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Strategies of Muslim Brotherhood Ideologues

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Content

Executive Summary

Most MB organizations, those in Egypt, Syria, Jordan, Palestine among them, are led not by highly authoritative spiritual leaders or outstanding religious scholars (*'ulama*) but by politicians-organizers. In forming their ideological and political orientation they are influenced by or take guidance from several highly authoritative legal thinkers whose presence overarches the Arab and Muslim worlds. Shaikh Yusuf al-Qaradhawi is the most influential mainstream legal authority of the MB. Highly popular around the Muslim world, his legal opinions and rulings cover almost every important aspect of Muslim political, economic, social and cultural life. He embodies the classical Ikhwani School along the lines of al-Banna's tradition, though he shares some elements with the new Ikhwan.

Hasan al-Turabi and Rashid al-Ghannushi are both new Ikhwan and represent a different type of leader: Both of them are simultaneously political figures, founders and leaders of political organizations, and authoritative legal scholars in their own right. Turabi was even in power for several years. Tariq Ramadhan represents the third MB generation and the new reality of Western Muslims, whose origins and struggle are not in the old Muslim lands in Asia and Africa but in Western Europe and North America.

All Ikhwani thinkers uphold the classical Ikhwani position which sees an **existential struggle between Islam and the West**, where the MB's role is to liberate the Muslim lands from western domination in all its forms through *jihad* and *da'wah.* Al-Qaradhawi, like al-Banna and Sayyid Qutb, sees the West as inferior to Islam and Western civilization as decadent, lewd and drowned in materialism, and seeking to Christianize Muslims around the world. He sees the MB as a comprehensive Islamic movement working to establish Allah's religion on earth; to convey Islam's call to all the people in general and to the Muslims in particular; to liberate the Muslim homeland from any non-Islamic rule; to assist Muslim minorities everywhere; to seek to unite all Muslims in one nation; and to erect the Islamic state which will implement Islam's rules.

The presence of large **Muslim communities in the West** has led those thinkers who see those communities as their constituencies, or who belong to them, to adapt to the new needs the traditional classification of the world into d*ar al-harb*, d*ar al-'ahd* and d*ar al-Islam.* Rashid al-Ghannushi went the farthest when he qualified the West as *dar al-Islam:* He argued that Western states have reached such levels of liberty and tolerance that a Muslim can live in them in safety and can safely and openly practice Islam, which, according to the Hanafi School of jurisprudence, are the criteria which qualify a land as *dar al-Islam.* Other scholars reject that position (which means that some Muslim states do not qualify as *dar al-Islam),* and the concept favored by al-Qaradhawi and Tariq Ramadhan is that of *dar al-da'wah,* reflecting the view that the world is divided to two - lands which are already Muslim (*bilad al-ijabah*), and those which are not yet ones (*bilad al-da'wah*).

The confrontation with the West makes ***jihad,*** its nature and its legitimacy a major issue.

According to the classical MB concept, following al-Banna, *jihad* means real fighting (*qital*), and is a pillar (*rukn*) of faith and an individual religious duty (*fardh 'ayn*). Al-Banna taught that death is an important end of *jihad*, and that the Qu`ran raised the love of death above the love of life, and victory can only come with the mastery of the art of death.

The present MB position is that **defensive *jihad*** (*jihad al-daf'*) to liberate occupied Muslim lands is not only legitimate but also **an individual religious duty** (*fardh 'ayn*), but not so is offensive *jihad* (*jihad al-talab*). Shaikh al-Qaradhawi stated clearly after 9/11 that "we" are not in the stage of *jihad al-talab*, but in a defensive *jihad*. And in any case *jihad al-talab* means for him the spreading of Islam by way of the satellite channels, internet and similar media. Al-Qaradhawi forbids killing of infidels only because they are infidels: Attacks like 9/11, he says, are terror acts condemned by the Muslims, but are caused by injustice committed by the West.

Rashid al-Ghannushi is opposed to offensive *jihad,* because *jihad* is not a means to force Islam on mankind, only to repulse aggression, and Islam authorizes the killing of attacking combatants, not random killing. And while he sympathizes with the grievances of al-Qa'idah and its affiliates, he rejects their violence around the world as both unproductive and illegitimate.

Al-Qaradhawi conducted a campaign to counter what he considered as an American and Zionist effort to stigmatize Hamas, the PIJ and Hizbullah as terrorists, arguing that they are conducting a legitimate defense of the homeland against a foreign occupation.

Al-Qaradhawi sees suicide attacks in a defensive *jihad* as a legitimate weapon of self- defense in the hands of the oppressed and as a manifestation of Divine justice.

The *mujahidin* in Iraq seek to make the US leave, and for that purpose they are permitted by al-Qaradhawi to kill all Americans there. There are for him no American civilians in Iraq- all of them are combatants (*muharibun*). The same is true for suicide attacks against Israeli civilians, though in this case the argumentation is a bit more nuanced, due to the presence of women and children, so the argument is that Israel is a military society and all Israelis are an army of occupation.

Another justification of killing Israeli civilians is that the killing of civilians is an unintended consequence of *jihad*: The legal position on *tatarrus* allows Muslims to attack even when the enemy uses Muslims as human shields, taking into account that they might be inadvertently killed- the more so when those killed are non-Muslims.

Al-Qaradhawi vowed that **Islam would return to Europe as a conqueror** and victor, though not by the sword but by preaching and ideology. He considers it necessary for Islam to have a presence in societies which influence world politics. To him, Islamic presence is necessary in Europe, the Americas and Australia in order to spread the message of Islam, take in new Muslims and defend the cause of Islam against anti-

Islamic forces, for example by the mobilization of European and American Muslims against their governments' positions on Palestine, Iraq and Lebanon.

To the Ikhwani scholars, the designation of the West as *dar al-da'wah* means that each and every Muslim living there has an obligation to spread the *da'wah*. According to Tariq Ramadhan this is the meaning of the first pillar, the *shahadah.*

In order for Muslims living in the West to be able to accomplish those tasks, they need to integrate in their adoptive societies. But **how far should they integrate**? Al-Qaradhawi's formula is "openness without melting"- the openness of people with a message (the *da'wah*), who seek to affect and interact, but should have their own small society within the larger one, in effect having a "Muslin ghetto". A different position is held by Ramadhan, who argues that Muslims in the West should not look at themselves as a minority but as full and integrated citizens while preserving their Islamic faith and identity.

To have the desired political impact, Muslims would have to **participate in the political systems** of their host countries. Radical Islamists object, on the grounds that the democratic political systems of the West are not Islamic. On this issue Rashid al-Ghannushi ruled that if in a certain country the implementation of the *Shari'ah* is impossible, Muslims can accept a government which is secular if it is just and democratic, because if it is so- it is in fact semi-Islamic: Justice and democracy (-in the form of *shura*) is a half of what an Islamic order consists of (the other half being the application of the *Shari'ah)*. Not only should Muslims accept such a government- they should participate in the establishment of a secular democratic system in order to serve the interests of the *Ummah* and prevent evil.

Al-Qaradhawi ruled that Muslims in the West must **participate in elections**, consult among them, decide which party or candidate will best serve their interests, and vote for them. Al-Qaradhawi also advocates that Muslims living in the Western countries acquire their nationality: That will not contradict their allegiance to Islam, but will give them political and electoral power. That power will obviously be short of the majority, but could help them tip the balance between the two leading parties and thus determine the results of elections in France and Britain, for example.

The Islamization of Europe is a long term goal, and Al-Ghannushi objects to the calls by Islamist activists for the setting up of an **Islamic state in the West**, arguing that it is too early: Calling for something before the conditions for its materialization exist is both unwise and detrimental to attaining that goal in the future.

A major issue MB thinkers have been required to address is that of **democracy and pluralism** in the future Islamic state. For the MB, Islam is the future state's religion, its fundamental source of legislation and its highest source of authority. It is hard therefore to see how secular or atheistic views and parties can be tolerated in such a state. Al-Qaradhawi spells it out when he says that political pluralism and party politics are in line with canonic Islamic practice (a reference to the famous tolerance shown by the Caliph

'Ali towards the *Khawaridj)*, yet must be limited by three conditions: The *Shari'ah* will be accepted as <u>the</u> source of legislation; parties will not be connected to foreign hostile forces; parties preaching secularism or apostasy will be forbidden.

Hasan al-Turabi rejected in principle any rule by man, which he thought had to be unjust, and held that only a political order where sovereignty (*hakimiyyah*) is in Allah's hands can be a just one. He therefore rejected western democracy. Still, when his movement was in the opposition, he called for the establishment of a democratic, multi-party system. When he was in power he promoted a political system, "the direct Islamic democracy", which rejected the multi-party and parliamentary electoral systems and introduced hierarchical popular committees, which in al-Turabi's view were the correct implementation of the *shura* principle as it was practiced by the Rightly Guided Caliphs - direct consultation with the community, without the mediation of parliament deputies or of *'ulama*. In reality those popular committees were rubber stamps for an authoritarian rule.

Al-Ghannushi went beyond other thinkers in arguing that Islam supports the principles of ideological and political pluralism and of the multi-party political system. He argued that the multi-party system should exist not only when the Islamist movements are in opposition, but also in the Islamic State once it is established, and that the Islamist movements should convince the others that they support pluralism not only for tactical reasons, while they are in opposition. Al-Ghannshi also criticized the Islamist movements for failing to adopt real pluralism. The Islamist political theory, he argues, has no answer to the question what is the place of a secular party in an Islamic state.

But al-Ghannushi also explained that his support of political pluralism emanates from **temporary political considerations** of securing the survival of the Islamist movements in opposition. It is possible, furthermore, to understand from his writings that in his view, the multi-party system, which will be in place in the Islamic state, should be restricted to religious parties which will accept the basic Islamist premises, whereas secularist ones will be forbidden.

Al-Turabi's views about the **strategy for reaching power** reflect the fluctuations of his own political fortunes. He rejected the classical Egyptian MB concept of a *da'wah* movement focusing on building a large and well indoctrinated organization but with limited political participation. He also rejected the Qutbi concept of an exclusive elitist group designed to take power through violence. He put the emphasis on building a strong political organization, combined with a great deal of ideological creativity and flexibility, and eventually did not balk at political subversion and staging a coup d'etat.

Turabi objected to the use of violence by the *takfiri* groups not as a matter of principle but on practical grounds- it is ineffective, due to the superior power of the state, and it legitimizes the suppression of the Islamist movement as a whole. **Alternation of power**, in his view, should be achieved through the **electoral process**.

But Turabi played a leading role in the June 1989 military coup d'etat. He explained it   arguing that it was impossible to reach power by peaceful means, because "the Crusader and Imperialist forces preclude the arrival of Islam to power". But he had been preparing for a coup using the military for years. In fact he found no problem in writing that the Islamists should create the option to take power by force, and to do that they should mobilize the support of the military through political participation and gradual penetration of state institutions. And when in power, he claimed that while he believed that Islam should reach power only by means of freedom, there was no way to avoid the need to use force in order to protect that freedom

After he fell out with the military regime in the late 1990's, Turabi again started rejecting the military means to reach power. At the same time, even after the Hamas victory and the Egyptian MB's gains in national elections, he expressed deep disbelief in the ability of Islamist movements to reach power by democratic means: The West is determined not to allow Islam to win, because inasmuch as the West is committed to democracy, it is much more committed to preserving its civilization in the face of Islam.

For his part, al-Ghannushi in his writings rejects violence as a means to achieving power. Yet in the 1980's and early 1990's the movement he led, al-Nahdhah, was involved in violent activities against the government. Al-Ghannushi himself, particularly embittered following what he considered as the regime's denying his movement its electoral achievements, reached the conclusion that non-violent political means would not take the Islamists very far, and appealed for the elimination of the rulers, whom he qualified as apostates. A decade later he wrote that the results of the *jihad* against unjust and tyrannical governments were poor and in some cases catastrophic. He did not qualify this kind of *jihad* as illegitimate, but pointed to an alternative - seeking change through peaceful means.

The question of **religious minorities** in the Islamic states- are they equal citizens or dhimmis, is one of the areas where MB thinkers are the most ambiguous: The requirement to adopt the human rights narrative collides with the core position that the state exists in order to implement the *Shari'ah*, and according to the *Shari'ah* non-Muslims are not equal to Muslims. In Sudan, where the problem of large non-Muslim populations is central, Hasan al-Turabi's initial position was that a decentralized system should be formed, whereby the Christian and animist minorities in Southern Sudan would be able to run their affairs autonomously in those regions where they constitute a majority, while subject politically to Khartoum. In the 1960's he thought that non-Muslims should be exempted from the application of the *hudud* penalties, but in 1983, when the *Shari'ah* was applied under Numeiri, he changed that view and his movement intensified its Islamization efforts in the South. He distinguished between the Southern Christians, whose right to pursue their religious life he acknowledged, and the animists, whose beliefs he despised and who should in his view be Islamized expeditiously.

Yet at the same time he accepted equal citizenship *(muwatanah)* without discrimination on a religious basis. He considered Christians and Jews as believers and not as infidels, and declared conversion of Muslims to Christianity as permissible and not

subject to the capital punishment under the *shar'i* penalty (*hadd*) for apostasy (*riddah*) since, he argued, God gave Muslims the freedom of thought, and the opposing view is a perversion of the *Shari'ah*. Turabi authorized the marriage of Muslim women to non-Muslims, which he explained as a response to the needs of Muslim minorities in the West, and argued in recent years that a Christian could be the head of state provided he is just and honest; in his early career Turabi thought otherwise.

Takfiri thinking was born from Ikhwani ideology- some would argue that Qutbism was the logical conclusion of al-Banna's teachings. Al-Qaradhawi represents the MB mainstream's ambiguity towards the takfiris: He sympathizes with their motivation and

endorses their criticism of the prevalence of overt unbelief (*kufr*) and apostasy in Muslim societies; but he rejects their methods, which run against the interest of the community, and charges that those methods are based on an alleged, not true, *fiqh*.

Al-Qardhawi distinguishes between two types of apostasy: "Personalized" or "soft" apostasy (*riddah qasirah*, *riddah khafifah*), when the apostate keeps his act to himself, and will be punished in the hereafter; and "transitive" or "harsh" apostasy (*muta'addiyyha, ghaliza*) when the apostate appeals to others to follow him, and his punishment is death, like the case of Salman Rushdie.

Al-Qaradhawi rejects the idea of *takfir al-takfir*, quoting the Caliph 'Ali who did not declare the *Khawaridj* as apostates in spite of the fact that they did it to him. And he himself practices *takfir*, when he declares three types of Muslims as apostates: Communists; secular rulers and members of secular political parties calling for the separation of religion from the state; and religious sects- Druzes, 'Alawi's, Isma'ilis, Baha'i`s and Ahmadis.

Shaikh Yusuf al-Qaradhawi

Introduction

Shaikh Yusuf al-Qaradhawi was one of the leading legal authorities of the Egyptian MB, who in the 1980's left Egypt and has become perhaps the most popular and influential Sunni legal expert in the world. Through his powerful media presence worldwide, and the elaborate network of global legal and research institutions he has constructed, al-Qaradhawi has been gradually appropriating the role of Sunni Islam's source of authority.

Adjusting the old vision of Islam as a world power under the caliphate to the present globalizing world, and attending to the needs of millions of Muslims living in the Diaspora as well as appreciating their potential political power, he is a leader in the creation of what has been depicted as the "virtual caliphate"- a global Islamic community based on a moderate form of lowest-common-denominator orthodoxy[1].

Al-Qaradhawi represents the "The Median Way" (*al-wasatiyyah*) school of fiqh, a title covering a wide range of Sunni 'ulama whose common denominator is opposition to the *takfiri* and *jihadi* ideologies. In his own terms, *al-wasatiyyah* seeks to combine between fundamentalism (*salafiyyah*) and renewal (*tajdid*), and between the constants of the faith (*al-thawabit*) and the changing realities[2]. The inclusive nature of Al-Qaradhawi's message is manifest in his embrace of the Shi'ah, his emphasis on the similar rather than the different between the Sunni legal schools, and his pragmatic legal approach regarding all aspects of the Muslim's daily life, which he shares with the "new Ikhwan". Unlike most of them, however, his geographic frame of reference is not the territorial state: It is the globe that he seeks to Islamize. He indeed projects himself as the disciple and successor of Hasan al-Banna, and imitates in his website, with regard to himself, the personality cult of al-Banna, traditionally practiced by the MB.

The Islamic State

Al-Qaradhawi holds that the foundation of rule (*hukm*) in Islam is the principle of consultation (*shura*), which he considers as close to a pillar of Islam, on the basis of the famous Quranic verse "And those who answer their Lord and perform the prayer, their affairs being counsel between them, and they expend of that We have provided them" (42:38. *Shura* is mentioned in that verse between the two pillars- prayer and almsgiving). He maintains that in Islam tyranny and despotism are rejected and rule is based on the pledge of allegiance (*bay'ah*) to the ruler, on his being selected by the ruled, and on his duty to consult with the ruled- all of which provide the foundations for the *shura* councils or the houses of deputies. The nation, which selects its ruler, and gives him its allegiance,

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[1] Peter Mandaville, "Toward a Virtual Caliphate", YaleGlobal Online, October 27, 2005 (www.yaleglobal.yale.edu).
[2] Yusuf al-Qaradhawi, Al-Sahwah al-Islamiyyah wa-Humum al-Watan al-'Arabi wal-Islami, Seventh Edition, Cairo: Dar al-Shuruq, 1998, p. 35.

has the right to supervise him and bring him to account and even remove him if he strayed from the way of Islam. Muslims therefore do not need to import democracy from the West- their own *Shari'ah* provides it to them[3].

Al-Qaradhawi rejects military revolt and popular revolution as the Islamists' way to assuming political power. Instead he upholds peaceful change through the ballot box, and points to the rise of the AKP to power in Turkey as a model. He uses the AKP as a model in proposing two additional methods to Islamists. One is the gradual progress to power (*tadarruj*). The other is dissimulation: When an interviewer pointed out to him that Turkey's AKP has not referred to itself as an Islamic party, al-Qaradhawi retorted: "They do not say so, but what do we care about, that which is said or that which is done? They do not want to provoke the others, but in reality it is known that this is an Islamic party…but they do not want to declare. I am not interested in declaring things, but in that which is done in practice"[4].

In al-Qaradhawi's view, the republican system, where the ruler is elected and receives the people's pledge of allegiance (*bay'ah*), is the closest system to Islamic government, though a constitutional monarchical system is also acceptable, while any kind of absolute rule is unacceptable[5].

In al-Qaradhawi's concept of the state, the source of sovereignty and legitimacy is the *Shari'ah.* The powers of the people to select the ruler, keep him accountable and move him out of office if he becomes oppressive or corrupt are based on the Islamic principle of enjoining that which is commendable and prohibiting that which is abominable (*al-`amr bil-ma'ruf wal-nahy 'an al-munkar*). The people, who select the ruler and who grant him legitimacy through their pledge of allegiance *(bay'ah)*, are the source of his power. [6]

The radical Islamist attack on democracy as un-Islamic, because it is an implementation of the western separation of religion from the state, is thus countered by the argument that the *Shari'ah*, not the people, is the sovereign, and that the election mechanism is anchored in Islam.[7]

Radical Islamists attack the pursuit of political liberties by moderate Islamists as un-Islamic, arguing that in Islam, the concept of freedom (*hurriyah)* is the opposite of slavery, and the Muslim is Allah's servant and cannot be free in his deeds, thus the Western concept of freedom is actually intended to undermine Islam. Al-Qaradhawi's response is that Islamic democracy is not apostasy, because its source of legitimacy is the *Shari'ah*, and there is nothing wrong in adopting the universal means of selecting the

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[3] Ibid, pp. 66-68.
[4] "Al-Shari'ah wal-Hayat, al-Jazeera, December 11, 2005, www.qaradawi.net/site/topics/printArticle.asp.
[5] Al-Shari'ah wal-Hayat, "Mashru'iyyat al-Dustur wa-Hukm al-Istifta` 'alayhi", September 4, 2005, www.qaradawi.net/site/topics/printArticle.asp.
[6] Al-Shari'ah wal-Hayat, "al-Huriyyah al-Siyasiyyah wal-madaniyyah," , February 10, 2005, www.qaradawi.net/site/topics/printArticle.asp
[7] Ibid.

rulers *(ahl al-hall wal-'aqd)*, namely through elections. He argues that the principles of political pluralism (*ta'addudiyah*), political opposition and party politics (*hizbiyah*) are fully in line with the canonic Islamic practice, citing for example the case of the dispute between the *Khawarij* and the Caliph 'Ali[8].

Al-Qaradhawi supports the multi-party system, provided it meets three conditions: Everyone recognizes the *Shari'ah* as <u>the source</u> of legislation; parties are not connected to foreign forces hostile to Islam; and parties preaching apostasy or secularism are prohibited. Islam, he argues, can not accept pluralism of views on its "fundamental principles" (*al-`usul*), but it can accept political pluralism when it is related to disagreements on the secondary matters (*al-furu'*). The existence of political parties will not split the Muslim Nation, because pluralism will not be allowed as far as critical problems related to the Islamic existence, faith, *Shari'ah* and the Muslim Nation are concerned. Political parties in Islamic society are in fact a blessing, as they provide new means to carry out the Muslims duty to observe the implementation of Islamic laws (*al-`amr bil-ma'ruf wal-nahy 'an al-munkar*)[9].

Al-Qaradhawi refutes the radicals' argument that the adoption of a constitution is an innovation and therefore a heresy *(bid'ah)*. The concept of heretic innovation, he argues, can relate only to matters of faith (*al-umur al-diniyyah*), whereas in worldly, practical matters innovations should be welcome rather than rejected. Constitutions do not relate to matters of faith, hence adopting them can not be seen as a *bid'ah*. A constitution can be considered Islamic if it draws its fundamental rules from Islam. It is obviously inferior to the Koran[10].

Al-Qaradhawi maintains that participation in elections is a religious duty (*faridhah yujibuha al-din 'ala al-insan*). Before the Iraqi December 2005 general elections he urged the Iraqi Sunnis not to boycott them, arguing that participation in elections is legal even under occupation if it provides an opportunity to elect the right people to power. He found no contradiction between performing resistance or *jihad* against the occupation in Iraq and participating in political work: both ways to deal with the occupation had to be pursued, albeit by different people[11].

The principle of alternation of power, which accompanies democratic elections, provides an additional ground for Islamist opponents of democracy: The literalist circles argue that there is no legitimate Islamic precedence to constitutional limits on the term of office of the ruler, since the Rightly Guided Caliphs were given a pledge of allegiance for life, not for a predetermined number of years. Al-Qaradhawi refutes that point using two legal tools. Firstly, the principle of "*al-masalih al-mursalah*", which allows the '*ulama* to

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[8] Ibid.
[9] Yadlin, Rivkah, "Democracy and Islam in Egypt", in Meir Litvak (ed.), Islam and Democracy in the Arab world, Tel-Aviv: Kav Adom, 1998, (in Hebrew) p. 79.
[10] Al-Shari'ah wal-Hayat, " Mashru'iyyat al-Dustur wa Hukm al-Istifta` 'alayhi", September 4, 2005, www.qaradawi.net/site/topics/printArticle.asp.
[11] Al-Shari'ah wal-Hayat, "Musharakat al-Muslim fi al-'Amal al-Siyasi", December 11, 2005, www.qaradawi.net/site/topics/printarticle.asp

make a ruling on the basis of their understanding of the community's interest where no relevant Qur`anic text is available, is applicable here because no text exists, and because it is in the interest of the community to prevent the possibility that a ruler, whose term in office is not predetermined, will become oppressive or do wrong while no legal way is open to remove him from office. The second legal tool used by al-Qaradhawi here is that of "*sunnah fi'liyyah*": The fact that the Rightly Guided Caliphs acted in certain way makes it legal but not necessarily obligatory for all Muslims forever, just as not every deed of the Prophet Muhammad must be repeated nowadays, because reality has changed. Hence the ruler's term of office can be predetermined, and this does not contradict Islam's teachings.[12]

Apostasy and Takfir

While he supports freedom as a general concept, al-Qaradhawi stresses that freedom does not mean chaos, and that freedom of thought does not mean the liberty to commit apostasy[13]. He distinguishes between two cases of apostasy: When a Muslim changes his faith as a personal matter, without involving other Muslims in his choice (a "minor" apostasy-*riddah qasirah*, or "light" one- *riddah khafifah*); and when he appeals to others to follow him (a "transitive" apostasy-*riddah muta'addiyyah*, or a "gross" one-*riddah ghalidhah*). The first case is punished in the hereafter. The second, like the case of Salman Rushdie, who used his pen to preach apostasy, is according to the consensus of the four legal schools (*madhahib*) punishable by death, though a minority of jurists thought that the apostate should be persuaded to repent without a time limit. Al-Qaradawi supports the death penalty in case of "transitive" or "gross" apostasy, explaining that exposed as it is to a ferocious Christian missionary assault, Muslim society must defend its religion and identity. In any case, the verdict of apostasy can be pronounced only by the most qualified Islamic court, and only the ruler is authorized to carry out of the capital punishment[14].

Al-Qaradhawi rejects the position of the violent *takfiri* groups –(*Jama'at al-Jihad, al-Jama'ah al-Islamiyyah, al-Salafiyyah al-Jihadiyyah, Ansar al-Islam, al-Qa'idah*) which depict their ideological adversaries as apostates and pursue violence against their governments, accusing them too of apostasy for implementing man-made laws rather than the *Shari'ah.* Those groups, he argues, rely on an "alleged *fiqh*", which is based on a superficial reading of certain texts and on focusing on secondary points while the Intentions of the *Shari'ah* (*al-maqasid*) and the larger concept are disregarded, as are contradictory texts[15]. He commended the Egyptian *al-Jama'ah al-Islamiyyah* for

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[12] Al-Shari'ah wal-Hayat, "Mashru'iyyat al-Dustur".
[13] Al-Shari'ah wal-Hayat, "al-Hurriyyah al-Siyasiyyah wal-Madaniyyah".
[14] "Khuturat al-Riddah wa-'Uqubat al-Murtadd", www.qaradawi.net. March 27, 2006; Hasan 'Ali Dabba, "al-Gharb Yara al-Hurriyyah al-Diniyyah bi-Mandhur Akhar", al-Ahram al-'Arabi, No. 380, July 3, 2004.
[15] "Munaqashat Fiqh Jama'at al-Unf", July 14, 2004 www.qaradawi.net/site/topics/printArticle.asp .

abandoning its strategy of fighting the regime, and adopted the arguments by which the *Jama'ah* has justified its change of heart[16].

Yet al-Qaradhawi also sympathizes with the *takfiris* and with their motivation. For him they are pious, devout, ardent Muslims, overcome by the intellectual apostasy, moral depravity, social corruption and political tyranny they face in their society. They seek reform and kin to lead their nation to the right path, though they take the wrong way. One should appreciate their good motivation and understand the causes of their behavior, namely: The prevalence of overt unbelief (*kufr*) and apostasy (*riddah*) in the Islamic societies, and the unhindered use of the mass media to diffuse them to the Muslim masses; the laxity with which some '*ulama`* treat those real infidels, whom they consider as Muslims; and the persecution of the advocates of the sound Islamic thought and of the *da'wah* which is based on the *Qura`n* and the *Sunnah*. That persecution is bound to give birth to deviationist, clandestine trends[17].

Al-Qaradhawi is opposed to the idea of turning the weapon of *takfir* against *takfiris* by declaring them as apostates, pointing to the *Qur`anic* precedence- the Caliph 'Ali, who was declared apostate by the *Khawarij* but continued nevertheless to consider them as Muslims[18]. Yet there are others al-Qaradhawi does declare as apostates. They fall into three categories: Communists, who believe in Communism as a philosophy and a system of life; the secular rulers, and members of the secular parties, who call for the separation of the state from religion; and members of the creeds which overtly renounced Islam, like the Druze, the Nusairis (- 'Alawis), the Isma'ilis, the Baha`is and the Qadianis[19] (Considering the 'Alawis as apostates did not prevent al-Qaradhawi from visiting Syria's President Bashar Asad in an attempt to change the Syrian regime's attitude to the Syrian MB).

On the Shi'ah

In contrast the Shi'is, in Al-Qaradhawi's view, are good Muslims, to whom he has been seeking to extend his influence and whom he is keen to co-opt to the common struggle against the West. Thus the leadership of the "International Association of Muslim Scholars", which he set up in London in July 2004, includes a prominent Iranian cleric, Ayatullah Muhammad 'Ali Taskhiri. Al-Qaradhawi was quick to denounce the bombing of the Imam 'Ali al-Hadi Mosque in Samarra (February 22, 2006, though he dismissed the idea that the attack could have been perpetrated by Sunnis)[20].

During the Lebanon war of July-August 2006 al-Qaradhawi took the lead in justifying Hizbullah's act which triggered that war and in defending that organization

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[16] Al-Qaradhawi's book "al-Islam wal-'Unf - Nadharat T`siliyyah ("Islam and Violence- Founding Views"), posted on al-Qaradhawi'site' Fatwas and rulings Section, October 9, 2005, www.qaradawi.net/site/topics/article.aspx.?cu_no=2&item_no+4055&version=1&template_id=130 .
[17] "Dhahirat al-Ghuluw fi al-Takfir", www.qaradawi.net, July 5, 2001.
[18] "La Tuqabilu al-Takfir bi-Takfir mithlahu", www.qaradawi.net, December 12, 2004.
[19] "Dhahirat al-Ghuluw fi al-Takfir", www.qaradawi.net, July 5, 2001.
[20] www.qaradawi.net, February 23, 2006.

against the Saudi *fatwas* which interdicted support for it. He argued that Hizbullah's struggle was legally a *jihad*; that the organization had the legal right to launch it; and that it was every Muslim's duty to support it. Furthermore, at the time of *jihad*, no sectarian differences must be permitted to surface[21].

Al-Qaradhawi declared that the Shi'is were part of the Islamic Nation: He saw no divergence between Sunnis and Shi'is though there were some differences on secondary matters between them: The Shi'is accept Allah's unity, agree with the Sunnis on many fundamental matters, and form an integral part of the Islamic Nation. Furthermore, the Lebanese Shi'is took upon themselves the task of purifying Muslim land from the Israeli filth (*danas)* in the past, and won[22]. Elsewhere al-Qaradhawi ruled that whoever pronounces the *Shahadah* with full intention is a Muslim, and that Shi'is, Zahiris, Zaidis and Ibadis are Muslim[23].

And yet, in the spring of 2006 al-Qaradhawi pronounced that the Sunnis in Iraq should join the Iraqi military and police forces, because failing to do so would permit non-righteous (*ghair nazihah*) elements to take control of those forces. Not only is joining those forces permitted for the Sunnis, it is their duty[24]. Moved ostensibly by apprehension from the Shi'i gradual takeover of the Iraqi state, al-Qaradhawi thus took a position which obviously contradicted his support for the *jihad* in Iraq (see below).

Following the July-August war between Hizbullah and Israel, and to a large extent as a result of Hizbullah's perceived achievements in that war and the emergence of its Secretary General, Hasan Nasrallah, as the hero of the Arab, including Sunni, street, a new trend has come to public attention and debate, namely that of Sunnis converting to Shi'ism, partly as an act of admiration for and identification with Nassrallah. Some of the new converts explained their move by al-Qaradhawi's own position that the Shi'is were good Muslims and that they differed from the Sunni's on secondary matters only.

That led al-Qaradhawi to launch (August 31, 2006) a dramatic and scathing attack on the Shi'is, accusing them of trying to penetrate Egypt and convert its people to Shi'ism; warning that if this were allowed to continue, Egypt could turn within the next two decades into a second Iraq; and blasting Hasan Nassrallah as a fanatic[25]. On November 26, 2006 Shaikh al-Qaradhawi denounced the Shi'is for trying to exploit Hizbullah's victory against Israel in order to penetrate the Sunni societies and to convert the Sunnis to Shi'ism[26].

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[21] Al-Shari'ah wal-Hayat, "al-Muqawamah wa-Fa'iliyyat al-`Ummah", July 30, 2006, www.qaradawi.net/site/topics/printArticle.asp.

[22] Al-Qaradhawi's dialog with the Egyptian daily "al-Wafd", July 27, 2006, posted on www.qaradawi.net/site/topics/article.asp.

[23] www.islamonline.net/servlet/Satellite, July 26 2006.

[24] Al-Jazeera, al-Shari'ah wal-Hayat, May 14, 2006.

[25] Al-Masri al-Yawm, September 2, 2006, www.almasry-alyoum.com/article.aspx?ArticleID=29078.

[26] www.qaradawi.net/site/topics/article.asp?cu_no=2&item_no=4605&version=1&template_id116&parent_id=114.

Jihad

Shaikh al-Qaradhawi has argued against the application of offensive jihad (*jihad al-talab),* which is supposed to be conducted against an enemy which stands in the way of expanding the lands of Islam. He maintains that Muslims today are not in the stage of *jihad al-talab: Jihad al-talab* takes place when there is an Islamic nation, a greater Islamic state (*dawlah Islamiyyah kubra*) and an Islamic Caliphate. Al-Qaradhawi holds further that in this age *jihad al-talab* means the spreading of Islam by way of the satellite channels, internet and similar media[27]. The founding communiqué of al-Qaradhawi's World Union of Muslim Scholars stated that Islam rejects violence as a way to settle intellectual and political disputes or to force one's opinion on one's adversaries, and that Islam uses force only in self-defense and in order to deter, and then- in the proportion required for deterrence[28].

While he rejects the application of *jihad al-talab*, Al-Qaradhawi has been adamant on the legitimacy of defensive jihad, and has set out to foil what he called the Zionist and American attempts to frame the "defense of the homeland" as terrorism, putting on the terror lists organizations which resist occupation like Hamas, The Palestinian Islamic Jihad, or Hizbullah. Al-Qaradhawi has argued that what those movements conduct is a "defensive jihad" (*jihad al-daf'*) waged against an invader of Muslim lands, and which according to all the jurists and all the legal schools (*madhahib*) is an individual religious duty (*fardh 'ayn*), and unlike offensive jihad no Muslim ruler (*wali al-amr*) is needed to declare it. He urged the '*ulama`* to stand up resolutely against that Zionist and American attempt to frame that type of *jihad* as terrorism and to wage war on it[29].

In the communiqué which he issued as the head of the World Union of Muslim Scholars following Pope Benedict's remarks on Islam and the Prophet Muhammad (September 12, 2006), al-Qaradhawi stated that part of the violence for which Muslims are criticized is legal (*mashru'*) and sanctioned by religions, laws, ethics and morality – such as the national resistance against the occupation in Palestine, Lebanon, Iraq or elsewhere; to call it violence or terrorism is a blatant injustice and a perversion of the truth. The other part of Muslim violence, attacks like those of 9/11, has been denounced by the Muslim masses everywhere, yet its main cause is the injustices to which Muslims fall victim everywhere, and to which Western men of religion are apathetic if not supportive[30].

Yet for the resistance to an invading or occupying power (*muqawamah*) to be considered as *jihad*, it must meet two conditions: It has to be waged for the sake of God

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[27]   Al-Shari'ah wal-Hayat, ""Hawadith al-Irhab wa-Mawqif al-Muslimin minha",   September 29, 2001, www.qaradawi.net/site/topics/article.asp.; Al-Shari'ah wal-Hayat, "al-Muqawamah wa-Fa'iliyyat al-`Ummah", July 30, 2006, www.qaradawi.net/site/topics/printArticle.asp.

[28] "Nass al-Bayan al-Ta`sisi lil-Ittihad al-'lami lil-'Ulama al-Muslimin", www.qaradawi.net, Nadawat wa-Mu`tamarat, July 20, 2004.

[29] Al-Qaradhawi's Address at the Sharm al-Shaikh Iqra` Conference, August 21, 2005, www.qaradhawi.net, August 23, 2005.

[30] www.qaradawi.net, September 16, 2006.

("*fi sabil Allah*"), and it must implement the *Shari'ah* and follow its restrictions, for example avoidance of killing those who according to the *Shari'ah* should not be killed. According to the *Shari'ah,* al-Qaradhawi says, a human's life is safeguarded unless he took life or spread corruption (*fasad fi al-ardh*). Anyone who committed neither offense must not be killed. Infidels must not be killed just for their being infidels[31].

Al-Qaradhawi ruled that resistance of the occupation of Iraq was an individual religious duty (fardh 'ayn)[32]. He authorized the killing of American civilians in Iraq, saying (in Cairo, on August 31, 2004, during a conference in the Egyptian Lawyers Union) that all of the Americans in Iraq were combatants (*muharibun*), whether they were civilians or military personnel, hence they had to be killed in order to make the US leave Iraq[33] (Al-Qaradhawi later denied that he authorized the killing of American civilians, but in his clarification he actually did it, when he said that as far as he knew, there were no American civilians in Iraq, only invaders, and fighting the invaders is a religious duty[34]).

Al-Qaradhawi justifies suicide attacks as a legitimate means of self defense by the oppressed and as an expression of Allah's justice- giving the weak a weapon that the strong does not possess: Allah gave the weak the ability to sacrifice himself for his nation, an ability which others do not have due to their attachment to their life[35]. He asserts that the most virtuous kinds of jihad in this age is the jihad for the liberation of Palestine, which is an individual religious duty (*fardh 'ayn*) of the Palestinians and all other Muslims alike. It should be noted, that unlike the old MB approach, which held that the loss of Palestine to Zionism was a <u>result</u> of Islam's weakness, Al-Qaradawi holds, as does Hamas, that Zionism is the <u>cause</u> for Islam's weakness, because it was responsible for the collapse of the Caliphate.

According to al-Qaradhawi, the suicide operations carried out by Palestinians are not considered terror even when they cause civilian casualties, for the following reasons, among others:

1. Israel is by its very colonialist and racist nature a military society where every grownup is a soldier;
2. It is a society of invaders (*ghuzat*), and the *jihad* of the Palestinians to expel the invaders from their country is a "*jihad* of necessity" (*idhtira*r), not of choice (*ikhtiyar*), and a *jihad* to defend the lands of Islam ("*jihad al-daf'*"), not to

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[31] Al-Shari'ah wal-Hayat, "al-Muqawamah wa-Fa'iliyyat al-`Ummah", July 30, 2006, www.qaradawi.net/site/topics/printArticle.asp. ; "Al-Qaradhawi: Intisar al-Muqawamah A'ada lil-`Ummah ba'dha Haybatiha", www.qaradawi.net, August 20, 2006.
[32] www.qaradawi.net, November 11, 2004.
[33] "Al-Qaradhawi: Kull Amiriki Mawjud bil-'Iraq Muharib Yajib Qatluhu", www.ikhwanonline.com, September 2, 2004.
[34] "Al-qaradhawi Yua`kkidu: al-Islam dhidd Qatl al-Madaniyyin", www.qaradawi.net/site/topics/article.asp?cu-no-item_no=3413&version=1&template_id=119#4.
[35] Al-Shari'ah wal-Hayat, "al-Muslimun wal-'Unf al-Siyasi", May 31, 2004, www.qaradawi.net/site/topics/printArticle.asp.

expand them (*jihad al-talab*). The occurrence of civilian casualties is an unintended result of the necessity of jihad.

3. Non-Muslims are categorized by the *Shari'ah* as either peaceful (*musalim*), whom Muslims should treat with justice and benevolence, or combatant (*muharib*, or *harbi*), whose enmity to the Muslims make their life and property unprotected.

4. Most of the Jurists (*fuqaha`*) agree that in case an attacking army uses Muslims as human shield (*tatarrus*), the Muslims under attack have the right to kill those Muslim human shields if they have no other way to prevent being overrun by the aggressor, on the basis of the principle that sacrificing the part is in that case necessary to save the whole. If the *Shari'ah* allows Muslims to kill other Muslims in self defense, the more so when non-Muslims have to be killed in order to liberate a Muslim land.[36]

Shaikh Faysal al-Mawlawi, al-Qaradhawi's right hand as Deputy Chairman of the European Council for Fatwa and Research (and head of the Lebanese MB), ruled that defensive jihad is the individual duty (*fardh 'ayn*) only of the Muslim inhabitants of the country where the jihad is carried out, and that Muslim governments have an individual duty to come to the help of the people who carry out that defensive jihad, for example in Iraq. Yet individual Muslims in other countries have no duty to join the jihad: Every Muslim around the world should fight for Islam in his proper place, be it in the form of political struggle, or in promoting the *da'wah*, or in other ways. He ruled also that looking after one's elderly parents is a jihad which supersedes joining the jihad in another country[37].

Confronting Christianity

Pope Benedict's September 12, 2006 remarks on Islam and the Prophet Muhammad allowed Shaikh al-Qaradawi to claim for Islam the moral high ground and at the same time position himself as the spokesman, if not the leader of the Muslim world in its conflict with Christianity. In a communiqué he published in his title as head of the World Union of Muslim Scholars (September 14, 2006) he made the point that the Pope had a history of offending Muslims and Islam (Failing to mention Islam, while referring with respect to the Jews, in his first Mass after his election as Pope in April 2005; expressing his anxiety over the danger of terrorism during a mmeting with a Muslim youth delegation in august 2006; receiving Oriana Falachi). He then addressed the world as if he were the political leader of Islam, warning from a war of religions:

> "Does the Pope want us to close the doors of dialog and prepare for the struggle in a new Crusader war or wars? [US President] Bush started it, and announced it openly on behalf of the religious right. We call for peace, because our

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[36] "Al-Islam wal-'Unf – Nadharat Ta`siliyyah".
[37] www.mawlawi.net/Fatwa.asp?fid=759 (May 26, 2003); www.mawlawi.net/Fatwa.asp?fid=859 (April 10, 2003); www.mawlawi.net/Fatwa.asp?fid=804 (August 20, 2003).

religion commands us to do so, but if war is imposed on us
we will wage it grudgingly…We call for tolerance, not
fanaticism; compassion, not violence; dialog, not conflict;
peace, not war. But we cannot accept that anyone will
attack our faith, our Law or our values or touch our Prophet
with libel. And if that happens, God has allowed us to
defend ourselves" [38].

Then, on September 17, Al-Qaradawi dismissed the Pope's apology as insufficient, demanded "a real one", announced that Friday, September 20 would be a "day of rage" in protest over the Pope's remarks, and again acted as a head of state when he asked the Arab and Muslim ambassadors to the Vatican to submit written protests over those remarks[39]. By assuming the role of the judge who rules whether the Pope's apology is sufficient or otherwise, and by initiating popular protest activity, al-Qaradhawi took symbolic charge of the Muslim World's relations with the Vatican and Catholicism, and to some degree with the Christian World as a whole.

The theme of war was implied by al-Qaradawi also during the Danish cartoon crisis, when he accused Western governments of either supporting the publication of those cartoons in the media of their countries or not objecting to it, and warned them that by so doing they were creating the terrorism which they presumed to be fighting. If they did not act against the publication of the cartoons, he warned, many Muslims will be moved to take revenge[40]. A show of force was the declaration of the economic boycott, a measure adopted by al-Qaradhawi back in 2004 when he declared the boycott on American goods[41].

The Global Islamic Movement

In al-Qaradhawi's view the world is divided to two: Lands which are already Muslim, and those which are not yet ones. In his own terms these are "the lands of the *da'wah*" , i.e. the non-Muslim lands, and the lands which had responded positively to the *da'wah* (*bilad al-ijabah*), namely the majority Muslim ones[42]. Al-Qaradhawi's concept of the West as inferior to Islam and as its enemy resembles that of his masters, Hasan al-Banna and Sayyid Qutb. To him Western civilization is decadent, lewd and drowned in materialism. The West is not the civilization of Jesus Christ but of the Antichrist (*al-dajjal*), and is seeking to Christianize Muslims around the world: Knowing that the source of power of the Muslim Nation is its religion, the West seeks to separate it from Islam in order to be able to overpower it[43].

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[38] www.qaradawi.net, September 16, 2006.
[39] www.qaradawi.net, September 18, 2006.
[40] www.qaradawi.net, February 4, 2006.
[41] www.islamonline.net, "Living Shari'ah" – Fatwa Bank, April 18, 2004.
[42] "Fiqh al-Jaliyat al-Islamiyyah fi al-Gharb", www.qaradawi.net, July 21, 2001.
[43] Al-Shari'ah wal-Hayat, "al-Muslimun wal-'Unf al-Siyasi," May 31, 2004,
www.qaradawi.net/site/topics/printArticle.asp .

Al-Qaradhawi has vowed that Islam would return to Europe as a conqueror and victor, though not by the sword but by preaching and ideology[44]. That Western Europe should be the venue of al-Qaradhawi's flagship institutions, as well as of other major organs of the Ikhwani movement, is obviously a result of the ideal conditions for MB activity it offers in comparison with Arab or other states. Beyond that, however, the European and North American arenas are of major importance for the movement because the large and constantly growing Muslim communities there enable it to fight its rival for global domination on its own turf.

As was shown above, a global dimension has been part of the MB vision since its inception: Spreading Islam around the world is the final stage of the MB project. But very little thinking was devoted to planning strategies for that stage, while most of the strategic thinking focused on the preceding one – how to attain the goal of setting up an Islamic state. A strategy with a global vision was elaborated, probably for the first time, by Shaikh al-Qaradhawi in his book "Priorities of the Islamic Movement in the Coming Phase" [45]. Published in 1990, when the presence and popularity of Ikhwani organizations in almost all the Arab countries were on the rise, the book offers strategies for the "Islamic Movement" as a world movement acting beyond, as well as inside, the Arab world. The author does not identify "The Islamic Movement" with the MB, yet various references in the text leave no doubt that his is an action plan for the MB.

The objective of the Movement, according to al-Qaradhawi, is to revive Islam and restore it to the leadership of society and to the helm of all walks of life. The Movement's members should strive to contribute to the revival of the neglected duties (*fara`idh*) of enforcing the *Shari'ah*; to unify the Muslim nation; to support Allah's friends and fight Allah's foes; to liberate Muslim territories; to reinstate the Islamic caliphate system, and to renew the obligation to spread the call to Islam[46]. The Islamic Movement should follow three courses of action to achieve Islam's revival: Forming an Islamic vanguard capable of leading Islamic society and remedying its ailments, using strictly Islamic solutions; forming a wide base of supportive public opinion; and preparing a global public climate that will accept the existence of the Muslim nation and would tolerate the emergence of Muslim power beside other global powers. [47]

The Movement's fields of action include, inter alia, education- forming Islamic vanguards whose members will bring the "generation of victory", which in turn will carry the "call" (*da'wah*) of Islam to their nation and to the rest of the world; political work- aimed at extricating the rule from the hands of "weaklings and traitors"; media and propaganda work; and *jihad* to liberate Muslim lands. The Movement should respond to the call of every Islamic cause, support the movements fighting for Islam around the world, and have some sort of presence among their leadership and ranks. It should

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[44] MEMRI Special Dispatch no. 447, December 6, 2002, http://memri.org/bin/opener.cgi?Page=archives&ID=SP44702 .
[45] www.witness-pioneer.org/vil/Books/Q_Priorities/introp1.
[46] *Priorities,* Introduction.
[47] Ibid.

mobilize the Muslims of the world, as well as the support of al the conscientious elements in the world for the Palestinian cause[48].

Another course of action proposed by Al-Qaradhawi for the Islamic Movement was to win over the official religious institution to its side. Specifically it should "invade the ideologies and membership" of al-Azhar in Egypt, al-Zaytuna in Tunis, al-Qarawiyyin in Morocco and the religious institutions of Pakistan, India and other countries. One of several advantages of this course of action is that once successful, it will allow the Movement to draw on the official religious institution's ability of infiltration and of influencing people to increase the Movement's influence.[49]

But above all, the Islamic Movement, according to al-Qaradhawi, should lead the Muslim nation. The most serious problem of the Muslim nation, he argues, is that it has no leadership "that can order it to move, stop, cry or keep silent, or turn right or left". Muslims did have a caliphate system that united Muslims under one flag, and a caliph who represented the central leadership of the unified nation. Those are lost, however, and the Islamic Movement should play the role of the missing leadership of the Muslim Nation with all its trends and groups[50].

It should be noted that MB criticism of official religious establishments, primarily al-Azhar, for failing to lead the Muslim Nation has been a constant theme since the movement's inception: Al-Azhar, it was argued, failed to represent Islam to Muslims-rulers and ruled- as a vital, living code of life, and failed to lead and to teach, and with that failure came the corruption of Muslims[51].

It appears that the network of institutions dealing with Islamic law that al-Qaradhawi and his MB colleagues have set up are designed to do just that: To provide the missing leadership. The Founding Communiqué of the World Union of Muslim Scholars, established in London on July 11, 2004, stated that the Union's goal was to preserve the Islamic identity on the Nation, and that its founders saw their role as to form "the global Islamic source of authority" ("*al-marja'iyyah al-Islamiyyah al-'alamiyyah*"), and to construct bridges of dialog and communication with people, governments, official and popular institutions, be they Muslim or non-Muslim[52]. The Union considers itself superior to existing regional Islamic jurisprudence groupings because it is free from dependence on states, governments, parties or other bodies and is therefore truly expressive of the Muslim Nation[53].

The Union states in its Founding Communiqué that a major obstacle to the domination of Islam's principles and values are the repeated attempts by some powers to

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[48] Ibid.
[49] *Priorities,* Chapter 4.
[50] Ibid.
[51] Richard P. Mitchell, <u>The Society of the Muslim Brothers</u>, London: Oxford University Press, 1969, pp.212-213.
[52]   Nass   al-Bayan   al-Ta`sisi   lil-Ittihad   al-'Alami   li-'Ulama`   al-Muslimin,   July   20,   2004, www.qaradawi.net/site/topics/article.asp.
[53] Ibid. See also report on the establishment of the Union, www.qaradawi.net/site/topics/article.asp, July 14, 2004.

spread their hegemony on the Muslim peoples. As examples it lists the occupations of Palestine, Iraq and Afghanistan, which call for *jihad* by everyone capable of it until the full liberation of those lands. That *jihad* means neither aggression against the innocent nor fighting the ruling regimes, which would constitute sedition (*fitnah*)[54].

As Shaikh al-Qaradhawi proudly noted, the World Union of Muslim Scholars has been "present in all the Nation's great causes", like Palestine, Iraq and Darfur, "watching them and trying (*yajtahid*) to give voice to the Nation's soul and to the position of true Islam"[55]. Under the Union's banner al-Qaradhawi convened the International Conference in Support of the Palestinians, held in Qatar on May 10-11, 2006, intended to bring together the Palestinian factions and mobilize the Muslim World to raise funds for the Hamas government under siege[56]. On the day Hizbullah launched its attack on Israel which triggered the Israel-Hizbullah war, July 12, 2006, the Union issued a communiqué praising the attack[57]. It has come out against the Saudi *fatwas* criticizing Hizbullah and prohibiting support for it[58], and called upon the Muslims in Europe and the US to act in support of Lebanon and Palestine and against the American and European support of Israel[59].

Al-Qaradhawi's claim to global Islamic leadership, evident also in blatant expressions of personality cult on his website, irritates 'ulama who feel slighted by him. That was the case when he issued a fatwa concerning the payment of interest by Moroccans seeking to buy homes, pushing Morocco's "Institution of *Ifta*'", the highest formal body authorized to deliver legal advice, to issue a statement accusing him of conceitedness, of impropriety and of seeking the leadership of Islamic learning[60]

Coming back to al-Qaradhawi's global scheme, he considered it necessary for Islam to have a presence in such societies that affect world politics. Islamic presence is necessary in Europe, the Americas and Australia, in order to spread the message of Islam and get its voice heard among non-Muslims there; to take in new Muslims; and to defend the cause of Islam against anti-Islamic forces[61]. The mobilization of European and American Muslims against their governments' positions on Palestine and Lebanon, mentioned above, is one example of what al-Qaradhawi had in mind in the "Priorities".

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[54] Ibid.
[55] Al-Qaradhawi's address at the opening session of the Union's conference in Istanbul, July 20, 2006, www.qaradawi.net/site/topics/printArticle.asp.
[56] Al-Hayat, May 7, 2006. See also the Concluding Statement of that conference on the Union's website, www.iumsonline.net/articles/2006/05/06.shtml.
[57] www.iumsonline.net/articles/2006/07/07.shtml.
[58] www.qaradawi.net/site/topics/printArticle.asp.
[59] See the Union's appeal for European and American Muslims to hold public demonstrations on August 5, 2006, on www.iumsonline.net/articles/2006/07/13.shtml.
[60] Al-Sharq al-Awsat, September 26, 2006.
[61] *Priorities,* Chapter 4.

Muslims in Western States and Societies

But in order for Muslims living in the West to be able to accomplish all those tasks they would obviously need to integrate in their adoptive societies. How far should they integrate? Al-Qaradhawi's formula in his "Priorities" is "openness without melting"- the openness of people with a message who seek to affect and interact. But while delivering the message is important, the Muslims should have their small society within the larger one, in effect having a "Muslin ghetto"[62].

Translating that general concept to concrete rulings has been the goal of The European Council for Fatwa and Research (ECFR), which al-Qaradhawi founded in March 1997 and continues to head, with his deputy chairman Shaikh Faisal Mawlawi (who is also the leader of the Lebanese MB organization, *al-Jama'ah al-Islamiyyah*, and of several European organizations affiliated with the MB), and with prominent MB figures like Rashid al-Ghannushi as members. According to its leaders, the goal of ECFR is to provide median way (*wasati*) Islamic legal solutions for the problems of Muslims living in Europe, and it seeks to inspire the Muslims in Europe to achieve "positive coexistence and integration", which combines preserving the fundamentals (*al-usul*) and the unchangeable (*al-thawabit*), while being flexible on secondary matters (*al-furu'*). [63]

In its latest annual session, the ECFR stated, in a formal ruling (*qarar*), that the issue of categorizing the world into "the House of Islam" (*dar al-Islam*), "the House of War" (*dar al-harb*) and "the House of Pact" (*dar al-'ahd*), is no longer relevant, since it goes back to the early stage of Islam and to the context of a war situation, which is an exceptional one, because Islam holds that the fundamental relationship between Muslims and non-Muslims is peaceful co-existence. Everything which is contained in Islamic *fiqh* concerning that issue is a consequence of the situation which prevailed in those days between the Islamic State and the surrounding world. The reality of Muslims in Europe today is that they live in countries characterized by religious, cultural and ethnic pluralism, based on peace which ensures security and guarantees common rights. If they are citizens of their countries (*muwatinun)*, they are guaranteed all the rights of citizenship, and have to comply with the laws of the land as required by the contract of citizenship. If they are residents (*muqimun*) in those countries, their entry visa obliges them contractually to comply with the laws of the land[64].

Addressing the question of the Muslim's allegiance (*wala`*), the ECFR ruled also that a person might have multiple allegiances, but the highest one should be to his religion with all which it entails. That allegiance, however, does not contradict allegiance to the state with which one is linked by the citizenship contract, and which one should defend against any aggression[65]. In reality those two allegiances do not always agree: As Zuhair Mahmud, director of the "European Institute for Human Sciences", the MB school

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[62] Ibid.
[63] Concluding Statement of the 16th session of ECFR, held in Istanbul on July 3-9, 2006, www.e-cfr.org/ara/index.php.
[64] Resolutions of the 16th session of ECFR, held in Istanbul on July 3-9, 2006, www.e-cfr.org/ara/index.php.
[65] Ibid.

for imams (overseen by al-Qaradhawi), was quoted as saying: "We are pursuing two goals. The first is an authentic Islam, authentic Muslims. The second is to be in conformity with the rules of society, with the rules of the republic. It is not easy. It is not always possible"[66].

On the question of political participation by European Muslims, the ECFR ruled that it is legal for them to participate in politics in order to preserve and defend their rights, their values, and the presence and interests of Muslims in their countries. That refers to joining parties and institutions of the civil society, forming political trends, and participating in elections as electors and candidates, and is applicable to Muslim women as well as men[67]. The ECFR stated that political work is in Islam a collective duty (*fardh kifayah*), and sometimes an individual duty (*fardh 'ayn*), because it falls under Allah's instruction to spread the good and call for it and to resist that which inflicts damage on society[68].

Furthermore, the EFCR recommended that Muslims in each European or Western country adopt a political project, and that the Imams and leaders of Islamic organizations urge Muslims to participate in elections held in the European countries, register in the voter rosters and adopt a favorable attitude to local and national elections. They should send the brightest students to study law and political science, so that Muslims will be represented by the most outstanding professionals[69] .

The ECFR has repeatedly urged European Muslims to work on forming legal bodies to regulate matters related to personal status according to the *Shari'ah* while complying with the state's laws, and to do their best to secure the state's recognition of Islam as a religion and of the Muslims as a religious minority having the right to regulate their personal status matters according to their religion. It exhorted them to observe the Islamic duties to abide by the requirements of citizenship or the residence contract and obey the law and public order, and to avoid violence of any kind[70].

These rulings and recommendations seek to respond to the involvement of young Muslims in terrorism on European soil (Madrid, London) and in the recent waves of urban violence, mainly in France. They also seek to respond to the low levels of European Muslim participation in politics and elections, which are partly a result of the legal positions of radical circles, and which leave Muslim electoral weight and potential political influence below their proportion in the populace, undermining al-Qaradhawi's objective, stated in "Priorities"*,* to use Muslim political power in the West to advance Islamic causes.

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[66] Quoted by Glen Feder, "The Muslim Brotherhood in France", In the National Interest, www.inthenationalinterest.com/Articles/September%202005/September2005FederPFV.html.
[67] Resolutions of the 16th session of ECFR.
[68] Concluding Statement of the 16th session of ECFR.
[69] Recommendations of the 16th session of ECFR, held in Istanbul on July 3-9, 2006, www.e-cfr.org/ara/index.php.
[70] Ibid.

Al-Qaradhawi has reiterated that point: Muslim in the West must participate in elections, consult among them, decide which party or candidate will best serve their interests, and vote for them[71]. Al-Qaradhawi also advocates that Muslims living in the Western countries acquire their nationality. That will give them political and electoral power which will be obviously short of the majority but could help them tip the balance between the two leading parties and thus determine the results of elections in France and Britain, for example. Acquiring the nationality of a European country does not contradict, in al-Qaradhawi's judgment, one's allegiance to Islam[72].

The MB's successes in using political processes and elections to penetrate and take control of the most powerful Muslim organizations in France and in penetrating the political and social fabric of secular France[73], and the Movement's progress in Britain and Germany[74], indicate that al-Qaradhawi's ideas regarding the MB and the West are in the process of being implemented.

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[71] Al-Shari'ah wal-hayat, "al-Hurriyyah al-Siyasiyyah wal-Madaniyyah", February 10, 2005, www.qaradawi.net/site/topics.
[72] Ibid.
[73] Feder, op. cit.
[74] Michael Whine, "The Advance of the Muslim Brotherhood in the UK", Current Trends in Islamist Ideology, Washington DC, Hudson Institute, Vol. 2 (2005), pp. 30-40; Lorenzo Vidino, "The Muslim Brotherhood's Conquest of Europe", Middle East Quarterly 2005, www.meforum.org/pf.php?id=687.

Hasan al-Turabi and the Sudanese Muslim Brotherhood

Introduction

The Sudanese MB movement was formed in August 1954, following several years of semi- clandestine activity by students heavily influenced and assisted by the Egyptian MB. It started as a small student organization focused on ideological combat against the Communists, and taking its ideological and organizational orientations from the heritage of Hasan al-Banna. Hasan al-Turabi assumed leadership of the movement in 1965, pushed for a shift from its educational, elitist orientation toward its becoming a political party taking part in the political game. That shift was formalized when the MB joined other Islamic bodies to form the Islamic Charter Front, with Turabi as its leader, in 1965. Following the Front's adventure in power under Numeiri, the hard core of the original MB organization, advocates of the traditional missionary-educational orientation, reestablished (1979) the Sudanese Muslim Brotherhood Movement, which from then on existed in parallel to Turabi's movement in its various incarnations.

A leading Islamist thinker and legal expert, Hasan al-Turabi is also a major political actor, who led the Sudanese Islamist Movement from relative obscurity to governing Sudan and to launching a national project of Islamization using state power. His views about the future Islamic state and about the strategies to reach it reflect his theoretical thought as well as the reality of political life, the evolution of that Movement, and his own political role. The cohabitation of the theoretician with the politician in one person, and the political exigencies, especially once in power, lead to recurrent internal contradictions and lack of consistency in his positions. It is clear that he tended to be more liberal on key political and social issues when he was out of power, and struggling to reach it, than we he was in power. His most controversial legal pronouncements, particularly on the status of women and on the attitude to non-Muslims, have been made since his fall from power, when he has been in and out of jail, attempting to regain the popularity he had lost due to the failure of the Islamist experiment in government and to reestablish his claim for power.

Renewal of Jurisprudence

Turabi's intellectual project is based on the key idea of the renewal of religion on the basis of understanding reality and change and harmonizing the constant and absolute with the changing and relative. Yet in his renewal he went beyond the "new Ikhwani" and "wasati" thinkers, and indeed accused all the other Islamic revivalist movements and thinkers of inertness and intellectual stagnation[75]. He went beyond the general MB assertion that the rulings of the legists of the Islamic tradition are inadequate for the changing needs of society through time, and that the doors of *ijtihad* should be opened: He declared that Islam's legal inheritance as a whole has to be left behind, because it can

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[75] Hasan Tammam, "Hasan al-Turabi, Hina Yaghriq al-Mufakkir fi Buhur al-Siyasah", www.islamonline.net. June 12, 2003.

not help in finding new legal solutions to current problems, and called for the renewal of the very fundamentals of jurisprudence (`usul al-fiqh).

Pushing still farther, he called for the establishment of the "popular jurisprudence" (*al-fiqh al-sha'bi*), whose formation will not be the monopoly of men of religion, who will enjoy no special status, because the consensus in this fiqh will be the consensus of the peoples, not of the jurists (*fuqaha`*). That amounts to a redefinition of consensus (*ijma'*), the third foundation of the *fiqh,* as the consensus of the people, or public opinion, instead of the consensus of the jurists. Turabi also came up with the idea that Islam should be remolded and readjusted according to the specific mores and customs of each people, so that it will be expressed in different versions according to the nature of each people, while preserving a common denominator unifying all those versions[76].

Turabi advocated a new critical approach to the *sunnah*. He questioned the infallibility of the prophets, arguing that a distinction should be made between what the Prophet Muhammad instructed as a prophet and lawgiver, which is binding, and what is reported about him in the *hadith* as a human being, which is not. He called for a total revision of the *hadith* sciences, questioning the reliability of he canonical *hadith* books[77].

The Islamic Order and the Islamic State

The Political System

Turabi's basic attitude is ideological rejection of Western-style democracy. He did call for the establishment of a democratic, multi-party system, but that was when he was in opposition, seeking to secure the survival of his movement and a room of maneuver for it. Indeed, the political system he promoted while in power, the "Islamic democracy", rejected the multi-party system and the freedom of expression and of organization[78].

Turabi rejects the various Western models of democracy, on the grounds that they are founded on the principle of the rule of the people, which amounts to the rule of man, and any human rule must lead to servitude and can not meet mankind's highest aspirations - liberty, equality and justice. Only a political order where sovereignty (*hakimiyyah*) is fully in God's hands can meet those aspirations, and the Islamic system of consultation (*shura*), which is based on the *Shari'ah*, is precisely such an order.

Turabi stopped short of adopting the thesis of Maududi and Qutb that the present Muslim societies were *jahili* because they accepted living under human rule[79]. But he shared with them, and with other radical thinkers, the rejection of the traditional Islamic concept which holds that the community, through consensus, is the source of legitimacy

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[76] Hasan Tammam , "Hasan al-Turabi".
[77] Dhiya` Rashwan, <u>Dalil al-Harakat al-Islamiyyah fi al-'Alam,</u>, Cairo: al-Ahram, Markaz al-Dirasat al-Siyasiyyah wal-Istratijiyyah, 3rd edition, March 2006, p. 331.
[78] Amir Weissbrod, <u>Turabi- the Spokesman for Radical Islam</u> , Tel-Aviv: The Moshe Dayan Center, 1999, (in Hebrew), p. 32.
[79] Weissbrod, p. 33.

of the state: Since the community embraces the holy text and the *Shari'ah*, it is entitled to delegate government to one of its members through *shura* and *bay'ah*. That concept is rejected by the Sunni thinkers of the *hakimiyah* trend, who claim that since the Muslims abandoned religion, no infallible source of authority exists except for the *Shari'ah*. That was the reason for Turabi's pledging allegiance to Presidents Numeiri and Bashir, both of whom undertook to implement the *Shari'ah*[80].

Turabi accepts the concept that the Nation elects its representatives under the principles of consultation (*shura*) and selection (*ikhtiyar*), yet he has a critical view of the parliamentary electoral system: He argues that *shura*, as practiced in the golden age of the Prophet and the Rightly Guided Caliphs, was direct consultation of the ruler with the entire Muslim community, and only in a later stage it was wrongly practiced as consultation of the ruler with the *'ulama*. The Muslim state should be based, therefore, on direct consultation with the whole community, rather than through mediators- be they *'ulama* or members of parliament- and decision making should be made on the basis of consensus (*ijma'*). Turabi tried to implement that concept while in power, when he introduced "direct democracy" in 1990 (see below).

Sudan's multiple religious, ethnic and tribal and regional divisions make the preservation of its territorial integrity a major concern for every Sudanese politician. That concern was indeed quoted by Turabi to justify his preference for the single- party system to the multi-party one, because it preserves better the country's unity. In the 1960's, as leader of the Islamic Charter Front, Turabi opposed the implementation of *hudud* penalties, arguing that they should be applied only in an ideal Muslim society, which Sudan was not. He changed his mind, however, and supported their implementation when they were imposed by Numeiri in 1983, very much under Turabi's influence, claiming that they were part of an educational process whereby the state hoped to improve the morals of its citizens. He continued to support implementation of *hudud* afterwards[81].

Non-Muslim Minorities

The problem of applying *hudud* is obviously most problematic when it comes to the non-Muslim minorities. Turabi public position on the problem of Southern Sudan was that a decentralized system should be formed, whereby the Christian and animist minorities in the South would be able to run their affairs autonomously in those regions where they constitute a majority, while subject politically to Khartoum. Whereas in the 1960's he thought non- Muslims should in principle be exempted from the application of the *hudud* penalties under the *Shari'ah*, in 1983, when the *Shari'ah* was applied under Numeiri, he changed that view[82]. In that period Turabi's movement intensified its Islamization efforts in the South. He distinguished between the Southern Christians,

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[80] Ridhwan al-Sayyid, Al-Sira' 'ala al-Islam, Beirut: Dar al-Kitab al-'Arabi, 2004, p. 256.
[81] Gabriel R. Warburg, "The Muslim Brotherhood in Sudan: From reforms to Radicalism", Global Research in International Affairs, Project for the Research of Islamist Movements, August 2006, www.e-prism.org, p. 6.
[82] Weissbrod, p. 78.

whose right to pursue their religious life he acknowledged, and the animists, whose beliefs he despised and who should in his view be Islamized expeditiously[83].

Yet at the same time he accepted equal citizenship of all the inhabitants of a country *(muwatanah)* without discrimination on a religious basis. He considered Christians and Jews as believers and not as infidels, and declared conversion of Muslims to Christianity as permissible and not subject to the capital punishment under the *shar'i* penalty *(hadd)* for apostasy *(riddah)* since, he argued, God gave Muslims the freedom of thought, and the opposing view is a perversion of the *Shari'ah*[84]. In April 2006 Turabi issued a fatwa authorizing the marriage of Muslim women to non-Muslims. He explained it largely as a response to the needs of Muslim minorities in the West: When a non-Muslim women there wants to become a Muslim, she should be allowed to remain married to her non-Muslim husband, as she is likely to make him adopt Islam as well, and so will do her children; this consideration applies also in the case of a Muslim woman marrying a non-Muslim[85] (That fatwa drew sharp criticism from Shaikh al-Qaradhawi, probably not least because Turabi there was trespassing into his own turf of dispensing fiqh to Muslims in the West. It also drove conservative Sudanese Islamists to declare Turabi an apostate).

In recent years Turabi has argued that a Christian could be the head of state provided he is just and honest[86]; in his early career he thought otherwise[87].

The Status of Women

Already in the 1960's Turabi was a pioneer in advocating the advancement of the status of women, arguing that women's equality to men was not in contradiction to the *Shari'ah.* Recently he went further, ruling that a woman's legal testimony is equal to man's, and in some cases it is even more valuable, arguing that the Qur`anic reference to that matter has been misinterpreted and that women's inequality contradicts the practice of early Islam. He ruled also that women can be prayer leaders *(imam)* and the head of state[88].

A Territorial State or the Pan-Islamic One?

On the question of the confines of the Islamic state the Islamists strive for, namely is it each one of the existing Muslim territorial states or a politically unified Muslim world, Turabi's bottom line, like that of other "new Ikhwan", is the territorial state. Turabi maintains that in principle the nation state contradicts the principles of Islam, because the Muslim's absolute loyalty is to Allah and therefore to the community of the faithful (the `ummah*). This requires the existence of one state for the `ummah* as a whole.

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[83] Ibid, p. 79.
[84] Al-Sharq al-Awsat, June 7, 2006.
[85] Al-Sharq al-Awsat, April 9, 2006; Turabi's Interview, al-Sharq al-Awsat, April 21, 2006.
[86] Al-Sharq al-Awsat, June 7, 2006.
[87] Weissbord, p. 77.
[88] Turabi's Interview, al-Sharq al-Awsat, April 21, 2006.

Yet in reality, political unity of the Muslim world existed only for a short period in its early history, and the setting up of a unified Muslim state at the present is unrealistic in view of the political and social disunity characterizing the Muslim world. The Islamist movement should therefore adopt a strategy of stages: At first it should seek to establish Islamic regimes in every Muslim state and to strengthen unifying cultural and economic elements between them[89].

The nation states will continue to exist once the Muslim nation is unified: Islam does not prohibit in principle loyalty to entities smaller than the `ummah` like family and tribe, and in this case- the nation or territory, provided these other loyalties do not supersede the loyalty to the `ummah`. The Islamic Union will be decentralized, as it was during the age of the four first Caliphs and the `Umayyad and 'Abbasid Empires. Turabi sees that Muslim union as a vision for the long term, however, while for the present he advocates forming strong ties between the Islamic regimes which should be set up in the various nation states[90].

The Strategies of the Struggle

Turabi's point of departure in regard to the MB strategies was his critique of both major trends of the Egyptian Muslim Brotherhood. He criticized al-Banna's MB's strategy of gradual, "bottom up" Islamization of society through long- term educational work and the Brotherhood's reservations about political participation. That strategy, he argued, was developed in the Egyptian context, and the Sudanese Islamist Movement should develop the strategy which would best respond to the local conditions while preserving the fundamental principles of the Islamist movement. That criticism was doubtlessly connected to his efforts to move the Sudanese MB away from the influence of the Egyptian MB, which he eventually did when he transformed the Sudanese MB into a political party and then took it to the Islamic Charter Front, making the point of not keeping the MB name in order to highlight the ideological rupture. Under his leadership the movement withdrew from the International Organization of the Muslim Brotherhood, whose domination by the Egyptian MB Turabi deeply resented. The group which split away from him in 1979, and reestablished the Sudanese MB, rejoined the International organization (Turabi later founded the Popular Arab and Islamic Congress as his own platform for global Islamic leadership).

Yet Turabi criticized also the elitist approach of Sayyid Qutb's trend, which sought to form a vanguard of the faithful outside of the *jahili* society and impose Islamization top-down by force. He advocated political action as the main way to the Islamization of society, and objected to the use of violence by the *takfiri* groups, for example in Egypt and Algeria, on the grounds that the superior power of the state and its control of the security apparatus render that violence ineffective and legitimizes the suppression of the Islamist movement as a whole by the regimes.

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[89] Weissbrod, pp. 91-92.
[90] Weissbord, pp. 93-94.

Alternation of power, in his view, should be achieved through the electoral process. Only under extraordinary conditions can one can reach power by other means, and in that case the normal order of things should be restored later. He indeed justified his leading role in the June 1989 military coup d'etat by arguing that it was impossible to reach power by peaceful means, because "the Crusader and Imperialist forces preclude the arrival of Islam to power"[91]. It is clear, though, that he had been preparing for a coup using the military for years. In fact he found no problem in writing that the Islamists should create the option to take power by force, and to do that they should mobilize the support of the military through political participation and gradual penetration of state institutions[92]. Yet after he fell out with the military regime in the late 1990's he again rejected the military means to reach power[93].

The MB movement in Egypt and elsewhere had traditionally avoided forming political partnerships and alliances with other political actors. Turabi led the way and set the model for other "New Ikhwan" by promoting a strategy which approved of ideological flexibility and formation of tactical political alliances (*tahalufat*) with other forces, even anti-Islamist ones, as long as it advances the interests of the Islamist Movement. That included reconciliation with an ideological adversary (*musalahah*) and participation (*musharakah*) in a non-Islamic government. It was practiced by Turabi when he took his movement to the partnership with Numeiri, whose 1969 coup d'etat was leftist. The Numeiri regime (1969-1985) initially persecuted the Islamic Charter Front and curtailed its activity, but as it grew weaker Turabi engineered the National Reconciliation, which took the Front to participation in the government (1977-1985). That enabled the Movement to penetrate the foci of power, and particularly the military and the economy, and eventually to stage the coup d'etat and take power in 1989.

Turabi realized in the 1970's the critical importance of the military in Sudanese politics and sought the formation of Islamist cells in the military in preparation for a possible MB coup. Penetration of the military increased considerably following Numeiri's declaration of the *Shari'ah* as the law of the state in 1983[94]. The partnership with Numeiri gave the Movement access to new economic resources and enabled it to develop its organizational base and expand its ranks considerably (Which was a major reason for the split of the hard core MB activists in 1979).

After that partnership was terminated by Numeiri, one month before his removal by a popular uprising in 1985, Turabi remolded the Movement in a new organizational framework, The National Islamic Front. The new Front's failure in the 1986 elections to overcome the dominance of the two traditional, Sufi- based parties, the Ummah and the Union Democratic Party, and the moves toward peace settlement in Southern Sudan, seen by the Islamists as a threat to Sudan's future as an Islamic state, led Turabi to opt for the

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[91] Dhiya` Rashwan, <u>Dalil al-Harakat</u>, p. 332.
[92] Weissbrod, pp. 118-121.
[93] Al-Sharq al-Awsat, December 4, 2005.
[94] Weissbrod, pp. 18-19.

use of force to take power, through the Islamists in the military, since strictly democratic means would not bring the Movement to achieve its goals[95].

Turabi turned out to be the ideologue of "The Revolutionary Command Council for National Salvation", the military group which carried out the June 1989 coup d'etat against a democratically elected government (headed by Turabi's brother in law, al-Sadiq al-Mahdi). Turabi's National Islamic Front was the political and ideological power behind the coup. The role of Turabi and his Front in the coup was initially concealed, and Turabi himself imprisoned, along with other political party leaders, and it was only a year later that the ideological identity of the new regime, and Turabi's role in it, were made public. That was in application of a lesson Turabi learned from the Communist coup against Numeiri in 1971, which according to his analysis failed because the plotters made known their program for change before fully consolidating their power: Turabi and his military partners assessed that if the Islamic nature of the coup would have been obvious from the start, they would have met fierce resistance both at home and abroad which could have aborted their move.

Once in power, Turabi's National Islamic Front tried to launch a fundamental project of Islamization, setting up a totalitarian Islamic dictatorship, and in 1991 the *Shari'ah* was declared the law of the land, except temporarily for the South. Using its control over the security apparatus, the state administration and key economic sectors, the Front suspended the constitution, prohibited and dismantled all political parties and trade unions, abrogated the freedom of the press, and carried out large scale purges of the military, state bureaucracy, courts and universities. That was accompanied by arrests, tortures and occasional killing of suspected opponents.

A policy of forced Islamization in the Southern provinces involved forced conversions and ethnic cleansing. Southern Christians living in Northern Sudan were forced into the ranks of militias sent to fight alongside the army against their brethren in the South. Non-Muslims were the target of discrimination in the government service and educational system. Women suffered from restrictions on their dress, freedom of movement and employment[96].

Under Turabi's influence, a system of direct democracy was introduced in 1990. Undoubtedly inspired by Libya's experiment, he argued that to prevent the disunity caused by a multi - party system, and secure a genuine representation of the people's will, a direct democracy system should be formed, on the basis of the principles of consultation (*shura*) and consensus (*ijma'*). The model of hierarchical popular committees which was chosen was similar to the Libyan one. In practice, those committees were a rubber stamp for the regime's policies. In the elections held in 1996,

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[95] Weissbrod, p. 20.
[96] Weissbrod, pp. 42-46.

only candidates who belonged to the National Islamic Front or supported it were allowed to participate[97].

In the field of external affairs, Turabi set up and led the Popular Arab and Islamic Congress (1991-2000), bringing together the radical Islamic, leftist and Arab nationalist forces in the Arab and Muslim worlds, and whose self-proclaimed objective was to coordinate all anti-imperialist movements of the Muslim world and guide them on the route to Islamic revolution. He aligned Sudan with Iran and with the anti-Western Arab camp, primarily Iraq, which it supported during the second Gulf war; made Khartoum a base for extremist Islamist leaders and organizations, including Usamah Bin Ladin; sponsored training camps of the Egyptian "al-Jihad" terrorist organization on Sudanese soil, personally hosted its Amir, 'Umar 'Abd al-Rahman, and got Sudan implicated in its June 1995 assassination attempt on President Mubarak in Addis Ababa; and was quoted declaring publicly that by 2000 Egypt would be taken over by an Islamic revolution. All of that led to Sudan's regional and international isolation, its inclusion in the US list of states supporting terror, and the cutting off of economic aid by the Gulf Arab states and the West, and consequently to a sharp decline in the economy and a concomitant decline in the regime's domestic standing, frequently in the form of public disorder. The regime's remedy was increased Islamization and harsher political repression.

During the early years of the new regime Turabi was its eminence grise, running it behind the scenes without having an official position. He then sought to institutionalize his power, assuming the position first of the head of the ruling and single political party, the National Conference, then speaker of the parliament as well. His bid for the vice-presidency in 1998 led to a power struggle with President Bashir, culminating in the dissolution of the party and of parliament and Turabi parting with the regime and joining the opposition in 2000 as secretary general of the Popular Congress Party.

In 2001 Turabi landed in jail for signing a memorandum of understanding with John Garang, the head of the largest opposition movements in the South, the Sudan People's Liberation Movement. A month after his October 2003 release from jail he called for a popular revolution to topple the Bashir regime. He was arrested again in April 2004 and accused (apparently without grounds) of preparing terror attacks with his party. In September 2004 the authorities allegedly uncovered a new plot by his party, this time to carry out a coup d'etat. He was nevertheless released from jail in June 2005, and by May 2006 he was again calling for a popular revolution against the regime. It is in this stormy period that he pronounced his most controversial legal opinions, mentioned above.

Turabi has disowned completely the failure to construct a working model of a modern democratic Islamic state in Sudan. He argues that the 1989 revolution, as he calls it, was initially launched in order to spread liberties, but a certain "international power" does not permit freedom and democracy to be instituted if they produce an Islamic trend which seeks to go its own way, so those in the revolution's leadership, who wanted to

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[97] Weissbrod, pp. 46-48.

block the spread of freedom, entered into conflict with him, and thus the ruling movement split and he himself was jailed. It was he who decided to part with the regime, Turabi asserted, seeking to prevent an image of the rule of Islam as a rule by force spreading in the world; that is not Islam[98].

So should the Islamists follow only democratic methods as their way to power and while in power? When he was still in power, Turabi claimed that while he believed that Islam can reach power only by means of freedom, there was no way to avoid the need to use force in order to protect that freedom. He said also that in the first stage of the Islamic experiment, the state should be given absolute authorities in every field, and that the vision of an Islamic civil society, running its affairs independently of the government, will be materialized only in a much later stage[99].

And while he often declared his rejection of military means to reach power[100], he has also expressed deep disbelief in the democratic option for Islamists to reach it. Responding in Spring 2006 to a question whether the electoral achievements of the Egyptian MB (November-December 2005) and Hamas (January 2006) did not prove wrong his opting for a military coup, given that in the period of multi-party politics which preceded the coup, his movement was evidently on the rise, Turabi said that the West is determined not to allow Islam to win, because inasmuch as the West is committed to democracy, it is much more committed to preserving its civilization in the face of Islam. Hamas' victory was a result of a miscalculation on the West's part (as it surprised Hamas itself); the Egyptian MB are not permitted by the West even to have a legal party, and following their initial electoral gains [in the 2005 elections] they were blatantly blocked from scoring additional ones; in Algeria the election results which sent the Islamists to power were overturned by military force[101]. In other words, given a chance, Turabi would opt again for a coup d'etat rather than democratic elections.

Should the application of the *Shari'ah* be the first step in setting up the Islamic order? One critique of Turabi explained the experiment's failure by his rushing to implement the *Shari'ah* first as the key element of the Islamic state, before sorting out the economic and political dimensions of that state. Turabi's response was that those who claim that the setting up of an Islamic order must be preceded by lengthy preparations are actually seeking to obstruct it. On the contrary- we should act, and learn through trial and error[102].

The priority Turabi gave to the application of the *Shari'ah* resulted probably from his conviction that it was the *Shari'ah* which legitimized the Islamic state.

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[98] "Muqabalah Khassah ma'a D. Hasan 'Abdullah al-Turabi", www.alarabiya.net, July 18, 2005.
[99] Weissbord, p. 48.
[100] Al-Sharq al-Awsat, December 4, 2005.
[101] Turabi's Interview, al-Sharq al-Awsat, April 21, 2006.
[102] Khalil 'Ali Haidar, "Murshid Ikhwan al-Sudan bi-Kull al-Alwan", www.metransparent.com/texts/khalil_ali_haidar_sudan_brotherhood_guide_1.htm.

Yet his advocacy of the "take power first, then train on the job" approach, and his concealment of the true ideological nature of the 1989 coup, did not prevent him from criticizing other Islamist movements, primarily the Egyptian MB, for using vague slogans like "Islam is the solution" instead of coming up with detailed programs covering all aspects of life[103].

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[103] Al-Sharq al-Awsat, December 4, 2005.

Rashid al-Ghannusi and the Tunisian *Al-Nahdhah* Party

Introduction

Rashid al-Ghannushi's work combines two dimensions: The man of *da'wah,* and a political theorist of Islamism; and the leader of a political party, *al-Nahdah.* In his early career al-Ghannushi saw Hasan al-Turabi as his mentor: Like him he is a leading "New Ikhwani" thinker, though he did not go as far as al-Turabi did in his religious rulings, and like him he combined being a political theorist with leading a political movement. Yet while al-Turabi was in and out of government, and when in government enjoyed a great deal of power, al-Ghannushi has spent about a half of his political career as an opposition leader under the pressures of an authoritarian state, which doubtlessly contributed to the emphasis in his works on human rights, political liberties and pluralism. The fact that he has spent the other half of that career representing Islam and Islamism to Western audiences, being a political exile, probably contributed in that direction too.

Al-Ghannushi and his party started out within the classical MB movement, seeking to Islamize society, and to bring about the creation of an Islamic state which applies the *Shari'ah*, by working from the bottom up through educational and missionary work. The movement he set up had the classic MB organizational structure, and (unlike al-Turabi) al-Ghannushi has kept his allegiance to the international Organization of the MB as well as good relations with the Egyptian MB which heads it. Yet he has been one of the leading figures in the "new-Ikhwani" school, which shifted the focus from *da'wah* to political work, and moved its narrative closer to Western political and social ones.

The emergence of Islamism in Tunisia since the late 1960's should certainly be seen against the background of the collapse of Arab Nationalism and Arab socialism in general, but also more particularly as a reaction to the secularizing, westernizing policies of Habib Burguiba. Like Hasan al-Banna a school teacher, al-Ghannushi converted ideologically from Arab-Nationalist Nasserism to Islamism in the late 1960's and practiced da'wah with a circle of like- minded activists along the traditional MB lines. In 1979 they formed a secret, MB style organization, "*al-Jama'ah al-Islamiyyah*", led by al-Ghannushi. Under the influence of Hasan al-Turabi and of the Islamic revolution in Iran al-Ghannushi shifted the focus of the group from the traditional MB emphasis on educational and cultural work to political activity. That was opposed by other members of the group, who saw the struggle against Burguibism as primarily cultural and educational, and split from the "*Jama'ah*". Al-Ghannushi's movement has been characterized since that time by the marginalization of education and of Shari'ah studies, the hallmark of the traditional MB school, and the predominance of philosophical and intellectual writing and political activity, typical of the al-Turabi approach[104].

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[104] Nawfal Ben Ibrahim, "al-Tayar al-Turabi fi al-Bilad al-'Arabiyyah wal-Muraja'at al-Mafqudah", www.shohood.net/ahdath.asp?NewID=17895&pageID=10&TypeID=5, April 18, 2006.

Following the Tunisian government's announcement of the political pluralism project, the *Jama'ah* transformed itself in June 1981 into a political movement, "The Islamic Trend" (*Harakat al-Ittijah al-Islami*), under al-Ghannushi's leadership. It was not recognized by the authorities, not least for its open and enthusiastic support of the Iranian revolution and the involvement of its militants in trying to enforce Islamic mores and dress code on university campuses and elsewhere, and in July 1981 al-Ghannushi was arrested, convicted of membership in an illegal association, and imprisoned for four years. He was rearrested in 1987, convicted for threatening state security and sentenced to life imprisonment, only to be pardoned by President Ben 'Ali in 1988.

In the 1989 elections the Islamists, who were permitted to run as independents, won officially 14% of the vote, came close to winning a majority in several urban areas, and claimed that they won in reality over 30%.That led the regime to crack on the movement, taking advantage of violent acts by Islamists to carry out mass arrests among them. Al-Ghannushi moved to Algeria, where he closely witnessed the evolving violent struggle between the Islamists and the regime following the latter's annulment of the FIS' election victories, and 3 years later moved to exile in the UK. He dissolved the "Islamic trend Movement' and replaced it with "The Renaissance"- "*al-Nahdhah*" party, which too was not recognized by the regime though Islam was no longer a part of its name. In August 1992 al-Ghannushi was sentenced in absentia to life imprisonment, and in 1998 was given an additional life sentence in absentia.

The Global View: Muslims and the West

Al-Ghannushi's vision for his movement and its strategy of struggle has to be seen in the context of his view of the post Cold War global order and Islam's place in it. The global order, al-Ghannushi wrote in 1994[105], is built to serve the hegemonic and exploitative ambitions of the western powers which dominate the world. Ideas, principles and institutions like international law, international legitimacy, human rights or the UN are no more than fig leaves for the global Western domination. The Cold War tore the Arab and Muslim Worlds, dividing between clients of that camp or of the other, and made possible the creation of the "Zionist Entity" in Palestine. The collapse of the Soviet Union favored the US' allies and especially the Jews, who have penetrated the intestines of Western thinking and decision making.

The Jews play a key role in binging about the plight of Islam, according to al-Ghannushi: the Westernized elite under the leadership of Ataturk, responsible for the coup against the Ottoman Caliphate and for turning Turkey to a national secular state, was made of the Donme, i.e. the Jews who adopted Islam when they were given refuge in

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[105] Shaikh Rashid al-Ghannushi, "Al-Islam wal-Nizam al-Dauli al-Jadid", Majallat al-Fikr al-Jadid, No. 8, 1994, posted on www.balagh.com/mosoa/qanon/011c4coh.htm.

the Ottoman Empire after being expelled from Spain[106] (The Donme are former Jewish followers of Shabbatai Zvi who like him converted to Islam).

The international aggression on the Gulf in the Kuwait War of 1991 gave the coup de grace to the crumbling Arab regional order and opened the door to the Jewish American domination of the region. It has been Islam, as usual, which offered rejection, steadfastness, resistance and jihad, and naturally attracted the arrows of the enemies. The so-called Arab-Jewish peace settlement, which the West has tried to force on the region, is part of the attempt to secure western control on it where the Jews fill the role of guardians of American and western interests, this time against the presumed Islamic threat now that the Soviet one had disappeared. In reality the Jews aspire to go beyond that role, and even beyond the role of the West's partner, to become its successor in the region and to turn it into a base for their global domination and for their leadership of a global order, in which predominance will move from the Christian West to the Jewish West launching the Jewish Age, just as the global order shifted earlier from Islam to the West.

In this transitional stage from the joint Western- Jewish global domination to the exclusive Jewish one, Islam is the force offering resistance, in view of its ability to reform, to unite, to mobilize and to inspire to jihad and martyrdom *(istishhad)*. Whereas the Zionist project is secularist, atheistic, permissive *(ibahi)* and hateful of any one who has religion, principles and morality, the Islamic one is humane and open to all the values of truth, justice and democracy, and therefore it is a threat to Judaism itself. As a result Islam has attracted fire from every direction, but the most painful is the one coming from its own apostate *(murtaddin)* sons and duped elites and rulers, seduced by the Zionists to conspire against Islam. The apostate elites agreed to join the war on Islam even before the West itself did. Securing Israel's regional domination requires denying the Arabs and Muslims all elements of power, which is achieved by robbing their wealth; preserving the crisis of government and legitimacy in order to firmly establish the struggle between the peoples and their rulers; and denying the Arabs and Muslims possession of advanced weapons.

Al-Ghannushi's more recent assessment is more optimistic. He thinks that the forces created by Imperialism and imposed by it on the Arabs can no longer survive, and takes courage from the fact that many voices in the West call upon its policy-makers to cooperate with a Muslim world ruled by the Islamists rather than by rulers of their own making. Those voices still face the opposition of the Zionist Lobby, but at the end the Westerners are governed by the practical mind, not by ideologies; Islam is a reality; secularization in the Muslim countries is on the retreat; and the people's alienation from the corrupt regimes increases daily. The logic of interests will eventually overcome the Zionist Lobby in the West. And whereas the Arab regimes and other political movements

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[106]   Rashid   al-Ghannushi,   "Qira`ah   fi   Tajribat   Hizb   al-'Adalah   wal-Tanmiyah   al-Turki", www.fiqhsyasi.com/ghanoushi.htm.

get older, the Islamic movements are young, as they mobilize larger numbers of young people than any other movement, which makes them the force of the future[107].

The Movement's Strategy

The conflict with the West, and with the westernizing ruling elites, is at the heart of the ideology of al-Ghannushi's movement. The historical context in which *al-Nahdha* says it is working is a struggle, which is waged since the second half of the 19th Century, not between modernization and tradition, as some argue, but between two modernization projects: One is based on Arabism and Islam, the other on westernization and vassalage (*taba'iyyah*). Since the 19th Century, the Islamic reform movement has assimilated the idea of modernization, starting with science, technology and the rule of law, moving on to improving the status of women, and in its newest phase has adopted democracy, human rights and the centrality of civil society as an alternative to the centrality of the state. In the post-Burguiba age the struggle is no longer between two modernizing projects, but between a modernizing project advancing toward the unification of all the opposition forces, and assimilating all the benefits of modernity on an Arab and Islamic background, on the one hand, and the despotic state, employed in the service of the local mafia and the interests of globalization and of normalization with Israel, on the other[108].

Explaining his movement's choice of the strategy of Islamization bottom up, al-Ghannushi describes that strategy as a project of laying down the foundation of a social order replacing the one destroyed by westernization. Islam, he argues, emphasizes civil society and its organizations, whereas the secularist project in Islamic countries has focused on controlling the state apparatus and on using it to impose "modernization", which in reality is westernization and fragmentation of the traditional social structures. Those structures have collapsed but no modern ones have replaced them, destroying the old equilibrium and making the state the sole actor. The fundamental project of the Islamist movement is to restore equilibrium, for the benefit of society[109].

Formal Objectives

Stating its objectives in its Constituent Declaration of June 6, 1981, The Islamic Trend Movement says that it seeks primarily to revive the Islamic personality of Tunisia so that it regains its mission as an important basis of Islamic civilization in Africa, and puts an end to the situation of vassalage and westernization. It seeks also to renew Islamic thought in the light of the constant fundaments of Islam (*usul al-Islam al-thabitah*) and of the requirements of modern life, and to purify that thought from the residues of the ages of decline and from the vestiges of westernization alike. The people should regain their right to self-determination, and economic life should be rebuilt on humane foundations,

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[107] Al-Ghannushi's interview in <u>al-Mujtama'</u>, April 15, 2006 , <u>www.almujtamaa-mag.com/Detail.asp?InSectionID=1243&InNewsItemID=185645</u>.
[108] "Man Nahnu" ["Who We Are"] - a statement of al-Nahdha's credo, posted permanently on its official website, <u>www.nahdha.net/quisomme.asp</u>.
[109] "A Government of God?", an interview with al-Ghannushi, al-Ahram Weekly, issue 409, December 24-30, 1998, http//weekly.ahram.org.eg/1998/409/debate/htm.

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including just wealth distribution. The movement will contribute to the revival of Islam's political and civilizational entity *(kiyan)* on the local, North-African, Arab and global levels, "in order to save our peoples and mankind as a whole from mental loss, social injustice and international hegemony"[110]. The Movement's statement of purpose does not explicitly call for the establishment of the Islamic state, nor for the application of *Shari'ah,* as its objectives.

In order to achieve those objectives, the same document states, the Movement would bring back life to the mosque as a center of worship and of comprehensive popular mobilization, stimulate the intellectual and cultural movement, and support Arabization of the educational and administrative systems. It rejects violence as a means for change, but also the despotism which leads to violence. It would remold the social concepts of Islam in contemporary forms; study the Tunisian economy in order to find solutions to its injustices; identify with oppressed ("*mustaz'afin*") and support trade union work. The movement would adopt the comprehensive vision of Islam, liberate the Muslim mind from cultural defeatism vis-à-vis the West, and crystallize a contemporary form for an Islamic government system *(nizam al-hukm al-Islami)*. It would strengthen the bonds of brotherhood and cooperation with all Muslims, and assist liberation movements world-wide[111].

Three major goals should guide the Movement's struggle, according to its most recent comprehensive strategic statement, the Final Declaration of *al-Nahdha*'s Seventh Congress (London, April 3, 2001)[112]. It should promote the Islamic identity, which is the identity of the country, the source of inspiration of the Movement, and the substance of its reformist project; its struggle for liberty should get the people back their right to self-determination, away from any domestic tutelage or external hegemony; and it should defend the country's political, cultural and economic independence. In working for those tasks, the Movement should use peaceful and civic means, opt for comprehensive national reconciliation, reject violence and develop the culture of peaceful coexistence and peaceful political work. It should strictly work in the open, and promote democracy as the framework for exercising basic rights, solving social and political conflicts, and assuring the peaceful alternation of power. The Movement would struggle for the liberation of prisoners, a general amnesty, freedom of political practice, and lifting of all restrictions on civil society. It would support the fight against corruption and for the establishment of social justice, for the implementation of comprehensive constitutional and legal reforms, and for the lifting of all restrictions on religiosity of the state's tutelage of religion and religious institutions[113].

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[110] "Al-Bayan al-Ta`sisi li-Harakat al-Ittijah al-Islami", www.nahdha.net/documents.asp?id=254.
[111] Ibid.
[112] www.nahdha.net/library/miting7.htm.
[113] Ibid.

Participation in Secular Democracy

The absence of specific references to the setting up of the Islamic state and to the application of the *Shari'ah*, and the emphasis put instead on freedom and democracy, can be partly explained by the Movement's interest in casting itself not as a strictly Islamist but as a national alternative to the present regime, supported by and representing the interests and points of view of non-Islamist sections of Tunisian society as well. Another, complementary explanation is Al-Ghannushi's basic approach to the issue of *Shari'ah* implementation. The Islamic order is based, in his view, on two main principles: One is justice and *shura*, and the other- application of the *Shari'ah*. If application of the Shari'ah is not viable under certain circumstances, the emphasis should be on achieving justice and democracy. Therefore he considers that the secular democratic system is semi-Islamic because justice is one of its main components. Evoking Ibn Khaldun's classification of regimes to "dictatorships, rational governments and *Shari'ah* governments", al-Ghannushi argues that if circumstances are not suitable for the implementation of the *Shari'ah*, one must accept "rational government", which is based on respect for human rights and justice, because Islam's basic tenet is the achievement of the *Ummah*'s best interest; "if that is achieved, even though not under Islam's banner, the well and good"[114].

Not only should Muslims accept "rational government"- they should not hesitate to participate in the establishment of a secular democratic system: If they can not establish a *Shari'ah* government, Muslims have a duty to participate politically in establishing and administering government, in order to serve the interests of the *Ummah* and prevent evil. Failing to do so will undermine these interests and allow evil to dominate society[115]. Al-Ghannushi's approach to political participation in non-Islamic governments (*musharakah*) thus means in fact that Islamists should participate in governments whenever they have the opportunity to do that, on the basis of the principles of necessity and the interest of the community.

Between Da'wah and Siyasah

The perennial Ikhwani dilemma between educational–missionary work (*da'wah*) and political one (*siyasah*), was obviously decided by al-Ghannushi in favor of politics when he formed the Islamic Trend Movement in 1981. By the mid 1990's he was fully aware of the price of that choice. Discussing the Islamic Movement's dilemma of choosing between state (- focusing on *siyasah*) and society (-focusing on *da'wah*), he made the point that one could not assume the position of representing Islam and preaching its message to others while competing with them for political power. He warned against the prospect that the Islamic Mission would be demoted to a mere political party and turn Islam into a partisan issue, as it competes with other political parties over public opinion. But he did not propose going back from *siyasah* to *da'wah*.

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[114] "A Government of God?", an interview with al-Ghannushi, <u>al-Ahram Weekly</u>, issue 409, December 24-30, 1998, http//<u>weekly.ahram.org.eg/1998/409/debate.htm</u>.
[115] Ibid.

Instead he urged the Islamic movements to present their reform programs to the people rather than just hoist Islamic slogans, and to avoid the tendency to monopolize Islam or raise the sward of blasphemy over their rivals[116].

Violence and Jihad

Al-Nahdha's official statements solemnly reject violence as a means to achieving its goals, and so does al-Ghannushi in his writings. Yet in the 1980's and early 1990's the movement was involved in violent activities against the government. Al-Ghannushi himself, particularly embittered following what he considered as the regime denying his movement its electoral achievements, just like its counterpart in Algeria did to the Algerian Islamic Salvation Front, reached the conclusion that non-violent political means would not take the Islamists very far. He sought Islamic revolutions in Tunisia, Algeria and eventually Egypt. An attempted coup in Tunisia, which envisioned the assassination of the President, the Prime minister and senior ministers, was reportedly thwarted in 1991[117]. Al-Ghannushi appealed for the elimination of the rulers, whom he qualified as apostates. "Facing a terrible fate", he wrote, "our nation has only *jihad*, with all its meanings and requirements…*jihad* against the regimes of heresy, tyranny, tribalism, particularism and loyalty to the foreigner"[118].

Al-Ghannushi also endorsed killing Israeli civilians in the Palestinian jihad, and justified the murder of secularist Muslim thinkers[119]. Those positions earned him a place, along with Shaikh al-Qaradhawi and several other Islamist muftis, in the list of "terror jurists" contained in the "International Anti-Terror Declaration", which was signed by 4,000 Arab personalities and presented in March 2005 to the UN secretary general, and demanded that those jurists be brought before an international anti-terror court for supporting terrorism.

In recent years al-Ghannushi has adopted a more subtle approach. He occasionally denounces the means used by al-Qa'idah and its affiliates, but at the same time identifies with their grievances. Addressing the problem of "violence" *('unf)* in September 2005[120],

Al-Ghannushi argues that while the violence of Islamic groups is the target of world- wide reproach, not so are other kinds of violence - the violence committed by the global hegemonic powers like the US, its partners and Israel, which rob, threaten and kill people; and the violence committed by the repressive regimes against their oppositions. Mankind suffers from violence against the environment, economic violence against the livelihood of the weak, cultural violence against peoples' identities, military violence of

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[116] Rashid al-Ghannouchi, "The Islamic Movement and the Dilemma of Choosing Between State and Society", lecture delivered at the "Islam and Modernity Symposium", London, July 6, 1996, www.ghannouchi.net/statesociety.htm.
[117] Anwar Muhammad, Jeneralat al-Islam, al-Qahirah: Dar AM lil-Nashr wal-Tawzi', 1992, pp. 95-128.
[118] Al-'Aqidah, April 8, 1992, quoted by www.metransparent.com/texts/lafif_lakhdar_appeal_vs_gannoushi_fatwa.htm.
[119] The New York Times, January 9, 1994.
[120] Rashid al-Ghannushi, "Mushkilat al-"Unf…al-Asbab wal-'Ilaj", September 21, 2005, www.islamonline.net/Arabic/contemporary/2005/09/article03.shtml.

occupation, and political violence in the form of support for despotic and corrupt regimes. All of these are behind the emergence of the violent Islamic groups.

Al-Ghannushi distinguishes between three types of Islamic violence, which he judges according to their legitimacy and effectives. The first one is resistance to occupation, which takes place in Palestine, Iraq, Chechnya, Kashmir, the Philippines and Turkistan. This *jihad* is incontestably legitimate from both the religious [Islamic] and the [universal] legal points of view, and is by and large successful in producing the desired results by ending the occupations. The second type is *jihad* against unjust, tyrannical governments which defy Islam's values. Its results have been poor and in some cases catastrophic, which led the groups involved in it to reexamine their methods and acknowledge that they were unrealistic. Al-Ghannushi does not qualify this kind of *jihad* as illegitimate, but points to Qur`anic texts and human experience which open the way for an alternative-seeking change through peaceful means like popular pressure, demonstrations and strikes.

The third type of Islamic violence is that of al-Qa'idah and its affiliates, which al-Ghannushi rejects as both unproductive and illegitimate. He is opposed to offensive jihad: To him jihad is not a means to force Islam on mankind, and is designed only to repulse aggression on the Nation. He argues that the declaration of jihad against the whole world by al-Qa'idah triggered the implementation of the American hegemonic plans, which had been ready and in waiting; led to the fall of two Muslim states in America's hands; escalated the Western pressure on Islam and on the Islamic minorities in the West; enabled the US to force all the other governments to cooperate with it against the Islamic groups; and brought about the rise in the influence of fanatic right wing Christian – Zionist groups on the decision–making centers in the US. But this kind of *jihad* is also a gross religious mistake- *jihad* is not a means to force Islam on mankind, and trying to do so contradicts Allah's intention when He said that had He wanted, He could have made all of mankind one nation: The existence of differences of opinion is a divine rule. *Jihad* is designed only to repulse aggression on the Nation, and Islam authorizes the killing of attacking combatants, not random killing[121].

Along this line, al-Ghannushi reacted to al-Qa'idah's July 7, 2005 terror attacks on London by calling upon all of Islam's '*ulama,* men of *da'wah*, thinkers and movements to express in the strongest way their condemnation of that attack, consider it as a serious offense of "corruption on earth" (*ifsad fi al-ardh*), isolate "the groups of blind violence", and prevent radicalism from hijacking Islam[122]. He further declared that al-Qa'idah's justification for killing civilians in the name of reciprocity, namely the principle of inflicting on the enemy what it inflicts on the Muslims (al-mu'amalah bil-mithl), contradicts Islam's principles, as a person should not be punished for someone else's offense. He stated also that taking revenge of Western people for what takes place in Iraq and Palestine is a kind of random punishment *('iqab 'ashwa`i*), which in Islam is

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[121] Ibid.
[122] Al-Ghannushi's statement to Ikhwanonline, July 9, 2005, www.ikhwanonline.com/print.asp?ID=13020.

repugnant (*makruh*- the category between acceptable and forbidden)[123]. Al-Ghannushi thus in effect restricted geographically the defensive jihad, which he considers legitimate, to the occupied Muslim land where it takes place: The meaning of his position is that jihadi groups cannot argue that attacks like those in London are part of the defensive jihad in Iraq.

The Islamic State

Shura and democracy

Al-Ghannushi defines the Islamic state as political and social order whose identity is defined through two elements: The commitment to the authority *(marja'iyyah)* of the Texts (the Qur`an and *the Sunnah*) as the supreme source of legislation; and the commitment to the *shura* as the source of legitimacy *(shar'iyyah)*. The legitimacy of an Islamic government, then, is based first on that all its policies are in total accord with Islam's principles and values, and thus those policies are direct applications of either *Shari'ah* texts or authoritative interpretative judgment *(ijtihad)* thereof. Any contradiction with the *Shari'ah* texts will immediately call the legitimacy of that government into question. Secondly, the *shura* is another source of legitimacy of the Islamic government, as it is based on a clear Qur`anic text which commands the *Ummah*, under the principle of *istikhlaf*, to maintain Allah's Law and create the means to do it, such as the Islamic government. The Islamic ruler is the agent *(na`ib)* of the *Ummah* in maintaining the *Shari'ah* according to his contract with the *Ummah*, which requires him to stay within the bounds of the *Shari'ah*, consult with the *Ummah* and take its instructions. In an Islamic state, therefore, there is room neither for a legislation which runs counter to the Text, nor for a policy which contradicts public opinion[124].

Democracy, in al-Ghannushi's definition, is a set of arrangements which guarantee that a decision pertaining to the community will not be monopolized by an individual. In that, democracy has an affinity with the *shura*, an order for the Muslims' life in which everything which pertains to the community should not be monopolized by a person or a group. The two systems differ, however, in that the *shura* is confined within constant moral and humane checks, stipulated by the *Shari'ah* (such as that no *ijtihad* is allowed when a legal solution is given by a Text, in the Qu`ran or in a *hadith*); while secular democracy considers the national interest as its highest criterion, and thus the occupation of Iraq or of Palestine, for example, if decided upon by democratically elected institutions, becomes legal and democratic[125].

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[123] "Fuqaha`: al-Mu'amalah bil-Mithl la Tubarrir Qatl al-Madaniyyin", www.Islamonline.net, September 3, 2005.
[124] "Al-Dawlah fi al-Fikr al-Islami", an islamonline interview with al-Ghannushi, February 14, 2005, www.islamonline.net/arabic/contemporary/2005/02/article02a.shtml ; Rashid al-Ghannushi, "Mabadi` al-Hukm wal-Sultah fi al-Islam", Bawwabat al-'Arab, June 18, 2004, www.arabgate.com.
[125] "Al-Dawlah fi al-Fikr al-Islami", an islamonline interview with al-Ghannushi, February 14, 2005, www.islamonline.net/arabic/contemporary/2005/02/article02a.shtml.

Pluralism

Al-Ghannushi ostensibly went beyond other "new-Ikhwani" thinkers in arguing that Islam supports the principles of ideological and political pluralism and of the multi-party political system, for which position he has provided ample Qur`anic evidence. He argued that the multi-party system should exist not only when the Islamist movements are in opposition, but also in the Islamic State once it is established, and that the Islamist movements should convince the others that they support pluralism not only for tactical reasons while they are in opposition[126]. But he also explained that his support of political pluralism emanates from temporary political considerations of securing the survival of the Islamist movements in opposition, and it is possible to understand from his writings that in his view, the multi-party system, which will be in place in the Islamic state, should be restricted to religious parties which will accept the basic Islamist premises, whereas secularist ones will be forbidden[127].

Al-Ghannushi justified the adoption of pluralism by the "jurisprudence of necessity" (*fiqh al-dharurat*- taking a legal decision which best serves the interest of the community, the Islamist movements in that case), which, as shown above, he used to legitimize participation in non-Islamic governments and cooperating with non-Islamic political forces[128].

But al-Ghannshi also criticizes the Islamist movements for failing to adopt real pluralism (to which he himself contributed, as his contradictory positions demonstrate). The absence of ideological and political pluralism in the Arab and Muslim worlds is in al-Ghannushi's view a major factor in what he calls "the crisis of the lost liberty" in them. He splits the responsibility for the absence of pluralism between the regimes and the opposition forces, which practice exclusion of each other, and in their political thought there is no room for the ideological adversary. The Islamist political theory, for example, has no answer to the question what is the place of a secular party in an Islamic state? The Marxist movements jumped from the phase of the dictatorship of the proletariat to the phase of monopolizing democracy and excluding the others, but so did the Islamists who, when they ruled Sudan, practiced exclusion against their rivals, and did not present an honorable practice of freedom and *shura*. They took power by a coup d'etat and then turned on each other, which was predictable because he who takes the government by force monopolizes it and suppresses all his rivals[129].

The Iranian regime, according to al-Ghannushi, is despotic too. In spite of the existence of an elected *Shura* Council, Khamenei's power is absolute, because the Rule of the Jurist (*Velayate- Faqih*) is absolute. The Islamic theory of government, in both

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[126] Amir Weissbrod, <u>Turabi: Spokesman of Radical Islam</u>, Tel-Aviv, The Moshe Dayan Center, 1999 (in Hebrew), p.39.
[127] Amir Weissbrod, <u>Turabi: Spokesman of Radical Islam</u>, Tel-Aviv, The Moshe Dayan Center, 1999 (in Hebrew), pp.39-40.
[128] Ibid, pp. 40-41.
[129] "Al-Ghannushi: al-Hurriyyah au al-Damar", al-Ghannushi's Islamonline interview, August 5, 2003, www.islsmonline.net/arabic/Daawa/2003/08/article03.shtml.

Shi'i and Sunni thought, has not gotten rid of the shadows of theocracy. The reason Islamist political thought has failed to address the issue of freedom within a clear and coherent program, which excludes no one, is that the Islamist finds in his heritage neither a rule by the people nor a real practice of *shura*, except for the short period of the Rightly Guided Caliphate. *Al-Nahdha*, al-Ghannushi claims, is one of the few movements which did undertake to present a democratic political theory excluding no one[130].

This last claim is not easily reconcilable, though, with the way al-Ghannoushi outlines the message of the Islamic Movement[131]. Islam's creed of monotheism, he argues, rejects all forms of paganism and calls to the oneness of God, both at the philosophical level and at the level of the jurisprudential and legislative frame of reference that sets the standard for the conducts of individuals and communities. Monotheism is about the absolute acceptance of the supremacy of the revelation, as a frame of reference above every other frame of reference, and as a standard for defining what is good and bad, true and false. Whatever contradicts this creed, al-Ghannushi asserts, is nothing but a form of rebellion against God, or a form of assigning partners to him. Al-Ghannushi in fact thus accuses of heresy any Muslim who does not accept the doctrine that laws and rules derived from the Qur`an and the *Sunnah* are superior to any other ones.

The 'Ulama`

But who represents the revelation as "a frame of reference above any other"? Since the role of the prophets has been accomplished, says al-Ghannushi, the responsibility has been transferred to the community of believers as a whole (through the principle of *istikhlaf*), and the community is represented in particular by the scholars of Islam ('*ulama*`)- "Scholars are the inheritors of Prophets"[132].

Moreover, the '*ulama*` have the role of reforming society. After the end of the Rightly Guided Caliphate, a division of labor or a power sharing arrangement developed, by which the state is the sphere of the rulers' authority while society is the sphere of the scholar's authority; the rulers would take charge of government affairs, while the scholars would be dedicated to looking after the affairs of society. Their task included the protection of society against social ills, defending the interests of the community and raising public complaints to the ruler, but they also used their authority to advise and criticize him. The '*ulama*`, who represented the elite, thus bestowed legitimacy on the ruler, as they in effect applied *shura*[133]. The Islamic movement, in its *da'wah* mission, thus in essence carries on the '*ulama*'s task of reforming society, and can be seen as the true representative of society.

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[130] Ibid.
[131] Rashid al-Ghannouchi, "The Islamic Movement and the Dilemma of Choosing between State and Society", Lecture delivered at the "Islam and Modernity Symposium", London, July 6, 1996, www.ghannouchi.net/statesociety.htm.
[132] Ibid.
[133] Ibid.

The Nation-State and Islamic Unity

In the 1980's al-Ghannushi recognized the nation-state, and argued that loyalty to it did not contradict Islamic principles and that the establishment of Islamic regimes in the Muslim countries would be the first stage in the formation of a pan-Islamic union. Then in the 1990's he criticized harshly the nation-states and those Islamist movements which had adopted it. This shift in positions can be explained by the fact that in the 1980's al-Ghannushi was leading a political movement, whose popularity and influence were continuously growing and hopeful of reaching power, whereas by the 1990's that hope was crushed and al-Ghannushi was an exile seeking the support of Islamists from around the world[134]. But even in the 1990's he said that Islamic unity would be achieved only in the distant future, and advocated the formation of regional Islamic unions, like the unions of North African states or of the Muslim states of South-Eastern Asia, as the type of union to be sought presently. He has repeatedly called upon the Islamist movements to adopt the Arab Unity Project: Arab nationalism, he argues, is the only one under the Islamic umbrella which is not united as yet, and the existence of separate Arab states (*al-nizam al-qutri*) sustains the Arab dictatorships and is enhanced by them: Could the "Zionist entity" survive in the heart of the *Ummah* if the regimes were democratic, he asks? And how is it possible that while Iraq is violated, and our peoples demonstrate demanding that the Joint Arab Defense Pact be activated, the dictatorial regimes stand between the people and the implementation of that pact?[135]

Muslims in the West

Al-Ghannushi qualifies the West as Dar al-Islam. He maintains that the distinction between *dar al-Islam* and *dar al-harb* has no reference in the holy *shar'i* texts, is not binding to Islamic thought, and is a function of historical conditions. It came up when a constant state of war between Muslim and non-Muslim states made it impossible for a Muslim to live in peace and safely and openly practice his religion in non-Muslim states. This is no longer the reality: Western states have reached such levels of liberty and tolerance that a Muslim living in them can safely and openly practice Islam, more so than in several Muslim states. This situation makes those countries *dar al-Islam*[136].

Al-Ghannushi considers that the highest duty of Muslims living in the West towards Islam is to preserve their religion, which is their identity, facing the danger of melting into the local cultures. In second place come the duties of *da'wah* to Islam and of serving the general Islamic causes like Iraq and Palestine[137].

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[134] Weissbrod, pp. 100-101.
[135] "Al-Ghannushi : al-Hurriyyah au al-Damar", Islamonline interview, August 5, 2003, www.islamonline.net/arabic/Daawa/2003/08/article03.shtml; Al-Ghannushi al-Jazzera interview, June 11, 2006, quoted on www.ikhwanonline.com./Article.asp?ID=21122&SectionID=08.
[136] "Al-Ghannushi: Dar al-Islam hiya allati tahtarim Karamataka", Islamonline interview, January 1, 2004, www.islsmonline.net/Arabic/Daawa/2004/01/article03.shtml.
[137] Ibid.

Al-Ghannushi is critical of the *Wahhabi* and *takfiri* organizations working to spread their ideologies in the West. One must distinguish between Islam, a religion for every time and every place, and the different Islamic cultures which are the fruit of the interaction between that religion and a certain reality in a given time. The thought of Muhammad Ibn 'Abd al-Wahhab or of Sayyid Qutb is the product of the interaction between Islam and the environment of Najd in the 18th Century, or the Egyptian environment under the despotic rule of the Revolution, respectively. To think that such thought can be adopted by Muslims in the West as their way is injustice to them, to Islam and to their environments. The advocates of such an approach cause real obstructions to the Islamic *da'wah* in the West[138]. Al-Ghannushi similarly objects to the calls by Islamist activists for the setting up of an Islamic state in the West, arguing that it is too early: Calling for something before the conditions for its materialization exist is both unwise and detrimental to attaining that goal in the future. Calling for an Islamic state in the West today is unrealistic, hence un-Islamic[139].

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[138] Al-Ghannushi counselling on da'wah, March 15, 2005, www.islamonline.net/Arabic-Daawa_Counsel/DaawaA/DaawacunselingA&cid=1120711350.
[139] "Al-Daulah fi al-Fikr al-Islami", Al-Ghannushi Islamonline interview, February 14, 2005, www.islamonline.net/Arabic/contemporary/2005/02/article02a.shtml.

Tariq Ramadhan

Integrated, Not Minorities

Tariq Ramadhan is an Ikhwani strategist and man of *da'wah*, who is committed to the objectives of spreading Islam globally and of applying the *Shari'ah*, though his approach to implementing those objectives differs from that of the mainstream Ikhwani establishment, represented by scholars like Shaikh Yusuf al-Qaradhawi and the members of the various jurisprudential institutions connected with the MB infrastructure. That establishment, Arab-centered and consisting mostly of Arab *'ulama`,* looks at Muslims in the West as minorities in an alien society and seeks to preserve their social and political separateness, for the purpose of which it has developed a special body of jurisprudence, the "minorities jurisprudence" (*fiqh al-aqalliyyat*).

Ramadhan, on the other hand, rejects the dualistic approach of "we" (Muslims) versus "the other" (Westerners) as no longer relevant for Western Muslims and inadequate for spreading the message of Islam. In one of his works he pointed out that the sub-title of Yusuf al-Qaradhawi's book "On the Law and Jurisprudence of the Muslim Minorities" ("*Fi Fiqh al-Aqalliyyat al-Muslimah*", Cairo, 2001) is "Muslims' Life in the midst of Other Societies", and remarked that that subtitle reflected the concept that the natural societies for Muslims are Muslim- majority societies, whereas for Western Muslims, Western societies were not "other" but their own societies[140]. Western society could be seen as "the other", Ramadhan says, by the first generation of immigrants to the West, but not by those Muslims who were born and raised there and are therefore Europeans or Americans.

Muslims are not real minorities in Western countries, Ramadhan argues, because from the point of view of their Islamic values they are the majority: Their Islamic values are human and universal and do not contradict those of the others who live in their countries[141].

Muslims in the West must not stay as separate minorities, but become fully integrated members of their societies and spread Islam's message there. For that to work, Islam, being a universal message with universal principles, must be freed from its non-Western cultural characteristics and adopt Western cultural ones, just as it has adopted local cultural characteristics in other parts of the World to where it has spread since its inception.

Ramadhan has in effect been seeking to develop a Western or European Islam, where Western Muslims will be freed from intellectual, spiritual and political dependence on the home countries, rely on themselves, and have their own scholars, born and raised in the West, to develop a new jurisprudence with a global view and more relevant to their

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[140] Tariq Ramadan, Les Musulmans d'Occident et l'Avenir de l'Islam, Sindbad, 2003, pp. 99-100.
[141] Hani Yahmad, "Tariq Ramadhan: al-Gharb Dar Shahadah la Dar Kufr", www.islamonline.netwww.islamonline.net Qadhayah Mu'asirah, September 10, 2003.

reality than that produced by the current Arab scholars of *fiqh al-aqalliyyat*. That approach has naturally brought upon Ramadhan the ire of the Ikhwani establishment scholars[142]. Some of them, particularly after his March 2005 call for a moratorium on and a debate concerning the application of the *hudud* punishments prescribed by the *Shari'ah,* consider his positions as reflecting the corrupting influence of Western liberalism, with which Ramadhan is in a constant friction, and as a threat to core Islamic principles.

In this there is a similarity between Ramadhan and Hasan al-Turabi: Both have attempted to advance the *da'wah* and the spread of Islam by adjusting jurisprudence so that it can serve a global message, and while challenging the Ikhwani *'ulama* establishment. Ramadhan did not hesitate to take a critical look at Muslim reactions to Western offenses, when he accused despotic Muslim governments of exploiting issues like the Danish cartoons and Pope Benedict's September 2006 remarks to vent out the frustrations of their populations by encouraging them to stage protests[143].

Muslim Identity in Western Societies

Ramadhan distinguishes between the Islamic religious principles which determine the identity of the Muslim, which are global, and the cultural garb of those principles, which is local and differs from one society to another. He argues that the Muslim, on the basis of his or her firm belief in those global Islamic principles, can and should integrate in every sphere where integration does not contradict those principles. It was that universalism of Islam which allowed Muslims to integrate in the cultures they came across during Islam's expansion in the Middle East, Asia and Africa, and Muslims in the west should attain their Islamic identity through Western culture, namely by considering themselves as Western. Muslims who live in the West should view themselves not as Moroccans, Turks or Pakistani but as British, Belgian or American Muslims[144].

Integration raises the question of affiliation and loyalty: The Islamic faith has both an individual and a social dimension, represented in the Muslim Nation- the *ummah*; are Western Muslims then affiliated with the *ummah* or with their state and society of residence? Ramadhan's response is that there are two parallel affiliations and loyalties: The Muslim is affiliated with Allah and the principles brought down by the Revelation, and this affiliation defines for him the <u>purpose</u> of his existence; but he also has an affiliation to his state, the national affiliation, which defines for him the <u>manner</u> of his existence in society.

In line with his rejection of the view of Western Muslims as minorities is Ramadhan's objection to the designation of Western countries as "lands of the pact"- *dar al-'ahd*- which was proposed by some scholars as an alternative to the concept of *dar al-*

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[142] On their campaign against him see Eric Brown, "After the Ramadhan Affair: New Trends in Islamism in the West", in Hillel Fradkin, Husain Haqqani, Eric Brown (eds.), <u>Current Trends in Islamist Ideology</u> (Washington DC: Hudson Institute, Volume 2, September 2005), pp. 7-29.

[143] Tariq Ramadhan, "Al-Baba wal-Muslimun: Ba'idan 'an al-Mintaqah al-Ramadiyyah", <u>al-Sharq al-Awsat,</u> September 23, 2006.

[144] Ramadan, Les Musulmans d'Occident, pp. 100-101.

harb, no longer applicable to Western countries at the present. "*Dar al-'ahd*" he argues, refers to a pact between states, not between a state and its own citizens, and moreover its adoption would imply that the Muslims do not consider themselves as full citizens in their homeland[145]. Ramadhan prefers therefore Faysal Mawlawi's definition of the West as *dar al-da'wah*, where Muslims ought to bring the message of Islam to their society, like the Prophet and his followers did in Mecca prior to the *hijrah*[146]. For Ramadhan, this is the meaning of the first pillar of the faith, the *shahadah*[147]: Every Muslim in the West must be a missionary of Islam by the way he lives his life and by his involvement in society.

Social Involvement and Political Participation

Ramadhan then urges Western Muslims to be involved socially and participate politically in the general society, which they should consider as theirs. The Islamic legal basis his uses for that position is the injunction to enjoin that which is commendable and prohibit that which is abominable (*al-amr bil-ma'ruf wal-nahy 'an al-munkar*). His support for political participation runs against the radical Islamic rejection of participation in non-Islamic political systems, and Ramadhan justifies it by the Muslim's ethic injunction to act to reduce evil and injustice and to find solutions to facilitate human life. He also quotes the Qur`anic story of Joseph, a good Muslim according to the Qur`an, who asked the Pagan Pharaoh to appoint him to a key state function, and thus acquired a political responsibility under a non-Islamic political authority[148].

In response to the radical Islamist argument, that a Muslim can not be bound by a constitution which authorizes interest banking, the use of alcohol, and other types of behavior which contradict the *Shari'ah,* Ramadhan says that even if European constitutions authorize those kinds of behavior, they do not force them on the citizens. As a legal basis for living under such constitutions he quotes the principle that the Muslims are obliged by the terms of their contract, whether it is a contract of citizenship or a residence visa (That principle is based on a famous *hadith* of the Prophet Muhammad). Islamic law and jurisprudence, he argues, enjoin the Muslim to submit to the legal framework in his country of residence, as long as it does not contradict the principles of Islam. Thus, applying the *Shari'ah* for a Muslim citizen or resident in Europe means explicitly to respect the constitutional and legal framework of the country where he is a citizen or a resident[149].

This is connected to Ramadhan's general concept of the application of the *Shari'ah,* which, he argues, should not be seen in the narrow sense of applying the *hudud* punishments, but in the wider, comprehensive sense of a way of life based on morality and justice. In that sense, applying the *Shari'ah* means acting for a more just society, a

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[145] Ibid, pp. 119-121.
[146] Ibid, pp. 128-129.
[147] Ibid, pp. 131-138.
[148] Ramadan, Les Musulman d'Occident, pp. 276-277.
[149] Ibid, pp. 165-166.

society which gives humans more dignity: Those, after all, are to him the purposes (*maqasid*) of the *Shari'ah.* If Muslims in a Western country can say the *shahadah* (the first pillar of Islam) and obey that country's laws without violating the principles of their religion, then they are actually applying the *Shari'ah*[150].

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[150] Hani Yahmad, "Tariq Ramadhan: al-Gharb Dar Shahadah la Dar Kufr", www.islamonline.net. Qadhayah Mu'asirah, September 10, 2003.

Summary of Key Issues

The MB and the West

Most MB organizations and thinkers uphold the classical Ikhwani position, which is stated in the MB's canonic mission statement, and which sees an existential struggle between Islam and the West, where the MB's role is to liberate the Muslim lands through *jihad* and *da'wah* from western domination in all its forms. Al-Qaradhawi, like al-Banna and Sayyid Qutb, sees the West as inferior to Islam, and Western civilization as decadent, lewd and drowned in materialism, and seeking to Christianize Muslims around the world.

The universal orientation of the MB is stated in the founding manifest of the International Organization of the Muslim Brotherhood, which was set up in 1982 in order to support and coordinate the MB branches, which were spreading globally, and penetrate the growing Islamic communities in the West. The MB, it says, is a comprehensive Islamic body working to establish Allah's religion on earth; to convey Islam's call to all the people in general and to the Muslims in particular; to liberate the Muslim homeland from any non-Islamic rule; to assist Muslim minorities everywhere; to seek to unite all Muslims in one nation; and to erect the Islamic state which will implement Islam's rules.

Another MB document, which accompanied the formation of the International Organization, and portraying a global strategy, called for mastering the art of the possible, without offence to the fundamental principles, and asserted that one must not look for confrontations with the adversaries, either in the local or the global arenas, which could lead to attacks against the *da'wah* or those who are engaged in it.

The presence of large Muslim communities in the West has led those thinkers who see those communities as their constituencies, or who belong to them, to adapt to the new needs the traditional classification of the world into d*ar al-harb*, d*ar al-'ahd* and d*ar al-Islam.* Rashid al-Ghannushi went the farthest when he qualified the West as *dar al-Islam.* He argued that Western states have reached such levels of liberty and tolerance that a Muslim can live in them in safety and can safely and openly practice Islam, which, according to the Hanafi School of jurisprudence, are the criteria which qualify a land as *dar al-Islam.* Other scholars reject that position, which means that some Muslim states will not qualify as *dar al-Islam.* At the same time, there is an objection, for example by Tariq Ramadhan, to viewing the West as *dar al-'ahd*: That concept refers to a pact between states, not between a state and its citizens. The concept favored by al-Qaradhawi, Faysal al-Mawlawi and Tariq Ramadhan, therefore is that of *dar al-da'wah,* reflecting the view that the world is divided to two - lands which are already Muslim (*bilad al-ijabah*), and those which are not yet ones (*bilad al-da'wah*).

The European Council for Fatwas and Research (ECFR), which is one of apparatuses al-Qaradhawi has created and uses to influence Europe's Muslims (and where Al-Ghannushi is a member), ruled recently that the issue of classifying the world into *dar al-Islam*, *dar al-harb* and *dar al-'ahd* is no longer relevant: It belongs to the early stage of Islam and to the context of a war situation, which was an exceptional one,

because Islam holds that the fundamental relationship between Muslims and non-Muslims is peaceful co-existence. The ECFR ruled also that Muslims in Europe enjoy safety and freedom to practice their religion, and therefore owe loyalty to their countries. It stopped short, however, of referring to Europe specifically as either *dar al-da'wah* or *dar al-Islam.*

Jihad

According to the classical MB concept, following al-Banna, *jihad* means real fighting (*qital*), and is a pillar (*rukn*) of faith and *fardh 'ayn*. Al-Banna said that Allah grants a noble life to that nation only which knows how to die a noble death. Death is an important end of *jihad*, and an art (*al-mawt fann*). The Qu`ran has raised the love of death above the love of life, but Muslims have been consumed by the love of life, and victory can only come with the mastery of the art of death. That is the general approach today too ('Akif says that *jihad* is the second pillar, after the *shahadatain*).

Al-Qaradhawi ruled that resistance of the occupation of Iraq was an individual religious duty (fardh 'ayn), and authorized the killing of American civilians in Iraq as in his view there were no American civilians in Iraq, only invaders. Al-Qaradhawi justifies suicide attacks as a legitimate means of self defense by the oppressed and as an expression of Allah's justice- giving the weak a weapon that the strong does not possess. He asserts that the most virtuous kinds of jihad in this age is the jihad for the liberation of Palestine, which is an individual religious duty (*fardh 'ayn*) of the Palestinians and all other Muslims alike.

Shaikh Faysal al-Mawlawi ruled that defensive jihad is the individual duty (*fardh 'ayn*) only of the Muslim inhabitants of the country where the jihad is carried out, and that individual Muslims in other countries have no duty to join the jihad: Every Muslim around the world should fight for Islam in his proper place, be it in the form of political struggle, or in promoting the *da'wah.*.

The present general MB position is that defensive *jihad* (*jihad al-daf'*) to liberate occupied Muslim lands is not only legitimate but also an individual religious duty (*fardh 'ayn*), but not so is offensive *jihad* (*jihad al-talab*). Shaikh al-Qaradhawi stated clearly after 9/11 that Muslims today are not in the stage of *jihad al-talab*, but in a defensive *jihad*. *Jihad al-talab,* he said, takes place when there is an Islamic nation, a greater Islamic state (*dawlah Islamiyyah kubra*) and an Islamic Caliphate. Al-Qaradhawi holds further that in this age *jihad al-talab* means the spreading of Islam by way of the satellite channels, internet and similar media. The founding communiqué of al-Qaradhawi's World Union of Muslim Scholars stated that Islam rejects violence as a way to settle intellectual and political disputes or to force one's opinion on one's adversaries, and that Islam uses force only in self defense and to deter, and then- in the proportion required for deterrence.

Al-Qaradhawi forbids killing of infidels only because they are infidels: According to the *Shari'ah,* a human's life is safeguarded unless he took life or spread corruption (*fasad fi al-ardh*). Anyone who committed neither offense must not be killed. Attacks like 9/11, he says, are terror acts condemned by the Muslims, but are caused by injustice committed by the West.

Rashid al-Ghannushi supports the use of violence by Muslims in their resistance to occupation. That kind of violence, used in defensive *jihad*, is fully legitimate and is by and large successful in producing the desired results by ending the occupations. Al-Ghannushi is opposed, however, to offensive *jihad*. To him *jihad* is not a means to force Islam on mankind, and is designed only to repulse aggression on the Nation, and Islam authorizes the killing of attacking combatants, not random killing. And while he sympathizes with the grievances of al-Qa'idah and its affiliates, he rejects their violence around the world as both unproductive and illegitimate. Al-Ghannushi rejects the legal argument used by al-Qa'idah to justify attacks on civilians in Western countries, namely the principle of reciprocity (*al-mu'amalah bil-mithl*) for what western governments do to Muslim peoples, stating that this contradicts the Islamic principles of punishment, which forbid punishing a person for a wrong committed by another. That position can be interpreted as seeking to limit the territorial dimension *of jihad al-daf'* to the actual area where the battle is locked.

Al-Qaradhawi conducts a campaign to counter what he considers as an American and Zionist effort to stigmatize Hamas, the PIJ and Hizbullah as terrorists, arguing that they are conducting a legitimate defense of the homeland against a foreign occupation. That defense is legitimized by all religions, laws and principles of morality. For a resistance campaign to qualify as jihad it should be conducted for Allah's sake (fi sabil Allah) and apply the Shari'ah as far as the laws of war are concerned, al-Qaradhawi says, for example with regard to sparing the lives of non-combatants, and the resistance in Iraq and that of Hamas, PIJ and Hizbullah are to him a legitimate defensive jihad (-namely meet those two conditions).

Al-Qaradhawi sees suicide attacks in a defensive jihad as a legitimate weapon of self- defense in the hands of the oppressed and as a manifestation of Divine justice: Allah gave the weak a weapon the strong does not possess- the power to sacrifice himself for the ummah, a power others lack due to their attachment to their life (This is again the old MB ideal of martyrdom and the art of death).

The mujahidin in Iraq seek to make the US leave, and for that purpose they are permitted by al-Qaradhawi to kill all Americans there. There are for him no American civilians in Iraq- all of them are combatants (muharibun). The same is true for suicide attacks against Israeli civilians, though in this case the argumentation is a bit more nuanced, probably in view of the presence of women and children. One argument is that Israel is a military society and all Israelis are an army of occupation, and there are no real civilians. Another argument is that the killing of civilians is an unintended consequence of jihad: The legal position on tatarrus allows Muslims to attack even when the enemy

uses Muslims as human shields, taking into account that they might be inadvertently killed- the more so when those killed are non-Muslims.

The Egyptian MB's position on the terrorist attacks in Sinai, carried out by a takfiri group (Jama'at al-Tawhid wal-Jihad), has evolved from one attack to the next one. The MB did not condemn the attack on Taba (October 2004): It commented firstly that the attack was a response to the atrocities committed by the Israeli forces in Palestine and by the American ones in Iraq, namely tried to classify it as defensive jihad, and secondly that one must not accuse one group or the other, as the attack could have been carried out by the Israeli or other intelligence services. It reacted to the next attack, on Sharm al-Shaikh (July 23, 2005) by claiming that the aggression and wars perpetrated by global Imperialism against the world's peoples gave birth to the culture of violence and terrorism, but also condemned the attacks, saying that they contradicted religion and religious law. This condemnation was repeated in the MB's reaction to the April 24, 2006 attacks on Dahab, only this time the sympathy for the terrorists' motivation was dropped, probably because most of the victims were Egyptians, and it was clear that this time it was an attack on the state and not a defensive jihad. Unlike Taba, both the Sharm al-Shaikh and Dahab bombings were called in the MB publications "terrorist operations" ('amaliat irhabiyyah).

The Egyptian MB condemned the terrorist attacks in Amman (November 9, 2005) and the bombing of the Imam 'Ali al-Hadi Mosque in Samarra (February 22, 2006), calling upon Sunnis and Shi'is to stand up against the forces of civil strife (fitnah). They congratulated the Saudi security forces for disrupting the attack on the al-Abqaiq oil facility (February 24, 2006) which they characterized as "terror" (irhab).

The July-August 2006 Lebanon war provided the Egyptian MB with an opportunity to win popularity and the moral high ground by allying itself with the Hizbullah- Hamas-Syria-Iran axis and against the Egyptian-Saudi-Jordanian camp. General Guide 'Akif declared victoriously that "Islam today regains its role in leading the struggle against the Zionist project"; announced his preparedness to send ten thousand MB volunteers to fight alongside Hizbullah in Lebanon; accused the Egyptian regime of siding with Israel in the war against the Islamists; and sharply attacked Arab leaders for failing to come to the rescue of the Lebanese people, remarking that had those leaders not been Muslim, "we would have fought against them because they are harder to us than the Zionists and the Americans".

According to Hamas, the significance of jihad in Palestine exceeds its confines, because it will accelerate the return of the Muslim World to Islam, and according to al-Qaradhawi that jihad is the most virtuous jihad in this generation. The reason is the notion that Zionism is the root cause of the crisis of Islam, because it brought about the collapse of the Caliphate (Al-Ghannushi holds that Ataturk was in fact representing the donme- the Jewish sect founded after the conversion of Shabbetai Tzevi to Islam. Genuine Muslims apparently could not have conspired to undo the Caliphate).

There is a divergence of positions on the attitude to the institutions and processes set up by the occupation in Iraq in order to create a new state structure. The classical MB doctrine rejects cooperation of any form with such institutions, and that is indeed the position of the Jordanian MB, which issued fatwas characterizing those institutions as illegitimate and denouncing as an enemy of Allah and Islam anyone who cooperated with them, or joined the Iraqi police or military forces. Shaikh al-Qaradhawi, along with the Iraqi MB (the Islamic Party), supported Sunni participation in the December 2005 elections, and later supported Sunni enrolment in the Iraqi military and police forces, in order to safeguard the Sunni interest (At the same time al-Qaradhawi supports the jihad against the Americans in Iraq).

The Role of Muslims in the West

Al-Qaradhawi vowed that Islam would return to Europe as a conqueror and victor, though not by the sword but by preaching and ideology. He considers it necessary for Islam to have a presence in societies which influence world politics. Islamic presence is necessary in Europe, the Americas and Australia in order to spread the message of Islam and get its voice heard among non-Muslims there; to take in new Muslims; and to defend the cause of Islam against anti-Islamic forces, for example by the mobilization of European and American Muslims against their governments' positions on Palestine, Iraq and Lebanon.

To the Ikhwani scholars, the designation of the West as dar al-da'wah means that each and every Muslim living there has an obligation to spread the da'wah. According to Tariq Ramadhan this is the meaning of the first pillar, the shahadah.

Opinions diverge on the question of the level and nature of the integration of Muslims in Western societies. The Ikhwani establishment, led by Al-Qaradhawi and the various legal institutions which he heads or influences, considers those Muslims as minorities, which, in al-Qaradhawi's formula, should pursue "openness without melting"- the openness of people with a message (the da'wah), who seek to affect and interact, while preserving their separate society within the larger one, in effect living in a "Muslin ghetto". A new branch of jurisprudence (fiqh al-aqalliyyat), has been developed by that establishment in order to help Western Muslims conduct full Islamic life as minorities in the West.

Tariq Ramadhan, who unlike members of that establishment was born and raised in the West, rejects the view of the Western Muslims as minorities as Arabo- centric and obsolete. His position is that for Western Muslims to effectively perform the da'wah they should consider their countries of residence as their homeland must fully integrate in their wider society and be fully involved in it socially and politically. To really integrate, they ought to shed the cultural traits of their ancestral countries of origin, and adopt Western culture. Doing so will not affect their Islamic identity, because that identity is based on their attachment to Islam's principles, and the precondition for integration is that it does not contradict those principles. Ramadhan calls for a new jurisprudence to be developed

by Western Muslims to help them conduct their life as fully integrated members of society and as promoters of the da'wah in it.

That raises the problem of loyalty: Should Western Muslims' highest loyalty be to their Islamic `Ummah or to their host country? The ECFR ruled that European Muslims who are citizens of their countries (muwatinun) are guaranteed all the rights of citizenship, and therefore have to comply with the laws of the land as required by the contract of citizenship, and if they are residents (muqimun) in those countries, their entry visa obliges them contractually to comply with the laws of the land (That position is based on the Prophet's saying that Muslims are bound by the terms of the contracts they had accepted). The ECFR ruled also that a person might have multiple allegiances, but the highest one should be to his religion, with all which it entails. That allegiance, however, does not contradict allegiance to the state with which one is linked by the citizenship contract, and which one should defend against any aggression.

Radical Islamists object to Muslims' participation in the political systems of their host countries, on the grounds that the democratic political systems of the West are not Islamic, and their constitutions permit that which Islam forbids, like alcohol and interest. The legal response is that the constitutions do not force the Muslims to commit that which Islam forbids, and, as the ECFR ruled, political participation is a collective duty (fardh kifayah), and sometimes an individual duty (fardh 'ayn), for men and women alike, because it falls under Allah's instruction to spread the good and call for it and to resist that which inflicts damage on society (al-`amr bil-ma'ruf wal-nahy 'an al-munkar). The ECFR urged the European Muslims to fully participate in politics, in order to preserve and defend their rights, their values, and the presence and interests of Muslims in their countries.

As to the un-Islamic nature of Western democracies, Rashid al-Ghannushi ruled that if in a certain country the implementation of the Shari'ah is impossible, Muslims can accept a government which is secular if it is just and democratic, because if it is so- it is in fact semi-Islamic: Justice and democracy (-in the form of shura) is a half of what an Islamic order consists of (the other half being the application of the Shari'ah). Not only should Muslims accept such a government- they should not hesitate to participate in the establishment of a secular democratic system: If they can not establish a Shari'ah government, Muslims have a duty to participate politically in establishing and administering government, in order to serve the interests of the Ummah and prevent evil.

Al-Qaradhawi ruled that Muslims in the West must participate in elections, consult among them, decide which party or candidate will best serve their interests, and vote for them. Al-Qaradhawi also advocates that Muslims living in the Western countries acquire their nationality: That will not contradict their allegiance to Islam, but will give them political and electoral power. That power will obviously be short of the majority, but could help them tip the balance between the two leading parties and thus determine the results of elections in France and Britain, for example.

The Islamization of Europe is a long term goal, and Al-Ghannushi objects to the calls by Islamist activists for the setting up of an Islamic state in the West, arguing that it is too early: Calling for something before the conditions for its materialization exist is both unwise and detrimental to attaining that goal in the future. Calling for an Islamic state in the West today is unrealistic, hence un-Islamic.

Responding to Western Detractors of Islam

Pope Benedict's September 12, 2006 remarks about Islam and the Prophet Muhammad, and the earlier Danish cartoons affair, played to the hands of the MB establishment in the sense that it provided it with strong grievances and gave it the moral high ground in its dealing with Western institutions and public opinion. But it also vindicated the position of the radical critics of the non-confrontational approach to the West. Shaikh al-Qaradawi, 'Akif and other MB dignitaries were in a sense obliged, therefore, to lead waves of protestation. After the Pope's remarks, al-Qaradhawi warned of a war of religions which might replace the present interfaith dialog. The theme of war was implied by al-Qaradawi also during the Danish cartoon crisis, when he accused Western governments of either supporting the publication of those cartoons in the media of their countries or not objecting to it, and warned them that by so doing they were creating the terrorism which they presumed to be fighting. If they did not act against the publication of the cartoons, he warned, many Muslims will be moved to take revenge.

The Pope's comments on Islam were much more significant, in terms of who and what was behind them, than the Danish cartoons. Still, organized public protests seem to have been much more limited and subdued after the Pope's remarks. One possible explanation, to which one has no concrete evidence, is that MB organizations involved in organizing the protests may have interpreted the images of violent disturbances over the Danish cartoons affair as an overkill unhelpful to the Islamic cause, and in contradiction to the principle that one should not seek unnecessary confrontations which could endanger the da'wah or those active in it.

The Islamic State- Religious or Non-Religious?

Most Ikhwani organizations and thinkers adhere in one variation or another to the classical doctrine as defined by al-Banna: The goal is to set up an Islamic political order, or a state, in which the Shari'ah will rule as the implementation of Allah's rule, which is the only legitimate one. Implementation of the Shari'ah is the raison d'etre of that state, and is more important than the form it takes- caliphate or another. The source of legitimacy of that state is its being the rule of Allah; the Qura`n - its constitution; and the ruler draws his authority from the pledge of allegiance (bay'ah) he receives from ahl al-'aqd wal-hall who are elected by the people, and from the consultation (shura) he practices with them. (The ruler must be Muslim and male).

The narrative of the "new Ikhwani" trends is in a way an effort to repackage that creed to make it more compatible with current notions of democracy. They argue that the goal is not a religious state or a religious government, but a civil state (madaniyah), with an Islamic source of authority (marja'iyyah), where the basis of membership will be citizenship (muwatanah), not religion, and all will be equal in their rights and duties

(This is the formula of the second generation Egyptian MB). An alternative version is a civil state with "an Islamic cultural background" (khalfiyyah thaqafiyyah Islamiyyah) offered by the Syrian MB. Egypt's al-Wasat Party defines itself interchangeably as a party with an "Islamic marjaiyyah", with an "Islamic background" or with an "Islamic reference point", and its goal is to implement the Shari'ah in a manner that will advance society.

All those formulations do not alter the fact that all the MB organizations and thinkers adhere to the creed that the Islamic state is set up in fulfillment of Divine will, and its raison d'etre is to implement the Divine Law, that implementation being the application of Divine rule on earth. While the community, or the people, is the source of the authority of the ruler, through the institutions of bay'ah and of shura, the source of sovereignty and legitimacy of the state is Allah. Such a state cannot be but a religious state. No MB organization or thinker has accepted the separation of state from religion and abandoned the core principle that Islam is both din and dawlah.

Al-Qaradhawi refutes the radicals' argument that the adoption of a constitution is an innovation and therefore a heresy (bid'ah). The concept of heretic innovation, he argues, can relate only to matters of faith (al-umur al-diniyyah), whereas in worldly, practical matters innovations are not only permitted but welcome. Constitutions do not relate to matters of faith, hence adopting them can not be seen as a bid'ah. A constitution can be considered Islamic if it draws its fundamental rules from Islam. It is obviously inferior to the Qur`an.

Democracy and Pluralism in the Islamic State

One of the main criteria for judging whether the state is religious is the question of pluralism in it- religious, political, intellectual. The Syrian MB accepts pluralism, but "within the constitutional legality". When the constitution of its future state says that Islam is the state's religion, its fundamental source of legislation and its highest source of authority, it is hard to see how secular or atheistic views and parties will be tolerated. Al-Qaradhawi spells it out when he says that political pluralism and party politics are in line with canonic Islamic practice (a reference to the famous tolerance shown by the Caliph 'Ali towards the Khawaridj), yet must be limited by three conditions: Acceptance of the Shari'ah as the source of legislation; parties will not be connected to foreign hostile forces; parties preaching secularism or apostasy will be forbidden.

Hasan al-Turabi rejected in principle any rule by man, which he thought had to be unjust, and held that only a political order where sovereignty (hakimiyyah) is in Allah's hands can be a just one. He therefore rejected western democracy. Still, when his movement was in the opposition, he called for the establishment of a democratic, multi-party system. When he was in power he promoted a political system, "the direct Islamic democracy", which rejected the multi-party and the parliamentary electoral systems and introduced hierarchical popular committees, which in al-Turabi's view were the correct implementation of the shura principle as it was practiced by the Rightly Guided Caliphs - direct consultation with the community, without the mediation of parliament deputies or of 'ulama. In reality those popular committees were rubber stamps for an authoritarian rule.

Al-Ghannushi, for his part, argued that Western democracy, while it has an affinity with the shura, differs from it in that the shura is confined within unalterable checks, stipulated by the Shari'ah, such as that no ijtihad is allowed when a legal solution is given by a Text, in the Qu`ran or in a hadith; while secular democracy considers the national interest as its highest criterion, and thus the occupations of Iraq or of Palestine, for example, once they were decided upon by democratically elected institutions, became legal and democratic.

Still al-Ghannushi went beyond other thinkers in arguing that Islam supports the principles of ideological and political pluralism and of the multi-party political system. He argued that the multi-party system should exist not only when the Islamist movements are in opposition, but also in the Islamic State once it is established, and that the Islamist movements should convince the others that they support pluralism not only for tactical reasons, while they are in opposition. But he also explained that his support of political pluralism emanates from temporary political considerations of securing the survival of the Islamist movements in opposition. It is possible to understand from his writings that in his view, the multi-party system, which will be in place in the Islamic state, should be restricted to religious parties which will accept the basic Islamist premises, whereas secularist ones will be forbidden.

But al-Ghannshi also criticized the Islamist movements for failing to adopt real pluralism. The Islamist political theory, he argues, has no answer to the question what is the place of a secular party in an Islamic state. When the Islamists ruled Sudan, he says, they practiced exclusion against their rivals, and did not present an honorable practice of freedom and shura..

The Iranian regime, according to al-Ghannushi, is despotic too. In spite of the existence of an elected Shura Council, Khamenei's power is absolute, because the Rule of the Jurist (velayate faqih) is absolute. The Islamic theory of government, in both Shi'i and Sunni thought, has not gotten rid of the shadows of theocracy. The reason Islamist political thought has failed to address the issue of freedom within a clear and coherent program, which excludes no one, is that the Islamist finds in his heritage neither a rule by the people nor a real practice of shura, except for the short period of the Rightly Guided Caliphate.

Al-Nahdha, al-Ghannushi claims, is one of the few movements which did undertake to present a democratic political theory excluding no one. This claim is not easily reconcilable, though, with the way al-Ghannushi himself outlines the message of the Islamic Movement: Islam is the creed of monotheism, which is about the absolute acceptance of the supremacy of the revelation, as a frame of reference above every other frame of reference, and as a standard for defining what is good and bad, true and false. Whatever contradicts this creed, al-Ghannushi asserts, is nothing but a form of rebellion against God, or a form of assigning partners to him (shirk).

Alternation of Power

Radical Islamists attack the principle of alternation of power, which accompanies democratic elections, on the grounds that there is no legitimate Islamic precedence to constitutional limits on the term of office of the ruler, since the Rightly Guided Caliphs were given a pledge of allegiance for life, not for a predetermined number of years. Al-Qaradhawi refutes that point: The principle of "al-masalih al-mursalah", which allows the 'ulama to make a ruling on the basis of their understanding of the community's interest where no relevant Qur`anic text is available, is applicable here because no text exists, and because it is in the interest of the community to prevent the possibility that a ruler, whose term in office is not predetermined, will become oppressive or do wrong while no legal way is open to remove him from office. Al-Qaradhawi also refers to this case as a "sunnah fi'liyyah": The fact that the Rightly Guided Caliphs acted in certain way makes it legal but not necessarily obligatory for all Muslims forever.

The Controllers General of the Jordanian and Syrian MB serve fixed terms, while the Egyptian General Guide serves for life, also in his title as the Supreme Guide of the International organization of the MB.

The Islamic State- Territorial or Supra-National?

The concept formulated by al-Banna is basically adhered to by MB organizations and thinkers: The independence of all Muslim countries and establishment of an Islamic order in them should be followed by the formation of Arab unity, by a process of economic, cultural and political cooperation among the Muslim states, and then the League of Muslim Nations will be formed. A caliph will then be appointed, with spiritual rather than political authority, because each country will preserve its political sovereignty.

The new Ikhwan, who are interested more in practical politics than in the long range objectives of the da'wah, state their commitment to the supra-national concept, but focus on the territorial state. Among Second Generation Egyptian MB leaders there are those who not only consider Egypt as the relevant frame of reference but also argue that the Egyptian MB should forgo its leadership of the international MB movement and focus on Egypt. The Syrian MB's action plan is entitled "The Cultural project for Future Syria". Turabi maintains that in principle, the nation state contradicts the principles of Islam, because the Muslim's absolute loyalty is to Allah and therefore to the community

of the faithful (the `ummah). This requires the existence of one state for the `ummah as a whole. Yet in reality, political unity of the Muslim world existed only for a short period in its early history, and the setting up of a unified Muslim state at the present is unrealistic in view of the political and social disunity characterizing the Muslim world.

The Islamist movement should therefore adopt a strategy of stages: At first it should seek to establish Islamic regimes in every Muslim state, and to strengthen unifying cultural and economic elements between them.

Al-Ghannushi in the 1980's recognized the nation-state, and argued that loyalty to it did not contradict Islamic principles, and that the establishment of Islamic regimes in the Muslim countries would be the first stage in the formation of a pan-Islamic union. Then in the 1990's he criticized harshly the nation-states and those Islamist movements which had adopted it. But even in the 1990's he said that Islamic unity would be achieved only in the distant future, and advocated the formation of regional Islamic unions, like the unions of North African states or of the Muslim states of South-Eastern Asia, as the type of union to be sought presently.

It is estimated that the natural electorate of the MB in Egypt, Jordan or Palestine does not exceed 20%. By stressing their commitment to the territorial state, MB strategists seem to be aiming at mobilizing the electoral support of segments of the population beyond that percentage point, namely those which would vote for the MB if it came through as a genuinely national movement keen on solving local problems rather than on Islamizing the globe and restoring the Caliphate. The image of an uncorrupt organization, committed to solving society's real problems and capable of effective governance did yield electoral victories for Turkey's AKP and for Hamas.

The way to power: Da'wah, Siyasah, Inqilab?

No MB organization today advocates taking power by force in order to Islamize society using the state's power apparatuses, but the military does figure in some thinking. The national branches are either one organization combining da'wah with political work, like in Egypt, or a political organization formally separate from the charitable-missionary da'wah organization, like in Jordan. Hizb al-Wasat is purely political.

The Egyptian MB combined the political with the da'wah tools in its plan to reach power through political means. That plan called for penetration of the police and the military in order to neutralize their opposition to the MB's ascension to power, and in order to ensure their support for the movement once it is in power (The plan did not envisage using the police or the military to seize power). The plan called also for the penetration of the media, of al-Azhar, of the legal institutions, of Parliament, of student, labor and professional unions and of business circles.

The Syrian MB says that, as its own historical experience indicates, jihad should be conducted only against external enemies, not at home. It promises to bring about the

collapse of the present regime by peaceful protest and civil disobedience, but does not rule out the possibility that the army will seize power for a transition period.

Turabi rejected the classical Egyptian MB concept of a da'wah movement focusing on building a large and well indoctrinated organization but with limited political participation and an aversion to intellectual and legal creativeness. He also rejected the Qutbi concept of an exclusive elitist group designed to take power through violence.

His formula was a combination of political work and legal and intellectual creativity, and flexibility in forming (and breaking) political alliances.

Turabi objected to the use of violence by the takfiri groups, for example in Egypt and Algeria, for practical reasons: The superior power of the state renders that violence ineffective, and the violence legitimizes the suppression of the Islamist movement as a whole. Alternation of power, in his view, should be achieved through the electoral process.

But Turabi played a leading role in the June 1989 military coup d'etat. He explained it   arguing that it was impossible to reach power by peaceful means, because "the Crusader and Imperialist forces preclude the arrival of Islam to power". But he had been preparing for a coup using the military for years. In fact he found no problem in writing that the Islamists should create the option to take power by force, and to do that they should mobilize the support of the military through political participation and gradual penetration of state institutions. And when in power, he claimed that while he believed that Islam should reach power only by means of freedom, there was no way to avoid the need to use force in order to protect that freedom. He said also that in the first stage of the Islamic experiment, the state should be given absolute authorities in every field, and that the vision of an Islamic civil society, running its affairs independently of the government, will materialize only in a much later stage.

After he fell out with the military regime in the late 1990's, Turabi again started rejecting the military means to reach power. At the same time, even after the Hamas victory and the Egyptian MB's gains in national elections, he expressed deep disbelief in the ability of Islamist movements to reach power by democratic means: The West is determined not to allow Islam to win, because inasmuch as the West is committed to democracy, it is much more committed to preserving its civilization in the face of Islam. Hamas' victory was a result of a miscalculation on the West's part.

Al-Nahdha's official statements solemnly reject violence as a means to achieving its goals, and so does al-Ghannushi in his writings. Yet in the 1980's and early 1990's the movement was involved in violent activities against the government. Al-Ghannushi himself, particularly embittered following what he considered as the regime's denying his movement its electoral achievements, reached the conclusion that non-violent political means would not take the Islamists very far, and appealed for the elimination of the rulers, whom he qualified as apostates. "Facing a terrible fate", he wrote, "our nation has only jihad against the regimes of heresy, tyranny, tribalism, particularism and loyalty

to the foreigner". A decade later he wrote that the results of the jihad against unjust and tyrannical governments were poor and in some cases catastrophic. He did not qualify this kind of jihad as illegitimate, but pointed to an alternative - seeking change through peaceful means.

Forming Political Partnerships and alliances

The MB traditionally shunned forming political partnerships and alliances and joining political fronts or coalitions. The new Ikhwan, with their emphasis on politics, do make overtures to other political forces but do not form long-range, strong alliance. That attitude reflects the secretive nature of the movement and its fears of being penetrated or that the negotiating involved in political coalition building could erode the core principles and hurt the da'wah. Indeed, one of the guidelines contained in the 1982 document "Towards a Global Strategy for Islamic Politics" authorizes in principle a temporary cooperation between Islamic movements and national movements (in the Arab World) on certain issues where there is an agreement, but without having for all that to form alliances. That limited cooperation, says the document, would require limited contacts between leaders, on a case by case basis, without giving the others allegiance or trusting them, and the initiator of the contacts must be the Islamic movement.

Hasan al-Turabi broke that pattern dramatically and made his way to power by forming alliances. The Syrian MB has been adapting in recent years and recently formed the National Salvation Front with former Vice President Khaddam, formerly the nemesis of the organization, and several other groups.

Religious Minorities: Dhimmis or Citizens?

This is one of the areas where positions are the most ambiguous, because the requirement to adopt the human rights narrative collides with the core position that the state exists in order to implement the Shari'ah, and according to the Shari'ah non-Muslims are not equal to Muslims. Except for Hasan al-Turabi and the Egyptian al-Wasat Party, the commitment to a civil state in which membership will be based on citizenship and not on religion is not accompanied by clear commitment to the full rights of minorities, including to being eligible as rulers or judges. The Egyptian MB's position on the Copts was clearly summed up by the General Guide 'Akif: "We in the MB apply Allah's rules in dealing with them", namely treating them as dhimmis. The Baha`is, according to the MB, are apostates who should be killed. Jordan MB's takfiri trend holds that the principle of citizenship (muwatanah) is an infidel invention. For al-Qaradhawi, the Druze, the 'Alawis, the Isma'ilis, the Baha`is and the Ahmadis are apostates (murtaddun).

Hasan al-Turabi's initial position on the problem of Southern Sudan was that a decentralized system should be formed, whereby the Christian and animist minorities in the South would be able to run their affairs autonomously in those regions where they constitute a majority, while subject politically to Khartoum. In the 1960's he thought that non- Muslims should be exempted from the application of the hudud penalties, in 1983,

when the Shari'ah was applied under Numeiri, he changed that view and his movement intensified its Islamization efforts in the South. He distinguished between the Southern Christians, whose right to pursue their religious life he acknowledged, and the animists, whose beliefs he despised and who should in his view be Islamized expeditiously.

Yet at the same time he accepted equal citizenship (muwatanah) without discrimination on a religious basis. He considered Christians and Jews as believers and not as infidels, and declared conversion of Muslims to Christianity as permissible and not subject to the capital punishment under the shar'i penalty (hadd) for apostasy (riddah) since, he argued, God gave Muslims the freedom of thought, and the opposing view is a perversion of the Shari'ah. In April 2006 Turabi issued a fatwa authorizing the marriage of Muslim women to non-Muslims, which he explained as a response to the needs of Muslim minorities in the West. In recent years Turabi has argued that a Christian could be the head of state provided he is just and honest; in his early career he thought otherwise.

The Shi'ah

The MB narrative by and large has not reflected so far a sense of threat to the Sunni faith in the Arab countries stemming from the growing involvement of Iran there and the new image of the Shiah as a success story. The falling of Hamas, a MB organization, in Iran's orbit has not raised open concern in other MB organizations. A notable exception has been the Syrian MB, which has attacked Iran for its policies in Iraq and Lebanon, for its campaign to spread Shi'ism in Syria, and for puling Syria away from its Arab depth. The other organizations came out as one against the Saudi anti-Shi'i fatwas, declaring that the Shi'is are Muslims, that the Ja'fariyyah is the fifth madhhab, and that Hizbullah's resistance is a jihad which Muslims should support. Al-Qardhawi has a senior Shi'i scholar on the board of his International Association of Muslim Scholars.

The Egyptian MB announced its preparedness to send 10,000 volunteers to fight alongside Hizbullah, and the Jordanian MB issued fatwas supporting the jihad of Hizbullah and condemning the Saudi anti-Shi'i fatwas. The Egyptian MB also welcomed a nuclear Iran as a counterweight to Israel. Critical remarks concerning the Companions of the Prophet (Sahabah), made recently in Egyptian newspapers and seen by some as pro-Shi'i and perhaps commissioned by Iran, were attacked by the MB without blaming Iran or any Shi'i party for them.

Takfir and Apostasy

The takfiri trend in the Jordanian MB is the only MB group at the present openly considering the government as jahili. Statements by the trend's leader, to the effect that Abu Mus'ab al-Zarqawi was a mujahid and a shahid, amounted to declaring as jahili Jordan's society at large, against which al-Zarqawi's November 2005 terror attacks were aimed.

Al-Qardhawi distinguishes between to types of apostasy: Personalized or soft apostasy (riddah qasirah, riddah khafifah), when the apostate keeps his act to himself, and will be punished in the hereafter; and transitive or harsh apostasy (muta'addiyyha, ghaliza) when the apostate appeals to others to follow him, and his punishment is death, like the case of Salman Rushdie. Al-Qaradhawi rejects the positions of the takfiri groups, claiming that they are based on an alleged fiqh, but sympathizes with their motives and identifies with their criticism of the prevalence of overt unbelief (kufr) and apostasy in Muslim societies. He rejects the idea of takfir al-takfir, quoting the Caliph 'Ali who did not declare the Khawaridj as apostates in spite of the fact that they did it to him.

However, al-Qaradhawi himself practices takfir, when he declares three types of Muslims as apostates: Communists; secular rulers and members of secular political parties calling for the separation of religion from the state; and religious sects- Druzes, 'Alawi's, Isma'ilis, Baha'i`s and Ahmadis. Rashid al-Ghannushi justified the murder of secularist Muslim thinkers.

Implications of recent Electoral Achievements

Have the achievements of the Egyptian MB and Hamas in national elections in the last year moderated their positions? One of the arguments for encouraging the participation of Islamist movements in democratic politics and electoral processes has been the assumption that once those movements feel as part of the system and no longer excluded, and as they get closer to political power, they will adapt their ideologies to the new circumstances and to new obligations towards their electoral constituencies. Recent developments have refuted that assumption. Hamas' winning of elections and becoming the government did little to moderate its principles, and it has not metamorphosed from a violent resistance and opposition movement to a pragmatic ruling political party. The electoral achievements of the Egyptian MB seem to have imbued its leadership with a new sense of empowerment and to have only reinforced its willingness to challenge the regime. That sense, that Islamists are on their way to power, comes also from the Jordanian MB following the election gains of Hamas and the Egyptian MB.

Another question in this context is if and how the failure of Hamas, close to a year after its parliamentary election victory, to establish effective governance and start implementing its program, influences other MB organizations in figuring out what would be the most propitious time and conditions for them to reach power. It is difficult to find an open discussion on that question in direct reference to the Hamas experience. Yet the Egyptian Muslim Brethren did debate after those two electoral victories whether the time was ripe for them to reach for power, and the bottom line was negative: The MB should rule only when society is prepared to accept the MB rule, namely had been Islamized, which so far it is not. The Syrian MB too states that it does not intend to reach power at the present.