism and postcolonial silence,” *New Formations* 59 (2006): 98-115; Gita Sahgal, *Two Cheers for Multiculturalism* (WLUML Publications, 2004), <http://www.wluml.org/english/pubs/pdf/wsf/06.pdf>; Gita Sahgal and Nira Yuval-Davis, eds., *Refusing Holy Orders: Women and Fundamentalism in Britain* (London: Virago, 1992); Olivier Roy, *Globalised Islam: The Search for a New Ummah* (London: Hurst & Co., 2004), 137-140.
- ²⁷³ Ted Cante, *Community Cohesion: A Report of the Independent Review Team* (London: Home Office, 2001), 9.
- ²⁷⁴ Lewis, *Young, British and Muslim*, xvii.
- ²⁷⁵ Lewis, *Islamic Britain*, 130-131.
- ²⁷⁶ Lewis, *Young, British and Muslim*, 100; Birt, “Locating the British imam,” 188; Sophie Gilliat-Ray, “Educating the ‘ulama: centres of Islamic religious training in Britain,” *Islam and Christian-Muslim Relations* 17, no. 1 (2006): 65-66.
- ²⁷⁷ Statements from a number of religious leaders, some of whom I cite later in this chapter, can be found in Hart Dyke, *Mosques Made in Britain*, 15-16.
- ²⁷⁸ Gilliat-Ray, “Educating the ‘ulama,” 66.
- ²⁷⁹ Birt, “Locating the British imam,” 185-186.
- ²⁸⁰ Hart Dyke, *Mosques Made in Britain*, 14.
- ²⁸¹ Lewis, *Young, British and Muslim*, 94.
- ²⁸² Hart Dyke, *Mosques Made in Britain*, 8.
- ²⁸³ Hart Dyke, *Mosques Made in Britain*, 19-20.

- ²⁸⁴ Ludi Simpson, "Statistics of racial segregation: measures, evidence and policy," *Urban Studies* 41, no. 3 (2004): 661-681.
- ²⁸⁵ Ansari, *The Infidel Within*, 212.
- ²⁸⁶ Yunas Samad and John Eade, *Community Perceptions of Forced Marriage* (London: Community Liaison Unit, Foreign and Commonwealth Office, 2002).
- ²⁸⁷ Ansari, *The Infidel Within*, 278-279.
- ²⁸⁸ Roy, *Globalised Islam*, 139.
- ²⁸⁹ Roy has suggested this, and it is argued in Anya Hart Dyke and Lucy James, *Immigrant, Muslim, Female: Triple Paralysis?* (London: Quilliam Foundation, 2009).
- ²⁹⁰ Ansari, *The Infidel Within*, 278; Samad and Eade, *Community Perceptions of Forced Marriage*, viii.
- ²⁹¹ See Pnina Werbner, *Imagined Diasporas among Manchester Muslims* (Oxford: James Currey, 2002), 12.
- ²⁹² Quoted in Samad and Eade, *Community Perceptions of Forced Marriage*, 86.
- ²⁹³ Quoted in Richard Gale and Therese O'Toole, "Young people and faith activism: British Muslim youth, glocalisation and the umma," in *Faith in the Public Realm: Controversies Policies and Practices*, ed. Adam Dinham, Robert Furbey, and Vivian Lowndes (Bristol: Policy Press, 2009), 149.
- ²⁹⁴ For further evidence see Samia Bano, "Complexity, Difference and 'Muslim Personal Law': Rethinking the Relationship between *Shariah* Councils and South Asian Muslim Women in Britain" (PhD diss., Warwick: University of Warwick, 2004), 109-111.
- ²⁹⁵ Quoted in Lewis, *Young, British and Muslim*, 138. Lewis's book gives many more examples of this.
- ²⁹⁶ Hassan Saleemi, "Islamic activism in the UK: then and now" (presented at City Circle, London, June 29, 2007), http://www.thecitycircle.com/events_full_text2.php?id=453.
- ²⁹⁷ A sophisticated discussion of this can be found in Roy, *Globalised Islam*, 257-265.
- ²⁹⁸ Bhikhu Parekh, *A New Politics of Identity: Political Principles for an Interdependent World* (New York: Palgrave Macmillan, 2008), 124-125.
- ²⁹⁹ Quintan Wiktorowicz, "The Salafi movement: violence and fragmentation of community," in *Muslim Networks: From Hajj to Hip-Hop*, ed. Miriam Cooke and Bruce Lawrence (London: University of North Carolina Press, 2005), 208-234. Traditionally, military *jihad* was classified as a collective obligation (*farḍ kifāya*), which an individual does not have to engage in as long as there are people who are able to perform the task (that is to say, a dedicated military).
- ³⁰⁰ See Albert Hourani, *Arabic Thought in the Liberal Age* (London: Oxford University Press, 1962), 21; Mohammed Hashim Kamali, *Freedom of Expression in Islam* (Cambridge: Islamic Texts Society, 1997), 160.
- ³⁰¹ See Ulrich Beck, *Cosmopolitan Vision* (Cambridge: Polity, 2006), 113; John Gray, *Al-Qaeda and What it Means to be Modern* (London: Faber & Faber, 2003); Roy, *Globalised Islam*, 40-54.
- ³⁰² These are all actual websites, or at least they were circa 2008-2009.
- ³⁰³ For a more detailed exploration of this relationship see Roy, *Globalised Islam*, 143-147.
- ³⁰⁴ [Ibn Khaldun (1332-1406) is one of the great intellectuals of the Islamic tradition, renowned for his efforts to map out the character of different societies.]
- ³⁰⁵ [DMX is a popular US-based hip hop artist.]
- ³⁰⁶ [Ibn Taymiyya (1263-1328) was a significant Sunni jurist and Ibn Arabi (1165-1240) was a theologian and metaphysician influential in Sufism.]

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- ³⁰⁷ Suhaib Webb, "From protest to engagement" (presented at the Westminster Central Hall, London, February 24, 2007), <http://www.radicalmiddleway.co.uk/videos.php?id=1&art=1&vid=7>.
- ³⁰⁸ Hizb ut-Tahrir remains fairly small in Britain. In 2003 it had between five and eight thousand active members, compared with well over a million young Muslims in the UK as a whole. Lewis, *Young, British and Muslim*, 140.
- ³⁰⁹ Raza in an interview with the author, 25th February 2009.
- ³¹⁰ The site can be accessed at www.cambridgemuslimcollege.org.
- ³¹¹ Lewis, *Young, British and Muslim*, 102-103.
- ³¹² See Zaki Badawi, "True submission? An interview with Zaki Badawi," *Third Way*, April 23, 1996, <http://www.thirdway.org.uk/past/showpage.asp?page=3923>.
- ³¹³ Rushanara Ali, "Launch of Maslaha" (presented at the Young Foundation, London, May 22, 2009).
- ³¹⁴ The site can be accessed at www.maslaha.org.
- ³¹⁵ From my field notes taken during my time working with Maslaha, October 2007.
- ³¹⁶ 2: 143. In mainstream Islamic tradition Islam is viewed as offering a middle way between asceticism and love of the world.
- ³¹⁷ Fareena Alam, "Muslim boxing hero who unites us all," *The Observer*, August 29, 2004, sec. Sport, <http://www.guardian.co.uk/uk/2004/aug/29/boxing.race>. Notably, in 2004 Alam was managing editor of *Q-News*.
- ³¹⁸ This is certainly argued in some books about Muslims published in the 1990s, such as Lewis, *Islamic Britain*; Jacobson, *Islam in Transition*, 84.
- ³¹⁹ Ali, "Launch of Maslaha."
- ³²⁰ Ruth Kelly, "Time for a British version of Islam..." *New Statesman*, April 9, 2007, 11.
- ³²¹ Higher Education Funding Council for England, *Islamic Studies: Trends and Profiles* (London: HEFCE, 2008), 4; Ataullah Siddiqui, *Islam at Universities in England: Meeting the Needs and Investing in the Future* (Leicester: The Markfield Institute, 2007).
- ³²² Kelly, "Time for a British version of Islam..." 11.
- ³²³ Kate Zebiri, *British Muslim Converts: Choosing Alternative Lives* (Oxford: OneWorld, 2007), 4.
- ³²⁴ *Ibid.*, 1.
- ³²⁵ All are mentioned in Abdal-Hakim Murad, "British and Muslim?" *Masud*, 1997, <http://www.masud.co.uk/ISLAM/ahm/british.htm>.
- ³²⁶ Taken from the blurb of Tim J. Winter, *British Muslim Identity: Past, Problems, Prospects* (Cambridge: The Muslim Academic Trust, 2003).
- ³²⁷ Murad in an interview with the author, 27th August 2008.
- ³²⁸ Abdal-Hakim Murad, "Quicunque Vult, or, a teenage journey to Islam," *Masud*, 2008, <http://www.masud.co.uk/ISLAM/ahm/Quicunque-Vult-or-A-teenage-journey-to-Islam.htm>.
- ³²⁹ Murad, "British and Muslim?"
- ³³⁰ Lewis, *Young, British and Muslim*, 104-105.
- ³³¹ Hasan in an interview with the author, 11th September 2008.
- ³³² Usama Hasan, "Knowledge regained," *The Guardian: Comment is Free*, September 11, 2008, <http://www.guardian.co.uk/commentisfree/2008/sep/11/religion.darwin.bicentenary>.
- ³³³ Lewis, *Young, British and Muslim*, 36.
- ³³⁴ Jacobson, *Islam in Transition*, 157.

³³⁵ Fatima Zohra, "London divan: spiced spare ribs" (presented at the London School of Economics, London, April 24, 2008), <http://www.radicalmiddleway.co.uk/videos.php?id=22&art=22&vid=88>.

³³⁶ Hasan in an interview with the author, 11th September 2008.

³³⁷ See, for example, Niall Ferguson, *The War of the World* (London: Penguin, 2007); Christopher Caldwell, *Reflections on the Revolution in Europe* (London: Allen Lane, 2009); Mark Steyn, *America Alone* (Washington DC: Regnery Publishing, 2006).

³³⁸ Grayling quoted in Ben Rogers, "Charles Taylor interviewed," *Prospect*, February 28, 2008, <http://www.prospectmagazine.co.uk/2008/02/charlestaylorinterviewed/>.

³³⁹ Bruce Bawer, *While Europe Slept: How Radical Islam is Destroying the West from Within* (New York: Doubleday, 2006), 32-33.

³⁴⁰ Anthony McRoy, "A subversive presence: Catholics and Jews in 1920s America," *Q-News*, December 2003; José Casanova, "Civil society and religion: retrospective reflections on Catholicism and prospective reflections on Islam," *Social Research* 68, no. 4 (2001): 1041-1080.

³⁴¹ These numbers and the statistics below are all taken from José Casanova, *Public Religions in the Modern World* (Chicago, IL.: Chicago University Press, 1994), 168.

³⁴² Stephen L. Carter's comments on this are particularly instructive:

Although the rhetoric of the Judeo-Christian tradition may have originated in efforts to overcome entrenched anti-Semitism in the nineteenth century, there is some evidence that the linking of the two traditions was a secular political move around the middle of the twentieth century, aimed at curbing the feared influence of the Roman Catholic Church by emphasising the commonalities of its theological opponents.

Stephen L. Carter, *The Culture of Disbelief* (New York: Basic Books, 1993), 87.

³⁴³ Stephen Prothero, *Religious Literacy: What Every American Needs to Know - and Doesn't* (New York: Harper, 2008), 121.

³⁴⁴ Casanova, *Public Religions in the Modern World*, 176.

³⁴⁵ Ansari, *The Infidel Within*, 3.

Chapter 5: Emerging theologies, contested authorities

³⁴⁶ Stephen Macedo, "Transformative constitutionalism and the case of religion: defending the moderate hegemony of liberalism," *Political Theory* 26, no. 1 (1998): 66.

³⁴⁷ Reinhold Niebuhr, "The Mike Wallace Interview," April 27, 1958, http://www.hrc.utexas.edu/multimedia/video/2008/wallace/niebuhr_reinhold.html.

³⁴⁸ Sophie Gilliat-Ray, *Religion in Higher Education: the Politics of the Multi-Faith Campus* (Aldershot: Ashgate, 2000), 21.

³⁴⁹ Ayelet Shachar, *Multicultural Jurisdictions: Cultural Differences and Women's Rights* (Cambridge: Cambridge University Press, 2001), 100.

³⁵⁰ Macedo, "Transformative constitutionalism and the case of religion: defending the moderate hegemony of liberalism," 67.

³⁵¹ *Ibid.*, 66-67.

³⁵² José Casanova, *Public Religions in the Modern World* (Chicago, IL.: Chicago University Press, 1994); José Casanova, "Secularization revisited: a reply to Talal Asad," in *Powers of*

the Secular Modern: Talal Asad and His Interlocutors, ed. David Scott and Charles Hirschkind (Stanford CA: Stanford University Press, 2006), 12-30.

³⁵⁵ For a contrasting account of how the Catholic Church has influenced public institutions in the US see Gila Stopler, "The liberal bind: the conflict between women's rights and patriarchal religion in the liberal state," *Social Theory and Practice* 31, no. 2 (2005): 191-231.

³⁵⁴ Macedo, "Transformative constitutionalism and the case of religion: defending the moderate hegemony of liberalism," 67.

³⁵⁵ Anthony McRoy, *From Rushdie to 7/7: The Radicalisation of Islam in Britain* (London: Social Affairs Unit, 2006), 9.

³⁵⁶ Roger Scruton, *The West and the Rest: Globalisation and the Terrorist Threat* (London: Continuum, 2002), 15 & 92.

³⁵⁷ For details of these aspects of Islamic law see Mohammed Hashim Kamali, *Freedom of Expression in Islam* (Cambridge: Islamic Texts Society, 1997).

³⁵⁸ Dimitri Gutas, *Greek Thought, Arabic Culture: The Graeco-Arabic Translation Movement in Baghdad and Early 'Abbasid Society* (London: Routledge, 1998).

³⁵⁹ Hizb regards democracy as a "system of *kufi*" (unbelief). See Azzam Tamimi, "Islam and Democracy from Tahtawi to Ghannouchi," *Theory, Culture and Society* 24, no. 2 (2007): 39-58.

³⁶⁰ Peter L. Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York: Anchor, 1967), 123.

³⁶¹ It is important to note also that Muhammad is the exceptional case here: he is seen not only as the individual to whom the Qur'an was revealed, but also as a person whose function on the Day of Judgement will be, according to some Islamic eschatological traditions, to intercede for sinners.

³⁶² Khaled Abou El Fadl, *The Great Theft: Wrestling Islam from the Extremists* (San Francisco: Harper, 2007), 22.

³⁶³ For full details of interpretations of the *usul* see Mohammed Hashim Kamali, *Principles of Islamic Jurisprudence* (Cambridge: Islamic Texts Society, 2003).

³⁶⁴ José Casanova, "Civil society and religion: retrospective reflections on Catholicism and prospective reflections on Islam," *Social Research* 68, no. 4 (2001): 1059. Casanova cites in this passage Dale Eickelman, "Mass higher education and the religious imagination in contemporary Arab societies," *American Ethnologist* 19 (1992): 643-655; Dale Eickelman and James Piscatori, eds., *Muslim Travellers: Pilgrimage, Migration and the Religious Imagination* (London: Routledge, 1990); Ziauddin Sardar, "Paper, printing and compact disks: the making and unmaking of Islamic culture," *Media, Culture, and Society* 15 (1993): 43-59. For similar studies see also Gary Bunt, *Islam in the Digital Age: E-Jihad, Online Fatwas and Cyber Islamic Environments* (London: Pluto, 2003); Francis Robinson, "Technology and religious change: Islam and the impact of print," *Modern Asian Studies* 27, no. 1 (1993): 229-251.

³⁶⁵ Philip Lewis, *Young, British and Muslim* (London: Continuum, 2007), 101.

³⁶⁶ Abou El Fadl, *The Great Theft*, 35.

³⁶⁷ Olivier Roy, *Globalised Islam: The Search for a New Ummah* (London: Hurst & Co., 2004).

³⁶⁸ Danièle Hervieu-Léger, *Religion as a Chain of Memory* (Cambridge: Polity, 2000).

³⁶⁹ For analyses of Islam that are broadly similar to Roy's see Peter Mandaville, *Transnational Muslim Politics: Reimagining the Umma* (London: Routledge, 2001); Peter Mandaville, "Globalization and the politics of religious knowledge: pluralising authority in the Muslim world," *Theory, Culture and Society* 24, no. 2 (2007): 101-115; Kevin

McDonald, *Global Movements: Action and Culture* (Oxford: Blackwell, 2006); Chetan Bhatt, *Liberation and Purity: Race, New Religious Movements and the Ethics of Postmodernity* (London: Routledge, 1997).

³⁷⁰ Mandaville, "Globalization and the politics of religious knowledge," 102 (emphasis removed).

³⁷¹ Frank Peter, "Individualization and religious authority in Western European Islam," *Islam and Christian-Muslim Relations* 17, no. 1 (2006): 111-112.

³⁷² Tariq Modood, *Multiculturalism: A Civic Idea* (Cambridge: Polity, 2007), 83.

³⁷³ From my field notes taken during my time working with Maslaha, October 2007.

³⁷⁴ For examples from liberal theory see Kwame Anthony Appiah, *The Ethics of Identity* (Princeton, NJ: Princeton University Press, 2005), 156; John Rawls, *Political Liberalism* (New York: Columbia University Press, 2005), xxvii-xxxv.

³⁷⁵ Mandaville, "Globalization and the politics of religious knowledge," 102.

³⁷⁶ Modood, *Multiculturalism*, 23.

³⁷⁷ Mandaville, "Globalization and the politics of religious knowledge," 102.

³⁷⁸ Abdal-Hakim Murad, "Faith in the future: Islam after the Enlightenment," *Masud*, 2002, <http://www.masud.co.uk/ISLAM/ahm/postEnlight.htm>.

³⁷⁹ Islamic modernism did emerge in other contexts too, such as South Asia, where it preceded colonialism. See Lewis, *Islamic Britain* (London: I. B. Tauris, 2002), 43-47.

³⁸⁰ For details of Napoleon's interference see Karen Armstrong, *Muhammad: A Biography of the Prophet*, New Ed. (London: Phoenix, 2001), 38.

³⁸¹ Tahtawi quoted in Abou El Fadl, *The Great Theft*, 176.

³⁸² The most detailed record of these interactions is Albert Hourani, *Arabic Thought in the Liberal Age* (London: Oxford University Press, 1962).

³⁸³ Zaki Badawi, *The Reformers of Egypt* (London: Taylor & Francis, 1978), 97.

³⁸⁴ Rida quoting 'Abduh in *ibid.*, 113.

³⁸⁵ See Quintan Wiktorowicz, "The Salafi movement: violence and fragmentation of community," in *Muslim Networks: From Hajj to Hip-Hop*, ed. Miriam Cooke and Bruce Lawrence (London: University of North Carolina Press, 2005), 208-234.

³⁸⁶ Al-Masri quoted in Roy, *Globalised Islam*, 166.

³⁸⁷ There is an ongoing dispute among Islamic theologians and historians of Islam about whether or not 'Abd-al-Wahhab was himself responsible for the noxious character of the Wahhabi movement. Recently an apologetic has been published arguing that he was not as rigid and puritanical as he has been portrayed by Abou El Fadl and others: see Natana DeLong-Bas, *Wahhabi Islam: From Revival and Reform to Global Jihad* (New York: Oxford University Press, 2004). I lack the knowledge to be able to offer a substantiated position on this dispute, but it matters relatively little as all I wish to do here is briefly outline the movement as a whole.

³⁸⁸ For more detail see Reza Aslan, *No God But God* (London: William Heinemann, 2005), 220-266; Abou El Fadl, *The Great Theft*, 45-94.

³⁸⁹ Abou El Fadl, *The Great Theft*, 72-73.

³⁹⁰ Jonathan Birt, "Wahhabism in the United Kingdom: manifestations and reactions," in *Transnational Connections and the Arab Gulf*, ed. Madawi al-Rasheed (London: Routledge, 2005), 168-184. See also Lewis, *Young, British and Muslim*, 139-140.

³⁹¹ The Channel 4 programme *Dispatches*, in an episode entitled 'Undercover mosque' (broadcast on the 15th January 2007), uncovered some troubling tendencies in certain places of worship, but had this effect. The same problem can be found in Denis MacEoin, *The Hijacking of British Islam: How Extremist Literature is Subverting Mosques in the UK* (London: Policy Exchange, 2007). This report was revealed by a (literally) forensic

investigation by the BBC to have fabricated evidence about the availability of Saudi literature in Islamic bookstores and mosques in Britain.

³⁹² Abdal-Hakim Murad, "Book launch: A Muslim in Victorian America" (presented at the House of Lords, London, November 22, 2006), <http://www.radicalmiddleway.co.uk/videos.php?id=1&art=11>.

³⁹³ Vicky Baker, "Rape victim sentenced to 200 lashes and six months in jail," *The Guardian*, November 16, 2007, <http://www.guardian.co.uk/world/2007/nov/17/saudi-arabia-international>; Judith E. Tucker, *Women, Family and Gender in Islamic Law* (Cambridge: Cambridge University Press, 2008), 1; Abou El Fadl, *The Great Theft*, 251-252.

³⁹⁴ Mustafa Ceric, "The challenge of a single Muslim authority in Europe," *European View* 6 (2007): 44-45. These comments are repeated in Mustafa Ceric, "Why Europe needs Islam" (presented at the London Muslim Centre, London, January 17, 2008), <http://www.radicalmiddleway.co.uk/videos.php?id=20&art=20&vid=70>.

³⁹⁵ Newt Gingrich, "Newt Gingrich statement on the proposed 'Cordoba House' mosque near Ground Zero," *Newt*, July 21, 2010, <http://www.newt.org/newt-direct/newt-gingrich-statement-proposed-%E2%80%9Ccordoba-house%E2%80%9D-mosque-near-ground-zero>.

³⁹⁶ The website of this initiative can be found at www.acommonword.com.

³⁹⁷ Ingrid Mattson, "Do we need *A Common Word*?" (presented at the Churchill College, Cambridge, October 12, 2008), <http://www.radicalmiddleway.co.uk/videos.php?id=23&art=23&vid=101>.

³⁹⁸ For example, Jim Boyle, "Muslim scholars recast jihadists' favorite fatwa," *A Common Word*, March 31, 2010, <http://acommonword.com/en/a-common-word-in-the-news/19-new-news-items/398-muslim-scholars-recast-jihadists-favourite-fatwa.html>.

³⁹⁹ The structural similarities between liberal and Salafi forms of Islam are discussed at length in Roy, *Globalised Islam*.

⁴⁰⁰ Its website is at www.bmsd.org.uk. This organisation does not have a theological orientation, at least not an explicit one.

⁴⁰¹ Ramadan's arguments are wide ranging and resist simple categorisation. He shares many of the views of the more traditionalistic scholars I cite immediately below, having argued against, for example, personalised interpretations (or "*fatwa* tourism").

⁴⁰² Abou El Fadl, *The Great Theft*, 49; Tim J. Winter, *British Muslim Identity: Past, Problems, Prospects* (Cambridge: The Muslim Academic Trust, 2003), 14.

⁴⁰³ Tariq Ramadan, "Know your rights and be close to God," interview by Konrad Pedziwiatr, February 12, 2006, <http://www.tariqramadan.com/spip.php?article640>.

⁴⁰⁴ Appiah, *The Ethics of Identity*.

⁴⁰⁵ Tariq Ramadan, *Western Muslims and the Future of Islam* (Oxford: Oxford University Press, 2004), 72.

⁴⁰⁶ *Ibid.*, 96-101.

⁴⁰⁷ Tariq Ramadan, "Islam and homosexuality," *Tariq Ramadan: Official Website*, 2009, <http://www.tariqramadan.com/spip.php?article10683>.

⁴⁰⁸ Tariq Ramadan, "Is Islam in need of Reformation?" (presented at the Brunswick Street, Manchester, June 25, 2006), <http://www.radicalmiddleway.co.uk/videos.php?id=8&art=8&vid=21>.

⁴⁰⁹ Abdullah bin Bayyah, "Muslims living in non-Muslim lands," trans. Hamza Yusuf, *Sunnah*, July 31, 1999, http://www.sunnah.org/articles/muslims_in_nonmuslim_lands.htm; Ceric, "The challenge of a single Muslim authority in Europe," 45. This talk

was given in California, although bin Bayyah and Yusuf have appeared together in the UK often.

⁴¹⁰ Umar F. Abd-Allah, "Islamic extremism in the context of globalism" (presented at the Birmingham Central Mosque, Birmingham, November 18, 2006), <http://www.radicalmiddleway.co.uk/videos.php?id=55&art=55&vid=218>.

⁴¹¹ Abdal-Hakim Murad, "Launch of the Radical Middle Way" (presented at the Kensington Town Hall, London, December 6, 2005), <http://www.radicalmiddleway.co.uk/videos.php?id=2&art=2&vid=11>.

⁴¹² Winter, *British Muslim Identity*, 15-17.

⁴¹³ Murad cites in support of this György Lederer, "Islam in Lithuania," *Central Asian Survey*, no. 14 (1995): 425-448; Piotr Borawski, "Religious tolerance and the Tartar population in the Grand Duchy of Lithuania," *Journal of Muslim Minority Affairs* 9, no. 1 (1988): 119-133; Bogdan Szajkowski, "The Muslim minority in Poland," in *Islam in Europe: The Politics of Religion and Community*, ed. Steven Vertovec and Ceri Peach (Basingstoke: MacMillan, 1997), 91-100.

⁴¹⁴ See Paul D. Buell, "Saiyid Ajall (1211-1279)," in *In the Service of the Khan: Eminent Personalities of the Early Mongol Period (1200-1300)*, ed. Igor de Rachewiltz, Hok Lam Chan, and Hsiao Ch'i-Ch'ing (Wiesbaden: Otto Harrassowitz, 1993), 466-479.

⁴¹⁵ For a definition and some of the contrasting uses of the term see Kamali, *Principles of Islamic Jurisprudence*, 369.

⁴¹⁶ Abdal-Hakim Murad, "British and Muslim?" *Masud*, 1997, <http://www.masud.co.uk/ISLAM/ahm/british.htm>.

⁴¹⁷ *Ibid.*

⁴¹⁸ Abdal-Hakim Murad, ed., *Muslim Songs of the British Isles: Arranged for Schools* (London: Quilliam Press, 2005).

⁴¹⁹ Malik in an interview with the author, 26th August 2008.

⁴²⁰ Zaki Badawi, *Islam in Britain* (London: TaHa, 1981).

⁴²¹ Lewis, *Young, British and Muslim*, 6.

⁴²² Tariq Ali, "Theological distractions," in *The Place of Tolerance in Islam*, ed. Joshua Cohen and Ian Lague (Boston, MA.: Beacon, 2002), 37-41. See also Stanley Kurtz, "Text and context," in *The Place of Tolerance in Islam*, ed. Joshua Cohen and Ian Lague (Boston, MA: Beacon, 2002), 51-55.

⁴²³ Roy, *Globalised Islam*, 110 & 340.

⁴²⁴ Khaled Abou El Fadl, "Reply," in *The Place of Tolerance in Islam*, ed. Joshua Cohen and Ian Lague (Boston, MA.: Beacon, 2002), 104-105.

⁴²⁵ Ceric, "The challenge of a single Muslim authority in Europe."

⁴²⁶ Murad in an interview with the author, 27th August 2008.

⁴²⁷ Tariq Ramadan, "A confident, modern Islam must challenge the victim mentality of western Muslims and a crisis of authority across the faith: Prospect Magazine interview with Tariq Ramadan," *Tariq Ramadan: Official Website*, 2006, <http://www.tariqramadan.com/spip.php?article746>.

⁴²⁸ Rawls quoted in Ceric, "The challenge of a single Muslim authority in Europe."

⁴²⁹ The website of the ECFR lists twenty-one European members as of July 2008, although Lewis cites an article that puts the number at a mere nine. Compare the following accounts: European Council for Fatwa and Research, "The members of the European Council for Fatwa and Research," *European Council for Fatwa and Research*, July 31, 2008, <http://www.e-cfr.org/en/index.php?ArticleID=305>; with Lewis, *Young, British and Muslim*, 93.

⁴³⁰ Details of Qaradawi's views on apostasy can be found in Ziya Meral, *No Place to Call Home: Experiences of Apostates from Islam, Failures of the International Community* (Surrey: Christian Solidarity Worldwide, 2008).

⁴³¹ Cameron quoted in Vikram Dodd, "Controversial Muslim cleric banned from Britain," *The Guardian*, February 7, 2008, <http://www.guardian.co.uk/uk/2008/feb/07/religion.politics..>

⁴³² European Council for Fatwa and Research, "First collection of *fatwas*," *European Council for Fatwa and Research*, 2008, http://www.e-cfr.org/en/index.php?cat_id=336.

⁴³³ Olivier Roy, "Islam in Europe: clash of religions or convergence of religiosities?," *Eurozine*, May 3, 2007, <http://www.eurozine.com/articles/2007-05-03-roy-en.html>.

⁴³⁴ Abdullahi Ahmed An-Na'im, "Political Islam in national politics and international relations," in *The Desecularization of the World: Resurgent Religion and World Politics*, ed. Peter L. Berger (Michigan: William B. Eerdmans, 1999), 107.

Chapter 6: Debating civil and Islamic law

⁴³⁵ Nancy Fraser, "Rethinking the public sphere: a contribution to the critique of actually existing democracy," in *Habermas and the Public Sphere*, ed. Craig Calhoun (Cambridge, MA: MIT Press, 1992), 110.

⁴³⁶ Zygmunt Bauman, *In Search of Politics* (Cambridge: Polity, 1999), 3-4.

⁴³⁷ Rowan Williams, "Civil and Religious Law in England: A Religious Perspective" (presented at the Temple Church, London, February 7, 2008), <http://www.templechurch.com/documents/ArchbptextwithQandA.pdf>.

⁴³⁸ For examples see Ayelet Shachar, *Multicultural Jurisdictions: Cultural Differences and Women's Rights* (Cambridge: Cambridge University Press, 2001), 100-101.

⁴³⁹ Williams, "Civil and Religious Law in England: A Religious Perspective."

⁴⁴⁰ *The Sun* newspaper even set up an on-line game where readers were invited to throw sponges at Williams. It was named, wittily, "bash the bishop," and can be found at the following address: <http://www.thesun.co.uk/sol/homepage/news/article782700.ece>.

⁴⁴¹ This figure is based upon my own search of the ProQuest news database (<http://proquest.umi.com/pqdweb?RQT=302&cfc=1>).

⁴⁴² Charles Moore, "Archbishop, you can't just have a bit of *Shari'a*—it's all or nothing," *The Daily Telegraph*, February 9, 2008, 30.

⁴⁴³ The Tanzimat period of Ottoman rule, during which full citizenship was extended in the Ottoman Empire, began in 1839 and ended in 1876.

⁴⁴⁴ Abdullahi Ahmed An-Na'im, *Islam and the Secular State: Negotiating the Future of the Shari'a* (Cambridge, MA: Harvard University Press, 2008), 31.

⁴⁴⁵ Omar Bakri Muhammad cited in Robert Spencer, *The Politically Incorrect Guide to Islam (and the Crusades)* (Washington DC: Regnery, 2005), 52. Muhammad, for a time the leader of the now-proscribed group Al-Muhajiroun, was expelled from the UK in 2005.

⁴⁴⁶ David Wooding, "Bash the bishop," *The Sun*, February 9, 2008, 1.

⁴⁴⁷ See Denis MacEoin, *Sharia Law or 'One Law for All'?* (London: Civitas, 2009). This report was publicised on the front pages of two national newspapers.

⁴⁴⁸ Samia Bano, "Complexity, Difference and 'Muslim Personal Law': Rethinking the Relationship between *Shariah* Councils and South Asian Muslim Women in Britain" (PhD diss., Warwick: University of Warwick, 2004), 115-123; Samia Bano, "Muslim family justice and human rights: the experience of British Muslim women," *Journal of Comparative Law* 2, no. 2 (2007): 10-14.

⁴⁴⁹ Werner Menski and David Pearl, *Muslim Family Law*, 3rd ed. (London: Sweet & Maxwell, 1998), 74-77.

⁴⁵⁰ Abdullahi Ahmed An-Na'im, ed., *Islamic Family Law in a Changing World: A Global Resource Book* (London: Zed Books, 2002), 234. This stipulation, which was brought in as part of the Muslim Family Laws Ordinance 1961, has been partially eroded since the *Zina* Ordinance 1979, which introduced into the Pakistani legal system the possibility of abuse.

⁴⁵¹ For more detail on these forms of divorce see Judith E. Tucker, *Women, Family and Gender in Islamic Law* (Cambridge: Cambridge University Press, 2008), 84-104. Again, this plays out in a variety of ways in different Muslim-majority contexts today.

⁴⁵² For details of this see Shachar, *Multicultural Jurisdictions*, 57-60.

⁴⁵³ There was actually a campaign to deal with the problem in the UK in the 1990s, the website of which can be found at www.agunot-campaign.org.uk.

⁴⁵⁴ Menski and Pearl, *Muslim Family Law*, 78.

⁴⁵⁵ *Ibid.*, 79.

⁴⁵⁶ See H. M. Government, "Divorce (Religious Marriages) Act 2002," *Office of Public Sector Information*, February 24, 2002, http://www.opsi.gov.uk/acts/acts2002/ukpga_20020027_en_1.

⁴⁵⁷ Bano, "Muslim family justice and human rights," 11; Bano, "Complexity, Difference and 'Muslim Personal Law,'" 135-136.

⁴⁵⁸ Faizal A. Siddiqi, "Kingdom of God: the archbishop, the *Shari'a* and the law of the land" (presented City Circle, London, February 18, 2008), http://www.thecitycircle.com/blog2.php?cann_id=532.

⁴⁵⁹ Menski and Pearl, *Muslim Family Law*, 303; Ihsan Yilmaz, "Law as chameleon: the question of incorporation of Muslim personal law into the English law," *Journal of Muslim Minority Affairs* 21, no. 2 (October 2001): 303.

⁴⁶⁰ The idea of legal pluralism is treated sympathetically in all of the following: Richard Jones and Welhengama Gnanapala, *Ethnic Minorities in English Law* (Stoke-on-Trent: Trentham, 2000); Ihsan Yilmaz, *Muslim Laws, Politics and Society in Modern Nation States* (Aldershot: Ashgate Publishing, Ltd., 2005); Tariq Modood, "Within the law," *The Guardian: Comment is Free*, February 15, 2008, <http://www.guardian.co.uk/commentisfree/2008/feb/15/withinthelaw>. Yilmaz, in particular, is openly supportive of delegating civil authority to Islamic legal tribunals.

⁴⁶¹ See also Jones and Gnanapala, *Ethnic Minorities in English Law*, 104; Yilmaz, *Muslim Laws, Politics and Society in Modern Nation States*, 72.

⁴⁶² Bano, "Muslim family justice and human rights," 15. Bano also gives examples where husbands obtained an Islamic marriage and then refused a civil marriage.

⁴⁶³ Cited in Chris Nelson, "Is the UK turning a blind eye to Muslim polygamy?" *Newsnight* (London: BBC2, July 23, 2009), <http://news.bbc.co.uk/1/hi/programmes/newsnight/8164961.stm>.

⁴⁶⁴ Usama Hasan, "Launch of the Muslim Marriage Contract" (presented at City Circle, London, November 9, 2008).

⁴⁶⁵ Olivier Roy, *Globalised Islam: The Search for a New Ummah* (London: Hurst & Co., 2004), 217.

⁴⁶⁶ See Peter L. Berger, *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York: Anchor, 1967); Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality* (New York: Doubleday, 1967).

⁴⁶⁷ See also Yunas Samad and John Eade, *Community Perceptions of Forced Marriage* (London: Community Liaison Unit, Foreign and Commonwealth Office, 2002); Angela

Dale, *Migration, Marriage and Employment Amongst Indian, Pakistani and Bangladeshi Residents in the UK* (Manchester: Centre for Census and Survey Research, 2008).

⁴⁶⁸ On the role of family honour see Bano, "Complexity, Difference and 'Muslim Personal Law,'" 98-99; Samad and Eade, *Community Perceptions of Forced Marriage*, 75-76; Jacqueline Rose, "A piece of white silk," *London Review of Books*, November 5, 2009.

⁴⁶⁹ Quoted in Bano, "Complexity, Difference and 'Muslim Personal Law,'" 108.

⁴⁷⁰ Quoted in *ibid.*, 100.

⁴⁷¹ Samad and Eade, *Community Perceptions of Forced Marriage*, 105-106.

⁴⁷² Quoted in Bano, "Complexity, Difference and 'Muslim Personal Law,'" 103.

⁴⁷³ See, *inter alia*, Charles Taylor, *Multiculturalism and "The Politics of Recognition"* (Princeton, NJ: Princeton University Press, 1992); Will Kymlicka, *Liberalism, Community and Culture* (Gloucestershire: Clarendon Press, 1991); Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Gloucestershire: Clarendon Press, 1996); Bhikhu Parekh, *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (London: Palgrave Macmillan, 2000); Maleiha Malik, "Faith and the state of jurisprudence," in *Faith in Law: Essays in Legal Theory*, ed. Sionaidh Douglas-Scott, Peter Oliver, and Victor Tadros (London: Hart, 2000), 129-149. These are only a few examples of this literature, and there are many differences between the texts. Kymlicka, for example, takes a more individualistic perspective, seeing culture as a Rawlsian "primary good." Taylor, by contrast, sees culture as a locus of values that cannot be reduced to the individual level.

⁴⁷⁴ For a short philosophical account of social goods see Charles Taylor, *Philosophical Arguments* (Cambridge, MA: Harvard University Press, 1997), 127-145.

⁴⁷⁵ Victoria S. Harrison, "Narrative, postmodernity and the problem of 'religious illiteracy,'" *New Blackfriars* 89, no. 1023 (2008): 600.

⁴⁷⁶ Lois McNay, *Against Recognition* (Cambridge: Polity, 2008).

⁴⁷⁷ For an incisive discussion of this issue see Rose, "A piece of white silk."

⁴⁷⁸ Williams, "Civil and Religious Law in England: A Religious Perspective."

⁴⁷⁹ Quoted in Bano, "Complexity, Difference and 'Muslim Personal Law,'" 106.

⁴⁸⁰ Shachar, *Multicultural Jurisdictions*, 43; Anne Phillips, *Multiculturalism without Culture* (Princeton, NJ: Princeton University Press, 2007), 138.

⁴⁸¹ Phillips, *Multiculturalism without Culture*, 156-157.

⁴⁸² Raza in an interview with the author, 25th February 2009.

⁴⁸³ Abdul K. Barkatulla, "Launch of the Muslim Marriage Contract" (presented at City Circle, London, August 8, 2008).

⁴⁸⁴ See Bano, "Complexity, Difference and 'Muslim Personal Law,'" Appendix 2.

⁴⁸⁵ For details see Tucker, *Women, Family and Gender in Islamic Law*, 144-145.

⁴⁸⁶ See 4: 35.

⁴⁸⁷ This woman told the MLSC that her husband had been abusive, but the evidence that Bano had access to did not contain details of the civil court's decision.

⁴⁸⁸ Bano, "Complexity, Difference and 'Muslim Personal Law,'" 173-174.

⁴⁸⁹ See Bano, "Complexity, Difference and 'Muslim Personal Law,'" 176-178; Bano, "Muslim family justice and human rights," 22.

⁴⁹⁰ Quoted in Bano, "Complexity, Difference and 'Muslim Personal Law,'" 248; Bano, "Muslim family justice and human rights," 22-23. The scholar's position in the final quote seems to be based on perhaps the most controversial verse in the Qur'an (4:34), which permits husbands to hit their wives if they are being "insolent." One of the most common interpretations of this verse is that it authorises a single light strike, but not repeated abuse or grievous violence.

⁴⁹¹ Bano, "Muslim family justice and human rights," 23.

- ⁴⁹² Bano, "Complexity, Difference and 'Muslim Personal Law,'" 109-111.
- ⁴⁹³ Women Living Under Muslim Laws, *Knowing Our Rights: Women, Family, Laws and Customs in the Muslim World* (London: WLUML Publications, 2006), 270; An-Na'im, *Islamic Family Law in a Changing World*, 234.
- ⁴⁹⁴ This can be found at <http://www.shariahouncil.org/Documents.htm>.
- ⁴⁹⁵ Ghayasuddin Siddiqui, Cassandra Balchin, and Abdul K. Barkatulla, "The Muslim Marriage Contract" (The Muslim Institute, 2008), <http://www.musliminstitute.com/article.php?id=1249>.
- ⁴⁹⁶ Cassandra Balchin, "Kingdom of God: the archbishop, the *Shari'a* and the law of the land" (presented at City Circle, London, February 18, 2008), http://www.thecitycircle.com/blog2.php?cann_id=532&vid=1502083. For details of these countries' legal norms see Women Living Under Muslim Laws, *Knowing Our Rights: Women, Family, Laws and Customs in the Muslim World*; An-Na'im, *Islamic Family Law in a Changing World*.
- ⁴⁹⁷ Cassandra Balchin, "Launch of the Muslim marriage contract" (presented at City Circle, London, August 8, 2008).
- ⁴⁹⁸ Islamic Sharia Council, "ISC standing on the Muslim Marriage Contract" (Islamic Sharia Council, 2008), <http://www.islamic-sharia.org/news/isc-standing-on-the-marriage-contract.html>.
- ⁴⁹⁹ Hasan in an interview with the author, 11th September 2008.
- ⁵⁰⁰ Zaki Badawi, "True submission? An interview with Zaki Badawi," *Third Way*, April 23, 1996, <http://www.thirdway.org.uk/past/showpage.asp?page=3923>.
- ⁵⁰¹ Badawi quoted in Bano, "Complexity, Difference and 'Muslim Personal Law,'" 193-194.
- ⁵⁰² Raza in an interview with the author, 25th February 2009.
- ⁵⁰³ Badawi quoted in Bano, "Complexity, Difference and 'Muslim Personal Law,'" 194.
- ⁵⁰⁴ Darsh quoted in Samia Bano, "Muslim South Asian women and customary law in Britain," *Journal of South Pacific Law* 4 (2000), <http://www.paclii.org/journals/fjspl/vol04/6.shtml>.
- ⁵⁰⁵ Maulana Abu Saeed quoted in Bano, "Complexity, Difference and 'Muslim Personal Law,'" 193.
- ⁵⁰⁶ See Syed M. Darsh, *Questions and Answers about Islam* (London: TaHa, 1997), 97.
- ⁵⁰⁷ Tucker, *Women, Family and Gender in Islamic Law*, 145.
- ⁵⁰⁸ Bano, "Complexity, Difference and 'Muslim Personal Law,'" 211.
- ⁵⁰⁹ Abdullah bin Bayyah, "Muslims living in non-Muslim lands," trans. Hamza Yusuf, *Sunnah*, July 31, 1999, http://www.sunnah.org/articles/muslims_in_nonmuslim_lands.htm.
- ⁵¹⁰ Hasan, "Launch of the Muslim Marriage Contract."
- ⁵¹¹ Balchin, "Launch of the Muslim marriage contract."
- ⁵¹² Darsh, *Questions and Answers about Islam*, 84.
- ⁵¹³ Islamic Shari'a Council, "ISC standing on the Muslim Marriage Contract," 5. The verse quoted from the Qur'an is 4: 3.
- ⁵¹⁴ *Ibid.*, 3.
- ⁵¹⁵ *Ibid.*, 2.-3.
- ⁵¹⁶ Daniel Bell, "In the name of the law," *The Guardian*, June 14, 2007, <http://www.guardian.co.uk/world/2007/jun/14/religion.news>.
- ⁵¹⁷ Tucker, *Women, Family and Gender in Islamic Law*, 91.
- ⁵¹⁸ Shachar, *Multicultural Jurisdictions*, 35-37.
- ⁵¹⁹ *Ibid.*, 117.

- ⁵²⁰ Kymlicka, *Multicultural Citizenship*, 44.
- ⁵²¹ Phillips, *Multiculturalism without Culture*, 156-157.
- ⁵²² Albert O. Hirschman, *Exit, Voice and Loyalty: Responses to Decline in Firms, Organizations and States* (Cambridge, MA: Harvard University Press, 1970).
- ⁵²³ Zygmunt Bauman, *Alone Again: Ethics after Certainty* (London: Demos, 2002), 34.
- ⁵²⁴ Balchin, "Kingdom of God: the archbishop, the *Shari'a* and the law of the land."

Chapter 7: Emerging Islamic theologies and state support

- ⁵²⁵ A. J. Arberry, *Discourses of Rumi* (London: John Murray, 1961), 13.
- ⁵²⁶ Not every *hadith* is considered authentic, some having a more reliable "chain of transmission" (*isnad*) than others. According to Arberry, Rumi is quoting al-Ghazali's (1058-1111) masterpiece the *Ihya*. I cannot comment on its provenance beyond that.
- ⁵²⁷ Mark Lilla, *The Stillborn God: Religion, Politics and the Modern West* (New York: Alfred A. Knopf, 2007), 55.
- ⁵²⁸ See Abdullahi Ahmed An-Na'im, *Islam and the Secular State: Negotiating the Future of the Shari'a* (Cambridge, MA: Harvard University Press, 2008), 45-83; José Casanova, *Public Religions in the Modern World* (Chicago, IL.: Chicago University Press, 1994), 48.
- ⁵²⁹ Sayyid Qutb, *Milestones* (London: Islamic Book Service, 2006), 75.
- ⁵³⁰ On the genesis of the modern concept of "religion" see Peter Harrison, *'Religion' and the Religions in the English Enlightenment* (Cambridge: Cambridge University Press, 1990).
- ⁵³¹ Arberry, *Discourses of Rumi*, 13.
- ⁵³² Humayun Ansari, *The Infidel Within: Muslims in Britain Since 1800* (London: Hurst & Co., 2004), 234-236.
- ⁵³³ Chetan Bhatt, *Liberation and Purity: Race, New Religious Movements and the Ethics of Postmodernity* (London: Routledge, 1997), 112.
- ⁵³⁴ I do not have space to discuss the text itself here, but I would like to highlight the superlative analysis of both the book and the response to Muslims' protests provided in the last two chapters of Talal Asad, *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam* (London: John Hopkins University Press, 1993).
- ⁵³⁵ Bhatt, *Liberation and Purity*, 116-118.
- ⁵³⁶ Kalim Siddiqui, "The Muslim Manifesto—A Strategy for Survival" (The Muslim Parliament, n. d), <http://www.muslimparliament.org.uk/MuslimManifesto.pdf>.
- ⁵³⁷ See David Herbert, *Religion and Civil Society: Rethinking Public Religion in the Contemporary World* (Aldershot: Ashgate, 2003), 186-187.
- ⁵³⁸ Seán McLoughlin, "The State, new Muslim leaderships and Islam as a resource for public engagement in Britain," in *European Muslims and the Secular State*, ed. Jocelyne Cesari and Seán McLoughlin (Aldershot: Ashgate, 2005), 60.
- ⁵³⁹ Raza in an interview with the author, 25th February 2009.
- ⁵⁴⁰ Department for Communities and Local Government, *"Face-to-Face and Side-by-Side": A Framework for Inter Faith Dialogue and Social Action* (London: Communities and Local Government Publications, 2007), 7.
- ⁵⁴¹ McLoughlin, "The State, new Muslim leaderships and Islam as a resource for public engagement in Britain," 61.
- ⁵⁴² Yahya Birt, "The next ten years: an open letter to the MCB," *Musings on the Britannic Crescent*, June 27, 2008, <http://www.yahyabirt.com/?p=146>.
- ⁵⁴³ For example, Department for Communities and Local Government, *"Face-to-Face and Side-by-Side": A Framework for Inter Faith Dialogue and Social Action*.

- ⁵⁴⁴ In the sense developed in Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Schuster, 2001).
- ⁵⁴⁵ Tariq Modood, *Multiculturalism: A Civic Idea* (Cambridge: Polity, 2007); Adam Dinham, *Faiths, Public Policy and Civil Society: Problems, Policies, Controversies* (Basingstoke: Palgrave Macmillan, 2009).
- ⁵⁴⁶ Chetan Bhatt, "The fetish of the margins: religious absolutism, anti-racism and postcolonial silence," *New Formations* 59 (2006): 98-115; Gita Sahgal, *Two Cheers for Multiculturalism* (WLUML Publications, 2004), <http://www.wluml.org/english/pubs/pdf/wsf/06.pdf>; Gita Sahgal and Nira Yuval-Davis, eds., *Refusing Holy Orders: Women and Fundamentalism in Britain* (London: Virago, 1992).
- ⁵⁴⁷ Adam Dinham, for example, argues that the East of England Faiths Council was created with "great care," gradually building up the "mutuality, reciprocity and trust on which the success of participation depends." Dinham, *Faiths, Public Policy and Civil Society*, 170.
- ⁵⁴⁸ Philip Lewis, *Young, British and Muslim* (London: Continuum, 2007), 24 & 51-52.
- ⁵⁴⁹ Dinham, *Faiths, Public Policy and Civil Society*, 38-39.
- ⁵⁵⁰ McLoughlin, "The State, new Muslim leaderships and Islam as a resource for public engagement in Britain," 61.
- ⁵⁵¹ Bhatt, "The fetish of the margins."
- ⁵⁵² Bhatt, "The fetish of the margins," 104; Sahgal and Yuval-Davis, *Refusing Holy Orders*.
- ⁵⁵³ Lewis, *Young, British and Muslim*, 52-53.
- ⁵⁵⁴ Balchin in an interview with the author, 11th November 2008.
- ⁵⁵⁵ See Birt, "The next ten years."
- ⁵⁵⁶ Malik in an interview with the author, 26th August 2008.
- ⁵⁵⁷ Abdul-Rehman Malik, "Take me to your leader: post secular society and the Islam industry," *Eurozine*, April 23, 2007, <http://www.eurozine.com/articles/2007-04-23-armalik-en.html>.
- ⁵⁵⁸ Modood, *Multiculturalism*, 135-136.
- ⁵⁵⁹ Muslim Council of Britain, *Towards Greater Understanding: Meeting the Needs of Muslim Pupils in State Schools* (London: MCB, 2007).
- ⁵⁶⁰ The BMF is primarily Barelwi, whereas the MCB's leadership is comprised mainly of Deobandi and "reformist Islamist" Muslims.
- ⁵⁶¹ By way of an illustration, it may be worth highlighting the following: British Muslims for Secular Democracy, *Advice for Schools: Brief Guidance for Handling Muslim Parental Concern* (London: BMSD, 2010), <http://www.bmsd.org.uk/pdfs/schools.pdf>. This report differs sharply from the MCB publication on the same subject, suggesting that, for example, teachers need not capitulate to parents' objections about Muslim children viewing nudes in art classes.
- ⁵⁶² Nick Cohen, *What's Left? How the Left Lost its Way* (London: Fourth Estate, 2007); Martin Bright, *When Progressives Treat with Reactionaries: The British State's Flirtation with Radical Islamism* (London: Policy Exchange, 2006).
- ⁵⁶³ Bhatt, *Liberation and Purity*, 116; Les Back et al., "Islam and the new political landscape: faith communities, political participation and social change," *Theory, Culture and Society* 26, no. 4 (2009): 8-9.
- ⁵⁶⁴ Bhatt, *Liberation and Purity*, 116.
- ⁵⁶⁵ McLoughlin, "The State, new Muslim leaderships and Islam as a resource for public engagement in Britain," 63.

⁵⁶⁶ Nick Cohen, "Where are all these militant atheists ruining Britain?" *The Observer*, November 22, 2009, <http://www.guardian.co.uk/commentisfree/2009/nov/22/islam-bnp-atheism-nick-cohen>.

⁵⁶⁷ Inayat Bunglawala, "There really is no compulsion in religion," *The Guardian: Comment is Free*, July 21, 2009, <http://www.guardian.co.uk/commentisfree/belief/2009/jul/21/apostasy-islam-quran-sharia>.

⁵⁶⁸ Inayat Bunglawala, "Gay Muslims need support," *The Guardian: Comment is Free*, October 5, 2009, <http://www.guardian.co.uk/commentisfree/belief/2009/oct/05/gay-muslims-support>.

⁵⁶⁹ McLoughlin, "The State, new Muslim leaderships and Islam as a resource for public engagement in Britain," 62-65.

⁵⁷⁰ For details of their work see Armando Salvatore, "Authority in question: secularism, republicanism and 'communitarianism' in the emerging Euro-Islamic public sphere," *Theory, Culture and Society* 24, no. 2 (2007): 141; Yasir Suleiman, *Contextualising Islam in Britain: Exploratory Perspectives* (Cambridge: Centre of Islamic Studies, 2009); Sughra Ahmed, *Seen and Not Heard: Voices of Young British Muslims* (Leicester: Policy Research Centre, 2009).

⁵⁷¹ See, for example, Fatima M. D'Oyen, *The Miracle of Life* (Leicester: The Islamic Foundation, 2005).

⁵⁷² Lewis, *Young, British and Muslim*, 89-92.

⁵⁷³ Hussain in an interview with the author, 24th October 2008

⁵⁷⁴ This shift in opinion is clearly outlined in Modood, *Multiculturalism*, 10-14.

⁵⁷⁵ Ruth Kelly, "Time for a British version of Islam..." *New Statesman*, April 9, 2007, 11.

⁵⁷⁶ See Tariq Modood, "Muslims, religious equality and secularism," in *Secularism, Religion and Multicultural Citizenship*, ed. Geoffrey Brahm Levey and Tariq Modood (Cambridge: Cambridge University Press, 2009), 182; Sylvia Maier, "'Mainstreaming' Muslims: redefining citizenship and national identity" (presented at "Nationalism, Ethnicity and Citizenship: Whose Citizens? Whose Rights?" University of Surrey, July 1, 2008).

⁵⁷⁷ Alexandre Caeiro, "Religious authorities or political actors? The Muslim leaders of the French representative body of Islam," in *European Muslims and the Secular State*, ed. Jocelyne Cesari and Seán McLoughlin (Aldershot: Ashgate, 2005), 71.

⁵⁷⁸ Kelly, "Time for a British version of Islam..." 11.

⁵⁷⁹ Arun Kundnani, *Spooked: How Not To Prevent Violent Extremism* (London: Institute of Race Relations, 2009), 10.

⁵⁸⁰ Hannah Jones, "Pragmatism, politics and ethics: handling the Preventing Violent Extremism Pathfinder Fund" (unpublished paper, 2008).

⁵⁸¹ For detailed statistics in relation to Prevent funding see Kundnani, *Spooked*.

⁵⁸² Parliament, "House of commons daily debates," *United Kingdom Parliament*, February 26, 2009, <http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090226/text/90226w0033.htm>.

⁵⁸³ Communities and Local Government Committee, *Preventing Violent Extremism: Sixth Report of Session 2009-10* (London: House of Commons, 2010).

⁵⁸⁴ As Tehmina Kazi has observed, Prevent was unpopular not just with those on the Left, but also with many people and organisations on the Right. See Tehmina Kazi, "How Prevent undermined cohesion," *The Guardian: Comment is Free*, July 16, 2010, <http://www.guardian.co.uk/commentisfree/belief/2010/jul/16/prevent-cohesion-communities-islam>.

⁵⁸⁵ Sophie Gilliat-Ray, "Educating the 'ulama: centres of Islamic religious training in Britain," *Islam and Christian-Muslim Relations* 17, no. 1 (2006): 75 fn. 8.

⁵⁸⁶ Omar Faruk, “Strings attached? Government funding and the Muslim community” (presented at City Circle, London, August 19, 2009).

⁵⁸⁷ Paul Goodman, “MINAB’s mosques may not be so moderate,” *Daily Telegraph*, November 30, 2007, <http://www.telegraph.co.uk/comment/3644400/MINABs-mosques-may-not-be-so-moderate.html>.

⁵⁸⁸ Kundnani, *Spooked*, 28-29.

⁵⁸⁹ Department for Innovation, Universities and Skills, *Promoting Good Campus Relations, Fostering Shared Values and Preventing Violent Extremism in Universities and Higher Education Colleges* (London: Department for Business Innovation and Skills, 2007).

⁵⁹⁰ Yezza was detained in solitary confinement without trial for five days after downloading an al-Qaeda training manual from the US Department of Justice website. (The manual is also sold by a number of booksellers in the UK, including Amazon.) His visa was found to contain minor irregularities, on the basis of which he was, after narrowly avoiding deportation, imprisoned for five months. For details of the campaign to stop his deportation see www.freehicham.co.uk.

⁵⁹¹ Daud Abdullah, “Strings attached? Government funding and the Muslim community” (presented at City Circle, London, August 19, 2009).

⁵⁹² Daud Abdullah, “My reply to Hazel Blears,” *The Guardian: Comment is Free*, March 26, 2009, <http://www.guardian.co.uk/commentisfree/2009/mar/26/hazelblears-islam>.

⁵⁹³ Kundnani, *Spooked*, 15.

⁵⁹⁴ Communities and Local Government Committee, *Preventing Violent Extremism*, 3.

⁵⁹⁵ Kazi, “How Prevent undermined cohesion.”

⁵⁹⁶ Mohammed in an interview with the author, 3rd April 2008.

⁵⁹⁷ Malik in an interview with the author, 26th August 2008.

⁵⁹⁸ Murad in an interview with the author, 27th August 2008.

⁵⁹⁹ For a good example of this, see Muslim Women’s Network, *She Who Disputes* (London: Women’s National Commission, 2006).

⁶⁰⁰ Safia Ahmed, “Where are American and British Muslim women in social development and civic participation?” (presented at City Circle, London, June 12, 2009). This quotation is reconstructed from my notes, and may not be word for word. However, the phrases “misogynistic mosque leaders” and “not wanting to advertise New Labour” are reproduced verbatim.

⁶⁰¹ In addition to the source quoted above, see Department for Communities and Local Government, *Preventing Violent Extremism: Winning Hearts and Minds* (Wetherby: Communities and Local Government Publications, 2007), 9.

⁶⁰² For a formal definition of perfectionism see Kwame Anthony Appiah, *The Ethics of Identity* (Princeton, NJ: Princeton University Press, 2005), 157.

⁶⁰³ Department for Communities and Local Government, *Preventing Violent Extremism*, 9-10.

⁶⁰⁴ Caeiro, “Religious Authorities or Political Actors?” 83 fn. 8.

⁶⁰⁵ [Shahid Raza is referring to the four organisations that make up its steering group: the BMF, the Al-Khoei Foundation, the MCB and the MAB. The inclusion of the MAB has been criticised due to its alleged links with the Muslim Brotherhood. See Paul Goodman, “MINAB’s mosques may not be so moderate.”]

⁶⁰⁶ Raza in an interview with the author, 25th February 2009.

⁶⁰⁷ Caeiro, “Religious Authorities or Political Actors?” 83 fn. 7.

⁶⁰⁸ Gila Stopler, “The liberal bind: the conflict between women’s rights and patriarchal religion in the liberal state,” *Social Theory and Practice* 31, no. 2 (2005): 225. I should note that Stopler does not expand upon this statement and go on to explicitly advocate

interference in religions, but neither, as far as I can see, does she give any reasons why that would be unacceptable.

⁶⁰⁹ Stephen L. Carter, *The Culture of Disbelief* (New York: Basic Books, 1993), 154.

⁶¹⁰ *Ibid.*, 39.

⁶¹¹ Martha C. Nussbaum, "A plea for difficulty," in *Is Multiculturalism Bad for Women?*, ed. Joshua Cohen, Matthew Howard, and Martha Nussbaum (Princeton, NJ: Princeton University Press, 1999), 113.

⁶¹² Appiah, *The Ethics of Identity*, 88.

⁶¹³ Bright, *When Progressives Treat with Reactionaries*, 27.

⁶¹⁴ For a superlative explanation of where Sufi ideas fit onto the map of Islamic philosophy see William C. Chittick, "Islam in three dimensions," in *Faith and Practice of Islam: Three Thirteenth Century Sufi Texts*, ed. William C. Chittick (Albany: SUNY Press, 1992), 1-24. For some details about the history and diverse politics of Sufi traditions in the Middle East see Roy Mottahedeh, *The Mantle of the Prophet: Religion and Politics in Iran* (Oxford: OneWorld, 2000), 135-147.

⁶¹⁵ Department for Communities and Local Government, *Preventing Violent Extremism*, 9 (emphasis removed).

⁶¹⁶ Kelly, "Time for a British version of Islam..." 11.

⁶¹⁷ Higher Education Funding Council for England, *Islamic Studies: Trends and Profiles* (London: HEFCE, 2008), 4; Ataulah Siddiqui, *Islam at Universities in England: Meeting the Needs and Investing in the Future* (Leicester: The Markfield Institute, 2007).

⁶¹⁸ Suleiman, *Contextualising Islam in Britain*.

⁶¹⁹ Appiah, *The Ethics of Identity*, 157.

⁶²⁰ See McLoughlin, "The State, new Muslim leaderships and Islam as a resource for public engagement in Britain," 61.

⁶²¹ Appiah, *The Ethics of Identity*, 155-156.

⁶²² Carter, *The Culture of Disbelief*, 36-37.

⁶²³ *Ibid.*, 39.

⁶²⁴ Abdal-Hakim Murad, "Globalised before globalisation: the forgotten legacy of the Muslim trader" (presented at Canary Wharf, London, May 7, 2008), <http://www.radicalmiddleway.co.uk/videos.php?id=15&art=15&vid=89>.

⁶²⁵ Murad in an interview with the author, 27th August 2008.

⁶²⁶ Haq quoted in Lewis, *Young, British and Muslim*, 91.

⁶²⁷ See Andrew Norfolk, "The homegrown cleric who loathes the British," *The Times*, September 7, 2007, <http://www.timesonline.co.uk/tol/news/uk/article2402998.ece>. This article cites a number of passages that have anti-Semitic undertones, although the authenticity of the statements is not certain.

⁶²⁸ David F. Ford, "The Responsibilities of Universities in a Religious and Secular World," *Studies in Christian Ethics* 17, no. 1 (2004): 22-37.

⁶²⁹ See Stephen Prothero, *Religious Literacy: What Every American Needs to Know—and Doesn't* (New York: Harper, 2008); Suzanne Rosenblith and Beatrice Bailey, "Cultivating a religiously literate society: challenges and possibilities for America's public schools," *Religious Education* 103, no. 2 (2008): 145-161.

⁶³⁰ Rolf Scheider, "Religious literacy and religious education in Europe and the United States," *AICGS Issue Brief*, December 2008, 5.

⁶³¹ *Ibid.*

⁶³² *Ibid.*, 4.

⁶³³ José Casanova, "Immigration and the new religious pluralism: a European Union-United States comparison," in *Secularism, Religion and Multicultural Citizenship*, ed.

Geoffrey Brahm Levey and Tariq Modood (Cambridge: Cambridge University Press, 2009), 141.

⁶³⁴ The Muslim College has links with the School of Oriental and African Studies and the Islamic Foundation has links with Loughborough University.

⁶³⁵ Yahya Birt, “Dilemmas of authenticity and belonging,” *Musings on the Britannic Crescent*, April 2010, <http://www.yahyabirt.com/?p=204>.

⁶³⁶ Appiah, *The Ethics of Identity*, 190.

Chapter 8: Conclusion

⁶³⁷ Robert N. Bellah et al., *Habits of the Heart: Individualism and Commitment in American Life* (London: University of California Press, 2008), 283.

⁶³⁸ Pelikan quoted in *ibid.*, 140.

⁶³⁹ These criticisms are summarised in Robert N. Bellah, “Reading and misreading *Habits of the Heart*,” *Sociology of Religion* 68, no. 2 (2007): 189-193.

⁶⁴⁰ For party membership statistics see Fiona Mactaggart, Geoff Mulgan, and Rushanara Ali, *Parties for the Public Good* (London: Young Foundation, n.d), 3. For a more detailed account of the weakening of British political life see Zygmunt Bauman, *In Search of Politics* (Cambridge: Polity, 1999).

⁶⁴¹ Paul Gilroy, *After Empire: Melancholia or Convivial Culture?* (London: Routledge, 2004); Paul Gilroy, “Multiculture in times of war: an inaugural lecture given at the London School of Economics,” *Critical Quarterly* 48, no. 4 (2006): 27-45.

⁶⁴² For example, Roger Scruton, *England: An Elegy* (London: Continuum, 2006); Phillip Blond and Adrian Pabst, “Neither Brown nor Cameron fully understand our crisis,” *OpenDemocracy*, July 16, 2007, <http://www.opendemocracy.net/ourkingdom/2007/07/16/neither-brown-nor-cameron-fully-understand-our-crisis>.

⁶⁴³ That, at least, is the proportion of the population who described themselves as Christian in the 2001 census, a far higher proportion than regularly goes to church or admits to believing in God. See Ceri Peach, “Islam, ethnicity and South Asian religions in the London 2001 census,” *Transactions of the Institute of British Geographers* 31, no. 3 (2006): 355.

⁶⁴⁴ Roger Scruton, *The West and the Rest: Globalisation and the Terrorist Threat* (London: Continuum, 2002), 159.

⁶⁴⁵ For an influential US-based example of this argument see Eric D. Hirsch, *Cultural Literacy: What Every American Needs to Know* (New York: Vintage Books, 1988).

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⁶⁴⁷ For example, S. Sayyid, “Beyond Westphalia: nations and diasporas—the case study of the Muslim Umma,” in *Un/settled Multiculturalisms: Diasporas, Entanglements, Transruptions*, ed. Barnor Hesse (London: Zed Books, 2000), 33-50; Bobby S. Sayyid, *A Fundamental Fear: Eurocentrism and the Emergence of Islamism* (London: Zed Books, 2003).

⁶⁴⁸ The phrase is coined in Les Back, *The Art of Listening* (Oxford: Berg, 2007), 144-149; Gilroy, *After Empire: Melancholia or Convivial Culture?*

⁶⁴⁹ Stephen L. Carter, *The Culture of Disbelief* (New York: Basic Books, 1993), 87.

⁶⁵⁰ Victor J. Seidler, *Jewish Philosophy and Western Culture: A Modern Introduction* (London: I.B. Tauris, 2007), x.

- ⁶⁵¹ Bhikhu Parekh, *A New Politics of Identity: Political Principles for an Interdependent World* (New York: Palgrave Macmillan, 2008), 139-140.
- ⁶⁵² Steve Bruce, *God is Dead: Secularization in the West* (Oxford: Blackwell, 2002), 30-37.
- ⁶⁵³ David Blanchflower, "The lost Muslim generation," *New Statesman*, February 15, 2010. Only Afro-Caribbean youth have higher levels of unemployment.
- ⁶⁵⁴ For example, Muslims in Manchester tend to be better educated and more affluent than coreligionists in Bradford and Birmingham. Prina Werbner, *Imagined Diasporas among Manchester Muslims* (Oxford: James Currey, 2002), 10.
- ⁶⁵⁵ Karl Marx, "Contribution to a critique of Hegel's philosophy of law," in *Classical Sociological Theory*, ed. Craig Calhoun et al. (Oxford: Blackwell, 2002), 26.
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- ⁶⁵⁷ Alasdair MacIntyre, *After Virtue* (London: Gerald Duckworth & Co., 1985).
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- ⁶⁵⁹ Abdal-Hakim Murad, "Muslim loyalty and belonging: some reflections on the psychosocial background," *Masud*, 2003, <http://www.masud.co.uk/ISLAM/ahm/loyalty.htm>.
- ⁶⁶⁰ For example, Fatima M. D'Oyen, *The Miracle of Life* (Leicester: The Islamic Foundation, 2005).
- ⁶⁶¹ See, for example, Abdal-Hakim Murad, "The fall of the family," *Masud*, n.d, <http://www.masud.co.uk/ISLAM/ahm/family.htm>.
- ⁶⁶² The Coexist Foundation, *The Gallup Coexist Index 2009: A Global Study of Interfaith Relations* (London: Gallup, 2009), 31, <http://www.muslimwestfacts.com/mwf/118249/Gallup-Coexist-Index-2009.aspx>.
- ⁶⁶³ Bhikhu Parekh, *Rethinking Multiculturalism: Cultural Diversity and Political Theory* (London: Palgrave Macmillan, 2000), 270.
- ⁶⁶⁴ "The prejudice against religion is still the only acceptable prejudice among the cultural elite." Bellah, "Reading and misreading *Habits of the Heart*," 190.
- ⁶⁶⁵ Jonathan Sacks, "Wanted: a national culture," *The Times*, October 20, 2007, http://www.timesonline.co.uk/tol/comment/columnists/guest_contributors/article2697772.ece.
- ⁶⁶⁶ Catherine Hakim, "Erotic capital," *European Sociological Review* (August 29, 2010), <http://esr.oxfordjournals.org/content/early/2010/04/10/esr.jcq014.full.pdf+html>.
- ⁶⁶⁷ *Ibid.*, 12.
- ⁶⁶⁸ Catherine Hakim, "Attractive forces at work," *Times Higher Education*, June 3, 2010, <http://www.timeshighereducation.co.uk/story.asp?storycode=411840>.
- ⁶⁶⁹ Alain Badiou, *Polemics* (London: Verso, 2006), 103-104.
- ⁶⁷⁰ Kevin McDonald, *Global Movements: Action and Culture* (Oxford: Blackwell, 2006), 187. McDonald, to his credit, goes on to cite a number of accounts of Muslim women in the UK who wear a veil to illustrate how the issue is much more complex.
- ⁶⁷¹ Mervat Nasser, "The new veiling phenomenon—is it an anorexic equivalent? A polemic," *Journal of Community & Applied Social Psychology* 9, no. 6 (1999): 410.
- ⁶⁷² Stockholm syndrome is a condition identified in some hostages who come to feel a sense of affection for their captors.
- ⁶⁷³ Philip Lewis, *Young, British and Muslim* (London: Continuum, 2007), 98-99. For an analysis of these positions see Asma Barlas, "Muslim women and sexual oppression: reading liberation from the Qur'an" (Macalester Roundtable, n.d.), <http://www.asmabarlas.com/PAPERS/Macalester.pdf>.

⁶⁷⁴ Susan Moller Okin, "Is multiculturalism bad for women?" in *Is Multiculturalism Bad for Women?*, ed. Joshua Cohen, Matthew Howard, and Martha C. Nussbaum (Princeton, NJ: Princeton University Press, 1999), 9-24; Gila Stopler, "The liberal bind: the conflict between women's rights and patriarchal religion in the liberal state," *Social Theory and Practice* 31, no. 2 (2005): 191-231. For an insightful critique of Okin's approach to religion see Martha C. Nussbaum, "A plea for difficulty," in *Is Multiculturalism Bad for Women?*, ed. Joshua Cohen, Matthew Howard, and Martha Nussbaum (Princeton, NJ: Princeton University Press, 1999), 105-114.

⁶⁷⁵ For an excellent discussion of state recognition of polygamous marriages see Parekh, *Rethinking Multiculturalism*, 282-292.

⁶⁷⁶ Michael Sandel, "The Reith lectures: a new citizenship," *BBC Radio 4*, 2009, <http://www.bbc.co.uk/programmes/b00l0y01>.

⁶⁷⁷ For detailed statistics about the slow decline of Anglicanism in Britain see Steve Bruce, "The demise of Christianity in Britain," in *Predicting Religion: Christian, Secular and Alternative Futures*, ed. Grace Davie, Paul Heelas, and Linda Woodhead (Aldershot: Ashgate, 2003), 53-63; Callum Brown, *The Death of Christian Britain* (London: Routledge, 2001).

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⁶⁸⁰ Stephen Prothero, *God Is Not One: The Eight Rival Religions That Run the World - and Why Their Differences Matter* (New York: Harper, 2010). See also Talal Asad, *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam* (London: John Hopkins University Press, 1993), 27-54.

⁶⁸¹ For an insightful, if acerbic, polemic dealing with this subject see Gil Anidjar, "Secularism," *Critical Inquiry* 33, no. 1 (2006): 55-77.

⁶⁸² See the initial quotation in Mark Lilla, *The Stillborn God: Religion, Politics and the Modern West* (New York: Alfred A. Knopf, 2007).

⁶⁸³ Erich Fromm, *The Art of Loving* (London: Thorsons, 1995), 54.

⁶⁸⁴ *Ibid.*, 56.

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Appendix 1: Glossary of Arabic/Urdu terms

Ahl al-Kitab – literally the “People of the Book,” usually refers to Christians, Jews and Sabaeans, although the classification has been applied to many other traditions over the course of Islamic history

Al-Azhar – a university in Cairo established in the tenth century, considered by many to be the chief centre of Sunni Islamic learning despite it coming under the partial control of the Egyptian state in the 1960s

Alhamdulillah – “thanks be to god” (a cognate of “hallelujah” in English)

‘Alim – an Islamic religious scholar, literally meaning “one who knows”

Al-wala wa al-bara – literally the “doctrine of loyalty and disassociation,” stating that the loyalty of Muslims should be only to the approved imam and not to any kind of “man made” political authority

Ayatollah – a word that literally refers to the “signs of God,” also an honorific title in Shia Islam

Barelwi – a Sufi-influenced religious tradition originating in Bareilly in Northern India

Bid‘a – usually translated as “innovation” or “accretion,” refers to deviant or heretical practices introduced into Islam

Biradari – literally meaning “brotherhood,” refers to patrilineal kinship networks that predominate in Pakistan

Dar al-‘abd – the “abode of covenant,” a territorial classification in early Islamic law

Dar al-dawa – the “abode of witness” or “testimony,” a territorial classification in early Islamic law, recently popularised by Muslim intellectuals in the West, particularly Tariq Ramadan

Dar al-harb – the “abode of war,” a territorial classification in early Islamic law

Dar al-Islam – the “abode of Islam,” a territorial classification in early Islamic law

Dar al-sulh – the “abode of treaty” or “contract,” a territorial classification in early Islamic law

Dar al-ulum – literally “house of knowledge,” refers to centres of Islamic learning

Dawa – “witness” or “testimony,” usually denotes preaching or a call to Islam

Deobandi – a religious movement named after the Dar al-Ulum Deoband in Uttar Pradesh India, strongly focused on scripture

Dhimmi – term used to describe non-Muslims given protected (but usually unequal) status in mediaeval Islamic territories

Faqih – Islamic jurist, practitioner of *fiqh*

Farangi Mahall – a centre of Islamic learning established in what is now Lucknow in Uttar Pradesh, India

Fard ‘ayn – an Islamic legal term referring to an individual obligation, and specifically to the five pillars of Islam

Fard kifaya – an Islamic legal term referring to a collective obligation

Fatwa – a legal opinion

Fiqh – Islamic jurisprudence

Fitna – usually translated as “strife” or “discord,” refers to periods of conflict among Muslims, particularly those following Muhammad’s death

Fitra – the natural or primordial state, implies harmony and balance

Fuqaha – plural of *faqih*, an Islamic jurist

Furu – literally, the “branches” of Islamic law, its procedures and norms (contrasted with the *usul*)

Ghadd al-basar – the “lowering of the gaze,” or restraining oneself in front of members of the opposite sex

Hadith – the sayings of Muhammad, recorded in a variety of *hadith* collections (there are six main Sunni collections, sometimes called the “Sound Six”)

Hawa – base impulses

Hijab – a term that in the Qur’an refers to a curtain used to protect privacy, but that today tends to be used to describe either women’s modest dress in general or a head covering in particular

Hijra – the migration of the early Muslims from Mecca to Medina, marks the start of the Islamic calendar

Hizb ut-Tahrir – “Party of Liberation,” a radical sect committed to the reestablishment of the Caliphate; has supporters in many parts of the world

Ibadat – ritual, worship or liturgy in Islam, contrasted in Islamic law with *mu‘amalat*

Ijazā – a traditional certification authorising a person to transmit a particular form of Islamic knowledge

Ijma – consensus, traditionally one of the traditional “roots” (*usul*) of Islamic law

Ijtihad – literally meaning “effort,” refers to reasoning from first principles in Islamic law

Imam – a person who leads Friday prayers, almost always male

Iman – a concept usually translated as “faith” or “belief,” indicates secure conviction

Islah – a term meaning “repair,” sometimes used by Islamic reform movements seeking to restore the tradition

Isnad – a term used to describe the chain of transmission of a particular *hadith*, can be either strong or weak

Izzat – an Urdu term that refers to “honour,” particularly family honour, derived from the Arabic *izzah*, meaning “glory”

Jamaat-i-Islami – a radical Islamic party originating in Lahore, founded by Maulana Mawdudi

Jihad – derived from the term *jahada* (“struggle”), refers to strenuous effort in God’s cause (includes both personal vices and armed conflict)

Kaffir – usually translated as “infidel,” “ingrate” or even “truth concealer,” refers to those who reject Islam

Kalam – formal Islamic doctrinal theology

Kharijites – literally “the seceders” or “those who went out,” refers to the opponents of Muhammad’s first successors

Khul‘ – a traditional form of divorce available to women in Islam

Kufr – refers to deviance, heresy or knowing concealment of the truth (see also *kaffir*)

Lubb – a concept in the Islamic tradition that denotes an inner “core” or “seed,” and specifically the part of the self that inclines toward the divine unity behind the manifoldness of phenomena

Madhhabs – a school of Islamic law, of which there are four in the Sunni tradition (Hanafi, Hanbali, Maliki and Shafi’i)

Madrasa – a school, and in the UK an Islamic religious school

Maqasid – the objects or goals of Islamic law, traditionally understood to be the right to life, mind, religion, lineage and honour

Masjid – a mosque

Maslaha – Islamic legal term referring to the “common good” or “public interest”

Mu‘amalat – the aspect of Islamic law that deals with public affairs

Mufti – a person qualified to offer a legal opinion

Mujabedin – those who perform *jihad*

Mujtahid – a person qualified to perform *ijtihad*

Mubaddith – and expert in the *hadith* literature

Muslim Brotherhood – known also as the *Ikhwan*, a radical revivalist movement that emerged in Egypt in the 1920s, founded by Hassan al-Banna

Mustad’afin – the oppressed

Nafs – usually imperfectly translated as “self,” “soul” or “ego,” refers to the selfish or base aspects of the human character

Namus – Arabic term derived from the Greek *nomos* (“law”), refers to “honour,” and in particular to family honour

Nikah – an Islamic marriage contract

Pir – a Sufi master or teacher

Purda – a term referring to the seclusion of women

Rahma – God’s mercy or grace

Ridda – apostasy, conversion from Islam to another faith

Sababa – the Companions of the Prophet Muhammad

Salafism – a movement referring to the pious “predecessors” (*salaf*) of the Muslims, initially linked with Islamic modernism but today more often associated with scriptural literalism and political radicalism

Salat – prayer, one of the pillars of Islam

Sallallahu alaihi wa sallam – “peace and blessings be upon him,” a statement that conventionally follows all references to Muhammad

Sawm – fasting, one of the pillars of Islam

Shabada – the core Islamic testimony (“There is no god but God and Muhammad is his messenger”) and the first pillar of Islam

Shari’a – literally refers to the “path to the source” and usually taken to mean God’s will for humans; the term has a variety of nuances and is highly contested, indicating the entire corpus of Islamic law as well as at the same time being a symbol of authenticity, justice and legitimacy in Islam

Sira – an abbreviation of *Sira Rasul Allah*, a phrase used to refer to the traditional biographies of Muhammad (or “God’s messenger”)

Subhanu wa T’ala – “glorious and exalted is He,” a statement that conventionally follows all references to God

Sufism – a term that referring the inner, spiritual dimension of Islam as well as to specific mystical sects, orders and practices

Sunna – a term referring primarily to the life and actions of Muhammad; it is also used to refer to the specific ritual practices that Muhammad instituted and to things that are prescribed by Islamic law

Sura – a chapter in the Qur’an

Tablighi Jamaat – a largely apolitical, transnational proselytising sect associated with the Deobandi movement

Talaq – a traditional form of divorce available to men in Islam, conventionally declared verbally three times, usually over three months

Talaq al-tafwid – the delegation of the right to unilateral divorce

Tawhid – a term referring to the one-ness of God

‘Ulama – plural of *‘alim*

Umma – the spiritual community of all Muslims

‘Urf – a legal term used to denote a local custom that is acceptable in Islam without necessarily being “Islamic”

Usul – literally, the “roots” of Islamic law, its foundational elements (usually taken to mean the Qur’an, *Sunna* and *ijma*)

Wahhabism – a literalistic revivalist movement originating in Saudi Arabia, now the dominant form of Islam in the country

Wali – the guardian of the bride in an Islamic marriage

Wilayat al-faqih – the guardianship or jurisdiction of the jurist (*faqih*)

Waqf – a private endowment given to an Islamic legal school

Zakat – obligatory charity, one of the five pillars of Islam