Escalating Legitimacy Crises: Dwindling Political Authority and the Pursuit of Justice in Islamic, National, and Global Arenas

Robert R. Bianchi
University of Chicago
beyazomar@aol.com

“One of the real reasons why I wanted to have a show like this, in this space—sort of political satire and investigative reporting—for the longest time, someone who looks like me, and I think there are so many people who share my identity around the world—I felt like we’ve either been spoken to or spoken for.”
—Hasan Minhaj, an American political humorist of Indian-Muslim heritage explaining why he chose to become a standup comedian on television. (*Time*, April 17, 2019)

“It is, perhaps, hardly necessary to say that this doctrine is meant to apply only to human beings in the maturity of their faculties...[W]e may leave out of consideration those backward states of society in which the race itself may be considered as in its nonage... Despotism is a legitimate mode of government in dealing with barbarians, provided the end be their improvement, and the means justified by actually effecting that end. Liberty, as a principle, has no application to any state of things anterior to the time when mankind have become capable of being improved by free and equal discussion. Until then, there is nothing for them but implicit obedience to an Akbar or a Charlemagne, if they are so fortunate as to find one.
—John Stuart Mill (*On Liberty*, chapter 1, 1869)

“In the emerging world society, and concerning the social infrastructure, there are, as it were, by now only modern societies, but these appear in the form of multiple modernities
because the great world religions have had a great culture-forming power over the centuries, and they have not yet entirely lost this power...Against this background, intercultural discourses about the foundations of a more just international order can no longer be conducted one-sidedly, from the perspective of ‘first-borns’. These discourses must become habitual [*sich einspielen*] under the symmetrical conditions of mutual perspective-taking if the global players are to finally bring their social-Darwinist power games under control. The West is one participant among others, and all participants must be willing to be enlightened by others about their respective blind spots. If we were to learn one lesson from the financial crisis, it is that it is high time for the multicultural world society to develop a political constitution”.
—Jürgen Haberbas, describing the evolution in his thinking away from viewing the Enlightenment as the preeminent source of universal human rights. (“A Postsecular World Society? On the Philosophical Significance of Postsecular Consciousness and the Multicultural World Society”, *Monthly Review*, March 21, 2010)

“Whoever sees an evil must change it with his own hand. If that is impossible, then with his tongue. If that is impossible, then with his heart. And that is the very least a believer should do”.
—A well-known saying attributed to the prophet Muhammad, frequently quoted by the leaders of the Muslim Brotherhood to caution their followers against provoking retaliation from repressive regimes. (Discussed in Richard P. Mitchell, *The Society of Muslim Brothers*, 1969)

“Laicite, Inshallah”. (Secularism, God willing)
—The title of a critical film banned under Zine El Abidine Ben Ali’s government which became a popular post-revolutionary slogan of Muslim women demonstrating against proposed references to religious law in Tunisia’s new constitution. (“Nadia el-Fani: A Soldier of Secularism Fights On”, *Middle East Institute*, February 15, 2018)

"I don't know what my feeling would be if I was on the street. But I am in the palace".

—Lt. Gen. Salah Abdelkhalig, a member of the miltary council that deposed President Omar Hassan al-Bashir, commenting on protesters' demands for a speedy transition to civilian government in Sudan. (Declan Walsh, "The Son Protested the Dictator, The Father Helped Throw Him Out", *New York Times*, April 23, 2019)

Introduction: Why Western Liberals Are Rediscovering Islamic Modernism

Western and Islamic societies are suffering from a common ailment—their citizens are losing trust in the basic integrity of their political institutions. The problem goes far beyond dissatisfaction with current policies and personnel. It penetrates the deep tissue of political life—the underlying structures and processes that are passed on from generation to generation. Wide swaths of society doubt that their leaders can, or even intend to,
support their daily needs and uphold their human dignity. Particularly among the young, the working poor, and rural backwaters, there is a growing sense that systematic injustices are the core reasons behind recurrent crises in markets, governments, and social relations—crises that inflict ever greater damage as they reinforce one another and ripple across the world with mounting force.

Social scientists often describe these clusters of symptoms as crises of legitimacy, suggesting a pervasive withdrawal of public confidence in the political system as a whole. This can be a cumulative erosion of faith in institutions that begins with particular governments, that gradually extends to the wider constitutional regimes supporting government in general, and even to the coexistence of communities that comprise the nation itself. In the parlance of political science, crises of legitimacy can attack the political system from top to bottom: at the levels of the government, the regime, and the political community—or, more simply, the rulers, the rules, and the ruled.[1]

The net result is a decline of political authority. As the citizenry loses a sense of obligation to comply voluntarily with official policy and law, those who hold power must rely more and more on coercion instead of persuasion or appeals to patriotic

loyalty. Typically, greater repression breeds stronger protest and entrenched elites face a fateful choice between fundamental reform and bloody confrontation. In the words of President Kennedy, “Those who make peaceful reform impossible will make violent revolution inevitable”.

Kennedy’s admonition was originally directed at looming dangers in Third World countries, especially in Latin America. But he quickly discovered that his own society was being consumed by similar risks as mass protests gathered steam against racial discrimination and the war in Vietnam. Since then, American society has never settled down. On the contrary, it has lurched from one crisis to another with little time for citizens to catch their breath in between: Watergate, the Islamic Revolution in Iran, Iran-Contra, Monica Gate, post-9/11 quagmires in Afghanistan and Iraq, and global banking implosions. Against this backdrop of serial failure, we wonder openly how to survive the surrealistic current administration with its bizarre Russian ties and its methodical shredding of long-standing principles of the rule of law and international cooperation.

European democracies face even greater peril. The European Union and the North Atlantic Treaty Organization are teetering under the pressures of xenophobia and protectionism. Established parties are being decimated at the polls and their hapless successors are humiliated by vigilante protests they can neither quell or placate. European liberals are increasingly anxious about internal threats from native extremists. After years of hand wringing over whether Muslim citizens could be absorbed into pluralist democracies, observers in nearly every European capital are dreading the resurgence of indigenous fascists who barely bother to disguise themselves with populist and pious rhetoric.

The Islamic world has long been accustomed to sustained political turmoil. Revolution and civil war have come and gone in many waves of colonial and post-colonial conflict, often in chain-reactions that quickly jumped from nation to nation across Asia, Africa, and the Middle East. But current protests amount to far more than a replay of past battles. They are driven by new generations of educated, independent, and assertive citizens who reject patriarchy in all forms—authoritarian and democratic, secular and religious, civilian and military. Their political movements are fashioning powerful coalitions that span partisan ties, age groups, genders, classes, and religious views. Time after time, they display an innate savvy and rapid learning that earlier agitators could not have imagined. With increasing skill and consistency, they blend social media and internet communications with traditional mass venues such as popular mosques and Friday prayers. Algeria and Sudan are merely the latest examples of mass action that newly empowered citizens are adopting in many far-flung regions from Turkey to Indonesia and from Nigeria to Pakistan.

This strategy allows them to assemble people from all walks of life in sustained collective action that quickly draws international attention and involvement. They force ruling elites to debate with one another, openly and privately, about alternative responses, including purging their own ranks and trying to create a modicum of confidence in the possibility of power-sharing reform. With their backs to the wall, authoritarian rulers—particularly military elites with extensive business interests—might choose the Egyptian or Syrian path of tactical retreat followed by overwhelming force and prolonged dictatorship that is even more ruthless than before. Even so, authoritarian diehards inherit a diminished realm shrouded in

constant states of emergency and abiding skepticism from foreign investors who often hold the keys to their survival.

From this perspective, there is a common ambition linking embattled liberals in the West and newly assertive citizenries of the Islamic world. Both want to create more inclusive and more resilient types of political authority that can sustain struggling democracies, new and old. Moreover, in both cases, religion is seen as an indispensable ingredient of any effort to cope with the chronic crises of legitimacy that hang over both Western and Islamic polities. After generations of futile quarrels over the meaning of secularism and the Islamic state, hardly anyone seems satisfied with the hybrid arrangements that have come to prevail in Muslim and Western lands. Mixing religion and politics is seen as a fact of life and a social necessity rather than as a moral standoff between believers and non-believers or between science and superstition.

These days, Western and Islamic liberals are less worried about the mixing than about the results. Instead of banning religious involvement in political debate, they want to channel it in ways that benefit society more than harming it. Religious groups are embracing similarly pragmatic and utilitarian views. Muslims who are painfully aware of their long habits of persecuting one another see secularism as a safeguard of religious freedom. More and more, they speak the language of human rights and democracy instead of chasing an illusory vision of Islamic order that has no lasting consensus. For their part, many Westerners who consider themselves children of the Enlightenment, suspect that relying on reason alone has weakened social solidarities to the point where basic liberties are in eminent danger. Acknowledging their error in presuming that modernity would dissolve religion, they

are looking to the world's major faiths as potential partners against intolerance and extremism.

Regarding Islam in particular, Western liberalism's sense of vulnerability is paving the way for a rediscovery of Islamic Modernism. This is an extraordinary development that deserves explanation because it is such a clear departure from decades of American and European thinking about Islam. Conventional wisdom in Western scholarship and diplomacy has usually minimized the importance and potential of modernist Islam relative to the supposed power of so-called traditionalists and fundamentalists. Western specialists have long regarded the traditional scholars and jurists—the *'ulama*—as the most authoritative custodians of Islam whose collective interpretations defined mainstream religion century after century and the world over. During the last forty years or so, a common verdict has spread about the waning influence of the *'ulama* and the rise of a new vanguard of fundamentalists whose extremism and violence have supposedly captured the imagination of young and marginalized Muslims, including many who were born and raised in Western democracies.

The narrative of Islamic terrorism has gradually replaced the mythology of an unchanging core tradition blocking Muslims' efforts to join the modern world. For several years now, American journalists have assumed that experts on Islam were also students of terrorism and vice versa. Media outlets that used to inquire about Quranic interpretation and Islamic law have shifted to asking instead about radicalizing environments and suicide bombers. American universities have sprouted countless courses on counter-insurgency and anti-terrorism, but law schools are steadily reducing offerings in Islamic law—in part, because of political campaigns claiming that *shari'a* law is spreading through society.

Once again, the spotlight is shifting—in Europe and the United States—toward the Islamic Modernists who were long left in the shadows by both scholars and popular commentators. One reason for the change is the hope of Western liberals that open-minded Muslims can help them combat fundamentalisms of all stripes, including extremist tendencies surging in America and Europe. An even more important reason is that Islamic Modernism is not what it used to be. It is a far more vigorous and globally influential network of writers, interest groups, and activists than Westerner observers encountered previously. That makes modernists more valuable allies in political struggles across Islamic countries and the rest of the world as well. Muslim modernists are particularly well-positioned to help shape coalitions on religious issues where secularist liberals are more committed to salvaging democracy than to enforcing clear-cut separations of church and state.

How did these opportunities arise? From where do Islamic Modernists draw inspiration for their ideas and social support for their politics? What are their track records in forming stronger or weaker alliances—when do they join popular oppositions or side with the beleaguered status quo? We can begin to answer these questions by looking at modernist approaches to two core elements of political legitimacy—the evolving concept of justice in Islamic history and the constitutional frameworks that best insure religious freedom for Muslims themselves. Simply stated, Islamic Modernists generally contend that, in today's world, justice demands democracy and religious tolerance requires some form of secularism.

Bases of Islamic Legitimacy: Justice, Legal Pluralism, and Representation

The earliest disputes over legitimacy sprang from rival claims to lead the Muslim community after the prophet's death. At first, Muslims focused on the

personal qualities of prospective rulers and the proper methods for selecting them. A series of bitter civil wars grew out of succession struggles in which power passed back and forth between two coalitions. Supporters of Muhammad's relatives believed that he left behind a holy family of rightful successors who preserved living remnants of his spiritual insights. They rallied to the prophet's cousin and son-in-law, 'Ali Ibn Abi Talib, and then, after his death in battle, to his son Husain who was slain as well.

Their main opponents came from the leading families of Mecca who argued that leadership should be based on merit and tribal election rather than inheritance and personal intimacy with Muhammad. Many of them had resisted the new religion and helped drive the small Muslim community to Medina where it regrouped and eventually launched a successful campaign to conquer Mecca a decade later. Some of the same Meccan elites that initially rejected Islam then converted, regained much of their influence while Muhammad was still alive, and reasserted their dominance in the civil war years.

The issue was resolved by force instead of consensus, opening a permanent rift between Sunnis and Shiites who have coexisted in constant tension to this day. Shiites comprise a sizeable minority of the world's Muslims—about 15 percent—and they form the majority in Iran, Iraq, Bahrain, and Lebanon. They regard the martyrdom of their saints as an injustice of epic proportions and centuries of persecution have ingrained in them a strong identification with oppressed peoples everywhere. The recent Islamic Revolution in Iran has rekindled the political dimensions of that identity, inspiring Shiite communities to demand greater power and opportunity instead of remaining second-class citizens.[2]

As Islam spread to distant lands and diverse cultures, it quickly absorbed customs and practices from non-Arab Muslims. Over time, the Islamic world

developed a cosmopolitan, transcontinental civilization inspired by new converts steeped in multiple traditions, particularly Greek and Persian, Jewish and Christian, Turkish and Mongol, Chinese and Indian. Governing such vast domains, even briefly, was a nearly insurmountable task for any dynasty or coalition. Under these conditions, legitimate political authority was rare and, while it lasted, usually relied on mythic histories and fictitious genealogies.

In practice, governing was based on a tacit division of labor among unequal ethnic and linguistic groups. Ultimate power rested with Turkish military commanders who gained control through conquest or mutiny. The machinery of state was in the hands of educated bureaucrats who were familiar with Persian notions of kingship and social hierarchy. Religious leadership required mastery of Arabic, but that was attainable by any Muslim with sufficient education. Arabs were typically a subject population ruled by foreigners and they often enlisted religious leaders—mainly in the court system—to act as intermediaries with the state in trying to redress grievances and maintain local autonomy.

These political systems amounted to government by statecraft rather than divine mandate or election by consensus. Bowing to the reality of the times, most religious scholars argued that even a usurper merited obedience as long as his regime repelled non-Muslim invaders and allowed believers to fulfill basic religious obligations. Beyond these minimal standards, the most important measure of a government's legitimacy was the degree to which it provided the community with justice. Justice was a constantly evolving concept that was refined in a long series of treatises on Islamic statecraft from the 12th to 18th centuries. A common thread was the famous circle of justice—a schematic summary of the well-ordered society

offering rules of prudence for creating harmony and prosperity among interdependent but unequal strata.[3]

A typical version of the formula proclaims:

There can be no royal authority and kingdom without the military;
There can be no military without wealth and treasure;
Wealth and treasure are produced by the common classes (traders, craftsmen, and farmers);
The sultan maintains the common classes by making justice reign;
Justice requires harmony in the world;
The world is a garden, its walls are the state;
The state's support is the religious law;
There is no support for the religious law without royal authority and kingdom.

In many texts, these maxims were arranged around the circumference of a circle, showing how the last statement led directly back to the first and reflecting the interconnections of state and society. Scholars often describe the circle of justice as an example of Islamic political theory, but it would be more accurate to see it as a fusion of Persian, Turkish, and Mongol ideas that highlight royal power, man-made law, and natural hierarchies among classes. Religion is still part of the picture, but in a supporting and subordinate role.[4]

The circle of justice framed political legitimacy in terms of performance and results—a utilitarian and pragmatic view that stressed economic well-being and social peace more than piety. It clearly implied that governments lost their right to rule if they ceased to dispense justice. Indeed, recurrent uprisings against tyranny, corruption, and disorder were justified in this manner. Religious and political commentators increasingly interpreted the requirements of justice in contractual terms, openly endorsing the right of revolution against rulers who violated their obligations. These precedents would become invaluable ammunition for Islamic Modernists in the 19th century who argued that Muslim history had already produced a tradition of social contract and a constitutional separation of powers.[5]

Muslim scholars and jurists filled most of the court positions in pre-modern times. Their interpretations of Islamic law (*shari'a*) provided the most important religious contribution to daily government and a vital connective tissue holding Muslim societies together during recurrent periods of disruption and political fragmentation. The secret of Islamic law's success is its flexibility and adaptiveness. Islamic law is a variety of common law. It is primarily lawyers' law made by judges and counselors, applying analogical reasoning to individual cases. American and British lawyers are usually amazed at how quickly they can grasp the key concepts and methods of Islamic law—matching rules to facts in a way that stresses similarities or differences with previously decided cases. These approaches invite inconsistency and unpredictability, making court battles a constant temptation and a risky gamble. Most common law systems have been codified by modern governments to insure greater certainty particularly in economic life, but Islamic law is an exception. There are at least five major schools that prevail in different regions, each supporting a maze of minority opinions and exceptions that leave wide room for judicial discretion in virtually any issue.

As a result, most Islamic law is, in fact, man-made despite formal claims that it stems directly from the Qur'an and the model practices of the earliest Muslims. Moreover, much of the man-made content springs from non-religious sources such as pre-Islamic custom (*adet*) and sultanic decrees (*qanun*). Pre-Islamic custom often influenced family law and inheritance. Sultanic decrees dominated criminal law because ruling elites usually saw religious courts as too lenient and, therefore, unreliable in punishing political enemies. Because of this diversity and syncretism, Islamic law has always been a pluralistic system—a pastiche of traditions that struggles to reconcile different sources, divergent methods, and overlapping

principles. In addition, Jewish and Christian communities were allowed to preserve their own laws and courts separate from the rest. They had access to Islamic courts if they wished, but Muslims could not seek justice in the courts of other faiths. Modern history has made the picture even more complicated by adding external sources of law with no Islamic roots at all. Colonial regimes introduced many secular European laws and all governments have had to deal with international law in the decades after independence.

Modern governments have consistently narrowed the already limited scope of Islamic law. Even when they claimed to be codifying *shari'a* rules to create greater uniformity, they actually replaced them with new legislation or selected only the provisions that suited their political interests. Some of the most notorious examples are harsh criminal codes that impose corporal punishments as supposedly mandatory religious penalties. Although many authoritarian regimes have promulgated these measures in the name of Islam, in fact, Muslim judges regularly avoided them by applying very strict evidentiary standards that were nearly impossible to meet in practice. The ancient penalties remained on the books without effect until recent governments revived them as tools of repression carrying a veneer of religious authority.[6]

Thus, the two pillars of political legitimacy in Islamic societies were both amalgams of predominantly man-made elements. The principles of statecraft enshrined in the circle of justice and legal pluralism of the *shari'a* derived from many cultures and evolved over several centuries. Their ambiguity and malleability made them useful techniques of government under changing and often tumultuous circumstances. But, as legitimizing forces, they were tentative, tacit, and only partially religious. In general, Islamic Modernists have seen these features to be

assets whereas their traditionalist and fundamentalist rivals have found them to be handicaps.

Modernists have given themselves wide latitude for reinterpreting and reinventing much of Islamic thought and history. The tradition's ongoing conflicts and inherent contradictions serve their goals of challenging conventional wisdom and widening debate on basic principles. The ideal Islam of the modernists is yet to appear—it exists only in the imagination and in possible futures. On the other hand, traditional *'ulama* and fundamentalist firebrands claim to be custodians of well-formed, coherent systems that are commanded by God and ignored by virtually all power holders. Traditionalists rest on the authority of collective scholarship spanning the centuries whereas fundamentalists advance supposedly faithful interpretations of holy scripture that directly reflect God's will unadulterated by human distortion. Traditionalist and fundamentalist claims often neutralize each other, leaving modernists with many opportunities to maneuver between them. Moreover, among the religious factions, it is the modernists who are most able to deal with secular liberals because they share strong interests in safeguarding free expression and undermining authoritarianism.

The belief that God's law is a higher law limiting all political authority is widely accepted by Muslims. When supporters of religious law urge its adoption as public law, they often portray it as a deterrent to tyranny—something like a constitutional check backed by divine power. Many people read this principle into the five daily prayers—the most universal expression of faith by Muslims everywhere. Ironically, non-Muslims sometimes presume that prostration in prayer signifies an innate submissiveness among believers which, perhaps subconsciously, carries over to human relations, including politics. In fact, just the opposite is the case. When

Muslims hear such comments, they typically explain that God alone is worthy of such deference and obedience, but not other humans—no matter how powerful or esteemed. In discussing the symbolism of prayer and its possible political implications, many Muslims argue that physical submission to God is a subtle reminder to everyone in positions of authority that all believers are equal and no mortal is entitled to unquestioned compliance.

Islamic Modernists take this thinking a step further. They claim that God-given law is like a law of nature that is also knowable through human reason. In this widely-held view, revelation and reason reinforce one another, leading to similar norms that can then be applied in social and political life. Since the 19th century, a long line of modernist writers has tried to reinterpret much of Islamic history to support the contention that Muslim practice amounts to an unwritten constitution with multiple constraints on political power.

They claim that weak rulers often had to tolerate opposition and protest, but that these concessions evolved into something greater than tactical compromise. Eventually, the community at large recognized such concessions as legitimate rights that all sovereigns had to respect. Privileges turned into rights and tacit acceptance became increasingly explicit. If privileges could become rights for elite groups like soldiers, bureaucrats, *'ulama*, and landlords, then the same rights could be extended to the rest of the population as well, including commercial and laboring classes and, in our time, to women. From this perspective, modernists develop more specific—and more controversial—arguments in favor of democratic representation, popular sovereignty, judicial independence, social welfare, and, recently, universal human rights.

Contemporary Muslims draw on all of these historical sources of legitimacy. Evolving concepts of justice, law, and representation shape current debates over religion and politics wherever Muslims live, including predominately non-Muslim societies of the West, Asia, and Africa. In reality, none of these concepts can support a coherent approach to religious involvement in public affairs. At best, they are hybrid creations derived from pragmatic compromises in extremely disparate times and places. More likely, they are well-intended mythology hoping to paper over otherwise unpalatable bargains with gentle self-deceptions. On this thin scaffolding, politicians in one country after another have settled for improvised arrangements that can be generously described as quasi-Islamic and semi-secular. All of them "work" in some ways and for some time. But none generates enough popular enthusiasm to survive for long or to serve as an attractive blueprint for anyone else. In this sense, they resemble the transient formulas that power brokers have employed to control and manipulate religion in all traditions.

Semi-Legitimacy and Its Discontents

David Hume contended that "Generally speaking, the errors in religion are dangerous; those in philosophy only ridiculous."[7] Those are strong words for a self-avowed skeptic, but not a bad perspective for approaching the loose blends of mainly secular and partly Islamic practices adopted by most modern governments. For better or worse, these experiments have usually veered far from their stated goals, leading to unintended consequences and mounting dissatisfaction. They generate incessant demands for reform that are followed by new rounds of bargaining between competing factions—all in the context of shifting balances of power with no apparent resting point.

Three examples stand out as supposedly decisive and paradigmatic choices that eventually turned in opposite directions—or simply wandered in circles. Turkey is the radical secular state that turned into a bastion of religious parties. Pakistan is the Islamic democracy where soldiers cling to power and religious parties regularly fail at the polls. Indonesia, meanwhile, is the Hamlet that chose neither fork in the road. Instead, it invented a multi-faith creed called Pancasila to strangle the drive for an Islamic state without sidelining religion from public life. Inevitably, this left the door ajar for Muslim militants to renew their demands when popular sentiment seemed to shift in their favor.

Turkey's predicament is filled with irony. Kemal Atatürk set up a Directorate of Religious Affairs to regulate Islam. In practice, this meant subsidizing an official religious establishment that, in time, grew into a well-placed interest group and a treasure house of patronage when conservative parties took power. In 1980, after Atatürkist army officers deposed pro-Islamic politicians, they vastly increased the Directorate's authority by putting it in charge of compulsory religious education in public schools—precisely the policy that generations of Turkish secularists had fought to prevent. The junta had convinced themselves that the state needed religious support to combat leftists and anarchists, so they institutionalized practices that Kemalism had always opposed. This was a windfall for pious leaders like Turgut Özal, Süleyman Demirel, and Recep Tayyip Erdoğan, who rode to power on new waves of religious feeling for the next four decades.[8]

More recently, some of the Directorate's growing female staff have pushed it in an unanticipated direction—toward defending universal human rights. Young and educated Muslim women, who comprise a core group of the ruling party coalition, protested against systemic gender discrimination by Directorate managers. With the

assistance of European human rights groups and Turkish civil rights activists—who are overwhelmingly from secularist backgrounds—they pressured the government to adopt sweeping personnel reforms, including mandatory sensitivity training for the Directorate and several other agencies. Surveying the repeated twists in Turkey's religious experiments, hardliners on both sides of the secular-Islamist divide have to wonder whether their apparent victories are helping their adversaries more than their friends.[9]

In theory, Pakistan was destined to be an Islamic state even before it existed. It supposedly arose in the imagination of India's Muslims who believed that historical inevitability and divine guidance would lead them to form a separate nation after independence. Nonetheless, for nearly a decade after partition, Pakistan remained without a permanent constitution because its leaders could not agree on what an Islamic state should be. Much of the debate centered on the role of the *'ulama* in adopting legislation. Should they have no official role or just a consultative function? Should they have a vote as a corporate group or a full-blown veto power? In the end, something like a partial veto was approved. The *'ulama* claimed a symbolic victory with a provision that "no law shall be passed against the teaching of the Qur'an and Sunnah," but those determinations were not reserved for religious scholars alone. For their part, fundamentalists and liberals could point to contradictory declarations that sovereignty belonged simultaneously to God and the people. None of these bargains ever took hold in practice because military governments imposed their own constitution after 1958, centralizing power in the name of rapid economic development.[10]

After 1971, civilians had another bite at the apple and started drafting a new parliamentary constitution. By this time, Islamic Socialism was the trending ideology.

The governing Pakistan People's Party championed a host of progressive economic policies, but its leader, Zulfikar Ali Bhutto, feared that reactionary religious groups—notably the Jama'at-i-Islami—would hound him out of office unless he gave into their demands for Islamizing both state and society according to their capricious standards. To salvage his constitutional efforts, Bhutto caved to the religious right, effectively inverting his party's slogan by emasculating the Socialism and inflating the Islamic.[11] In the long run, the greatest casualty was Pakistani democracy itself. Bhutto paved the way for a wide range of religious conservatives take up permanent residence in state advisory bodies, schools, and media outlets—strategic bases they used to intimidate secular opponents and religious minorities under Muhammad Zia-ul-Haq's dictatorship (1977-1988) and during the dizzying swings between military and democratic rule that Pakistan has endured ever since.

When Indonesia became independent, its leaders explicitly declared it was not an Islamic state, but their successors gradually decided it would be wiser to keep everyone guessing about what that meant. In time, the syncretic national ideology of Pancasila became a riddle promoting myths of compromise and tolerance while powerful movements gathered strength for battles they had already fought many times before. When Sukarno tired of multiparty democracy, he leaned on the Communists to isolate liberal and Muslim opponents. His so-called Guided Democracy stumbled for seven years while the country went bankrupt and starvation spread without remedy. In 1965, the army claimed the Communists were hatching a coup and launched a massacre of suspected red sympathizers. Well-armed Muslims carried the bloodshed to the countryside, killing hundreds of thousands before Suharto consolidated a New Order military dictatorship.

Suharto relied on a rigged three-party system dominated by hand-picked politicians and technocrats. When he saw his favorites slumping in elections, he began exploiting Islamic symbolism to shore up popular support and keep the army in line. Suharto courted prominent Muslim intellectuals, funded a nation-wide network of State Islamic Institutes, and poured public money into mobilizing the largest contingents ever assembled for the *hajj*, the annual pilgrimage to Mecca. Leaders of Indonesia's oldest and most powerful mass organizations, the Muhammadiyah and the Nahdlatul Ulama, are Islamic Modernists of varied stripes. They easily sensed the deepening insecurity that motivated Suharto's belated and ostentatious embrace of religion. They welcomed his largesse and marshaled their resources, waiting for the regime to exhaust itself in repeated scandals and crony capitalism. When financial crisis caught Suharto off guard, they put aside mutual jealousies and coordinated the mass demonstrations that drove the president and his allies from office.[12]

These same modernist politicians took turns leading the reform governments that have put Indonesian democracy on firmer ground than ever. But democratic consolidation has been accompanied by growing support for radical—and frequently violent—Muslim groups that are pressing for the adoption of Islamic law both locally and nationally. In today's Indonesia, contentious debates over the *shari'a* are potentially more dangerous than might appear from a distance because the stakes go far beyond piecemeal legal changes in this town or that province. The debates are sparking deep-seated fears that advocates of an Islamic state are up to their old tricks again—but this time with greater savvy and vote-getting power. In response, virtually all of the major parties are reinterpreting Pancasila in an Islam-friendly

manner, hoping to siphon support from extremist wings without abandoning long-standing protections for women and non-Muslim minorities.[13]

Most other countries have tried to avoid these three paths, choosing to create idiosyncratic systems tailored to their own special conditions instead of touting them as models for the rest of the world. In relying on Islamic appeals, their leaders are usually hoping that religion will help to bridge racial and partisan chasms that threaten their regimes and the survival of their nations. Even if these efforts yield some short-term benefits, they tend to aggravate the underlying splits that made them seem useful in the first place. Nigeria, Malaysia, and Saudi Arabia are striking examples of this pattern, and several Western countries are moving in a similar direction.

Nigeria’s government promotes an expensive program of dueling pilgrimages for thousands of Muslims and Christians. State funding helps Muslims go to Mecca for the *hajj* while Christians travel to Jerusalem, Rome, or elsewhere depending on their denominations. Muslim politicians started the process to attract religious voters and to quell growing unrest among the urban poor. As the venture swelled in numbers, Christian churches started pressuring rival politicians to set up a matching system for their flocks. The arguments for religious parity were unapologetically political—the south deserved what the north enjoyed and the largest ethnic groups required equal treatment to avoid a new civil war.

With this logic, state-sponsored pilgrimages became an integral part of Nigeria’s complex power-sharing agreements between regions and ethnicities. Unfortunately, it is precisely these bargains that infuriate public opinion more and more. Younger, educated Nigerians openly ridicule such pacts as straightjackets that stifle innovation and perpetuate a corrupt gerontocracy out of touch with the people

and the times. Worse yet, the idea that religious balancing can stabilize society is backfiring. Disputes over religious favoritism are sharpening deeper fears of northern domination and southern succession, pushing Nigeria toward a past it has vowed to avoid.[14]

In Malaysia, Islam is intertwined with problems of race, class, region, and party. Most of the time, it is impossible to know where one begins and the others end. Leaders of the majority Malay community used Islam as a rallying cry to strengthen ethnic solidarity among their target voters. By portraying Malay Muslims as the native sons of the soil, they sought to counter the economic dominance of Chinese and Indian minorities who had immigrated under British rule. Malay politicians created a powerful party based on patronage and business deals that gave them unbeatable advantages at the polls and consistent control of the national government for over half a century.

At first, the ruling party, known as UMNO (United Malays National Organization), focused on affirmative action policies to give Malay citizens preferential treatment in education, employment, and finance. But they began to worry when conservative Muslim politicians gained power in the less prosperous northern states. These Islamic rivals denounced the bargains of the Malay and Chinese elites on religious and ethical grounds, gaining steady support on the national stage and attracting allies from non-Muslim oppositions parties. In response, the government launched more overt appeals to Islam, hoping to stem defections of Muslim voters. The centerpiece of this strategy was a twin program of *hajj* sponsorship and Islamic banking—innovations that gained wide acceptance across the Muslim world even as they split Malaysian society into bitter factions and destroyed UMNO's monopoly of power.

In stark contrast to Nigeria and many other countries with scandal-ridden pilgrimage programs, Malaysia's *hajj* management was long regarded as a model of efficiency and smart social engineering. Its great innovation was combining pilgrimage with mass savings and investment. Muslims could set up long-term savings accounts to pay for pilgrimage expenses years in advance of their actual travel. In the meantime, they would earn dividends on the capital which would be invested in megaprojects to benefit Malay communities and the nation as a whole. The entire scheme of tax shelters and bond issues was portrayed as setting new standards in Islamic economics while preserving traditional norms against paying interest. Religious scholars would certify every step and follow every dollar.

The system blew up in stages—a chain reaction of scandals, each worse than the last, until the president himself resigned in disgrace. Even the government's harshest critics were unaware of the extent of corruption. All of this coincided with a political earthquake in the 2018 elections that threw power to a coalition of Muslim politicians and Chinese liberals who set aside decades of rivalry to rebuild Malaysia's democracy. That task will require them to salvage what is worthwhile in the country's Islamic institutions by extricating them from the racial and partisan interests they had to serve in the past.[15]

Saudi Arabia's blend of Islam and politics reverberates far beyond its borders. Saudi rulers hold themselves out as exemplary models for fellow monarchs and for pious leaders everywhere. There was a time, during the reign of King Faisal (1964-1975), when Saudi prestige was on the rise. Faisal defeated Gamal Abdul Nasser's revolutionary efforts in Yemen, built the *hajj* into a global network of worship and commerce, and shook the world economy during the 1973 Arab-Israeli war. His successors, however, turned in much darker directions. By promoting religious

warfare (*jihad*) in Afghanistan and crushing protest at home, they identified Saudi Arabia with organized violence instead of Islamic universalism. Saudi involvement in the terrorist attacks of 9/11 all but buried the royal family's pretentions of morality and virtuous rule.

Yet, precisely as Saudi legitimacy dwindles, the kingdom tries to buttress the reputations of other Arab monarchies in the Persian Gulf and beyond. Facing growing isolation in Muslim diplomacy and public opinion, Saudi spokesmen are reaching out to fellow monarchs who feel threatened by the spread of revolution and democracy. A key aspect of this campaign is an effort to rehabilitate monarchy in general as a steadying and modernizing force in a turbulent world. Many journalists and scholars—including some well-known Westerners—are praising monarchy as an undervalued institution. Typically, their arguments stress political legitimacy as its greatest asset. In this view, Arab monarchies in particular combine tribal confederacy, Islamic tradition, and social welfare in a way that generates reservoirs of popular support beyond anything immature democracies can hope to achieve. Of course, this narrative coincides with heightened alarm over Iran's growing influence throughout the Middle East and Arabian Peninsula.[16]

The Saudis are trying to capitalize on such fears by proposing a so-called Islamic army—a standing multinational force, financed with petrodollars, and ready for rapid deployment whenever a monarchical ally is in danger. Naturally, Muslim audiences around the world are asking the obvious question: If these monarchies are so confident of their legitimacy and so beloved by their citizens, then why do they need such extraordinary protection? King Faisal is still widely respected—even revered—by many Muslims around the world, but few people can see his reflection in the current regime. Mecca remains the spiritual center of Islam, but its political and

economic centers are abundant and increasing every year—Istanbul, Jakarta, Karachi, Kuala Lumpur, Lagos, London, and many more. The stronger these centers become, the more they take inspiration from one another instead of fond memories of the prophet's home town. From their perspectives, Saudi Arabia has become a backwater not a leader.

Growing repression is undermining Saudi claims to Islamic legitimacy. When Jamal Khashoggi was murdered, one of Algeria's most admired women announced she would boycott the kingdom until the killers were punished—even if it meant forgoing her desire to make the hajj. Jamila Bouhired, a heroine of Algerian independence and feminist pioneer, spoke for a wide segment of public opinion when she said her conscience could not tolerate performing one of Islam's most sacred duties in a country where injustice was so blatant and unchecked.[17]

Extensive migration has made Islam a more global religion that ever. This has prompted many Western countries to devise their own Islamic policies to deal with large Muslim minorities from many different cultures. France, the United Kingdom, the Netherlands, and Canada are leading examples. In each case, governments have established official organizations for Islamic affairs. All of these bodies share a similar dilemma—how do they effectively represent Muslim populations when they are creatures of the state? As public regulatory agencies, they have great difficulty establishing trust with the communities they want to serve. Even when they provide tangible benefits supporting religious education, pilgrimage, and dispute resolution, their clients are easily deterred by fears of surveillance and discrimination. Because they exist in volatile political environments, there are justifiable concerns that future governments might turn service providers into policemen.[18]

In fact, many immigrants have had first-hand experience with exactly this sort of reversal in the repressive societies they fled. State-created Islamic Councils backed by official authority and public funding will always be problematic. They provoke suspicion and non-cooperation from Muslims and backlashes from mainstream politicians as well as xenophobic extremists. When Muslim rulers politicize Islam, the results are frequently disruptive; when non-Muslims do the same, they can be tragic.

Profiles of Islamic Modernists: Religious Thought and Political Action

Humanizing Islamic Modernism is important. The personalities behind the ideals and their struggles in concrete situations can tell us as much as the printed page. I have crossed paths with some of the major figures—as a student, colleague, and friend. By placing their careers in wider context, I will try to offer some comparative insights into their contributions and legacies. Let me begin with three eminent writers whose influence is known to everyone—Fazlur Rahman, M. Cherif Bassiouni, and Mohammed Arkoun. Then, I will discuss three younger representatives with rapidly growing international reputations—Nurcholish Madjid, Ali Bulaç, and Abdullahi An-Na‘im.

Fazlur Rahman (1919-1988) synthesized the basic tenets of Islamic Modernism with exceptional clarity. All Muslims can have direct understanding of revelation by reading the Qur’an. This does not require the mediation of religious authorities, living or deceased. Individual reason is capable of directly grasping divine meaning. But no text can speak for itself and, like any sacred book, the Qur’an requires interpretation. Interpretation is most adequate when it considers the text as a whole instead of extracting separate portions as though they could stand apart from the rest. Furthermore, because a written text appears in specific times and

places, its meaning reflects certain historical and cultural conditions. These conditions comprise a larger context that is important in interpreting the text as a whole.[19]

But what is the reader trying to learn in the first place? Rahman's answer is that one should seek general principles that can be adapted to changing conditions. In other words, the Qur'an is not a law book, so looking for specific rules or eternal laws is misguided. The collective views of previous scholars and the historic practices of past communities are helpful. But they are too diverse and fallible to be determinative, especially in matters of human relations. Each generation and every person should try to understand Islam's basic principles and contribute to a general discussion about how to apply them in contemporary life. As Muhammad Iqbal famously argued, every generation of Muslims should read the Qur'an as though it were revealed in their own time.[20]

Taken together, these ideas pose a stunning challenge to religious authority in all forms and a summons for educated Muslims to think for themselves in an era of rapid progress in science and mass communications. Rahman was convinced that educational reform was the key to ending the split in Muslim societies between traditional and modern mentalities. He advised governments in several countries, most notably Indonesia and Turkey, on creating advanced religious institutes that combine classical Islamic subjects with up-to-date courses in the physical and social sciences. In his later writings, Rahman contended that the principle of justice is at the core of human relations in Islam, particularly social and economic equality. In this manner, he helped extend Modernism's agenda from religious and educational reform to economic and political issues as well.[21]

Rahman's battles with Pakistani conservatives stemmed not only from his ideas—which were typical of progressive religious currents in South Asia—but from his personal connection with Ayub Khan and the beleaguered military governments of the 1960s. As one of Ayub's senior consultants on religious questions, Rahman regularly issued advisory opinions that angered *'ulama* rivals who were desperate to gain state backing for their authority. When Ayub's popularity dipped because of economic setbacks, traditionalist and fundamentalist leaders saw Rahman as a convenient target for street agitations. As part of the government, he inherited its enemies, but, as a civilian, he could become fair game without risking reprisals from the army.

The religious opposition issued death threats that drove him out of office and out of the country. About a year later, they moved against Ayub himself—probably the real target from the beginning—and an even weaker junta took his place in the run up to the war with India that separated what is now known as Bangladesh from the western regions of Pakistan. For the rest of his career, Rahman's international influence surpassed his impact on his homeland. Accepting high public office allowed him to initiate key reforms, but allying with unpopular authoritarians prevented him from carrying them through.

M. Cherif Bassiouni (1937-2017) was the father of the International Criminal Court, the world's highest tribunal judging violations of universal human rights. Bassiouni campaigned for decades to establish the court. He chaired the committee that drafted the Rome Statute, adopted at a 1998 treaty conference, that made the court a reality.[22] He was instrumental in adding flesh to the concepts of war crimes, genocide, and crimes against humanity. Thousands of jurists and human rights activists shaped a global consensus that specified the elements of these crimes and,

then, they created the first world bodies empowered to enforce binding international law. This means that, today, no one can escape accountability for human rights violations. Even acting heads of state can no longer shield themselves with claims of sovereign immunity.

Bassiouni devised a historic compromise that finally sealed the agreement to establish the court. He offered to limit the court's jurisdiction to cases where a responsible national government refused to prosecute accused criminals. Every government could assert the right to judge its own citizens, including public officials and soldiers. But if it failed to discharge that responsibility, the International Court could exercise authority in the matter. This provision quickly shattered arguments that the court would violate national sovereignty and give Westerners the power to dictate norms to people of color in poverty-ridden countries. Under these terms, African nations provided decisive support and the court was born.

The court's growing importance is clearly evident in the recent actions of Sudan's military leaders after deposing President Omar al-Bashir. For years, Bashir escaped prosecution by rejecting the court's authority, claiming that charges against him were motivated by racism and neo-colonialism. In contrast, the soldiers who imprisoned his circle insisted they would be tried in Sudan with no prejudice or surrender of sovereign rights. The leader of the new military government put it bluntly: "You cannot give them to white people to judge. Black people, we will judge them here."[23] Of course, Bashir's trial will have to follow the universal standards of justice and human rights that are embodied in international law. Hence, the International Court's guiding hand—and ultimate authority—will be a constant presence in the Sudanese proceedings.

Bassiouni's commitment to human rights was rooted in personal experience and religious conviction. As an Egyptian prisoner of war during the 1956 conflict with Israel, he was responsible for the daily treatment of men under his command. He was acutely aware of Islam's historical contributions to the international law of war through customary requirements to limit violence, protect civilians, and care for captives. He criticized *'ulama* that he saw as indifferent to human rights principles because he thought they were core values of Islam and many other religions.

Bassiouni's political independence was a key asset to his credibility as an impartial authority. Even after he became an American citizen, he worked primarily with United Nations bodies and published as a transnational scholar with strong attachments to Islam, Egypt, and Africa. Thus, he was singularly effective in mediating between national governments instead of serving them.

Mohammed Arkoun (1928-2010) was a celebrated philosopher who applied critical approaches to Islamic and Western thinking. He was an Arabic-speaking Berber, born in Algeria and educated in France where he lived during most of his long career. He became fluent in the social sciences and blended them into historical treatments of Islamic civilization. Arkoun was an eloquent critic of what he called "the unthought" in Islamic thought—accumulated dogmas and fallacies that have blocked creativity and learning for centuries, even in current times. He stressed the inherent pluralism of Islam and the constant evolution of debate on all questions concerning religion and its practical applications in human relations.[24]

Arkoun highlighted the vitality of minority opinions, subcultures, and hybrid approaches that infused Islamic societies everywhere. He viewed Islam as a cosmopolitan and universalist expression of humanism that has always interacted with other ethical traditions, both Western and non-Western. But he believed that

closed-minded *'ulama* had squeezed the life out of religion by codifying rigid interpretations instead of exploring the multilayered symbolism that Muslims have always seen in the Qur'an and in all creation.

He argued that mystical and esoteric tendencies should be encouraged rather than suppressed. Combined with the social sciences and interpretative arts, they could inspire daring thinkers to stretch Islam in new directions. Modern Muslims can reignite the imagination with fertile sparks from their own tradition, but there is no need to stop there. They should welcome exchanges with competing faiths that also transcend time and place. In this sense, Islam's very ambiguity is one of its greatest assets, because it encourages constant questioning and exploration.

Arkoun's writings are received with enthusiasm in most countries, but they have struck a particularly sensitive nerve in Saudi Arabia. For many years, his publications were circulated and taught there, but, as Saudi rulers became more repressive, his students and works were targeted by censors and security forces. In 2007, a Saudi publisher issued an Arabic translation of my book on the *hajj.* I was puzzled when I realized that the otherwise perfectly produced 450-page volume was missing about five pages of the original English version. The censors had removed only the discussions of Arkoun's views on pilgrimage—all the more curious because they left untouched passages dealing with far more radical ideas of Muhammad Iqbal and 'Ali Shari'ati. Since then, Saudi dragnets have routinely ensnared teachers and writers who mention his work, placing them on the same footing as political agitators and suspected terrorists. One could hardly imagine more vivid examples of the "unthought" Arkoun had in mind.[25]

Nurcholish Madjid (1939-2005) was an Indonesian writer and politician. After studying with Fazlur Rahman at the University of Chicago, he quickly emerged as a

leading spokesman of the Nadhlatul Ulama, Indonesia's largest Islamic movement with deep roots in the Javanese countryside. When Suharto started coopting Muslim intellectuals, Nurcholish was high on the list and both men tried to make the most of the relationship. With Suharto's backing, Madjid was burnishing a reputation as the country's preeminent theorist of modern Islam.

Madjid was a well-known advocate of secularization or *secularisasi* as he expressed it in the Indonesian language. He struggled to assure people he was not urging them to abandon religion, merely to free themselves from the habit of seeing the world as filled with spiritual forces that only old-fashioned religious figures could understand. Madjid spent years trying to explain himself, but for most people it hardly mattered—they had already made up their minds, viewing the ideas and the man as clashing with their own hardened positions. Devout Muslims disapproved of the implication that their religion was more primitive or less orthodox than anyone else's. Meanwhile, secularist defenders of Pancasila suspected that Suharto was using Madjid's reputation as a cover for efforts to pack state agencies with hardline Muslims.[26]

Madjid's predicament became most poignant in the final days of Suharto's rule. With millions of protestors surrounding the presidential palace and the army standing aside, Nurcholish was chosen as the messenger of last resort. Someone had to tell the dictator his time was up, it had to be someone he trusted, and it had to come now. It was a historic decision that saved countless lives, but it crippled Madjid's long-standing political ambitions. In the post-Suharto reform period, he had few allies because of his ties to the old regime. He announced his candidacy for president, but quickly withdrew when more popular figures grabbed the limelight.

Ali Bulaç (born in 1951) is another modernist star whose political alliances backfired. After years of supporting Turkey's Justice and Development Party, he began to clash with its top leaders and was imprisoned during the mass purges of 2016. Bulaç is a Kurdish Muslim from Mardin, a border district in southeast Turkey where Turks, Kurds, Arabs, and non-Muslim minorities have intermingled for centuries. He is Turkey's leading advocate of legal pluralism—allowing each ethnic and religious community to live according to its own norms within a flexible national federation. Bulaç portrays this arrangement as following the prophet's model of governing the city of Medina. He notes that Muhammad negotiated a formal pact with warring factions that permitted the religions and tribes to live in tolerance without trying to impose their laws on the entire city.[27]

As the Justice and Development Party grew in popularity, its leaders were receptive to Bulaç's suggestion that the exemplary practice of ancient Medina could inspire multicultural compromise in contemporary Turkey. Once in power, the party was eager to contain growing outbreaks of violence in the wake of Kurdish and Alevi demands for greater representation and local autonomy. But Erdoğan steadily changed course, moving closer to right-wing nationalists and paving the way to one-man rule. In the meantime, Turkey became a battle ground for separatists, terrorists, and refugees, fueled by constant turmoil in Syria and Iraq. Attacks spread from the eastern countryside to the entire country, including the metropolitan centers.

In this context, Bulaç became an irritant, then, a critic, and, finally, an opponent. He shuttled back and forth between the conservative newspapers that once showcased his work, falling further down the ladder of influence each time. The failed coup of 2016, gave Erdoğan a convenient excuse to include Bulaç in the indiscriminate roundup that followed. Released after nearly a year in prison, Bulaç is

facing trial in poor health with human rights groups in Turkey and other countries struggling to call attention to his plight.[28]

Abdullahi An-Na‘im (born in 1946) is a renowned Sudanese-American scholar of Islam and international law. An-Na‘im staunchly defends individual freedom in religion and national independence in enforcing universal human rights. These views put him in opposition to religious dogmatists who promote an essentialist and hegemonic view of Islam. They also lead him to criticize Westerners who try to impose their own norms on the rest of the world, particularly on people of different races and religions in former colonies.

This amounts to a combined call to humanize Islam and de-colonize human rights. It highlights voluntarism among believers and consensus among nations—a powerful blend for hundreds of millions who identify simultaneously as Muslims and nationalists. An-Na‘im's formulation has the special merit of placing both identities on the same side of struggles against patriarchy at home and great power domination around the world. In fact, he urges Westerners to appreciate the value of encouraging Muslims to fight their own battles for human rights so they can wholeheartedly reconcile universal norms with local traditions of justice. Civil liberties will be more cherished and ardently defended where they flow from popular demands instead of foreign pressure.[29]

Islamic Modernists are generating greater excitement and controversy every year. Their ideas stand or fall on their own merits. But their personal choices about political strategy and alliance building deserve critical consideration. Generally speaking, experience suggests that, in their case, close connection with repressive regimes and Western governments is a political kiss of death. Rahman's links to Ayub Khan, Madjid's friendship with Suharto, and Bulaç's partnership with Erdoğan

all came to grief, damaging their careers and, at least temporarily, their efforts for reform. On the other hand, Bassiouni and An-Na‘im have demonstrated the effectiveness of political independence in extending the reach of international law. By maintaining a credible distance from Western governments, they were able to champion universal human rights while earning the respect and sympathy of non-Western audiences.[30]

The Way Forward

For many years, Western scholars who take ethics seriously—minds of exceptional foresight such as Leo Strauss, Robert Bellah, and Jürgen Habermas—have lamented the shrinking role of religion in mass democracies.[31] Reflecting on the rupture between ancient and modern views of politics and morality, they worry that societies rooted in the self-affirming power of reason might split apart if inequality and disillusion erode trust in public institutions. Imagining a storm of reinforcing traumas in markets, governments, and consciences, they warn of multiple legitimacy crises on national and continental scales.

Against this backdrop, these writers and many others have pondered the possibilities of a second Axial Age—the term Karl Jaspers coined for the simultaneous rise of the great religions that grew out of widespread protests against injustice and hierarchy in the most advanced civilizations of the ancient world. Bellah contends that these religions gradually ossified to the point where, today, they breed and reinforce injustice more than they prevent it. He sees these discontents as worldwide rather than regional or culturally specific. Hence, they demand a collective response from all civilizations to existential threats that none can manage alone.

Broadly conceived, this amounts to a call for a universal global ethic shaped by contributions from every world religion. Western liberals can find a wide range of

traditions eager to collaborate in this venture and many others, including the diverse currents of modernist religion gathering momentum as they press for greater freedom and tolerance across the Islamic world. These ventures demand more respectful exchanges between political and religious leaders of all traditions, locally, regionally, and, above all, globally.

Islamic Modernists have demonstrated concrete achievements in addressing the most urgent problems on a growing trans-civilizational agenda. In core questions of educational reform, universal human rights, environmental consciousness, social justice, democratic representation, and many others, their initiatives are improving lives for millions of people every day. As Western, Asian, and African societies grapple with chronic deficits of justice and legitimacy, they need to hear enlightened voices from the Islamic world more than ever.

---

[1] David Easton, *A Systems Analysis of Political Life,* New York: Wiley, 1965; Jürgen Habermas, *Legitimation Crisis*, translated by Thomas McCarthy, London: Heinemann, 1976; Armando Salvatore, "Repositioning 'Islamdom,' The Culture-Power Syndrome within a Transcivilizational Ecumene," *European Journal of Social Theory,* 13 (1), 2010;

[2] Vali R. Nasr, *The Shia Revival: How Conflict within Islam Will Shape the Future*, New York: W.W. Norton, 2006.

[3] Norman Itzkowitz, *Ottoman Empire and Islamic Tradition*, New York: Alfred A. Knopf, 1972.

[4] E.I.J. Rosenthal, *Political Thought in Medieval Islam*, London: Cambridge University Press, 1962.

[5] Ṣerif Mardin, *The Genesis of Young Ottoman Thought*, Princeton: Princeton University Press, 1962.

[6] Walter Dostal and Wolfgang Kraus, eds., *Shattering Tradition: Custom, Law and the Individual in the Muslim Mediterranean*, London: I.B. Tauris, 2005; Norbert Oberauer, Yvonne Prief, and Ulrike Qubaja, eds., *Legal Pluralism in Muslim Contexts*, Brill, 2019.

[7] David Hume, *A Treatise on Human Nature*, London: Oxford University Press, 2000.

[8] Murat Akan, *The Politics of Secularism: Religion, Diversity, and Institutional Change in France and Turkey*, New York: Columbia University Press, 2017.

[9] Elif M. Babül, *Bureaucratic Sentiments: Translating Human Rights in Turkey*, Stanford: Stanford University Press, 2017.

[10] Leonard Binder, *Religion and Politics in Pakistan*, Berkeley: University of California Press, 1961.

[11] Fazlur Rahman, “Islam and the New Constitution of Pakistan,” *Journal of Asian and African Studies*, December 1973.

[12] Adam Schwartz, *A Nation in Waiting: Indonesia in the 1990s*, Boulder, CO: Westview, 1994; Michael R. J. Vatikiotis, *Indonesian Politics Under Suharto: The Rise and Fall of the New Order*, New York: Routledge, 1998.

[13] Martin van Bruinessen, editor, Contemporary Developments in Indonesian Islam: Explaining the ‘Conservative Turn’,” Singapore: Institute of Southeast Asian Studies, 2013.

[14] Robert R. Bianchi, *Guests of God: Pilgrimage and Politics in the Islamic World*, New York: Oxford University Press, 2004.

[15] Austin Ramzy, “Malaysia’s Prime Minister Bars Najib Razak From Leaving,” *New York Times*, May 12, 2018.

[16] Jamal Khashoggi et al., “The Staying Power of Arab Monarchies,” *New York Times*, August 28, 2012; Sean L. Yom, “The Survival of the Arab Monarchies,” *Foreign Policy*, November 12, 2012.

[17] “Bouhired: ‘Je n’irai pas à La Mecque tant que les Al-Saoud sont au pouvoir,’” *algeriepatriotique.com*, October 25, 2018.

[18] Bryan S. Turner and Berna Zengin Arslan, “Shari’a and Legal Pluralism in the West,” *European Journal of Social Theory*, May 2011; Akbar Ahmed, *Journey into Europe: Islam, Immigration, and Identity*, Washington, D.C.: Brookings Institution Press, 2018.

[19] Fazlur Rahman, *Islam,* Chicago: University of Chicago Press, 1979; Fazlur Rahman, *Major Themes of the Qur’an*, Chicago: University of Chicago Press, 2009.

[20] Mohammad Iqbal, *The Reconstruction of Religious Thought in Islam*, Stanford: Stanford University Press, 2013.

[21] Fazlur Rahman, *Islam and Modernity: Transformation of an Intellectual Tradition,* Chicago: University of Chicago Press, 1982.

[22] M. Cherif Bassiouni, “Negotiating the Treaty of Rome on the Establishment of an International Criminal Court,” *Cornell International Law Journal*, 32: 3, 1999.

[23] Declan Walsh, “The Son Protested the Dictator. The Father Helped Throw Him Out,” *New York Times,* April 23, 2019.

[24] Mohammed Arkoun, *The Unthought in Contemporary Islamic Thought*, London: Saqi Books, 2002; Mohammed Arkoun, *Lectures du Coran*, Paris: Albin Michel, 2016.

[25] Ursula Lindsey, “With Mass Arrests, Saudi Arabia Silences Independent Voices,” *Al-Fanar Media*, September 25, 2017.

[26] Andi Faisal Bakti, “Islam and Modernity: Nurcholish Madjid’s Interpretation of Civil Society, Pluralism, Secularization, and Democracy,” *Asian Journal of Social Science*, 33:3, 2005.

[27] Ali Bulaç, “The Medina Document,” in Charles Kurzman, ed., *Liberal Islam: A Sourcebook*, New York: Oxford University Press, 1998.

[28] “Two FETÖ Suspects Released in Zaman Daily Case,” *Hürriyet Daily News*, May 12, 2018.

[29] Abdullahi Ahmed An-Naʿim, *Islam and the Secular State: Negotiating the Future of Shariʿa*, Cambridge: Harvard University Press, 2008; Abdullahi Ahmed An-Naʿim, “The Spirit of Laws Is Not Universal: Alternatives to the Enforcement Paradigm for Human Rights, *Tilburg Law Review*, 21, 2016.

[30] Leonard Binder, *Islamic Liberalism: A Critique of Development Ideologies*, Chicago: University of Chicago Press, 1988; Charles Kurzman, editor, *Liberal Islam: A Sourcebook*, New York: Oxford University Press, 1998.

[31] Leo Strauss, *Natural Right and History*, Chicago: University of Chicago Press, 1953; Robert Bellah, *Religion in Human Evolution: From the Paleolithic to the Axial Age*, Cambridge: Harvard University Press, 2017; Jürgen Habermas, “A Postsecular World Society? On the Philosophical Significance of Postsecular Consciousness and the Multicultural World Society,” *Monthly Review*, March 21, 2010.