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# *After the Ramadan Affair: New Trends in Islamism in the West*

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**I**T IS COMMONLY SAID THAT THE WEST HAS EMERGED as a key battleground in the war of ideas with radical Islam. Some even say, perhaps with a little exaggeration, that the West is today the primary theater of ideological conflict. This analysis expresses both a fear and a hope.

The obvious fear is that various ideological forces—emanating from abroad, but also from within the West itself—will conspire to radicalize portions of the Western Muslim population, resulting in a range of possible threats to the future of European and American democracy, from political challenges like the growth of “parallel societies” to the related security threat of “homegrown jihad.” Such threats are clear and present, as the September 11 attacks, which were piloted by Muslims radicalized in Europe, and most recently, the bombings in the UK, carried out by British-born jihadis who received their ideological indoctrination in the mosques and prayer circles of “Londonistan,” have each demonstrated. They are also threats that are here to stay for as long as radical ideology continues to hold even the slightest sway over the minds of Western Muslims.

The hope is that Western Muslims will develop an Islamic solution to radicalism, one that combines religious fidelity with an allegiance to the principles, institutions, and sovereignty of liberal democratic government. This solution—a “European Islam” or “American Islam,” as many have called it—would serve as an ideological bulwark against both internal and external sources of extremist ideology. Some speculate it might even provide a moderate and democratic alternative to extremism that could, in time, be “exported” to the strongholds of radical Islam in the wider world.

With so much at stake, the future of Western Islam has been the subject of much discussion in recent years. Surely, many Western Muslims have come forward against radicalism to defend their countries and their faith. It is also clear that the majority of European and American Muslims simply seek to live and worship freely, and to participate, in their own unique way, as equal citi-

zens in the life of Western democracies. And yet, progress toward the development of a politically moderate and well-organized Western Islam has met with stiff resistance from Islamists abroad as well as from within the West itself.

Within the West, resistance has largely come from two separate and often deeply conflicting strains of ideological Islam—that of the Salafists, and that of the mainstream or “Wassatiyya” Islamism of groups like the Muslim Brotherhood. The differences between these two Islamisms are several, but perhaps foremost are the disparate ways in which they interpret the Sharia and how this, in turn, structures their respective attitudes toward assimilation and citizenship in the West.

The Salafists adhere to a “literalist” interpretation of Islamic scripture and to a political theology that views Muslims in the West as travelers in enemy territory, a realm they variously speak of as a “Land of Kufr” or as a “Land of War.” Some Western-based Salafist groups openly espouse jihad, whereas others, such as Hizb ut-Tahrir, concentrate on ideological activities, believing that fulfillment of the religious duty of jihad should be postponed until the day when their numbers are sufficient enough for a full offensive. They reject all participation in the life of Western societies; for them, the unity of the Muslim Nation is paramount, and any Muslim who endeavors to divide it—religiously or politically—is guilty of apostasy, that unforgivable Islamic sin.

In contrast to the Salafists, mainstream Islamists have followed a more conciliatory course in their dealings with the West. Nowadays, this stream is commonly associated with its most prominent spokesperson, Shaykh Yusuf al-Qaradawi, the Qatar-based Egyptian Sunni cleric, popular Al Jazeera preacher, and reputed spiritual steward of the International Muslim Brotherhood. Qaradawi describes his faith doctrine, “Wassatiyya,” a broad intellectual movement that emerged with Egypt’s “New Islamists” in the 1990s, as a “middle way” between rejection of Islam and extremism.

Ideologically speaking, the Wassatiyya movement is rooted deeply in the Salafist thought of Hassan al-Banna, founder of the Muslim Brotherhood, and his teachings on the “wholesomeness of Islam,” which holds that Sharia must dominate every realm of human activity and thought, from culture to politics. Unlike the Salafists, however, the Wassatiyya scholars emphasize the use of *ijtihad*, or discernment in Sharia matters independent of what is literally prescribed in Islamic scripture. As a result, Wassatiyya jurisprudence reflects a certain modernist orientation, one that has allowed its adherents to adopt a much more pragmatic approach to the task of assimilating to the realities of life in Western democracies. It has also allowed a certain intellectual creativ-

ity to develop within Wassatiyya circles, which has included, among other things, a reevaluation of the traditional Islamic concept of the West as a Land of War. Instead, based on the idea that Islam is a universal message, available and open to all, the Wassatiyya Islamists speak of the West as a realm for Islamic proselytizing, or as a land of the religious call, a “Land of Dawa.”

Salafists doggedly rail against what they perceive to be Wassatiyya Islamism’s “compromise” with the West, asserting their use of *ijtihad* takes too many liberties in the interpretation of Sharia and erodes the religious and political unity and authenticity of the Muslim Nation. Or, as one European Salafi emphatically expressed it—after praising the slayer of Dutch filmmaker Theo Van Gogh and calling for jihad against the country of Sweden—in a recent posting online: “This is Islam, not a lunch buffet.”<sup>1</sup>

With such nasty co-religionists as this (Qaradawi has personally drawn the ire of Salafists worldwide, including Zarqawi of Mesopotamia), the Wassatiyya scholars have been able to deflect much of the blame for Islamist militancy and radicalism on the “conservative” and “reactionary” views of the Salafists—or as they frequently call them, (mirroring Western discussions), the “Wahhabis.” In turn, the Wassatiyya scholars have been able to ingratiate themselves to Westerners, non-Muslim and Muslim alike, as the peaceable and moderate face of Islam.

But that is a reputation sorely undeserved. Though many mainstream Islamists have renounced jihad against the West (as it is a realm for proselytizing, not for war), they have compensated by making especially cold-blooded juristic and political pronouncements backing the “defensive jihad” in majority-Muslim countries of terrorist groups like Hamas and of the insurgency against American and allied forces in Iraq.

Nor has the Wassatiyya “compromise” with the West moderated the underlying ideological antagonism of mainstream Islamists toward it. As part of their Dawa effort, Qaradawi and others, sometimes with the assistance of Saudi financial-backers (the late King Fahd proclaimed Wassatiyya his official brand of Islam), have built-up a vast web of ideological institutions in the West: think tanks, media outfits, educational centers, and Sharia councils. The purpose of this endeavor, Qaradawi has said, is the conquest of the West not by “the sword or armies, but by preaching and ideology.”<sup>2</sup> And although some mainstream Islamists pepper their politics with salutary declarations about the benefits of democracy, equality and human rights, it’s clear that many do not juristically or ideologically accept the sovereignty of Western liberal government. Qaradawi, for instance, has said that short of full conquest, a more realistic goal would be the establishment of autonomous Islamic societies within the West, operating

not in accordance with Western law, but under Sharia law and reflecting Islam's wholesomeness. "Were we to convince Western leaders and decision-makers of our right to live according to our faith—ideologically, legislatively, and ethnically—without imposing our views or inflicting harm upon them, we would have traversed an immense barrier in our quest for an Islamic state."<sup>3</sup>

Such pronouncements should be of paramount concern, especially given the fact that the self-enclosed Muslim ghettos of France, the Netherlands, Great Britain and elsewhere in Europe have proven highly susceptible to penetration by radical preachers and ideology.

And yet, the Wassatiyya Islamist's campaign to "Islamize" the West has proven an inherently difficult one. For one thing, it assumes not only that non-Muslims, but that Muslims, too, will acquiesce to their particular religious and political agenda. But due to a variety of factors—including the tremendous diversity of Western Islam, not to mention the religious and political freedoms available to Muslims living in the West—the Wassatiyya's efforts to define Western Islam religiously and politically have been frustrated time and again.

Perhaps most significantly, the "opened gates of *ijtihad*" have allowed Western Muslims to re-discover Islamic scripture and to bring forth new interpretations that speak more directly to the novel complexities of modern and democratic life. Increased engagement with the West has also led to the emergence of a similar variety of ideological and political orientations. In its encounter with the West, some deep, possibly irreparable, fissures have emerged within mainstream Islamism, resulting in increasing friction among its offspring—from "born-again" radicals and neo-Salafists such as Qaradawi, to those with ostensibly more "progressive" even "liberal" inclinations. How this dynamic develops will have far-reaching implications for the struggle of ideas for the future of Islam in the West—both with regard to the potential growth of a moderate and democratic Western Islam, and in terms of Western Islam's relationships with the wider Muslim world.

### Ramadan's Call

**I**n recent years, the leaders of mainstream Islamism have demonstrated an increased urgency and willingness to crack-down on the internal forces of dissension at odds with their larger political and ideological agenda in the West. Last spring, in fact, a public and, at times, rather vicious intellectual quarrel broke out among several prominent Wassatiyya scholars and intellectuals.

At the eye of the dispute was a most unlikely personality: Tariq Ramadan, the ubiquitous Swiss Islamist intellectual and political activist. In so many ways, Ramadan embodies the internal contradictions within mainstream Is-

lamism today. To his boosters, he is a leading Muslim moderate and proponent of an anti-dogmatic, hybridized form of “Euro-Islam” who seeks to rethink Sharia in terms that make sense to modern, democratic European life. To many—and especially to Europe’s alienated Muslim youth and anti-globalization crowd—he speaks with a special authority about the future of Western Islam: The grandson of Hassan al-Banna, and son of Said Ramadan, an important Islamist theoretician in his own right who established the Muslim Brotherhood’s first European outpost in the 1950s, Ramadan has established himself as the sole executor of their intellectual legacies in Europe.

To others, Ramadan is carrying on the family tradition in other ways. Last year, US homeland security officials revoked his visa to teach at Notre Dame citing a Patriot Act clause that denies entry to anyone who uses a “position of prominence to endorse or espouse terrorist activity or to persuade others to support terrorist activity.” Ramadan disputes such charges, saying he’s been misquoted in the press—and then, with a moral vacuity that’s simply breathtaking, clarifies those “journalistic fabrications” by saying Muslim violence against Israel and American forces in Iraq is “explicable” and that it is “legitimate for Muslims to resist fascism that kills innocent people.”<sup>4</sup> (The “fascists” that he’s referring to here are not, to be sure, Hamas or al-Qaeda in Mesopotamia.)

In his latest bout with controversy, however, Ramadan is drawing heat not from Western security agencies but from the Islamists themselves. In March 2005, Ramadan published a manifesto calling for an “immediate moratorium” in Muslim-majority countries on the application of the so-called “hudud” punishments prescribed in Sharia law, including “corporal punishment, stoning and the death penalty.”<sup>5</sup>

Presented as a religious “call,” Ramadan’s manifesto provoked a passionate response from Muslims worldwide. It was, to begin with, an inherently controversial call. The hudud penalties—including public stoning for adulterers and apostates, and for thieves, the amputation of the guilty hand—are explicitly sanctioned in the Quran and the Sunna. A proposal to debate them—let alone one to suspend them—is seen in some circles as a challenge to the authority of the Divine Sovereign Himself.

But Ramadan insisted a debate was necessary. Describing horrific violations of human rights in the Muslim world, he wrote that thuggish powers have usurped the Sharia penal code to pursue their own ends. These “repressive powers” issue amputations, public stonings, and death sentences, “to oppress women, the poor and their political opponents in an almost complete judiciary vacuum which turns into a hot-bed for mass executions of people without trial and with no respect for human dignity.”

These injustices, “made legal in the name of Islam,” were in actuality flagrant betrayals of Islam’s true and universal message of equality and justice, Ramadan said. And yet, nowhere in Muslim-majority countries were their legal and political systems in place to rein in these abuses, or to insure the equal and just application of the hudud penalties. Moreover, Islamic jurists and thinkers have demonstrated little inclination to address these human rights conditions. In these extreme circumstances, a moratorium on the application of the hudud is necessary to relieve the oppressed, and to initiate a worldwide debate among the Muslim faithful to recover and clarify the Sharia’s true purposes.

While some, especially in the West, were enthusiastically supportive of the call, the reaction from others was not nearly as appreciative. In the Sunni Arab world—(where, incidentally, European Muslim thinkers like Ramadan are very seldom taken seriously)—the rejection of Ramadan’s proposal was especially blanket. “The hudud are a part of the religion, they are Quranic, and they can be neither subject to debate nor discussion,” said Mustapha ash-Shuk’a, one of the muftis on Egypt’s Al-Azhar Legal Research Commission. The commission’s collective opinion implied even proposing a suspension of the hudud was a violation of Islam tantamount to apostasy. “Whoever denies the hudud recognized as revealed and confirmed or who demands that they be cancelled or suspended, despite final and indisputable evidence, is to be regarded as somebody who has forsaken a recognized element which forms the basis of the religion.”<sup>6</sup>

Some of the more ideologically-laden rejoinders to Ramadan were fired, disturbingly, from quarters closer to home, including from the pages of the mainstream Muslim website *Islamonline.net* (IOL). An English-language website with Western Muslims as its target audience, IOL is a key component in the massive internet, television, and publishing empire presided over by Shaykh Yusuf al-Qaradawi. In addition to offering news coverage and opinion, IOL provides another unique service: a live and archived “Fatwa Bank” wherein religious scholars offer legal guidance to Muslim minorities in the West on what is permitted and forbidden. Many of the scholars are members of the leading Wassatiyya institutions, including the two largest Western-based Sharia councils—the Fiqh Council of North America (FCNA), established in 1988, and the Dublin, Ireland-based European Council for Fatwa and Research (ECFR), which was co-founded in 1997 by Qaradawi, who presently serves as president.

Ramadan clearly struck upon a nerve in the establishment. With great alarm and alacrity, IOL convened a full symposium of scholars and jurists addressed to Ramadan’s call, its content and meaning. The reaction of the scholars was unanimously negative. Most declared the call an “unfounded

innovation” or “juristically baseless,” and enjoined Ramadan to reconsider or retract it “for the sake of the Umma.” “If we call today for an international moratorium on corporal punishment, stoning and the death penalty,” wrote Sano Koutoub Moustapha, a professor of Islamic jurisprudence in Malaysia, “then tomorrow I am so worried that they may ask Muslims to suspend their Friday Prayer.”<sup>7</sup> “When this call comes from a respectable scholar like Dr. Tariq Ramadan,” worried Muzammil Siddiqi, president of the FCNA, “it may encourage others also to disrespect the laws of Allah.”<sup>8</sup>

But what in fact seemed to command the most attention from the IOL scholars was less the religious content of Ramadan’s call than its ideological and political import. One of the IOL respondents, Salah Sultan, the head of an Ohio-based Islamic research organization and member of both the FCNA and ECFR, attested to the fact that the Sharia penal code was being misapplied in many parts of the world. But, he said, instigating a moral and political debate on the subject will “only stir too much ado about an issue that is by no means a priority.” “When things are upside down in Iraq, Palestine, Afghanistan, Chechnya, Kashmir, and other places,” Sultan fumed, “we cannot make the wrongdoing of some Muslims in applying Islamic rulings a reason or justification for making it a worldwide issue of public opinion.”<sup>9</sup>

Still others saw in Ramadan’s proposal the work of entirely malicious motives. One especially blistering attack came from Shaykh Taha Jabir al-Alwani, a close associate of Qaradawi’s, who, as president of the FCNA and of the Graduate School of Social and Islamic Sciences, a Leesburg, Virginia-based educational institute for the training of religious scholars, is arguably the most influential mainstream Muslim preacher in the United States. It “is by no means acceptable or reasonable,” al-Alwani wrote, “that one of the members of the Muslim Nation comes today to fabricate allegations that contribute to the demolition of the Nation.” “The proposal of deactivating the Islamic legal penalties,” he explained, “is a *trial to remove the barriers between liberalism and Muslim man*, for the purpose of getting belief and Sharia out of his mind (emphasis added.)” Al-Alwani came very close to indicting Ramadan for apostasy: “There is not a believer, believing in Allah, His Messenger and the Last Day, who can support such a plot or claim that we Muslims are in no longer need of Sharia.”<sup>10</sup>

### Why All the Fuss?

After the IOL symposia aired, Ramadan published rejoinders to several of his Muslim critics on his personal website. Responding to the first broad set of charges leveled against him—that he had chosen to selectively cancel

the Sharia; that his call for a moratorium was “juristically baseless” and “unfounded innovation”—Ramadan wondered, and with understandable reason, whether his detractors had taken the time to read the text of his call with any care. A moratorium, after all, is not a ban—and Ramadan has consistently argued (and very much to the chagrin of his non-Muslim boosters) that the Sharia penal code is an essential and irrevocable part of the Islamic religion.

Moreover, whereas some secular Muslims argue that the hudud are historic and even barbaric relics with no relevance to modern life, Ramadan insists the selective cancellation, or “rational abrogation,” of the Sharia penal code is not his personal intention. Rather, he seeks to demonstrate that the proposal for a moratorium is in fact not “juristically baseless,” but supported by the same principles of jurisprudence that have been regularly employed by mainstream *Wassatiyya* scholars, including Qaradawi and al-Alwani, in the fatwas issued by Western Sharia councils.

Ramadan’s principal concern is what he calls the “instrumentalization” of Sharia—a process that he describes as the reduction of the Sharia from the “path of faithfulness” revealed by a richer appreciation of Islamic scripture, to a mere legal code of criminal punishments. He attributes this instrumentalization in part to the political theology of the Salafists, which commands a strict and “literalist” application of the Islamic scripture in order to purge the Muslim Nation of its “un-Islamic” impurities, the perceived cause of Islam’s present weakness and malaise, and to restore the rule of Sharia and Islamic government.

Though he insists the Salafists are only a minority, Ramadan says their influence is increasing among Muslims worldwide. This is because ignorance of the Sharia is so widespread that Muslims are too easily beguiled by the Salafist claim to represent true and authentic Islam. It is also because the Salafist ideology preys on the fears and anxieties shared by many Muslims over losing their way, their religion and identity in a world ravaged by the omnipresent onslaught of what are perceived to be corrupt and corrupting Western influences. There is then a popular willingness to obey the Salafist message, partly because it provides psychological comfort in a topsy-turvy world, and partly because it provides a rough but ready way to resist the irreverent call of the West. As Ramadan elaborates,

- 1) The literal and immediate application of the hudud legally and socially provides a visible reference to Islam. The legislation, by its harshness, gives the feeling of fidelity to the Quranic injunctions that demands rigorous respect of the text. At the popular level, one can infer in the African, Arabic, Asian as well as Western countries, that

the very nature of this harshness and intransigence of the application, gives an Islamic dimension to the popular psyche.

2) The opposition and condemnations by the West supplies, paradoxically, the popular feeling of fidelity to the Islamic teachings; a reasoning that is antithetical, simple and simplistic. The intense opposition of the West is sufficient proof of the authentic Islamic character of the literal application of hudud. Some will persuade themselves by asserting that the West has long since lost its moral references and became so permissive that the harshness of the Islamic penal code which punishes behaviors judged immoral, is by antithesis, the true and only alternative “to Western decadence.”<sup>11</sup>

This “formalistic and binary reasoning” according to Ramadan is “fundamentally dangerous” for it gives an “Islamic quality to a legislation, not in what it promotes, protects and applies justice to, but more so because it sanctions harsh and visible punishment to certain behaviors and in stark contrast and opposition to the Western laws, which are perceived as morally permissive and without a reference to religion.”<sup>12</sup>

The outcome of this literalist and formalist approach to Sharia is pure judicial pandemonium and nihilism. In some instances, Ramadan reports, jurists with practically little knowledge of the Sharia are compelled by fear of even more ignorant and zealous masses to apply the hudud. In many places, the hudud are applied simply to satiate some uncompromising, uneducated desire to be faithful to Islam, but seldom with any regard for the Sharia’s true aims or objectives.

“In resigning ourselves to having a superficial relationship to the scriptural sources, we betray the message of justice of Islam,” Ramadan asserts. In proposing a moratorium on the application of the Sharia penal code, he says he seeks to initiate a debate among Muslims designed to recover a richer, more wholesome understanding of the Sharia and its true aims—aims that include, first and foremost, the protection of the integrity of the human person and the establishment of justice.

In contrast to the Salafists, the mainstream scholars offer a different approach, Ramadan says, one that also provides a warrant for his own activities. These scholars all agree that the hudud punishments are prescribed and commanded by Islamic scripture and cannot be canceled. But the scholars have also concluded that the hudud are only to be applied when the proper conditions are in place—that is, in the context of an Islamic government. When asked, for example, on IOL’s Fatwa Bank about whether the applica-

tion of the hudud can be abandoned in Western countries, Dr. Sano Koutoub Moustapha—the same IOL scholar, mentioned earlier, who worried about the implications of Ramadan’s moratorium initiative—responded that the enforcement of these punishments is ultimately “a duty upon Muslim leaders, not individuals.”

In other words, no Muslim individual is allowed to carry out the hudud without the permission of the leader. In the event that there is no Muslim leader in command—such as the case of communities where Muslims are minorities—then the enforcement or implementation of hudud law would have to be postponed and upheld, not to be abandoned as suggested in your question.

There is a big difference between abandonment and postponement or upholding. As Muslims we are not allowed to abandon hudud. To abandon means to reject or cancel it. But we are allowed to postpone or uphold due to the circumstances and situations.

Moreover, Muslims in these minority communities should focus on ways and means of preventing Muslims from committing the crimes that entail hudud through da`wah work, talks, lectures, etc. The community should work on pacific and positive enforcement of these penalties through the said method.

Thus, the true Muslim exerts every effort to apply the principle of commanding good and forbidding evil. If there are certain areas that he cannot enforce, he should direct his attention to other available and possible areas, adopting a gentle and wise approach.<sup>13</sup>

This reasoning is typical of the fatwas issued by institutions like the ECFR and the NAFC, both of which generally follow a special theory of jurisprudence that was formulated originally by al-Alwani and elaborated and popularized by him, Qaradawi, and many others. Known in Arabic as “*fiqh al-aqaliyyat*,” this jurisprudence was designed specifically to determine what is forbidden and permitted for Muslim minorities living in the West where Islamic government is not present.<sup>14</sup> It concerns itself with the full array of issues that inevitably confront Sharia-abiding Muslims living in Western countries—from novel activities, such as how to vote in a democratic election, to issues that invariably arise when the full implementation of the Sharia would not be tolerated legally or morally by the West (as is obviously the case with the Sharia penal code.)

To deal with these conditions, the theory of *fiqh al-aqaliyyat* makes heavy use of legal principles like “necessity” and Muslim “public interests” which provide a basis for the exercise of *ijtihad*—(legal reasoning independent of what is literally prescribed by scripture)—in the pursuit of remaining faithful to the Sharia’s principles and aims. In a response to one of his critics, Ramadan provides a summation of this thinking:

in the absence of the required conditions (*ash-shurut*), necessity (*ad-darura*), doubt (*ash-shubhat*) and the public interest (*al-maslaha*) have always been invoked to suspend practices or to establish exemptions with regard to a literal application of Islamic regulations. This has been a classic practice among the *fuqaha* (scholars of law and jurisprudence) and there can be said to exist, in the fundamentals of Islamic jurisprudence (*usul al-fiqh*), a general rule that stipulates, “imperatives make permissible that which is forbidden” (a rule universally recognized in the principle that “necessity knows no law”).<sup>15</sup>

What exactly constitutes a legitimate “necessity” or “public interest” is naturally the subject of much debate among Islamic scholars, especially in the West. Salafists reject most use of these concepts completely, saying they lead to judicial creativity and infidelity to the Islamic scripture. In fact, Hizb ut-Tahrir ideologues attack *fiqh al-aqaliyyat*—a “European Fiqh,” as they call it—as an impermissible “innovation.”

In the theory of *fiqh al-aqaliyyat*, what exactly qualifies as a “necessity” or a “public interest”—and who gets to define them—is closely supervised by the scholars and Sharia councils. (Al-Alwani himself has demonstrated a reluctance to use the term “public interest,” some say so as not to appear as an “innovator” to his Saudi backers.) Generally speaking, the use of *ijtihad* in minority jurisprudence is normally sanctioned on the grounds of the “necessity” of placing no undue hardship on Muslims and easing them into life into un-Islamic contexts in the wider “public interest” of keeping them faithful to the true aims of Sharia. As such, for Muslim minorities in Western contexts, it becomes possible to do the forbidden, and to postpone the application of the *hudud*, focusing instead on enforcing *hudud* through *Dawa*.

And here’s the point of conflict. Ramadan describes the present, where the instrumentalization of the Sharia penal code has led to such widespread destruction of and injury to innocent human lives, as a “state of necessity.” He says that not only are the basic conditions of justice—Islamic government—absent in the West, they are also lacking throughout the wider Muslim world. Indeed, such a government has not ruled in the Muslim world

since at least the demise of the Ottoman Caliphate in 1924 or by some accounts, even earlier. Moreover, Ramadan says, the majority of scholars agree that such conditions are “nearly impossible to reestablish.”<sup>16</sup> What’s more, in this post-Caliphate age, the various schools of Islamic jurisprudence have not settled the question as to what new conditions are required for the proper application of the hudud: “positions remain vague and even nebulous, and consensus among Muslims is lacking...”<sup>17</sup>

Citing, then, the precedent set by the second caliph, Umar ibn al-Khattab, who reportedly suspended the application of the hadd penalty for thievery in a time of horrific famine, Ramadan concludes that to address the present “state of necessity” it is imperative to do what is forbidden—that is, to suspend the application of the hudud punishments, in the wider interest of oppressed Muslims everywhere, and to fulfill the responsibility of the faithful to the Sharia’s true aims, including the preservation of human life and limb. As Ramadan writes in his own defense to the scholars, “necessity”—or in Arabic, “darura”—

is very often put forward in order to ease the way for the Muslims living in difficult environment. Is it not possible to refer to the state of darura to avoid people being treated or killed unfairly? Should we not, in the name of darura, and because the basic conditions of justice are not gathered, suspend the application of punishments and irreversible sanctions as we all know that today they are a plain betrayal of the Islamic teachings? Is the notion of darura only referred to help the Muslims to adapt themselves to the requirements of an unjust world but not to allow them to stop the injustices perpetrated in the name of Islam?<sup>18</sup>

### A Clash of Calls

What emerges from this dispute between Ramadan and the scholars is ultimately a debate over *ijtihad* or more precisely, how to define the key criteria for its use—“necessity,” and the concept of Muslim “public interests.”

This is a debate that turns on Ramadan’s analysis—that is, whether in fact a “state of necessity” exists in the Muslim world, and second, whether addressing this necessity constitutes a legitimate public interest or benefit to the Muslim Nation as a whole. Some scholars, such as al-Alwani, simply rejected Ramadan’s analysis, saying it contained “false allegations” against the Muslim Nation. Others, such as Shaykh Ali Juma, Egypt’s Grand Mufti and Ramadan’s former teacher, ruled that the matter of the application of the hudud was sim-

ply “not an urgent one” for the Muslim Nation, “and that it does not rank first among our priorities today.” “On the contrary,” the Mufti said, concluding his decision, raising the issue of the hudud at this time, and in the public manner in which Ramadan raised it, was “more harmful than profitable.”<sup>19</sup>

At base, then, this dispute is a deeply political one. This is so on two levels. It concerns first of all the authority of the *fiqh al-aqaliyyat* scholars to interpret Sharia and define Islam in the West. Secondly, the dispute reflects more broadly an emerging struggle between a certain Arabic conception of necessity and the Muslim Nation’s interests and a European Islam with its own unique definition of necessity and Muslim interests.

To explain, the IOL scholars unanimously agreed that Ramadan should first have consulted the recognized authorities on Sharia matters—themselves.<sup>20</sup> This was an assertion of their supreme authority and special role in defining Western Islam. It points to the fact that *fiqh al-aqaliyyat* is not simply a jurisprudence designed to help Muslim minorities adapt to life in un-Islamic environments. Rather, it seeks to provide a systematic way of organizing and defining Islam in the West that accords with the Muslim Nation’s larger agenda of transforming Western lands into Islamic ones.

Consider, for example, al-Alwani’s explanation of *fiqh al-aqaliyyat* in an essay entitled “Settling-down of Islam after the Settlement of Muslims in the West,” which appeared in 2000 in the UK-based Saudi paper *Al-Sharq al-Awsat*.<sup>21</sup> In that essay, al-Alwani related the delight that the late King Fahd expressed when he learned of the *fiqh al-aqaliyyat* project and the “enormous profit” to the Muslim Nation that would come from “settling-down” the Islamic call (*Tawtin al-Dawa*) in the West. Al-Alwani explicitly states two “necessities” or imperatives that warrant this grand enterprise.

The first “necessity” is the duty to “help the (Muslim) brethren” as they proselytize and expand Islam’s realm in the West. This “service to Islam” aims both at securing new converts to the religion and at instilling among the Muslim minorities a sense of political and cultural obligation to the Muslim Nation as a whole. This entails acquiring a “high level of cultural depth” by building a slew of Arabic “identity” institutions that reflect Islam’s wholesomeness—including mosques, language schools, political organizations, and educational and cultural centers. The second “urgent need” mentioned by al-Alwani is the duty “to protect the Islamic presence (in the West) from deviating.” Naturally, what qualifies as “deviation” is anything that the jurists determine to be at odds with the Muslim Nation’s larger interests and priorities.

For several years now, Ramadan has expressed deep reservations about the *fiqh al-aqaliyyat* project. When the IOL jurists reprimanded Ramadan

and challenged his credentials as a scholar, he responded by saying that he has in fact been asked several times to join the European Council for Fatwa and Research and similar institutions, but has refused because he disagrees with certain aspects of their jurisprudence. In the past, he has made vague theoretical and psychological references to the sense of “otherness” and feelings of “unhealthy schizophrenia” and “inferiority complex” that this jurisprudence and similar endeavors arouse and help to reinforce among Western Muslims. “I reject the mentality of the “other,” he said in a 2004 interview with *Egypt Today*. “That’s why,” Ramadan says,

I was critical of the title of (Qaradawi’s) book *Ahwal el-Muslimeen fil mujtama’at el-okhra* (*The Situation of Muslims in Other Societies*), because he doesn’t belong here. He lives in Qatar, it was normal for him to say that and to discuss *fiqh al-aqaliyyat* (the fiqh of minorities). I’m saying, “No. For us, these are not ‘other’ societies they are our societies.”<sup>22</sup>

Indeed, the fundamentally Arab character of *fiqh al-aqaliyyat* and its underlying political and cultural agenda in the West is deeply antithetical to Ramadan’s own stated larger project of creating a “European Islam” and of rethinking Muslim jurisprudence in global terms in accord with his belief that Islam is a universal message with universal principles (and a complement to—some fear, a competitor to—universal Western values.)<sup>23</sup>

Ramadan’s call and response to the IOL scholars provide his clearest challenge yet to the theory and legitimacy of minority jurisprudence. In fact, Ramadan suggests the IOL scholars have demonstrated the complete irrelevance of their jurisprudence when they fail to address the state of necessity in the wider Muslim world. “On the question of hudud,” he writes, the position of the European Council for Fatwa and Research

is that, since Muslim monitories do not have to apply the hudud, then this matter should not concern us. So why do you want me to direct this question especially to the European Council as the Council itself sees it as beyond its competence (even though I deeply disagree with this understanding)? It is an international question and it concerns in priority the Muslim world: this is the meaning of my approach.<sup>24</sup>

Whereas the IOL scholars use the concepts of necessity and public interest for the limited purpose of settling down Western Islam and fulfilling their religious duties to the Muslim Nation, Ramadan uses them to argue on behalf of global priorities that affect the Muslim world more generally and concern remaining faithful to the Sharia’s true, universal principles of equality and

justice. In effect, by placing fidelity to Islamic principle above the Muslim duty to settle down the call in the West, Ramadan delivers a broadside to the mainstream Islamist's religious and political agenda.

Consider, for example, two of the IOL scholars' lines of attack against Ramadan. Muzammil Siddiqi said that Ramadan, rather than calling for a suspension of the Islamic penal code, "should have called for better and comprehensive application of the Sharia." Others said that the hudud are "almost never applicable" in the Muslim world; they said, in fact, that there has been a *de facto* moratorium on the Sharia penal code for over two centuries now, ever since Muslim-majority countries began replacing Islamic legal systems with Western law.

But both of these arguments, says Ramadan, evade the real issue—the superficial fidelity to Islamic scripture that produces such widespread human rights violations in the Muslim world in the first place. At the very best, people recognize this emergency but "express condemnation from afar without trying to evolve the mentalities." And to say the hudud are "almost never applicable" is, in Ramadan's view, partly complicit in the instrumentalization of the Sharia, as it leaves the Salafists and their literalist understanding in the dominant position by default, with no serious alternative argument to the contrary. What we are left with is a "heavy and troubling silence on the question."<sup>25</sup>

Ramadan's call is designed to shatter this silence. And because he speaks of Islamic principles, not simply of Muslim duties, he describes it as a call to responsibility: "It is in the name of Islam's message of justice that we call upon and remind Muslims that it is the responsibility of each alim (scholar), of each conscience, every woman and man, wherever they may be to speak up."<sup>26</sup> In a way, Ramadan does propose a "better application" of the Sharia—one that he says is more faithful to Islam's objectives. But, he suggests Islamic government is not the best way to bring this about. In fact, he not only says such conditions are "impossible to reestablish," but his analysis would seem to suggest that dutifully calling, as the Islamists do, for Islamic government without first establishing the conditions for the Sharia's proper implementation is actually conducive to the further instrumentalization of the Sharia. Moreover, he clearly asserts that the kind of political conditions best-suited to address this state of necessity and to allow a discussion aimed at recovering the Sharia's true principles to unfold are democratic ones. "We need to set in motion a democratization movement that moves populations from the obsession of what the law is sanctioning to the claim of what it should protect: their conscience, their integrity, their liberty and their rights."<sup>27</sup>

## Western Islam vs. Authentic Islam

From the Islamist's perspective, what Ramadan manages to do is to reformulate the jurisprudential concepts advanced in the theory of *fiqh al-aqaliyyat* along moral lines. "Western values have clearly influenced the Muslim mind deeply," said Shaykh Muhammad al-Shinqiti, director of the Islamic Center of South Plains in Lubbock, Texas. "Such influence is not restricted to secularists only, but it has extended to the Islamists, especially those living in the West such as Ramadan and myself; and thus, the adaptation with other cultures has turned into a religious and ethical point of view."<sup>28</sup>

Ramadan's adoption of this ethical approach to Sharia leads to some surprising results. First of all, he says that not only Muslims, but the "international community" has an "equal responsibility" in addressing the political conditions in the Muslim world. He criticizes the West in particular for being too selective in its condemnation of human rights abuses in the Muslim world, saying that the West rushes too quickly to censure extreme Sharia in, for example, Africa, while not condemning with the same resolve the abuses that occur in Muslim countries where strategic and oil interests are at stake.

The second interesting result is a new formulation of the obligations of Muslim minorities in the West to the wider Muslim Nation. Though Ramadan clearly believes that Muslims in the West are responsible as missionaries of the Islamic religious call, he has said that they are represented by their principles, not by their culture. On principle, then, he states that Western Muslims have an even greater and unique responsibility to address the state of emergency in the wider Muslim world. In fact, Muslims who "live in spaces of political freedom" have—"in the very name of the Islamic teachings—a major responsibility to attempt to reform the situation, open a relevant debate, condemn and put a stop to perpetrated injustices in their name."<sup>29</sup>

Inviting Westerners, non-Muslim and Muslim alike, to enter into a critical discussion about the internal affairs of the Muslim Nation is certainly not what al-Alwani or Qaradawi had in mind when they first begun their venture of settling-down the religious call in the West. We are in a position now to appreciate more fully why the IOL scholars were so livid about Ramadan issuing his devious call in public, and over concerns that it would spark "needless religious sedition." And yet, the irony here is that by granting such a large role to the use of necessity and public interest in their jurisprudence, the Wassatiyya scholars have opened the door to this political sedition themselves.

Rolling-back these sources of deviation and sedition has become a paramount priority on Qaradawi's agenda in recent years. In 2003, for example, he issued a fatwa on IOL that defined, among other things, the problem of

“intellectual apostasy” in the Western context, and the crucial role that Islamic scholars and jurists must play in addressing it. As the Shaykh writes,

Intellectual apostasy is the kind of apostasy whose owners do not swagger as much as those who declare their explicit disbelief and openly wage war against everything that is religious. Actually intellectual apostates are far smarter than that. They wrap their apostasy in various coverings, sneaking in a very cunning manner into the mind the way that malignant tumors sneak into the body. These people are not noticed when they invade or begin to disseminate their falsehood, but they are mostly felt when they affect the minds. They do not use guns in their attacks, however, their attacks are fierce and cunning. Erudite scholars and well versed jurists well apprehend this type of apostates, but they can not take an action in face of such professional criminals who have firmly established themselves and have not left a chance for law to be enforced on them. They are the hypocrites whose abode will be in the lowest level of the Hell-Fire.

(Intellectual apostasy) needs a wide scale attack at the same level of strength and thinking. The positive religious obligation here is for Muslims to launch war against such a hidden enemy, to fight it with same weapon it uses in waging attack against the society. Here comes the role of erudite scholars who are well versed in Islamic Jurisprudence.<sup>30</sup>

This idea of a religious duty to wage wide scale war against intellectual apostasy—an “ideological jihad,” if you will—was clearly foremost on Qaradawi’s mind in 2004, when he presided over the inaugural meeting of the International Association of Muslim Scholars (IAMS) in Dublin, Ireland. One of IAMS’s principle missions, as Qaradawi explained, is to provide a central location for the strategic coordination of mainstream Islamism’s worldwide ideological efforts through television, the Internet, publishing houses and other media outlets. The “general overall goal” of this endeavor, he said,

is to preserve the identity of the Islamic nation, and its essential entity—to protect it against the attacks that seek to tear it from its roots and change the identity of the Nation and turn it into a different Nation with a different philosophy that will make it merely a tail, while Allah has created it to be the head; make it a nation in vassalage to others, while (its destiny) is to be followed by others; and to preserve the message of the nation in its true Islamic face, and to counter the destructive currents that want to change the identity of the Nation.

For some analysts—including Reuven Paz, a contributor to *Current*

*Trends in Islamist Ideology*—Qaradawi’s ascension as head of the IAMS signifies a new phase in the development of the Muslim Brotherhood.<sup>31</sup> This new phase entails both an “internationalization” of the Brotherhood’s agenda, as well as a new trend toward greater ideological radicalization. Indeed, considering the large scale ideological offensive launched against Ramadan’s devious behavior, it appears that the Wassatiyya scholars are moving sharply in the direction of a re-Salafization—or, to paraphrase Ramadan, they are becoming much more open about their fundamental embrace of the “formal” and “binary” ideology that views the West as a mortal enemy that threatens the “wholesomeness” or “essential entity” of the Muslim Nation.

The feud between Ramadan and the scholars highlights three general areas that are likely to become increasingly divisive sources of conflict within mainstream Islamism. By extension, they are also likely to affect in important ways the future trajectory of Western Islam. The first source of contention concerns the “ethical point of view” that Ramadan develops in his interpretation of Sharia. Such a view, as Shaykh al-Shinqiti put it, is not Islamic, but “saturated” with Christian “concepts of salvation, crucifixion, and redemption.” This ethical attitude personalizes religion, which “in the West has opened the door to liberalism that is not restricted by any ethical restraint...”<sup>32</sup>

After detailing the negative and corrosive consequences of this personalized religion in Western liberal society, al-Shinqiti contrasts Ramadan’s Islam of principle with the forensic and harsh nature of Islamic law, citing the Quranic verse: “And let not pity for the twain withhold you from obedience to Allah, if ye believe in Allah and the Last Day. And let a party of believers witness their punishment.” In turn, Ramadan’s proposal of an “ethical Sharia” led to an emphatic counter-assertion by the scholars that Ramadan was guilty of selectively approaching the Sharia, whereas that law, as al-Alwani forcefully put it, “is a whole, unique entity that cannot be divided.”<sup>33</sup>

The second and related area of conflict concerns the scholars’ assertion that not only had Ramadan challenged the unity of the Sharia through his indulgence of morality, but that he had compromised the Muslim Nation through his indulgence of democracy. According to Ahmed al-Rawi, chair of the Federation of Islamic Organizations of Europe, and a noted Muslim Brother, Ramadan’s call was the latest in a string of woefully misguided attempts by Muslims to combat “the vile campaigns that aim at distorting Islam in the West” by making Islam seem more agreeable to Western liberal democratic sensibilities. (Ramadan himself felt especially obliged to address this particular charge, saying that his call was not an effort to “beautify” Islam, but rather one made out of conscience.) But, al-Rawi said, this was a point-

less charade, as the “attack on Islam will never come to a stop by such calls.” Instead, simply having a public and democratic debate on such religious and political issues could stir up “needless religious sedition” within the Muslim Nation and “open a new front against the Muslim faith.”<sup>34</sup>

Picking up on this line, one IOL pundit, Dr. Emad Shahin, a political science professor at the American University of Cairo, said that “Ramadan’s environment as a European has a great influence on his call.” Within such an environment, Shahin said that Ramadan, as with so many other Western Muslims today, has assumed a defensive posture, trying to demonstrate that Islam and democracy are compatible so as not to be discriminated against and to feel more at “harmony” with life in the West. But by doing this, Shahin says that Western Muslims are subjecting their religion to a process of “selective marginalization” that leads dangerously to a “dismantling of Islam.” Indeed, the very proposition of a European Islam is “tearing Islam apart from within.”<sup>35</sup>

The third area of conflict concerns how this “moralization” and “democratization” of Islam in the West adversely affects in the minds of the Islamists the dynamic of the larger war of ideas between the Muslim Nation and Western liberalism.

The scholars, lamenting Islam’s embattled state, depicted Ramadan as either an inadvertent or willing accomplice in what they perceived to be the West’s campaign to undermine the essential religious, political and cultural identity of the Muslim Nation. For example, in addition to complaining that Ramadan’s call was grossly irresponsible when bigger political priorities—such as Palestine and Iraq—were at stake, Salah Sultan said that such a call to evolve the moral and political conditions of the Muslim world would only “further beef up seculars and enemies of Islam, who will step up their war on Islam.” For al-Alwani, tackling the application of extreme Sharia in the Muslim world was an especially egregious act of collusion with the enemy, as the destruction “of Islamic Law has always been a target, for our enemies are aware that Sharia is the real obstacle in their destructive schemes.”

But Ramadan’s call was also not an isolated incident for the scholars. They frequently referred to two recent events: the opening of an all-women’s mosque in the Netherlands and, in New York, the leading of a Muslim congregation in prayer as *Imam* by a female theologian, Amina Wadud. For them, these historic events and the proposal for a moratorium on the hudud are all symptomatic of a larger enemy offensive designed to carve-up the Muslim Nation by creating a religiously and politically distinct Western Islam. Islam’s enemies “are trying to pit Muslims against one another,” as al-Alwani said.<sup>36</sup>

These various assertions by the scholars play skillfully on the prejudices, widespread in the Arab world, that the West is a place where Islam becomes spiritually impoverished and politically corrupted. But what this episode furthermore makes dramatically apparent is that Western Islam is increasingly viewed by mainstream Islamism not simply as a frontier religion to be settled-down by the emissaries of an authentic faith doctrine, but as an ideological competitor and threat to the wholesomeness of the Muslim Nation itself.

Based on these considerations, the scholars impugned Ramadan's faith and his loyalties to the Muslim Nation. And to steel other Western Muslims against the subversive influences of the West, they also sought to make an example of Ramadan, nearly declaring him an apostate. As al-Alwani put it, all who fear Allah should immediately disavow themselves of any form of self-examination and speculation on the morality of Islam's religious and political practices. A "wise Muslim," he said, "should never be lured into such traps, because this would make the Muslim nation more likely to be lured into more moral challenges."<sup>37</sup>

### Future Trends

The writer who reported on the Ramadan affair for IOL, Dina Abdel-Mageed, assured readers that while "Ramadan's call will be welcomed and manipulated by the West, in the Muslim world it is expected to generate little more than vociferous verbal assaults on Ramadan, and a heated, ultimately fruitless debate."<sup>38</sup>

That's unlikely. Ramadan, to his credit, has not backed down under fire. And based on an unscientific survey of Muslim websites, he has generated much discussion among many who are agreeable to his cause. Certainly many more would welcome Ramadan taking up the topic of jihad as his next issue for critical reflection, and providing an account of how the instrumentalization of *that* aspect of Sharia is today destroying the innocent lives of so many Muslims and non-Muslims alike. His public statements concerning this emergency in the Muslim world are perhaps as revealing as is the ideologically-charged response and silence of the mainstream Islamists on the issue of the extreme application of the Sharia penal code.

What this episode clearly demonstrates is that mainstream Islamism views the West as a crucial and possibly even the foremost battleground of ideas between Islamism and liberalism. Insofar as they see victory on this Western front as crucial to preserving and restoring the "essential entity" of the worldwide Muslim Nation, they can be expected to spare no effort at stamping out developments within Western Islam that they deem to be at odds with their larger ideological agenda. Moreover, the surprising response

to Ramadan's call from abroad—from Al-Azhar, for example—indicates that the emergence of a self-critical and hopefully, one day, moderate and democratic Western Islam is likely to become an issue of great concern among more and more Islamists in the wider Muslim world, too.

In the near term, the Ramadan affair will likely elicit a more concerted effort by mainstream Islamists at home and abroad to define juristically what Western Muslims are permitted and forbidden to do intellectually and politically. “We need to stop blaming things on the Wahhabis,” said Abuz Zubair, commenting on Ramadan's call on *Islamicawakening.com*, a Western neo-Salafist website that, unlike IOL, has demonstrated little inclination to disguise its animosity toward the West. “There is a pressing need today for the mainstream Muslim scholars and thinkers to tackle fundamental questions about identity, citizenship and integration, preserving and practicing our faith in Western countries, before they are answered for us by the unqualified.”<sup>39</sup>

And yet, some trends on the ground would suggest that ideological supremacy in the definition of Western Islam is likely to remain a difficult religious obligation for the mainstream Islamists to fulfill. Surely, the West has emerged not simply as a “Land of Dawa,” but a land in fact of many Islamic calls. Given their ideological commitments, Qaradawi and company will invariably ramp-up their ideological jihad to control the forces of sedition and to punish especially those Muslims who, in their political theology, have allied with the West against the Muslim Nation. If, however, that Dawa-effort to stem the growth of a moderate and democratic Western Islam fails, it puts mainstream Islamists in a position of extreme ideological urgency. It could force them, in fact, to seriously re-examine the juristic and political “compromise” with the West that led them to this place to begin with—including both their postponement of the hadd punishment for apostates and their larger idea that expanding and settling-down Islam's sovereign realm in the West will come not by force but by “preaching and ideology.”

## NOTES

1 From a discussion thread posted in February 2005 on the website [www.sindbad.se](http://www.sindbad.se). Abu Mujahid, one forum participant, says in reference to the War in Iraq: “Wallahi I pray that Allah will severely punish all those who are involved in this war against Islam. And that Sweden will feel the punishment of the Mujahdiin that the USA and Spain and other countries have done for their involvement in Iraq. May Allah punish this hypocrite government, Ameen.” Forum member Abd al-Azeez then responds: “Please give me evidence that kuffar (infidels) should NOT be allowed to kill. Why should you not be allowed to call Sweden Dar ul-Harb (the House of War)? Ulama have

stated many times that every state that does not judge according to Sharia, and does not have a pact with the Muslims or is paying the Jiziya is a part of Dar ul-Harb, which is allowed to attack and their wealth permitted for all Muslims. Why not follow the example of what our Mujahid brother in Holland did with that pig Theo van Gogh? That brother's action really made a difference in the world, and because of it the Muslims now enjoy some respect and eminence among the kuffar. Sure, Muslims enjoy "protection" in Sweden as citizens. So what? There are Muslims in the USA and Israel, too, getting "protection". What difference does it make? Allah made Jihad compulsory. A Muslim has to enter fully into Islam, not just ignore issues as he feels like. This is Islam, not a lunch buffet." Originally cited in Internet Haganah, <http://haganah.org.il/harchives/004056.html>

2 Translated by MEMRI, *Special Dispatch Series No. 447*, December 6, 2002. Available memri.org, <http://memri.org/bin/articles.cgi?Page=subjects&Area=jihad&ID=SP44702>

3 Cited at <http://www.washington-report.org/backissues/0196/9601034.html>, a *Washington Report on Middle East Affairs* book review of *The Politics of Islamic Resurgence: Through Western Eyes: A Bibliographic Survey*, by Ahmad Abul Jobain and Ahmad Bin Yousef. UASR, Inc., 1992.

4 Discussion with Ramadan in Rotterdam, the Netherlands, May 2004. Additional remarks from "Some reflections around an article published in the *Evening Standard* on the 18th of July," Tariq Ramadan, July 19, 2005 at [www.tariqramadan.com](http://www.tariqramadan.com)

5 "An International call for Moratorium on corporal punishment, stoning and the death penalty in the Islamic World," Tariq Ramadan, March 30, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

6 "Response to the official statement of the Al-Azhar Legal Research Commission," Tariq Ramadan, April 28, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

7 "Tariq Ramadan Calls for *Hudud* Freeze", IslamOnline.net, March 30, 2005, [www.islam-online.net](http://www.islam-online.net)

8 Ibid.

9 "Reconsideration Required," Salah Sultan, April 19, 2005, [www.islamonline.net](http://www.islamonline.net)

10 "Unacceptable Allegation," Taha Jabir al-Alwani, April 19, 2005 [www.islamonline.net](http://www.islamonline.net)

11 "An International call for Moratorium on corporal punishment, stoning and the death penalty in the Islamic World," Tariq Ramadan, March 30, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

12 "An International call for Moratorium on corporal punishment, stoning and the death penalty in the Islamic World," Tariq Ramadan, March 30, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

13 "Applying Hudud in Non-Muslim Communities," Islamonline Fatwa Bank, March 31, 2005 [www.islamonline.net](http://www.islamonline.net)

14 For a good analysis of the development of fiq al-aqalliyat, see "Ideological Islam in the United States: "Ijtihad" in the Thought of Dr. Taha Jabir al-Alwani," by Shammai Fishman, The Project for the Research of Islamist Movements (PRISM)

15 "A response to Shaykh Dr. Ali Juma, Mufti of Egypt", Tariq Ramadan, May 10, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

16 "An International call for Moratorium on corporal punishment, stoning and the death penalty in the Islamic World," Tariq Ramadan, March 30, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

17 Ibid.

18 "Responses to the Muslim scholars and the leaders," Tariq Ramadan, April 29, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

19 "Realities that Must Be Understood," Shaykh Ali Juma, May 10, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

20 Others, such as Sultan, said that Ramadan should “consult trustworthy Muslim scholars in Sudan, Saudi Arabia, Iran, and other Muslim countries where Islamic legal penalties are still being applied, as they are more aware of them.”

21 Translated by Shammai Fishman, “Some Notes on Arabic Terminology as a Link Between Tariq Ramadan and Sheikh Dr. Taha Jabir al-Alwani, Founder of the Doctrine of ‘Muslim Minority Jurisprudence’” at PRISM, <http://www.e-prism.org/images/tariqfinal291203.doc>

22 Interview with Tariq Ramadan for *Egypt Today*, Rania al Malky, October 2004, [www.egypt-today.com](http://www.egypt-today.com)

23 Ramadan said to me that at the very best, the *fiqh al aqalliyat* project represents “one step” along the path toward building a jurisprudence of a “global Islam.”

24 “Responses to the Muslim scholars and the leaders,” Tariq Ramadan, April 29, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

25 “Responses to the Muslim scholars and the leaders,” Tariq Ramadan, April 29, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

26 “An International call for Moratorium on corporal punishment, stoning and the death penalty in the Islamic World,” Tariq Ramadan, March 30, 2005, [www.tariqramadan.com](http://www.tariqramadan.com)

27 Ibid.

28 “Tariq Ramadan’s Call: Pros and Cons,” by Sheikh Muhammad ibn Al-Mukhtar Al-Shinqiti, April 19, 2005, [www.islamonline.net](http://www.islamonline.net)

29 Ibid.

30 “Fatwa on Intellectual Apostasy,” Yusuf Al-Qaradawi, March 24, 2003, [www.islamonline.net](http://www.islamonline.net)

31 See for example, “Qaradawi and the World Association of Muslim Clerics: The New Platform of the Muslim Brotherhood,” by Reuven Paz, *The Project for the Research of Islamist Movements (PRISM)*, Vol 2, No 4, Herzliya, November 2004

32 “Tariq Ramadan’s Call: Pros and Cons,” by Sheikh Muhammad ibn Al-Mukhtar Al-Shinqiti, April 19, 2005 [www.islamonline.net](http://www.islamonline.net)

33 “Unacceptable Allegation,” Shaykh Dr. Taha Jabir al-Alwani, April 19, 2005 [www.islamonline.net](http://www.islamonline.net)

34 “Tariq Ramadan Calls for *Hudud Freeze*,” IslamOnline.net, March 30, 2005, [www.islam-online.net](http://www.islam-online.net)

35 “Tariq Ramadan’s Call for a Moratorium: Storm in a Teacup” by Dina Abdel-Mageed, April 18, 2005, [www.islam-online.net](http://www.islam-online.net)

36 “Unacceptable Allegation,” Taha Jabir al-Alwani, April 19, 2005 [www.islamonline.net](http://www.islamonline.net)

37 Ibid.

38 “Tariq Ramadan’s Call for a Moratorium: Storm in a Teacup” by Dina Abdel-Mageed, April 18, 2005, [www.islam-online.net](http://www.islam-online.net)

39 “No Thanks’ to Tariq Ramadan,” Abuz-Zubair, [www.islamicawakening.com](http://www.islamicawakening.com)