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Arab Islam and Liberal Democracy – Two Incompatible Ways of Life

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Introduction

This research aims to investigate the possibility of reaching a liberal democratic regime in the Arab Islamic countries. While liberal democracy has been widely spread in the Western parts of the world, does it seem to be a reality far away from the Middle East. This is due to several factors, among them Arabic culture, politics, social conditions, and the religious interpretation of Islam and its religious law Sharia.

Islam is today the second largest religion on a global basis and has been under much discussion due to its view of women, duties, rules, and punishments[1]. Additionally, the political ideology of Islamism creates much fear across the world, and many seem to be unaware that Islam and Islamism are not necessarily the same thing. At the same time, Islam is a beautiful religion that talks about equality, peace, and compassion. It has its own culture, rich language, beautiful poetry, and literature. Islam is among the youngest world religions, and Muslims believe in one God, Allah, that their holy book, the Qur'an, is his words, and that his message was brought through Muhammad, who was the last prophet. The general belief is that God gave humanity knowledge of his will: it was given directly to Muhammad, and the Qur'an was built upon his revelation and is, therefore, God's words. Notably, in addition to God's message, does the Qur'an include rules that are the foundation for their religious law Sharia.

Liberal democracy is instead considered an ideal regime in many parts of the world and is strongly associated with the West[2]. While liberalism might be challenging to define, it includes various factors, and its fundamental features are that people are free and the state's most important task is to take care of that freedom. Generally, if a country wishes to establish a democratic regime, the democratic rules, rights, and institutions are respected. The most important democratic institutions are the parliament, government, and judicial court[3]. The principle of separation of power is fundamental, which gives the parliament the power to adopt laws. At the same time, the court receives the ability to judge and decide by the law, and finally, the democratic rights. Democratic rights include, for example, the right to vote, equality, and freedom of speech. The executive power will, of course, act by the legislative authority and parliament.

There are several characteristics of Arab Islam that make the question of liberal democracy interesting. In the first chapter will I discuss the past of the Arab countries, seeking to find answers to current circumstances in the continent's history. While in the West we mainly focus on newer history, is instead what we refer to as old history still very important for Muslims, and it takes part in shaping their identities as well as the way in which they look at others, including the West. The second chapter will discuss the position of women in the Arab Islamic world. It is a well-known fact that women in these areas have far less

[1] Vogt, Kari, *The history of Islam,*, 2022
[2] Berg, Simonsen, Sterri, Liberalism, 2019
[3] Hovde, Svensson, Thorsen, *Democracy,* 2022

rights than men, and are experiencing both discrimination and constant disadvantages in their everyday life. Current circumstances are far from compatible with liberal democracies, and this chapter will discuss why this is so and see if any progress has been made over the last years. The third chapter will discuss the complex topic of Sharia, and the challenges it proposes to a liberal democratic regime. The religious law has gotten much attention for its punishments that are opposing human rights, and is under much political debate, and this will also be discussed in this chapter. Finally, the fourth chapter will be devoted to Islamism. In today's world are terror actions from Islamist groups seen in many parts of the world, and unfortunately, do several of these groups have origins in the Arab World. The chapter discusses its ideology, extremism and democratic incompatibility, but it also emphasizes the importance of distinguishing this ideology from Islam, which instead is the religion in which it tries to find legitimization. One must remember however, that Islamism is the greatest opposition to democracy in the Arab world, and the more support it receives, the smaller is the possibility for a liberal democratic regime.

Chapter 1: Arab history and its importance

1. Arab History

Before discussing the compatibility of current Arabic societies with liberal democracies should we first investigate the history of the Arab countries. This is so as often conflicts and disagreements from the past can explain current views and differences. More importantly, as I will discuss below is the importance of history emphasized much more in the Islamic world than in the west. This means that what happened thousand years ago, might still stand strong in the memory of Arab Muslims, and prevent the will in society towards adopting a regime from the west.

This chapter will shortly discuss the rise of Islam, its impact, and how Islam was the most dominating empire in the world at a certain time in early history. Secondly, how the relationship between Arab Islam and the West developed. Then, will it be discussed how this is important in understanding the compatibility or incompatibility of Arab Islam and liberal democracy. Finally, a short consideration with regards to imperialism and its meaning for the current relationship between the Arab Muslim world and the West.

1.1 The rise of Islam and its impact

Islam was founded on the Arabic Peninsula in the 600s by Muhammad. He was in year 610 having his prophetic vocation, but his preaching of one God and dooms day was not very welcomed by the Meccans, which is why he emigrated to Medina (Yathrib at the time)[4]. The emigration marks the beginning of the Islamic timeframe, and the religion was developing well in Medina. Muhammed was both a big politician and army commander, he was in fact an undefeated emperor of the Arabian Peninsula at the time of his death. From 632 until 661 did the four first caliphates continue to lead the religious-political community Muhammad had established. In this period did the Arabic military expansion began in areas outside the Arabian Peninsula. In the next ten years had Arabic forces reached power in Iran, Iraq, Palestine, Syria, and Egypt[5].

Within the Islamic community was there a constant inner strife concerning the religious political question about the successors of the prophet. Muhammad did not have any sons, and followers of the dynastic principle claimed that Muhammad had chosen his cousin and brother-in-law Ali and his descendants as his legitimate successors. This is the standpoint of the Shia Muslims. The majority did however instead claim that the community should choose a qualified leader from the prophet's tribe, Quraysh. The death of Ali in 661 marks the end of an important historical period for several reasons. First of all, as the entity in the

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[4] Kari Vogt, "Islams Historie," The Great Norwegian Encyclopedia, January 27, 2022, https://snl.no/islams_historie.
[5] Ibid

original community was broken. Secondly, the foundation of the Islamic empire was created by comprehensive military conquests. Thirdly, the Quran was collected in the edition still used by Muslims, under the Caliph Uthman Ibn Affan[6].

1.1.2 The great empire of Islam

The Arabic empire's centrum was moved from Medina to Damascus in Syria. Where it was under the Omayyad dynasty from 661-750[7]. During the Abbasside dynasty from 750 to 1258 was the political and administrative centrum of the empire moved to Bagdad in Iraq. The Omayyads managed to transfer their conquering policies to north Africa, Spain, and eastwards through central Asia, where Samarkand became an important center. In 713 did they reach Indus. The Muslim forces were very tolerant and humane, and no force was used to make people Islamic[8]. The number of Muslims in the conquered areas grew quickly, mainly due to the economic privilege that it was to be a Muslim, as well as the religious appeal.

The time of the Abbasside did not include much military conquest and was instead a period of intellectual and artistic blooming. Arab became the language of culture for Muslims, Jews, and Christians and the Greek philosophies were translated into Arabic. Additionally, was this a period full of trade both over sea and land, and the trade created a Muslim economic empire. However, did the powerful position of the Muslim empire change when the Abbasside empire started to fall apart. This happened for several reasons, for example, did the Fatimid dynasty become independent in North Africa and Egypt. Also, in Spain did the Omayyad dynasty rule over a uniform state, and from the 1000s did the non-Arabs become more and more dominating.

This was however not the end for Islamic dominance, as until 1650 did the development of the Great Mughal Empire in the North of India create a path for a strong Islamic dominance along the Indian continent[9]. Then, the Safavid dynasty took power in Iran in 1501 and created the Shia Muslim state which was another important development. Finally, the emergence of the powerful Turkish, Ottoman Empire, which came to include great parts of earlier Arabic territory. In 1683 did the Turkish troops threaten Vienna and the Polish borders, and this was the second great confrontation between the east and west, after the crusades. The Christians had already in 1095-1291 had crusades to prevent the Muslims from expanding their territory more, as well as trying to reconquer the earlier lost Christian land. The discovery of America and new ways of trade made the Muslim world's strategic and economic position of less importance, and after a long period of political, administrative, and cultural blooming was the decline a fact.

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[6] Ibid
[7] Ibid
[8] Jan Arild Snoen, "Bernard Lewis, Islam And The Fight Against Terrorism," Civita, February 28, 2006, https://civita.no/politisk-filosofi-og-idedebatt/bernard-lewis-islam-og-kampen-mot-terror/.
[9] Vogt, "The history of Islam", 2022

1.2 Islam and its relationship with the west back then

In the book "What went Wrong – Western Impact and Middle Eastern Responds" does Bernard Lewis write about the relationship between the Islamic empire and the west[10]. He does this while he tries to explain why Islam stopped developing during the middle of the last millennium. The decline mentioned above did in fact mark the end of development, at least according to Lewis. During the 1700s was the West full of faculties for those wishing to study eastern culture, in fact were hundreds of books translated from Turkish, Arabic and Persian. However, in the Arab world was the development instead rather the opposite, and it was not until the end of the 1600s that a book was translated into a language from the Middle East. this was a book about syphilis and the only reason why it was translated was because the illness came from the west, and it was therefore more knowledge to be found there[11].

In general, did those from the West travel to the Middle East, especially discoverers and scientists, but not that many people travelled from the middle east to the west. at the same time, the West did not want them to come, which might partly explain why they did choose not to travel. However, the problem was mainly the reluctance in Muslim countries which was the result of Muslim jurists who could not decide if it was permissible for Muslims to go and live in a country that was non-Muslim. The answer was no, because it would not be possible for a Muslim to live a good life in an infidel country[12]. An even more difficult situation was found in Spain, which was reconquered at this point. Could a Muslim land, conquered by the Christians be allowed to stay in, especially when the government was tolerant and allowed them to be Muslims? The Moroccan al-Wansharisi argued that in this case it was actually especially important to leave, as the probability of apostasy was too dangerous[13].

The Muslims had a different attitude than the rest of the eastern civilizations. This was so as the Hindus, Confucians and Buddhists were not known with Christianity. For Muslims, on the other hand, was the situation different because Christians were the precursors of Islam, but they were incomplete and not worthy custodians. What Muslims found true in Christianity was incorporated into Islam, but the rest was to them false information. Therefore, Muslims did not find much interest in Western countries and considering the circumstances was there not common to learn any of the Western languages in the East[14]. A few people knew Italian however, so this was the language used to communicate between east and west. the problem was that these people were rarely Muslims, but rather eastern Christians and Jews.

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[10] Bernard Lewis, *What Went Wrong: Western Impact and Middle Eastern Response* (New York, New York: Oxford University Press, 2002).
[11] Lewis, *What went wrong...,* 2002, 39
[12] Lewis, *What went wrong...,* 2002, 36
[13] Ibid
[14] Lewis, *What went wrong...,* 2002, 37

The East continued to be uninterested in much communication with the West, and when the West wished for permanent ambassadors in Islamic countries, did the Sultans respond that it was better to just send an ambassador for a mission at the time, for then to return home. One should of course also take into consideration that as the ambassadors from the Middle East was already at a disadvantage as they could not speak the Western languages which was of course problematic if one were to be living in the country[15]. Europeans had as already mentioned a stronger tradition of learning languages and were therefore in an advantaged position also here[16].

It was not until the East had experienced so many military losses that the ottoman sultan realized he had to learn from the West if he wished to avoid total dominance. Therefore, the contacts between the East and West were expanded, but often were Muslim scholars indecisive if it was reasonable to learn from the infidels. They found it reasonable because that was the only way in which they could be fought. The same discussions took place in the eighteen and early nineteenth centuries, the ulema were consulted again with regards to the establishments of schools with sometimes teachers that were not always converted, and European textbooks that were not always translated. One thing had been to copy the infidel devices, but now to start learning from them was something else, and a radical change. The Pasha of Egypt, the Sultan of Turkey and then the shah of Persia did send a group of students to Paris, London and elsewhere. While the first missions were mostly regarding military tasks, wishing to learn about western warfare, did this develop into other things such as learning the Western language. The students soon started to read different literature and for the very first time was Muslim students exposed in a direct manner to the impact of western ideas[17]. While the idea from the eastern side was to learn the western warfare only to be able to defeat them, was the situation changed into a path of better communication and ways of observing. Soon it was an increased recognition and awareness of the strength and wealth Europe had. This did not improve the relationship between them, and many questions were raised with regards to how the West had reached all this success. The traditional way to respond to such questions was to look into the religion, and the classical response was something like "Let us go back to our roots, to the good old ways, to the true faith, to the word of God"[18].

1.3 The importance of history

As is clear, from the very beginning of history does the Arab countries have a very tense relationship with the west and its accomplishments. The defeats against the West and the loss of earlier conquered countries seems to have led the earlier tolerant and humane Islamic society into a more conservative society.

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[15] Lewis, *What went wrong...,* 2002, 40
[16] Lewis, *What went wrong...,* 2002, 42
[17] Lewis, *What went wrong...,* 2002, 44
[18] Lewis, *What went wrong...,* 2002, 45

In this chapter I have spoken of how the decline of power of the Arab Muslim world, while the west grew to have more and more dominance. The only contact made from Arabs was to do an attempt of catching up with the west, but their constant solution of looking back at the traditional society continued to lead them to a disadvantaged position. This relationship between them have continued until today, and according to a report made by the UN regarding Arab Human Development from 2002 was it shown that in total in Arab countries was only 330 books translated a year[19]. While they used to be the leading area of scientism is there today six times as many scientists in Israel than in Saudi Arabia, something that is a huge difference considering that Israel has a population of 9,2 million, while Saudi Arabia has 34,8 million[20]. Additionally, in the early 2000s was a considerable part of the Arab without access to internet, in fact did only 1,6 % have access[21]. The combination of the low level of translated books as well as the almost non-existing internet access results in a population standing almost without the possibility to develop outside its country's condition.

While history does not directly say anything about Arab Islam's compatibility or incompatibility with liberal democracy, does history show a pattern of negative attitudes towards the west and a lack of curiosity, even during their time of dominance. Liberal democracy is a product of the West, and it can be discussed if leaders and populations are in support of such a regime to begin with. What seems to have mattered generally in the Muslim world has been if you are a Muslim, and therefore a sister or brother, or one who does not believe. The missing power experienced in the Muslim world is highly humiliating due to their past of honor. As described, was their development full of military triumph and at the time no mistakes were made, so was early confirmed by the political and military success of Muhammed. The way in which the West managed to create a political system stronger than the Islamic one, and the weakening of the society they had thanks to Muhammad can therefore be looked upon as a humiliation towards Islam. This is so, as the Muslims never distinguish between Islam as religious and political phenomenon[22].

Another reason why we must consider history when dealing with the Arab Islamic world is that while history in the West is often given minor importance, is it very central in understanding the culture in Arab Islam and how they see themselves. In the west we consider the battles between Sunni and Shia after the death of Muhammad in 632 as "old history", but for most Muslims that battle does still shape their identity and the views they have on each other as well as on the western world. The stagnation existing in the Islamic world is according to Lewis important if we want to understand todays opponents[23]. There is a big division within Islam where one side wish to learn from the west, while trying to create a more democratic empire and the

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[19] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006
[20] Charlotte Lysa , "Saudi-Arabias Befolkning," The Great Norwegian Encyclopedia, March 24, 2021, https://snl.no/Saudi-Arabias_befolkning.
[21] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006
[22] Ibid
[23] Ibid

other side including those who still wish to go back to the roots of Islam, and its dominating empire from a thousand years ago.

This one part focusing so much on the historical perspective might also be an important reason for the impossibility of the implementation of liberal democracy. Lewis distinguishes between Muslims looking at history and asking, "who did this to us" and those asking, "what did we do wrong". The first mentioned is often behind conspiracy theories, and the Muslim world is full of them[24]. Often will accidents in that part of the world be traced back to the Jews or the west, and it is in fact a considerable part of the Muslim population that believes that it was the Jews or Americans who were responsible for 9/11, as well as for other terrorist attacks.

1.3.1 What about imperialism?

Until now have I mainly emphasized the older historical developments and contradictions, but there are also certain things in later history that might be of importance. It is difficult to avoid the topic of imperialism when discussing the relationships between West and East, and the period of direct western influence in Arabic countries during the nineteenth and twentieth century. However, in determining the attitudes towards the west, it might be of a minor importance compared to even earlier history and it will be explained why below.

Much of the current skepticism and resistance made towards the West, either from Arab countries like Iraq, Libya, and Egypt or in general Muslim countries like Iran, might be explained by the years of European and American colonization. Imperialism led to a domination by the west both in the countries' politics and their economy, but even more important was the cultural influence [25]. The West did not only change the circumstances in the region, but also the people living there, they were suddenly looking towards different directions and had different fears and hopes[26]. What was an Anglo-French leadership, was soon taken over by America, but this time the negative attitudes were stronger than before. What concretely made resistance towards the American leadership stronger than the Anglo French is difficult to say. They were both there as a result of the weak society that was existing in the Middle East at this point. This was probably to begin with difficult for the societies considering the historical humiliation they already felt. However, was the stay of the Americans for positive outcome for the Arab population, as they found several oil areas they developed[27]. This contributed in improving the economic possibilities for the Arab population, especially when the Americans left and gave all ownership of the oil to the Arabs. Despite their return of self-governance and economic growth, have the anti-western attitudes continued together with the stagnations.

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[24] Ibid
[25] Lewis, *What went wrong...*2002, 153
[26] Ibid
[27] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006

Other interventions done by the United States to help Muslims in newer times, as in Somalia to prevent hunger catastrophes, have often been looked at with negative attitudes[28].

At the same time, and the reason for the lower emphasis I have given to the history of imperialism is that the negative attitudes existing in the Arabic world towards the West are just as strong in countries that were never under a colony, such as Saudi Arabia[29]. Additionally, have countries in South Africa and in Latin America also been under attack from the west in the past, but they do not have the same attitudes towards them. Also, one should not forget that Islamic imperialism and the slave trade in Africa took place a long time after the West, but this seems to be of no importance for them. At the end of the day, and as has already been explained in this chapter, was Islam by itself a religion that conquered and wished to imperialize. The negative attitudes towards the West had already been made, so many years before. But of course, to become colonized by the areas in which they believe prevented them in history to become an even more powerful empire and destroyed their dominance, is a source of humiliation. In this way, it might be safe to say that Muslim hostility towards the west basically has always been based on a combination of different religions, older history and choice of lifestyle, rather than purely political issues such as imperialism.

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[28] Ibid
[29] Ibid

Chapter 2: Women and Islam

2. Women's position

A fundamental piece of liberal democracy is the equality of men and women, and that they are entitled to the same rights and possibilities. In an equalized and representative democracy, the political organs will mirror the diversity of the population, in terms of gender and age, religion, sexual orientation, and ethnicity[30]. The population exists of people with different experiences, but they will have the same possibility to have a word and share their perspectives to an equal degree. This is fundamental for liberal democracy. Gender equality is in the West moving towards a place where women and men are equal in politics, society, and culture. Still, it has been challenging to connect women's rights to Islam.

The Qur'an does, in theory, specify the equality of men and women:

"O mankind! We created you from a single [pair] of a male and a female and made you into nations and tribes that you may know each other. The most honored of you in the sight of Allah is the most righteous"[31] "And their Lord answered them, Never will I suffer to be lost the work of any of you, be he male or female"[32]

Furthermore, it is a well-known fact that Islam gave men and women the same religious duties to have an equal level of responsibility. Compared to the pre – Islamic Arabs, some might even say that Islam improved the position of women, and we will look more into this in this chapter.

There are, however, other verses that point to the direct subordination of women, for example, Qur'an verse 4:34:
"Men have guardianship and authority over women because of the advantage they enjoy over them and because they spend their property in supporting them."[33]

Before going deeper into the discussion, it is important to bear in mind what role the Sharia plays in different countries, as it will have an impact on women's situation. In the Arab world, we can distinguish between two categories. The first category is where the basis of the legal system is Sharia, and it is therefore used

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[30] "Democracy ," The Equality Center, February 26, 2016, https://likestillingssenteret.no/demokrati/.

[31] The Quran, Surah 49:13, **quoted in** Al Jabri Muḥammad ʿĀbid, *Democracy, Human Rights and Law in Islamic Thought*, vol. 1 (New York, New York: I.B.Tauris & Co Ltd, 2009), https://ereader.perlego.com/1/book/919743/3?element_originalid=cr, 47

[32] The Quran, Surah 3:195, **quoted in** Al Jabri, *Democracy, Human Rights and Law in Islamic Thought,* 2009, 47

[33] The Quran , "Surah An-Nisa - 34," Quran.com, accessed May 10, 2022, https://quran.com/an-nisa/34.

everywhere in areas concerning human relationships[34]. These countries are on the Arabian Peninsula, so it concerns countries such as Saudi Arabia and Qatar. Women have few rights, and have an extremely disadvantaged position in society.

The second category is instead the countries having a combination of secular laws and religious laws. It used to be a clear division where political and legal areas were governed by secular laws inspired by the West, and Sharia dealt with family law and personal status. While this could have been giving better opportunities for women, the distinction has been fading as leaders in these countries have begun to reinterpret the Sharia themselves, and therefore found ways to cover every aspect of modern life, only by using Sharia. Other countries, such as Tunisia, have actually chosen to go towards secularization and have given Sharia a minor role. There is therefore much variation in how much Sharia and secular law interact in these countries, while women are for practical purposes free from legal restraints in Yemen, for example, in Morocco, there is more freedom in theory than in practice[35].

In this chapter, we will discuss the position of women in Islam in three main aspects: Education, Marriage, and equality before the law

2.1 Education

The first feminist movements in the Arab world were connected to the nationalist movement, but the first Arab who identified himself a feminist was Kasim Amin, an Egyptian who wished (and managed) to transform the women's cause into a feminist movement.

He wrote books, Tahrir-al-Mara'h (The emancipation of women) and Al-Mara'h-al-Jadidah (The new woman. They both caused him to be attacked because he stood up for higher female education, remove the abuses of divorce and polygyny, and remove the veil[36]. He believed that the emancipation of women in Islam was not necessarily about the reform of the religion but rather about bringing practice in line with percept, something that could be done within the framework of Sharia[37]. He was joined by others, for example, Malak Hifni Nasif, who wished to improve the status of Egyptian women concerning school opportunities and freedom.

Despite feministic movements, opportunities for girls' education have been proven poorly compared to men's. While compulsory education laws have been enacted in many Arab countries, implementation and enforcement do remain a significant issue, especially in rural areas that happen to be where over half of the

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[34] Debbie J. Gerner Adams, "The Changing Status of Islamic Women in the Arab World," *Arab Studies Quarterly* 1, no. 4 (1979): pp. 324-353, https://www.jstor.org/stable/41857519?seq=1.
[35] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 329
[36] Ibid
[37] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 330

Arab population lives (60%). What seems to be the main issue is conservative mindsets and a strong tradition. To many Arab families, a girl's education is associated with modernization and does therefore threaten the traditional life. Moreover, many even believe that an educated woman will make a poor wife and, consequently, an unhappy marriage.[38]

The traditional Islamic laws state that there should be separate schools for boys and girls, which again create issues if one wants to reach gender equality. Some Arab countries, such as Egypt, Iraq, Jordan, and Syria, have confronted this issue and accepted coeducation, at least at the primary level. Unfortunately, the traditional mindset keeps many families from allowing their daughters to attend as they disapprove of coeducation. As coeducation is becoming more and more common, it is seen as a threat to Islamic values by some parts of the Muslim population.

In the Arabian Peninsula, it is not really clear how high (low) the commitment to education for women is, but if we consider how conservative the area is when it comes to Islamic Practice, it is unlikely that much attention has been given. On the positive side, we know that there has been a great increase in women's literacy in countries like Libya in Morocco. Additionally, in Cairo, there has been increased participation in higher education for Women. Even if women are often handicapped by their family´s attitude, marriage and motherhood, it is important to remember that it is more acceptable for a woman to be a student and a wife today compared to what it was 20 years ago.

2.2 Divorce and polygamy

Al Jabri does in his book "Democracy, Human Rights and Law in Islamic Thought" mentions Women's rights in divorce and polygamy[39]. He states that while in pre-Islamic Arabia both polygamy and divorce were common, they were both limited by Islam. Islam states the following:

"But if you fear that you shall not be able to deal justly [with them] then only one"[40]
And
"You will never be able to be fair and just between women, even if it were your ardent desire" [41]

When it comes to divorce, Al Jabri refers to the following Hadith[42]:
"Divorce is the most hateful permitted act in the eyes of God".

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[38] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 332
[39] Al Jabri, *Democracy, Human Rights and Law in Islamic Thought,* 2009, 47
[40] The Quran, Surah 4:3, **quoted in** Al Jabri, *Democracy, Human Rights and Law in Islamic Thought,* 2009, 47
[41] The Quran, Surah 49:129, **quoted in** Al Jabri, *Democracy, Human Rights and Law in Islamic Thought,* 2009, 47
[42] Al Jabri, *Democracy, Human Rights and Law in Islamic Thought,* 2009, 47

As Al Jabri[43] states, according to these verses it cannot be found that Islam undermines women's rights, and it seems that polygamy is close to being prohibited and divorce is restricted. He further argues that as today polygamy undermines the rights of women, they are therefore under "the thinkable" in the light of the Islamic principle of equality between women and men in rights and duties.[44]

Together with Al Jabri, does also An Naim[45] share the idea that Sharia did in fact restrict discrimination, but he also acknowledges that it accepted it, but as he says himself, it was the norm of the time. However, when looking at it from a modern perspective, it is clear that the principles of Sharia are sanctioning unacceptable and serious discrimination on grounds of gender and religion, he refers to them as untenable.

He digs deeper into the issue of divorce and seems to find it more problematic than Al Jabri. He states that, while a Muslim man may divorce his wife without having to justify nor give a special reason for his action to any person or authority, the situation is much more difficult for a woman[46]. That is because she can only obtain a divorce if the husband gives his consent, or potentially by judicial decree for limited and specific grounds, as for example if the husband is not able or unwilling to provide for her.

2.3 The missing equality before the law

Examples of discrimination towards women take place also in other areas. It is important to look at the discrimination of women in aspects outside of the family. The discrimination of women in the public aspect is for example carried into the law of evidence, and it denies women's testimonial competencies in some cases while it is in other cases restricted. If it is accepted, two female witnesses will be necessary to make a single male witness.

The fundamental principle of subordination of women, which is often used as authority for disqualifying women from holding public office, is that of qawarama[47]. Qawarma is the guardianship and authority that is given to men over women by virtue of the Medinese verse 4:34 of the Qur'an.

The historical justification of these instances is not of our interest. As An Naim[48] states himself, reasonable people can differ in their views of the historical sufficiency of any justifications that can be offered for any of the instances of discrimination.

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[43] Ibid
[44] Ibid
[45] Abdullahi Ahmed An Naim, *Towards an Islamic Reform* , vol. 1 (New York, New York: Syracuse university press, 1992), https://www.perlego.com/book/969338/toward-an-islamic-reformation-civil-liberties-human-rights-and-international-law-pdf., 91
[46] An Naim, *Towards an Islamic Reform,* 1992, 90
[47] An Naim, *Towards an Islamic Reform,* 1992, 88
[48] Ibid

It can be said, for example, that social and economic conditions of seventh-century Arabia did not justify all of the discriminatory rules that are mentioned above. An Naim[49] states that, regardless of differences in the historical justifications or sufficiency, these instances of discrimination against women are no longer possible to justify. As we know, and as An Naim[50] himself says, this discrimination does exist today, despite the modern reforms of personal law in many Muslim countries. These efforts cannot achieve the degree of reform that might be desired due to internal limitations of reform existing within the framework of historical Sharia. Another great point raised by him is that the benefits achieved through these modern reforms are limited and constantly challenged and threatened by more fundamental principles of Sharia.

It seems like many contemporary Muslims might object to Sharia's suppression of Freedom of belief and expression privately, but most are unwilling to express objections in the public sphere due to fear of being branded as apostates themselves. While other Muslims on the other hand, find it difficult to admit their objections to themselves because they fear that they will lose their faith in the process, and it is a well-known fact that leaving Islam is difficult. As long as the public law of Sharia will continue to be looked upon as the only valid view of the law of Islam, it will continue to be difficult for Muslims to object to its principles, no matter how inappropriate they may find them.

2.4 Progress

It can seem that level of equality in the Arab world is going in different directions. Progress is being made in female education. Despite the fact that men are having an advantage, more and more women are able to access education, at least if we compare it to what it was fifty years ago. Education is also a very important area to improve, as it can be used as a mechanism to change society if more and more women become aware of the rights they do possess and the rights they might receive in the future. As for new is very few women able to take part in politics[51], but this must change as it will give them the opportunity to fight for their rights and change society into something more equal. Unfortunately, are too many barriers blocking this opportunity today.

The problem instead seems to be that in the most crucial area for women, personal law, and family law, the progress is minimal. This is not surprising, because they are fundamental for the Arab-Islamic traditional life, and to leave them behind will mean modernization.

If marriage and divorce laws, for example, continue to favor men, giving them control over their wives, sisters, and daughters it will be extremely difficult to make a change, even if there is progress in other areas

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[49] Ibid
[50] Ibid
[51] Lina Abi Rafeh, "Women Are the Arab Region's Best Hope," Middle East Institute, October 21, 2021, https://www.mei.edu/publications/women-are-arab-regions-best-hope.

of political and social life[52]. Also, the Western countries started from a male-dominated society, and feminist movements struggled their way through to create the society that exists today.

What is obvious in Arab countries is the following: traditional Islamic laws applying to the personal status are still in force, at least to a certain degree. Tunisia is an example of a country having them to a small degree, as the Tunisian Code Du status Personnel forbids polygyny as well as arranged marriages. In addition, women have equal rights to divorce. This is a great example of how the combination of Sharia and secular laws gives better opportunities for women and is an important example of a step in the right direction towards equality.

While there are examples of countries in the Arab world where progress is being made, are there others that are going the opposite way, namely taking away rights women used to have. Saudi Arabia is a less progressive state in its treatment of women, women are usually not allowed to leave their homes alone and are therefore dependent on their husbands to move[53]. Islamic women in the contemporary Arab world have a complex role, at the same time moving forward but also so bound by the traditional behavior patterns, making it difficult to decide on what they might wish for their own future[54].

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[52] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 344
[53] Ibid
[54] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 347

Chapter 3: A law or a general path – Sharia

The religious law Sharia can simply be explained as the teaching and rulings that guide Muslims in life, in their relationship with family, society as well as their nation. It is created with a combination of several Islamic references where the Qur'an and the words and actions recorded by the Prophet Muhammad is the most important ones. Generally, when there is an issue that cannot be found in Sharia, religious scholars can give rulings as guidance. However, today in the Arab world, one experiences to a more considerable degree that the leaders of Islam seem to find ways in which they can interpret all areas of life in the Sharia law. Furthermore, many Muslims tend to believe that the law only has one proper understanding. Nonetheless, this is not a universal understanding, and a significant part of Muslims worldwide think it is possible to have several interpretations of Sharia and not just one.

Sharia involves different aspects as it regulates public life, meaning the interactions between individuals. We can distinguish between the Islamic political governance of the state, the economic system, and finally, the legal system. The word Sharia does translate to "the clear, well-trodden path to water" if one translates it from Arabic to English. The main aim of Sharia is to lead the lives of Muslims on the path that God wishes. According to Islamic scholars, Sharia is first and foremost a code of ethical conduct, as well as charity and worship, which also deals with criminal offenses[55].The offenses can be divided into two general categories: "hudud (/hadd)" offenses are more severe crimes, and the penalties are set. In contrast, the punishments for "tazir" crimes will be decided by the judge[56]. Some Muslims would argue that Sharia should be the law of the country. At the same time, most agree on the fact that its application is especially important in cases regarding property or family disputes.

Sharia has become a very much debated topic, both among Muslims and non-Muslims, something that can be explained by the fact that Sharia is often contrasted with the modern legal regimes existing in secular states[57]. The main issue might be that, depending on who interprets it, it can be seen as a rigid legal system that will not be able to reflect Western, modern, and democratic values. At the current time, there is a certain fear of Sharia in the west, so much that certain right-wing lawmakers in the US have tried to ban it[58], as they worry Islamic extremists want to impose the rules in the American societies. These discussions make it even more difficult to say that Islam and modern liberal democracy are compatible and contribute to making the Muslim world seem uncivilized.

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[55] Auf Yussef, "Islam and Sharia law", Atlantic Council, May 1, 2016, https://www.jstor.org/stable/resrep03458?seq=1.

[56] Toni Johnson and Muhammed Aly Sergie, "Islam: Governing under Sharia," Course Hero, July 25, 2014, https://www.coursehero.com/file/109761617/2014-00-00-Islam-Governing-Under-Sharia-Council-on-Foreign-Relationspdf/.

[57] Kali Robinson, "Understanding Sharia: The Intersection of Islam and the Law," Council on Foreign Relations (Council on Foreign Relations, December 17, 2021), https://www.cfr.org/backgrounder/understanding-sharia-intersection-islam-and-law.

[58] Patrick Strickland, "US: Are 'Anti-Sharia' Bills Legalising Islamophobia?," Racism News | Al Jazeera (Al Jazeera, October 1, 2017), https://www.aljazeera.com/news/2017/10/1/us-are-anti-sharia-bills-legalising-islamophobia.

This chapter will discuss why Sharia today is of political concern and if one needs to be worried about its rulings. Furthermore, if the complete application of Sharia follows religious traditions and then if the religious law prevents Muslims from moving to countries with liberal democracies. Finally, we will discuss the importance of distinguishing the law from its religion.

3.1 Sharia – A topic of political concern

Around 2011 the issue of sharia law versus secular law got much attention in the wake of an uprising in many Arab countries, this was the case in for example Egypt, Libya, and Tunisia[59].

The most controversial aspect of Sharia lies in the criminal law, while marriage and divorce (family law) are areas that are more commonly used. As already mentioned, Sharia distinguishes between hudud and tazir offenses. The hudud punishments are for the following crimes: first, unlawful sexual intercourse which is outside marriage or adultery. Second, if you accuse someone of unlawful sexual intercourse on false premises. Third, for drinking wine, but this is often extended to include all sorts of alcohol consumption. Fourth for theft and fifth for highway robbery. The punishment for these actions is stoning, amputation, flogging, exile, or execution, and they are all highly controversial and go against human rights. Importantly, most Muslim countries do not use these punishments, but they do for a fact still exist in some. One should be aware, however, that these punishments were rarely used in Islamic history. An important debate concerns what sanctions the Qur'an actually created and what practices that have been taken from societies that predate Islam[60].

While one might believe that the above-mentioned circumstances would be a feared legal system, did instead Libya, Tunisia, and Egypt help Islamist political parties gain more popularity around 2011. In fact, a research made in 2013 in thirty-nine countries found that there is great support for Islam in politics as well as for the punishments that are controversial and incompatible with human rights. Only few countries wished for a democratic solution[61]. It is not surprising that these circumstances create fear and turmoil in the west.

Andrew C McCarthy is an American politician and among those who find Sharia a dangerous tool[62]. In the book "How Obama embraces Islam's Sharia agenda," does he brings up some concerning topics. He argues that the West should be concerned about Sharia, as he believes that it is a non-negotiable topic for most Muslims and that one cannot go against it. Islamic rulers will choose to rule after Allah's will, which is given

[59] Johnson, Toni, and Mohammed Aly Sergie, "Governing under Sharia",2014
[60] Ibid.
[61] Ibid
[62] Andrew Carstairs-McCarthy, *How Obama Embraces Islam's Sharia Agenda* (New York, New York: Encounter Books, 2010), https://ereader.perlego.com/1/book/663361/5.

by Sharia and often is contradictory to our democratic reality. Terrorism is also becoming a more significant concern, mainly because Islamists today often legitimize their actions by pointing to Sharia.

He, therefore, argues that Sharia must be treated as a bright line because it will be distinguishing Muslims who wish to embrace the West from those Muslims who are determined to Islamize the West. It is important to remember that most of the last-mentioned categories are not terrorists and he explains how the dispute between nonviolent Islamist and jihadist terrorists is, in fact, over methodology. They do, however, both agree on the fact that non-Muslims must be confronted until they have adopted sharia, but the difference is mainly that terrorists find the failure to impose Sharia as an unacceptable action. In contrast, nonviolent Islamists have more patience and would instead impose the law through society's institutions.

Sharia creates a divide between Muslims who finds Sharia as a reference point for personal conduct, and it is simply a guide to a good life. Islamists does not find Sharia as a private matter, but rather a system that the entire world is obliged to adopt. From McCarthy's argument, is the west an obstacle Muslims must overcome to reach their goal. While McCarthy might be a bit conservative in his interpretation of Islam and Sharia, does he also share some true concerns as it does exist some people with such an extreme view. Depending on how one chooses to interpret it, its objectives can easily appear incompatible with most democratic constitutions. This is, of course, a topic of concern if one wishes to implement a liberal democratic regime in a country functioning with a full implementation of Sharia.

3.2 The complete application of Sharia

Most Islamic countries do only apply Sharia in certain areas, such as family law. However, in certain Arab nations, the law is being more or less applied fully, and much concern in the Western world regards how today's more conservative leaders have found ways in which they can use Sharia in every aspect of life. Instead of using Sharia as general guidance, they are now reinforcing Sharia in criminal law matters. Most of these rulings are highly contrary to the values of liberal democracy. In this way, it can seem like religious leaders of Islam do not develop into modernity, but instead, choose to go back to an even more conservative way of leading. Seemingly, the "perfect" way of life can only be found if one follows Sharia in every aspect of life, along the path that was suggested at the time it was made.

According to Al Jabri[63], Sharia has never been applied fully. He states that it was never applied "in full", in the beginning, because Sharia was never revealed at the same time, but was instead extended at the moment the Message was revealed to the Prophet, which occurred in the last days of his life. This is so, as the Qur'an, the primary source of Sharia, was not concluded until the following verse was revealed:

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[63] Al Jabri, *Democracy, Human Rights and Law in Islamic Thought*, 2009, 21

"This day I have perfected your religion for you, completed my favor upon you and have chosen for you Islam as your religion"[64]

The second source of Sharia is the sunnah of the Prophet, which clarifies and details the first source, it is his words, deeds and what he approved of other people's deeds and words[65]. Obviously, it was not until the death of the messenger that sunnah came out and the Sharia was therefore neither complete before that time, hence it could not be fully applied either. Neither at the time of the Rāshidūn Caliphs was sharia fully applied, because the Companions were then faced with developments and events that had not happened in the time of the Prophet. Their only solution was to resort to itjihād and mutual consultation, leading to both agreements and disagreements. The importance was to act according to their itjihād or instead by concensus(ijma), these are the third and fourth sources of legislation in Islam. So, until these four sources were all established, there was no possibility of applying Sharia fully.

But Sharia is not just texts of the Qu'ran and Sunna, the consensus and itjihād of the companions, it does also include what the mujtahidūn established among the fugahā of all succeeding years, but also in the years that were yet to come. Therefore, it continues to be impossible to claim that Sharia has been always applied fully because the elements and general principles were laid down together with the mission of Muhammad. Furthermore, as the time is changing, the mujtahidūn will always have to find new solutions for the current developments, we can instead argue that Sharia should be in constant growth.

Al Jabri concludes with the following: fullness and perfection in the application of laws, as in any other field, is only relative, whether in the time of prophets, their disciples, or companions, or in the times that came after them. There is no perfection in this world, either in the field of applying sharia or in any other field.

One can therefore wonder if the attempts in the current time of applying Sharia fully in Arab countries are not necessarily about religion, but rather an attempt of keeping state and religion as close as possible, preventing the country from reaching a more modern development. While we in the west fear the conservative Islamic regime, does this show us that they fear us just as much. It is mainly in countries such as Saudi Arabia, Sudan, Yemen, and Egypt that we find the classic, strict interpretation of sharia. As Al-Jabri points out, is Sharia in constant development, and to apply the law literally as it was written so many hundred years ago, is probably not how one should interpret it. One must remember that the traditional punishment of Sharia was explained by the fact that the police system back at the time was non-

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[64] The Qur'an, Surah 5:3, **Quoted in** Al Jabri, *Democracy, Human Rights and Law in Islamic Thought*, 2009, 21
[65] Ibid.

functioning[66]. To have punishments that would frighten the population, was important both to deter criminals and show the citizens criminal actions would have consequences. These punishments should therefore not be necessary if one considers the police and criminal systems that we have today.

3.3 Does Sharia limit Muslim's possibilities of having residency in a liberal democracy?

Rawls said that while "it is left to the citizens individually to settle how they think the values of the political domain are related to other values in their comprehensive doctrine," "the history of religion and philosophy shows that there are many reasonable ways in which the wider realm of values can be understood as either congruent with or supportive of or else not in conflict with, the values appropriate to the particular domain of the political. This makes an overlapping consensus possible, thus reducing the conflict between political and other values."[67]

A fundamental feature of political liberalism's self-restraint is that public institutions do not give a religious nor philosophical account of how liberal tolerance and neutrality fit into a theory of truth or good[68]. The principles of liberalism are freestanding; they do not come as a result of a controversial doctrine of truth or the good but are relatively compatible for endorsement by various controversial doctrines. Therefore, individuals can have compelling religious and philosophical reasons for endorsing liberal principles.

Year one in Islamic tradition is when Muhammad migrated to what is now known as Medina.[69] This is known as hijra, and it marks the point of autonomous political community and when Islam emerged as a comprehensive social, military, economic and political system. The migration of the Prophet has created a general and permanent duty for Muslims to migrate from non-Islamic lands and to live in lands ruled by Islam. An often-cited Qur'anic verse is, for example, the following:

"Those who believed and migrated and struggled in the path of God with their property and their souls and those who sheltered and supported them, are friends and supporters of one another. Those who believed and did not migrate, you have no duty of protection towards them until they migrate. But if they seek your support in religion, you owe them this support, except against a people with whom you have a treaty. God sees all that you do[70]"

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[66] Brown, Jonathan, "Stoning and Hand Cutting-Understanding the Hudud and the Shariah in Islam", 2017

[67] Rawls **quoted in** Andrew F. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (New York, N.Y: Oxford University Press, 2011), (chapter 1), 6.

[68] Ibid.

[69] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* 2011, (chapter 3), 2

[70] The Quran, 8:72, **Quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* (chapter 3), 4

Therefore, Muslim jurists have argued that migration is a religious obligation for believers. Furthermore, this becomes an ethical and moral issue for Muslims. It is believed that it is according to how well you follow your religious duties and obligations that will decide if you will be allowed to heaven afterlife on earth.

Also the Muslim scholar Khaled Abou El Fadl[71] has argued that a just life is possible only if lived under the guidance of the Sharia, something which is only possible if there is an Islamic polity dedicated to the proper application of Sharia. A just life of a Muslim can therefore only be possible if it is lived in an Islamic state that applies Sharia. There is an abode of Islam where a person can live an ethical life under Sharia guidance, and there is an abode of unbelief where Sharia is not applied, and Islamic justice does not prevail.
This creates issues at a fundamental level because even if most Muslim jurists view residence in non-Muslim states as permissible under given circumstances, more conservative Muslims might now agree to this, which is typical of the case of Arab Islamic countries. The Qur'an is said to be God's words, and the more conservative one is in their interpretation, the more challenging it becomes.

"Rule by what god has sent down"[72]

This short and simple verse continues to make the path to liberal democracy difficult, and it supports the idea of El Fadl. Several scholars do in fact find this as a message saying that if a leader would implement other laws than Sharia, will it go against the will of God[73]. If one lives in a state where leaders has implemented such laws, choosing welfare and protection instead of the laws of God is one also rejecting him. This idea becomes even stronger by the fact that Islamic alternatives are existing. When choosing to live in a state without Sharia, does one also choose to accept it, committing to duties of restraint and contributing to welfare.

Another issue is instead that certain verses, for example 5:51, revolves around how Muslims and unbelievers cannot be in alliance with unbelievers without betraying the Islamic community.

"Oh believers! Take neither Jews nor Christians as guardians – they are guardians of each other. Whoever does so will be counted as one of them. Surely Allah does not guide the wrongdoing people"[74]
The verse basically claims non-Muslims as people who cannot be trusted and is in a way prohibiting friendships with unbelievers[75]. Ibn Kathir is one of the scholars commenting on this verse, explaining how

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[71] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, (chapter 3), 3
[72] The Quran, 5:45, **Quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, (chapter 3), 4
[73] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, (chapter 3), 30
[74] The Quran, 5:51, **Quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011 (chapter 3), 10
[75] Ibid

both Jews and Christians are enemies of Islam and are therefore allied together[76]. Additionally, does the verse more or less say that if your leader is not Muslim, they cannot guide you.

While these reasons all argue against a citizenship in a liberal democracy with non-Muslims, do some Muslims still choose to live outside Muslim countries. These Muslims generally believe that if the state is neutral will it therefore neither use its power to make them doubt Islam and should therefore not be called a threat towards anyone, and one can therefore look past some of the above-mentioned verses. This view is in fact convincing for many Muslims and might explain why so many Muslims still chooses to stay in liberal democracies today[77]. Other scholars do instead argue that the freedoms provided for by the liberal democracy is even more dangerous than what a completely Christian regime would have been, for example. This is based on the argument that as liberal democracies do not engage in the country's religion, and leave it to the private sphere, which can it be even more dangerous[78].

As Abdullahi An-Na'im raises in his book[79], Muslims will need a new principle of Sharia if they want to develop and have better chances for living in a liberal democracy, as the law of Sharia will be in many ways contrary to that of the liberal. Muslims can, according to him, disregard Sharia in the public domain or enforce Sharia principles regardless of objections in terms of constitutional law, international law, and human rights. They are, however, both difficult in practice, as the first is violating the religious obligation to conduct all the aspects of private and public life following precepts of Islam. In contrast, the second can be politically untenable. This role of Sharia and its problematic position will be discussed more in detail later on.

3.3.1 Still a possibility?

Those Muslims who argue that a Muslim can live in a non- Muslim liberal state may defend that around the argument that they spread Islam and are in that way fulfilling another duty.

"Residing in one of the unbeliever's countries is better than migrating because it is hoped that others will convert to Islam through him"[80] has Al-Māwardī argued. This does, however, raise some concerns with liberal principles of citizenship. In a liberal democracy, this justification for Muslims would go against important values; non-Muslims will be seen only as potential converts, and it may lead to an Islamization of the state, meaning not any commitment to the pluralistic and secular state as it is. With other words, this

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[76] Ibn Kathir, **Quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, Chapter 3, 30

[77] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, (Chapter) 3, 31

[78] Ibid

[79] An Naim, Abdullahi Ahmed. *Towards an Islamic reform,* 1996, 185

[80] Al-Māwardī, in al-Nawawī, al-Majmū **Quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011,(Chapter 5), 4

means that the acceptance of liberal institutions will be mainly tactical, instead of accepting and acknowledging the way of rule.

A similar position is given by Yūsuf al-Qaradāwi, he argues that the possibility of living outside a Muslim country is unquestionable[81]. Just as Al-Māwardī, does he believe that if one does not move out of a Muslim country will one neither be able to spread Islam, but to do so is an important religious duty. He argues that if one were only allowed to live inside the Muslim world, would the old Islam still be existing only in the Arabian Peninsula. He points to history, explaining that without the influence made by individual Muslims who chose to migrate to other countries, would not that many people have chosen to join the religion[82]. For him, is the Western world rather an area where Muslim influence is necessary, and is therefore not necessarily accepting, but not either rejecting liberal democracy. But this raises questions with regards to the intention of his justification. For example, if Islam found themselves at a point of dominance in the world, would he then find it justifiable for Muslims to stay in a non-Muslim country?

Syed Abul Hasan Ali Nawdi has said the following[83] : " Your stay here is correct; not only justified but an act of worship if it is a source of preaching and propagation of faith. But if not, then I have great misgivings". As the author of this book is saying correctly, this could optimistically mean that they have a duty to call to Islam wherever they are, but it could also be a warning against accepting liberal systems.

The Swiss Muslim philosopher called Tariq Ramadan consider the Islamic principle "da'wa" as a duty to explain the religious content and teachings[84]. While this is often looked upon as a task to make others convert to Islam, does Ramadan instead claim that the da'wa is rather about spreading the Message and nothing more, nothing less. He emphasizes that Muslims should not be concerned if others accept Islam or not. The whole notion of da'wa is instead based on the principle giving the right to everyone of making their own choice. To live in the west should not be something one need to compensate for in his view, it is just an Islamic form of living[85]. Furthermore, does he wish to emphasize that the most important is to promote both good and equity, wherever one is in the world. The view that he is sharing is clearly showing values of political liberalism, such as individual freedom and mutual rights.

There are, however, also other authoritative text as the hadith reports that give directly contradictory rulings and that there are reasons to regard these as even more authoritative than those who are cited by pro hijra

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[81] Yūsuf al-Qaradāwi **Quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, (Chapter 5), 10
[82] Ibid
[83] Syed Abul Hasan Ali **Quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* 2011, (chapter 5), 8
[84] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, (Chapter 5), 11
[85] Ibid

jurists. Abu Dawud[86] has said that, according to verse Q 4:100 "And whoever migrates in the cause of God will find the earth many an abundant refuge". This verse is from the time when the oppression of the polytheist against Muslims made the Prophet migrate to Medina, and the Muslims commanded to migrate after him. When Mecca was conquered, the meaning of hijra was retained and the obligation of migration was taken away, it left us with two hijras: the one that has ended is the obligation and the one that remains is instead now a recommendation[87].

While certain Muslim scholars are clearly open to the thought of Muslims living in a liberal democracy, is liberalism requiring certain conceptions of society. One important is to tolerate its political community as well as the persons membership to it[88]. While some thinkers are accepting the choice of living there, do they reject to adopt the citizenship and everything coming with it. So, even if you can find certain ways in which Muslims would move to live in liberal democracies, will their justifications easily either go against everything liberal democracy stands for or be compromised. The one who stands out in this discussion is Ramadan and his more liberal views, and it gives hope that the future will include more opinions like his. One should remember that Islam is a religion about 600 years younger than Christianity, and if we look back 600 years to around year 1400 can we find a similar way in which the Christians chose to interpret the Bible, namely literally. The thought was that God had created the earth and heaven in one week, and this was the only valid explanation and understanding. With the time has one changed towards a more symbolic consideration towards God, and less importance is given to how things actually happened, but the belief in God has still remained together with his glory. In this way can one just have hope that with the time will what happened with Christianity also happen in Islam: less literal interpretation, without removing the importance and greatness of Allah. In that way, will the religion also be more open towards liberal democracy.

3.4 Islam- More than just Sharia

Sharia is so central to Islam and has been under so much discussion that it is important to remember that Islam is much more than just the religious law of Sharia. This is something that An Naim highly stresses, and in his article "Islam, Sharia And Democratic transformation in the Arab world"[89] does An Naim discuss the relationship among the three. He finds the combination of infinite spiritual depth of Islam beyond Sharia, Sharia is in the end a human interpretation and a practice of divine guidance that indicates the possibility of Islamic principles that can influence development of national legislation and politics, possible without

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[86] Abu Dawud **quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* 2011, (chapter 5), 3
[87] Ibid.
[88] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (chapter 5), 16
[89] Abdullahi Ahmad An Naim, "Islam, Sharia and Democratic Transformation in the Arab World," *Die Friedens-Warte* 87 (2012): pp. 21-47, https://www.jstor.org/stable/23773953?seq=1.

violating human rights norms nor constitutional democratic governance. The issues arise instead around the realistic and legitimate prospects of this possibility in what An Naim refers to as Islamist politics.

Islamist politics in this context political actors, sometimes organized as political parties, who follow an agenda that according to them is required by the understanding that they have of either Islam or Sharia. Generally, local actors have the primary role in transformative processes, but we are today experiencing that external actors contribute, trying to unfold and influence outcomes of the Arab rebellions. This goes especially for western powers, as they wish to avert the risk of "Islamist" receiving power in countries in the region, such as Egypt. An Naim suggests that this should be confronted and defeated through a democratic process[90], as the exclusion of Islamists from the politics of its country is not correct, stating that Islamists should be able to participate in the politics like any other citizen, but must be held accountable for upholding a constitutional democratic system while protecting equal human rights for all citizens. This is, however, unrealistic if one follows the traditional interpretation of Sharia. This is so because discrimination against both women and non-Muslims are very much structural to the methodology and general principles of that normative system, hence impossible to avoid them unless one rejects the integrity of the system itself. However, that is creating issues as one cannot declare to be implementing the will of God if being selective about which principle to apply from a Sharia point of view. Furthermore, when one implements Sharia principles as state law, they will no longer be the religious law of Islam but rather the secular political will of the state. If one wishes to avoid such contradictions, they must be acknowledged with secular nature of the state and legislation, and if accepted, there will be possibilities for the political parties to deliver policies and legislative propositions that are informed by ethical and jurisprudential principles of Islam, in a way where they will not violate the constitution nor legal system of the state. Islamists and their role in the Islamic context will be further discussed in the next chapter.

In practice, there is actually no significant demands for the enforcement of Sharia by the state in most Muslim countries, however, they do exist, and this is strongest in the Arab world[91]. An Naim argues that whatever organizational form, the Islamist group is never a religious mandate but instead a political force. They wish, as any other political group, to present themselves with the true voice of their communities and are often able to speak in vague, emotional terms about their status as the "natural and obvious" alternatives to oppressive regimes. Despite this, An Naim continues to argue that the most effective way of dealing with the risk of their arrival to power in the Arab world is to let them operate legally and openly.

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[90]An Naim, "Islam, Sharia and Democratic Transformation in the Arab World", 2012, 29
[91]An Naim, "Islam, Sharia and Democratic Transformation in the Arab World", 2012, 30

3.4.1 The importance of a distinction

What will be important, according to An Naim, is to have a clear differentiation between state law as a secular political institution, and Sharia as a religious normative system, and to distinguish them in theory and separation in practice[92]. They both wish to regulate human behavior, and this raise a possibility of dynamic interaction between them, but for this to occur, it is a condition that Sharia cannot be enforced as state law. It is religiously binding for Muslims, but when enforcing it through state institutions it will deny its religious nature and the outcome will be not religious, but secular.

The distinction suggested by An Naim[93] is based on the nature of the modern state as a centralized, bureaucratic, coercive political institutions that Islamic societies adopted during European colonialism and kept after receiving their independence. Thanks to the colonialism, most Islamic societies have more similarities with the country of which they were a colony, than with the population's religious affiliation. Countries with a great amount of Muslims inhabitants, such as Senegal and Mali have much more in common with states in their region than they have with Iran, Pakistan or Saudi Arabia. The one thing they all have in common is that Sharia will be relevant and binding on the Muslims, as much as they understand and practice, but it should not be coercively enforced by the state. There should be a possibility of looking at Sharia as an influence on the content of secular state law through civic reason in a democratic process, but it should remain separate from the law of the state.

Another issue is that Muslim-majority states are parties to international treaties, and these provide a great range of human rights that Sharia family law violates [94]. As I have discussed in the chapter concerning women's position in the Arab world, family law is one of the most applied areas of Sharia and an area in which the man is always an advantage. Therefore, all these states must indeed change these aspects of their law to go in accordance with their obligations given by the international human rights law. An Naim suggests the following three strategies on how these states can achieve this in practice. First of all, and already mentioned, is to separate the legal authority of the state from the religious authority of Sharia[95]. In this way, Muslim human rights advocates would be able to seek legal reform without confronting the religious law of Sharia. Secondly, to pursue legal reform, the advocates might take part in the various strategies of political mobilization that is needed for any legal reform, this allows them to claim and exercise their own human rights. The last one is the most important according to An Naim, and that is the development and propagation of what he calls for an Islamic hermeneutics for human rights. But here the question would be, how is it possible for the state to own political will to confront the religious belief of its citizens in upholding equality for women with regards to family law matters?

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[92]An Naim, "Islam, Sharia and Democratic Transformation in the Arab World", 2012, 34
[93] Ibid.
[94]An Naim, "Islam, Sharia and Democratic Transformation in the Arab World", 2012, 38
[95] Ibid.

The answer he suggests follows the methodology of the Sudanese Muslim reformer, Ustadh Mahmoud Mohamed Taha[96]. His ideas is summarized by An Naim as the following: Either through the interpretation and selection of the appropriate texts of the Quran and Sunna, or through the application of other kinds of methodological techniques of Islamic jurisprudence, the scholars who founded Sharia did construct what they believed to be suitable as a normative system for their communities in local terms. What is important is that these scholars were clear and aware of the fact that they were not constructing an eternal and divine Sharia, but this is something many Muslims seems to believe today. There it is both appropriate and possible by the doctrine and ethos of the earlier Muslim scholars for modern Muslim scholars to create a normative Islamic system that is suitable for the context present today of Islamic societies.

In the discussion of Sharia's compatibility with democratic values and human rights does An Naim conclude with stating that the current process of public discussion about Sharia and how it has certain implications for human rights, is by itself an important and transformative, empowering process[97]. We can, however, not expect positive outcomes in short term. If states do not use its power to limit human rights, it will always be a possibility for people to act in support of those rights. For this to happen, it is fundamental that Muslims insist on exercising own rights to think, debate with others and study freely to make up their own decision. Without any human rights, there will be no democratic transformation.

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[96]An Naim, "Islam, Sharia and Democratic Transformation in the Arab World", 2012, 39
[97]An Naim, "Islam, Sharia and Democratic Transformation in the Arab World", 2012, 40

Chapter 4: Islamism

It is impossible to avoid the topic of Islamism when discussing Arab Islam and its compatibility with liberal democracy. One might wonder what went wrong, as what started as a religion gave rise to extremism committing awful terroristic actions and stood accountable for many thousands of people's deaths. Historically, Islam was a futuristic and tolerant religion, making it even more confusing that Islamism today is creating so much fear worldwide. Today is Islamism and its extremism creating fear all over the world, especially in the West and its message seems to be far from liberal. Most of the fearful groups have origins in Arab countries, such as The Muslim Brotherhood and Hezbollah.

To shortly explain Islamism, Islamic fundamentalism, or political Islam (they do all mean the same), is it a political ideology based on Islam[98], and I will mainly refer to Islamism in this chapter to avoid unnecessary confusion. Islamism wishes to establish an Islamic state before one day an Islamic order worldwide, based on Sharia and the rules it provides. While we call Islamism a modern ideology, is the intention of it instead to go back to what the followers believe was the traditional Islamic society, and the approach is far from modern[99]. The West, and maybe especially the United States [100], is beyond doubt Islamism's main enemy, and why will be explained below.

What needs to be emphasized is that Islam and Islamism are not the same, even though Islamism is based upon Islam. Islam is a faith and includes ethics and a cultural system[101]. The political ideology of Islamism is a result of modern times and was not established by the Qur'an or the Sharia. The ideology is not Islamic, and we must distinguish between Islamist and Islamic parties. For example, in Indonesia is, the party Nahdatul Ulema, an Islamic party. But the Muslim Brotherhood in Egypt, and its several offspring, are not Islamic but Islamist[102]. While Islamism strives to derive its legitimacy from the religion[103], does it also put Islam in a bad light. But as Islamism is receiving more support in the Arab world, is it essential to take this fact into consideration, as support towards this ideology will most likely mean supporting an anti-liberal and anti-democratic regime.

At the beginning of this thesis, I discussed the history of Islam and its importance in understanding today's circumstances. This goes for the rise of Islamism as well, and according to Lewis and his theories, can the

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[98] Bassam Tibi, "Why They Can't Be Democratic," *Journal of Democracy* 19, no. 3 (July 2008): pp. 43-48, https://doi.org/10.1353/jod.0.0002., 44

[99] Tibi, "Why they cannot be democratic", 2008, 45

[100] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006

[101] Tibi, "Why they cannot be democratic", 2008, 44

[102] Ibid

[103] Soner Cagaptay, "Muslims vs. Islamists," The Washington Institute, July 8, 2016, https://www.washingtoninstitute.org/policy-analysis/muslims-vs-islamists.

stagnation in history in the Islamic world be one of the most critical factors in understanding the different sides and positions existing today[104]. The history of a people divided in two, those wishing to learn from the West – hoping for a democratic society, open and secular – and those who instead wanted to go back to the beginning of Islam and the circumstances of society at that time.

The aim of this chapter is to better understand Islamism and the differences between it and the religion Islam, as well as its role and the possible threat it may represent to liberal democracy. To find these answers will we first investigate if Islamism can be combined with democracy. Islamism is a complex topic, and we will discuss its ideology and try to figure out what they stand for. Following, I will with the help of Al Jabri go deeper into extremism in the Arab world and finally explain how Islamism is inconsistent with Islam, following the thoughts of An Naim.

4.1 Is Democracy a possibility for Islamism?

Parties that follow this ideology do in fact take part in democratic elections, something that has created much discussion and disagreement around especially two arguments. The first argument claims that as it is their wish to have a complete application of Sharia, can they never be democratic, as Sharia is discriminatory. The second argument is that the only reason why Islamists are currently willing to accept voting ballots is that they do not have enough power yet to use more forceful means[105]. If they could have avoided democratic elections, would they do so. Not many have faith in Islamism and commitment to democracy, but at the same time was for example an Islamist party elected in Turkey democratically in 2002. In the Middle East, the states are mainly autocratic, but they are generally interested in keeping Islamists from gaining power, which shows some disregard towards them. According to several analysts[106], is it due to such autocratic regimes that Islamist movements were raised, just because they express opposition to the illegitimate rulers, and it may partly explain the support that they have. At the same time has there been different approaches towards the Islamist threat, and attempts have been made to suppress them periodically, as was the case in Egypt, or permanently, as has been the case in many Gulf states[107].

When some Islamist movements agree on using voting ballots, do they continue with their violence and bullets[108]. For example, did the Supreme Council for the Islamic Revolution in Iraq and the Hezbollah in Lebanon both keep their armies when they at the same time tried to achieve seats in parliament. While fair and free elections are necessary for a democratic regime, is it far from sufficient. Therefore, one cannot use

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[104] Ibid

[105] Are Knudsen, "Political Islam in the Middle East ," 2003, https://www.cmi.no/publications/file/1548-political-islam-in-the-middle-east.pdf., 6

[106] Ibid

[107] Knudsen, "Political Islam in the Middle East" , 2003, 7

[108] Tibi, "why they can't be democratic", 2008, 45

this argument to say that they are compatible with democracy. While it is said that we can distinguish between institutional democratic Islamists and jihadist terrorists, do I want to mention a happening in 2008 in Lebanon. The country's government was democratically elected while acting in accordance with the legally constituted authority, did they dismiss the security chief in the airport in Beirut on the basis of his illegal collaboration with Iran and Syria. In doing so, they also banned Hezbollah's illicit network telecommunication[109]. The response given by Hezbollah was to send their private army to occupy the West of Beirut by force, and 65 people ended up being killed. The group had become well known as they claimed to have gone from a terroristic group and developed into a democratic party[110]. They had actually taken part in elections from 1992, and in 2005 were some members elected ministers of the cabinet. They continued to have their militia which happened to be heavily armed, claiming that they kept it to be able to fight Israel. In 2008 did they instead kill many innocent citizens and had also managed to blackmail the government entirely. A similar situation happened in Gaza after an allied Sunni movement named Hamas had won the Palestinian Authority legislative election. This creates questions about the trust one can give to Islamists that claim to avow democracy and wish to run in elections. It seems like the peaceful Islamists and Islamists dedicated to jihad are not so different after all[111].

Finally, as I have mentioned before, the Islamist generally wishes to create a state based on Sharia. This means that they will reject pluralism, which happens to be a fundamental part of democracy. Sharia does not allow non-Islamists or non-Muslims to take part in their power[112]. This means that if they manage to reach power, will the possibilities of a democratic regime be far gone. It does not matter if they took part in an election using voting ballots because their goal includes a very different reality than what exists in a liberal democratic regime.

4.2 The Ideology of hate

The fact that Islamist parties take part in democratic elections becomes even more interesting when looking deeper into their ideology, which is full of hate towards the west and their liberal democratic regimes. The primary source of this hate can be challenging to determine, but the fear and contempt for the west is a vital factor. According to Islamists, this is reasoned by the fact that the lifestyle practiced here is unacceptable and in lack of values. They are humiliated by the weakness the Islamic countries are experiencing compared to the triumphing Christianity, and they usually look at materialism, secularism, and moral depravity[113] with great disgust. One of the essential inspirators and ideologists for Islamism, Sayyid Qutb, became radicalized during a stay in the US at the end of the 1940s. He was very upset about how American churches arranged

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[109] Tibi, "why they can't be democratic", 2008, 46
[110] Ibid
[111] Ibid
[112] Ibid
[113] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006

dances where men and women had physical contact. In addition, he showed to the Kinsey report with regards to the sexual life of Americans. Both factors were signs of moral depravity[114]. If we follow Berman[115], did Qutb see this as a result of the secularization in the United States, where the religion was put in the private corner. Al Qaida spoke of the United States as the big Satan, and if one sees that in light of the definition of Satan according to the Qur'an, which is "one who tempts others"[116], can this in a way make sense. One must, however, remember that it is not necessarily Islam that is inspiring the hate discussed here but rather a concrete way of interpreting the Islamic writings and traditions.

One of the reasons why Islamists and Islamism are essential when discussing Arab Islam and its compatibility with liberal democracy is that they believe that democracy stands explicitly in opposition to Islam. This is so as democracy builds on the sovereignty of human beings, while in Islam, all sovereignty belongs to Allah. A human being's primary and only task is to follow Allah and his commandments. This also means that the more people believe in this ideology in the Arab countries, the more difficult it is to achieve a liberal democratic regime. The apparent hate towards democracy has been stated clearly by famous Islamists, such as Bin Laden, al Zawahiri, and Zarqawi. They are all in origin from Arab countries and were so firm in their belief that international democratic and humanitarian institutions developed in the West represent Islam's enemies. This reasoned the horrific bomb attacks in Bagdad on the UN and red cross by the end of 2003[117].

The radical Islamists are not as far away from Western illiberal ideas as the Islamists themselves believe. In his book "Terror and Liberalism, " Paul Berman explains how old Islamic doctrines are mixed up with "liberating ideologies" from the West. The terroristic ideologies are, according to Berman, inspired by totalitarian ideologies like communism and especially fascism. "Totalitarian movements do always – always – rebel against the West and its liberal values. That is their purpose"[118]. By giving it a deeper analysis, are the standard features between Islamism and Fascism many. They were led by an elite, totalitarian in form and liberal democracy is the main enemy. Leaders have all answers, and rational discussions are looked upon as a waste of time, while blind obedience is the better solution. They are obsessed with recreating a past of honor and have world domination as their main goal. Both are a death cult and have an unlimited will to sacrifice lives to reach their destination. Interestingly, the similarity between fascism and Islamism is that it was first after the second world war that many Islamic countries implemented their totalitarian regimes[119]. It almost seems like they took inspiration from the Western product of communism and fascism. If we follow such argumentation, will that also mean that Islamic countries have effectively implemented Western

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[114] Ibid
[115] Paul Berman **Quoted in** Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006
[116] Ibid
[117] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006
[118] Berman **Quoted in** Snoen, "Bernard Lewis, Islam and the fight against terrorism," 2006
[119] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006

totalitarian regimes, including an almighty state with methods and techniques to control its population it did not seem to have before.

4.3 The extremism of Islamism

Islamism is a form of extremism, and extremism is generally famous for its willingness to die for "their cause". One might wonder how they are this willing to lose their life instead of acting by peaceful means to one day reach their goal alive. In his book "Democracy, Human rights and Law in Islamic thought"[120], Al Jabri shares some interesting views on this and the rationality behind Islamism and its extremism. He confirms that Islamism (or Political Islam as he uses) now covers much of contemporary Arab Public opinion. While in the West, the right is associated with capitalism, reactionism, and liberalism, and the left with progress and socialism, is this not the case in the Arab world. Not everyone that is associated with modernity here is considered either progressive or socialist, and the Islamists are neither considered a reactionary nor a capitalist. The reason for the distinction made by Al Jabri between left and right is instead that one extreme is on one end, so "left" while the other is on the opposite extreme and therefore "right"[121]. The two are not against each other, but the left extremism is against the left, while the right extremism is against the right. The extremism on the left side developed during the later years of 1960 in Europe and transferred to other parts of the world both in the late 60s and in the early 70s. They presented themselves as an alternative to the left itself, not to the right as expected. In this way were, their rivals usually socialist or communist parties. Similarly, was the right extremism objected against the right itself.

Al Jabri states that contemporary extremists are similar to Khawārij[122], one of the earliest Islamic sects. They usually dissent against their group's leniency, or even moderation towards their rivals[123]. The extreme left goes against the left, protesting their dialogue with the right. The extremist right goes against the right, revolting against their group and their moderate tendencies.[124] Then, the result is a blow against the party out of which the dissent has been issued while also providing a benefit to the other party[125]. The result is the isolation of extremist groups, and they become marginalized. While repeating the same experience of extremism against themselves, they simultaneously become separated into rival groups that accuse each other of heresy.

Al Jabri does, however, mention something important. He states that it has in fact never happened, and he doubts that it will happen, that an extremist group will change a situation, nor has it occurred in the history. Even in those episodes in which extremists have taken part, is the end always the same, and it is the

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[120] Al Jabri, *Democracy, Human Rights and Law in Islamic Thought,* 2009, 14
[121] Ibid
[122] Ibid
[123] Ibid
[124] Ibid
[125] Ibid

moderate center that ends up holding power. Al Jabri claims that this is a well-known fact by the extremists and explains why their aim is usually not to reach power but to die for their "cause". What is this cause, does Al Jabri ask, and how will it be realized? What are the means of serving this cause both historically and practically? According to him, do the extremists not consider such questions, and in this way does it become an enchanted view of the world, in a sense escaping forward. Therefore, should one neither be surprised to see them leaping from extreme left to extreme right. But this also shows weakness in the extremism and a repressed worry that what they believe in might not be correct. A lack of answers while changing sides may be a sign of doubt.

Extremism has various forms and is of multiple types. The current type active in the Arab thought undoubtedly finds justification in the absence of political and social democracy[126]. Others can be found in the failure of traditionalist trade to introduce what can be a required innovation in the Islamic thought, in the sane that it would keep up with development while also being relatable to reality. This can be similar to leftist extremism, which found its justification in both the absence of democracy and intellectual stagnation. Importantly, is extremism in religion always following politics. When politics is exercised in a religion in matters of creed[127], will extremism affect the creed and when it is in matters of Sharia is it instead seen in that field. Following Al Jabri has extremism existed since the early days of Islam and has without exception been connected to politics both directly and indirectly. This is why we can state that, without a doubt Islamism is an expression of a political position. Religion was instead a source of legitimacy.

4.4 Islamism and Islam – two very different realities

In the book "Islam and the secular state"[128], An Naim tries to find a solution to the current struggle with religious law, state, and politics in the Arab world. He suggests that the state law should allow religions and worldviews to be authorized to act free and by their doctrine, however, it also has to be following the state's international law acceptance. Islamists believe that the correct way of following Islam would be to implement the strictest interpretations of Sharia, but that is something An Naim objects to. At the same time, he argues that there is nothing "un-Islamic" by a secular state[129]. Furthermore, does he explain how there is nothing in the Qur'an that states how the state should be built up and not a form of state that is not allowed. Additionally, is there neither a particular form of government that the Qur'an specifically asks for. Of course, it has been recognized that there must be a form of political organization to maintain peace and organize the community. However, whatever they invent as a state to be able to serve these purposes will in

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[126] Ibid
[127] Al Jabri, *Democracy, Human Rights and Law in Islamic Thought,* 2009, 15
[128] An Naim, *Islam and the secular state,* 2009
[129] An Naim, *Islam and the secular state,* 2009, 267

any case, be a human construction, so it will not be Islamic and relatively secular. Such reasoning goes for the government as well[130].

An Naim believes that by following his definition of the secular state, is in fact more consistent with the history of Islamic societies and the nature of Sharia compared to what is called the Islamic State, or the enforcement of Sharia as the state's law[131]. What he is suggesting is a state that does not regulate the private sphere nor depoliticalizes Islam, while it is at the same time in opposition to a future where what he refers to as "the enlightened west" is the leader of all humanity, where secularity is the only logical outcome of the state[132]. The state is instead a state where the influence of religion in the public domain can be open to negotiation and dependent on the free exercise of human agency of all citizens, no matter if they are believers.

While the ideology of Islamism argues that one of the main issues with the West and their liberal democracy is that the state and religion are separated, An Naim argues that it is necessary to have a secular state of living right as a Muslim[133]. Only if you follow Islam by free choice and genuine conviction are you doing what is right. Any religion, Islam included, requires that it is possible not to believe because when belief is forced, it also loses its value. The future needs a separation of Islam and state, where the future of Sharia will depend on that while regulating the relationship between politics and Islam. Because it is not possible, according to Naim, for any religious person to keep their belief outside of their political choices and decisions[134]. Therefore, will the regulation of religion be the best solution, and there will be no forcing religious reasoning into the domain of politics. His value of secularism does not give less significance to religious modes of being in the world, thinking, or arguing than to non-religious modes[135]. An Naim distinguishes between Islam and the state, and Islam and politics so that the previous is separated, but the latter encourages a connected relationship[136].

Secularism needs religion to be able to provide a broad accepted source of moral guidance for its political community, in addition to contributing to satisfying and disciplining the needs of believers within its community. At the same time does religion need secularism to be able to mediate relations among the different communities in the same political space. This means that the secular state regulates the public role of religion, but to do so is religious legitimization from believers necessary, which is difficult if there is no existing openness of reinterpretation of the traditional understanding.

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[130] Ibid

[131] An Naim Ahmad 'Abd Allāh, *Islam and the Secular State: Negotiating the Future of Shari'a* (Cambridge, MA: Harvard University Press, 2009), 268

[132] Ibid

[133] Ibid

[134] Ibid

[135] An Naim, *Islam and the secular state, 2009*, 275

[136] Ibid

But what will An Naim's secular state mean to Muslims who believe in the idea of the Islamic State, where the enforcement of Sharia is necessary through state institutions[137]. Does this mean that they cannot live in accordance with their religious obligation? No. These Muslims can observe the Sharia principles in their way, in their own lives, but they cannot violate them on others. Issues appear when Muslims tries to impose their own belief on others, in this way they claim to have a right to violate the rights of other citizens. What is fundamental is that if one wishes to have a legitimate belief in value, the state must be separated from Islam. Religion will not have any meaning if there is no allowance for disbelief. Even those who believe in the Islamic state that will enforce sharia should be allowed to have the freedom to advocate that view. Still, it will be lost when they achieve their objective because at that point will, the individual Muslims who control the institutions of the state decide what Sharia means. That person will resolve on its interpretation and implementation, and they can no longer advocate for their view because they have to follow what the one leader is saying.

If Sharia is invoked as Sharia and is therefore binding on the citizens, there will be no civic reason because debate, conversation, and negotiation cannot occur. The civic reason is based on the fact that reasons cannot become separated from their rationale[138]. But in this case, will the rationale of the Sharia principle be that they are what some few people believe to be the command and will of God, and therefore are all other rationales silenced. The main point of An Naim is the following: to claim to have established an Islamic state is a false claim. This is because the notion of requiring an Islamic state to enforce Saria is a dangerous illusion because the state is, in fact, a political institution, and it can therefore not be Islamic. It is not even an agreement among Muslims regarding what an Islamic state means. In the modern context, the Islamic state is highly inconsistent with the premise of constitutionalism. No state can, according to An Naim, operate on the totality of what Muslims do accept as Sharia principle[139]. He points to the examples in Pakistan and Sudan, where such Islamic states have failed. There is additionally, never in history been seen a state like the Islamic State. According to An Naim, this is due to the incoherence of this idea and the practical impossibility of realizing it and, therefore, not only due to evil experiments that could be corrected in the future.

4.5 Short summary of the chapter

Islamism might be something else than Islam, but the support it has in the Arab world is concerning, it creates fear both there and in other parts of the world and their values are far from liberal. Its democratic future is minimal, but from the statements of Al Jabri can we at the same time ask about the strength they have, and as extremism has never changed anything should they maybe not be receiving too much attention

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[137] An Naim, *Islam and the secular state,* 2009, 278
[138] An Naim, *Islam and the secular state,* 2009, 279
[139] An Naim, *Islam and the secular state,* 2009, 280

in the discussion of Arab Islam's possibility of becoming democratic. At the same time, if this political ideology continues to grow in that continent, will the possibility of democracy be even smaller. Following An Naim is it clear that the argumentation and wish for an Islamic order/state is highly inconsistent with what the religion stands for and is yet another proof of how much of a different mindset Islamism includes than Islam itself.

Conclusion

I started my thesis by stating that the aim was to determine if Arab Islam was compatible with liberal democracy. I have discussed several challenging aspects, and before I finally conclude will briefly comment on the different topics raised.

Historically we can observe a complicated relationship between Arabic East and the West, which clearly has shaped Arab attitudes, and some feelings of humiliation might still exist[140]. I believe that one can say that the loss of the earlier Islamic empire has left deep tracks in many Arabs and is contributing to the strained view they have of the West today. At the same time, one must also remember that even before this was, the Arabs never showed much interest in the West and did not wish to learn from the western world unless it was for their own advantage[141]. Consequently, is a liberal democracy not considered an idealistic regime in those countries, as this regime is a product of the West. Obviously, one cannot base Arab Islam's compatibility with liberal democracy only on its historical relationship with the West, and that has never been my intention to claim. Still, I do believe that it creates a rather negative foundation.

The discrimination against women is, from what I have found in this research making liberal democracy in the Arab world today impossible. While some progress has been made in terms of, for example, education (but women are still far from equal with men also here), are women still in a wrong position in terms of family law and personal law[142]. What is fundamental is the constant fear of modernization that currently exist in the Arab world[143], because as long as the Arab Islamic society does not want to leave its traditional life, will that also keep the position of women from developing. A liberal democratic regime is dependent on equality among its citizens, and that will be impossible if men continue to be favored in society. We must in addition take into consideration that women in certain Arab countries, like Saudi Arabia, are currently losing rights they used to have and can leave their house only if companied by their husbands[144]. It is difficult to focus on the development made in terms of education when women are suffering from a treatment without respect and are living a life in very different circumstances than men.

From the discussion made in this thesis is Sharia probably the most complex and difficult challenge to solve when it comes to a future of liberal democracy in the Arab Islamic world. First of all, is the law used and interpreted in a very conservative way, and by doing so does it become almost impossible to imagine a liberal democratic state. Sharia was made in a different time, and its purpose was probably not to always stay the same, but rather to be interpreted according to its circumstances[145]. As the law in itself is discriminatory,

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[140] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006
[141] Ibid
[142] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 344
[143] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 332
[144] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 345
[145] Al Jabri, *Democracy, Human Rights and Law in Islamic Thought*, 21

can it not be implemented in the way it is today in the Arab world if it is going to be combined with liberal democracy. If one follows the interpretations of Sharia as, for example scholar Khaled Abou El Fadl[146], as I mentioned earlier in the thesis, is life only right if it is lived under Sharia. This is obviously impossible in a democratic state where religion is separated from state institutions. Nevertheless, one must also remember that Islam is more than Sharia. If it would become possible for Arab Muslims to interpret Sharia in a less conservative way, would much disagreement be resolved. Both An Naim and Al Jabri seem to agree that Sharia should not be interpreted in a literal way and show how modern interpretations of the law can be entirely consistent with the contemporary world. At the same time, should we remember that Islam is about 600 years younger than Christianity, and around 1400, did we also have a similar interpretation of the Bible and God. Only with time did the understanding become less literal, but God has always kept his glory. We can only hope that the same development will happen in Islam with time.

The last chapter discussed Islamism, and from that, should we consider a few things. First of all, despite democratic ballots, Islamism will most likely never be compatible with liberal democracy. It is difficult to answer if they should be allowed to participate in democratic elections, and I believe that there can be good reasons to argue even for or against. Still, regarding what happened in Lebanon in 2008, one can clearly state it involves a risk[147]. Nevertheless, Islamism is not Islam, and we should therefore mainly fear Islamism if its support continues to grow in the Arab world, as it is in significant opposition to democracy. Its goal of an Islamic state is far from liberal. Al Jabri discussed how extremism has never changed anything[148], and in addition, did his explanation of them as politically unstable contribute to weakening their position and revealing doubt.

From the discussion made in the thesis do I believe that the Muslim mindset in the Arab world is what creates core issues concerning liberal democracy. While considering how the Qur'an is God's words and must therefore be understood literally, can it never be changed. This means that new interpretations of their faith are highly unlikely. Sharia is a product of the Qur'an and can therefore not be changed either. It seems to be considered perfect from the day it was written. In addition to this, do Muslims seek to find the answers to their questions by looking backward into history and never ahead. The Answers to the good life in the Muslim world are always seen by scrutinizing the society at the time of the Prophet. That was their ideal state, and it is what society wants to achieve today, not the liberal western democracy. All this contributes to a mindset that is firmly stuck in the past, in old traditions and societies – the hope that Arab Islam will change and start adapting to Western societies is therefore purely wishful thinking.

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[146] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* (chapter 3), 3
[147] Tibi, "why they can't be democratic", 2008, 46
[148] Al Jabri, *Democracy, Human Rights and Law in Islamic Thought,* 2009, 14

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Summary

This thesis investigates if the Arab Islamic world is compatible with liberal democracy. This is so as liberal democracy has been widely spread in the Western parts of the world, but it seems to be a far reality from the middle east.

Islam is a religion founded on the Arabian Peninsula in the 600s by Muhammad and is considered one of the youngest world religions. In the earlier days of Islam, from about 660 to 1290, the Islamic Empire developed into the world's greatest empire[149]. Muhammad had been a great politician and emperor before his death. When he died, the four first caliphates continued to lead the religious-political community that Muhammad had established. Scientists and discoverers from the West traveled to the Middle East, and Arabic literature was being translated into European Languages[150]. The Western interest in learning more about the Arabic culture was significant, but the interest was not mutual from the Arabs. This resulted from several reasons, but importantly were the Arabs not sure if it would be permissible for Muslims to travel or live in a non-Muslim country, and Muslim jurists spent much time discussing the topic. Often, was the conclusion no, because it would not be possible for a Muslim to live a good life in a country of non-believers. For Muslims were the Christian precursors, they saw them as incomplete and not worthy custodians. It was not until the East had experienced significant military losses that the ottoman sultan realized he had no choice but to learn from the West unless the result would be total dominance. This expanded the contact between East and West, and more Arabs went to the West to learn about their warfare strategies. This direct contact with the West made the East more aware of the West's strength and wealth. This did not improve the relationship between the two, and questions were raised concerning how the West had managed to reach so much success. The most traditional way to respond to these questions was to look back to the religion, and the classical response was something like, "Let us go back to our roots, to the good old ways, to the true faith, to the word of God"[151].

This very tense relationship between the West and the Arab countries has remained and sat its tracks in the Arabs. The defeats against the West and the loss of their earlier conquered lands seem to have led an earlier tolerant human society into something very conservative. The uninterest from the East towards the West has continued until today, and in 2002 did a report made by the UN regarding Arab Human development show that in total in Arab countries were only 330 books translated a year[152]. In addition to that, in the early 2000s, only 1,6% of the population had access to the internet. The combination of that and the low level of translated books has the result been that the Arab population is standing almost without the possibility to develop outside its own countries conditions. While history does not directly say anything about Arab Islam

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[149] Vogt, "The history of Islam," 2022
[150] Snoen, Bernard Lewis, Islam and the fight against terrorism, 2006
[151] Lewis, *What went wrong...,* 2002, 45
[152] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006

and its compatibility or incompatibility with liberal democracy, can we observe a clear pattern of negative attitudes towards the west and a lack of curiosity, even during their time of dominance. Liberal democracy is a product of the West, so it can be discussed if Arab populations and their leaders support such a regime to begin with. Since the earlier days of Islam, it seems like what has mattered the most is if you are a Muslim, and therefore a sister or a brother, or one who does not believe. History is in the Arabic World a very central topic, and it shapes how they look at themselves and how they look at others[153]. Therefore, it is essential to understand that even though we in the west do not care too much about the "older" history, does it still stand firm in the memory and identity of Arab Muslims.

A fundamental part of liberal democracy is that men and women are equal and entitled to the same rights and possibilities. Gender equality in the West is currently moving towards a place where men and women are equal in politics, culture, and society. Still, is the Arab Islamic community far from equalized, and women are currently experiencing disadvantages in all parts of the society. In the discussion of how current Arab countries treat women, should one be aware that depending on what role Sharia plays in the country, it impacts the situation of women differently. We can distinguish between two categories. The first category is where the basis of the legal system is Sharia, meaning that it is used everywhere in areas concerning human relationships[154]. These countries are on the Arabian Peninsula, so it involves countries such as Saudi Arabia, Qatar, UAE, and the Yemen Arab Republic. Women have few rights and have a significantly disadvantaged position in society. On the other hand, the second category is in the countries where the law system includes a combination of secular laws and religious laws. This could, in theory, give better opportunities for women. Still, unfortunately, the distinction between the two categories has been fading as leaders have begun to reinterpret the Sharia themselves, covering more aspects of modern life by only using Sharia.

Despite feministic movements, have the opportunities for girls' education been proven poorly compared to what young men are receiving. There are currently compulsory education laws enacted in many Arab countries, but implementation and enforcement remain a significant issue. This goes especially for rural areas, which happens to be where about 60% of the Arab population lives[155]. The main problem seems to be the conservative mindsets and a strong tradition where many Arab families associate girls' education with modernization, meaning a threat to traditional life. The traditional life creates further issues because traditional Islamic laws state that boys and girls should attend separate schools. Some countries, like Egypt, Jordan, Iraq, and Syria, have accepted coeducation at the primary level. Unfortunately, does this keep traditional families from allowing their daughters to attend school, as they disapprove of coeducation.

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[153] Ibid
[154] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 328
[155] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 332

Another problematic field for women is that of divorce and polygamy, as they both undermine women's rights. While polygamy has become more restricted, is the man still able to divorce his wife without having to justify or give a reason for his choice to any person or authority. Still, the situation is very different for women[156]. A woman can only obtain a divorce if consent is given from the husband or on limited and specific grounds, a judicial decree can obtain it. The subordination of women takes place in other aspects as well, such as in court, where women are usually denied to stand as a witness in testimony. If accepted, will two female witnesses be necessary to make a single male witness. Muslim scholar An Naim states that the current discrimination against women in Arab countries is unjustifiable, and probably more and more Muslims agree on the topic. However, the problem may be that many contemporary Muslims are unwilling to express objections in the public sphere as they are in fear of being branded as apostates and are expressing their genuine opinions only in private. Other Muslims may, on the other hand, find it difficult to admit to themselves that they object to statements of the Qur'an and Sharia, as they fear losing their fate in the process. As long as the public law of Sharia continues to be considered the only valid view of the law of Islam, will it continue to be difficult for Muslims to object to its principles, no matter how inappropriate they may find them.

Progress is indeed being made in female education, and even though men have an advantage, more women are also able to access education compared to fifty years ago. Education is an important area to improve because it can be used as a tool to change society. If more and more women become aware of their rights and what rights they might receive in the future, they might be more prone to fight for them. The problem for women seems to be in personal law and family law, where progress is minimal. This is not very surprising, as they are the fundamentals of the Arab Islamic traditional life, and if one chooses to leave them behind, that also means modernization. In addition to this, are there certain Arab countries, such as Saudi Arabia, where women are usually not allowed to leave their homes unless their husbands accompany them[157]. This means that they basically take away the rights that women used to have. Islamic women in the current Arab world have a complex role, they are at the same time moving forward but also so bound by the traditional behavior patterns, something that makes it challenging to decide on what they might wish for their own future[158].

Sharia, the religious law of Islam, is a very complex topic and has been much debated among Muslims, as well as non-Muslims. This is often because it is compared with modern legal regimes that can be found in current secular states. The main issue with Sharia might be that, depending on who interprets it, it can be considered a rigid legal system that cannot reflect Western, modern, and democratic values. In the West is

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[156] An Naim, *Towards an Islamic Reform,* 1992, 90
[157] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 345
[158] Gerner Adams, "The changing status of Islamic women in the Arab World", 1979, 347

Sharia often seen in fear, and in the US have certain right-wing lawmakers tried to ban it[159], as they are scared Islamic extremists want to impose the rules in the American societies. The most controversial aspect of Sharia is criminal law, while family law is more commonly used. Sharia distinguishes between the punishments: hudud and tazir. Tazir is for smaller crimes and will be decided by the judge while the hudud offenses are for more severe crimes. This can for example be for having unlawful sexual intercourse or drinking wine, this is, however, often extended to include all sorts of alcohol[160]. The sentences used when committing such actions can be stoning, amputation, flogging, execution, or exile, and they are all highly controversial and go against human rights. However, it is essential to remember that most Muslim countries do not use these punishments, but they do exist in some. While these punishments were rarely used in Islamic history, does much debate today concerns what sanctions the Qur'an actually created and what practices have been adopted from the pre-Islamic society. Currently, we can observe a division between Muslims who find Sharia as a reference point for personal conduct and it is instead a guide to a good life. Islamists, and sometimes even just conservatives, do not find Sharia as a private matter but rather a system that the entire world should adopt. There is no doubt that, depending on who is interpreting Sharia, its objectives can quickly appear incompatible with most democratic constitutions and is something that creates concern if one wishes to implement a liberal democratic regime.

A fundamental feature of political liberalism's self-restraint is that public institutions do not give a religious nor philosophical account of how liberal tolerance and neutrality fit into a theory of truth or good[161]. Principles of liberalism are freestanding, and are not a result of controversial doctrines of truth or the good, and they are instead compatible with endorsement by several controversial doctrines. In this, individuals can have compelling religious and philosophical reasons for endorsing principles of liberalism. In Islam is, the situation somewhat different, and the religion includes several duties that one must accomplish to be a good Muslim. Year one in Islamic tradition was when Muhammad migrated to what is now called Medina[162]. This is known as hijra, and the prophet's migration has created a duty for Muslims to migrate from non-Islamic lands to live in lands ruled by Islam. Today several Muslim scholars argue that a just life is only possible under the guidance of Sharia, and one of them is Khaled Abou El Fadl[163]. By interpreting Sharia in the way that he does, are issues created at a fundamental level because it means that Muslims can only live in Islamic countries.

Other scholars argue that the possibility of living outside a Muslim country is unquestionable. Often is this argumentation based on the fact that if one does not move out of Muslim countries, will one neither be able

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[159] Auf Yussef, "Islam and Sharia law", 2016

[160] Ibid

[161] Rawls **quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011(chapter 1), 6.

[162] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus*, 2011, (chapter 3), 2

[163] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, (chapter 3), 3

to spread Islam, and to do so is another essential duty within the religion. Yūsuf al-Qaradāwi argues that if one were not allowed to live outside the Muslim world, would the old Islam still exist in the Arabian Peninsula only[164]. This view, however, raises some questions. Because according to this view, is the West an area where Muslim influence is necessary, and it is not really accepting, but not either rejecting liberal democracy. But what if Islam had reached dominance in the world, would it then be justifiable for a Muslim to stay outside a Muslim country? While most Muslim scholars currently share the view of those mentioned above, does scholar Tariq Ramadan have a much more liberal opinion on the topic[165]. He believes that the duty of spreading the Message is just that and nothing more. Muslims should not be concerned if others choose to accept Islam or not, and Islam should not be forced on anyone. One should talk about the message of Islam and spread the good and equity, that is the fundamental duty according to Ramadan. His views show values from political liberalism, such as individual freedom, and give hope that the future will include a universal view like his.

Some Muslim scholars are open to new and modern interpretations of Sharia and find no difficulty in justifying living in a democratic liberal state. Others accept the choice of living there but reject adopting citizenship and what comes with it. The discussion of how to interpret Sharia is long and complicated, but I believe that one aspect should not be forgotten. As already mentioned, Islam is a younger religion compared to Christianity and was created ca. 600 years after it. If we go back 600 years to the year 1400, can we find very similar ways that Christians interpreted the Bible, namely literally. The main thought in Christian countries was that God had created the earth and heaven in one week, but with time did, this changed into a much more symbolic consideration towards God. The belief in God has remained together with his glory. In this way, we can hope that the same will happen in Islam: less literal interpretation, but not removing the greatness of Allah and the religion's importance. This will also create a more open Islam toward liberal democracy.

In any case, is Islam much more than just Sharia, and that is something the Muslim Scholar An Naim highly stresses[166]. He finds the combination of the infinite spiritual depth of Islam beyond Sharia, while Sharia is, in the end, a human interpretation and practice of divine guidance, which indicates the possibility of Islamic principles which can influence the development of national legislation and politics, possible without violating human rights norms or constitutional democratic governance. According to An Naim, what is essential is to create a clear differentiation between state law as a secular political institution and Sharia as a normative religious system. They must be distinguished in theory and separated in practice. Both of them wish to regulate human behavior, something that creates a possibility of dynamic interaction between the

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[164] Yūsuf al-Qaradāwi **Quoted in** March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, *(*Chapter 5), 10
[165] March, Andrew F. *Islam and Liberal Citizenship: The Search for an Overlapping Consensus,* 2011, (Chapter 5), 11
[166] An Naim*, "*Islam, Sharia and Democratic Transformation in the Arab World", 2012, 27

two, but for this to occur cannot Sharia be enforced as state law. If Sharia was implemented as state law, would it deny its religious nature and become secular. Furthermore, does An Naim explains how several Muslim-majority states are parties to international treaties, but these provide a range of human rights that Sharia law violates[167]. Therefore, Muslim countries must change their aspects of family law. If not, it will be impossible to go according to the obligations they have given to the international human rights law.

Finally, to find a response to the struggles regarding Sharia does An Naim refer to another Muslim scholar, Ustadh Mahmoud Mohamed Taha[168]: Through the interpretation and selections of the appropriate texts of the Quran and Sunna, or through the application of other kinds of methodological techniques of Islamic jurisprudence, did the scholars who founded Sharia construct what they believed at the time was sustainable as a normative system for their community in local terms. These scholars were aware and clear of the fact that they were not constructing an eternal and divine Sharia, but this seems to be something many Muslims believe today. This should mean that current scholars should interpret Sharia following what is sustainable as a normative system today, and the literal interpretation should be put aside.

Among those who keep a rather literal interpretation of Sharia, do we have the Islamists and followers of what is called Islamism. Islamism is a political ideology and is not the same as Islam even though they are commonly being misunderstood of being the same. Their main goal is to one day establish an Islamic state, and then an Islamic world order. While Islamism strives to derive its legitimacy from the religion[169], does it at the same time put Islam in a bad light. Much discussion has taken place regarding Islamism's compatibility with democracy, as they take part in democratic elections. The debate revolves around two main factors. The first regards their wish to have a complete application of Sharia, which would create an undemocratic society as it is discriminatory. The second factor is that the only reason why Islamists are currently willing to accept voting ballots is that they do not have enough power yet to use more forceful means[170]. The problem is that while they agree on using voting ballots, do they continue with their violence and bullets[171]. For example, did the Supreme Council for the Islamic Revolution in Iraq and the Hezbollah in Lebanon both keep their armies when they at the same time, tried to achieve seats in parliament, and in 2008 did the group kill 65 innocent people while having several members in the cabinet of ministers. However, while fair and free elections are necessary for a democratic regime, they are far from sufficient. Therefore, it is not a valid argument, and as the past decades show us are these groups far from liberal.

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[167] An Naim, "Islam, Sharia and Democratic Transformation in the Arab World", 2012, 38
[168] An Naim, "Islam, Sharia and Democratic Transformation in the Arab World", 2012, 39
[169] Cagaptay, "Muslims vs. Islamists ", 2016
[170] Knudsen, "Political Islam in the Middle East", 2003, 6
[171] Tibi, "why they can't be democratic", 2008, 45

Islamism's ideology also includes much hate towards the West, especially the United States. This is probably a result of what they consider a humiliating past and as they find the lifestyle practiced in the West as highly unacceptable. In fact, did one of the essential inspirators and ideologists for Islamism, Sayyid Qutb, become radicalized when he was in the United States at the end of the 1940s. He was very upset about how the American churches arranged dances where women and men had physical contact, and so did the Kinsey report regarding the sexual life of Americans. Both factors were signs of moral depravity[172]. Today Islamists believe that democracy stands in opposition to Islam. They explain this as democracy is built on human beings' sovereignty, while in Islam, all sovereignty belongs to Allah. Therefore, human beings' primary task is to follow Allah and his commandments.

Islamism is a form of extremism, and it is essential to keep a clear distinction between it and Islam. An Naim is one of the scholars who easily explains how Islamism is inconsistent with Islam. First of all, is there nothing in the Qur'an or Sharia stating how a state should be built up or what kind of government it should have. Neither is a particular government mentioned. Islamists argue that one of the main issues with the West and their liberal democracy is that the state and religion are separated, still, An Naim argues by saying that you need to have a secular state if you wish to live right as a Muslim[173]. If you do not follow Islam by free choice and genuine conviction, are you not doing what is right. The belief will not be genuine but instead forced. Such a religion loses its value. He argues that if Islamists wish to follow Sharia in a literal way, they can do that, but not in a way that violates other citizens' rights. At the end of the day, will religion have no meaning if there is no allowance for disbelief, but this seems to be unknown to the Islamists.

By invoking Sharia in the way Islamists strive for, it will be binding on citizens. There will no longer be a place for a civic reason as no debate or negotiation can occur. The civic reason is based on the fact that reasons cannot become separated from their rationale[174]. In this case, however, will the rationale of Sharia be that it is what very few Muslims believe to be the command and will of God, and in this way, will all other rationales be silenced. To summarize, is the Islamic state a false claim. This is so as the notion of requiring such a state to enforce Sharia is a dangerous illusion because the state is a political institution and can therefore not be Islamic.

From what has been discussed in this thesis, I believe that the main obstacle in the Arab world regarding liberal democracy is the mindset Muslims have. As they consider the Qur'an as the words of God it can never be changed and must always be interpreted in the same way. This also means that new interpretations of their religious faith are very unlikely. Sharia is a product of the Qur'an, which can consequently not be changed either. What is also concerning is that Arab Muslims seek to find the answers to all their questions

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[172] Snoen, "Bernard Lewis, Islam and the fight against terrorism", 2006
[173] An Naim, *Islam and the secular state,* 2009, 267
[174] An Naim, *Islam and the secular state* 2009, 279

by looking into history and therefore, never ahead. The answers to how the good life of a Muslim should be is constantly seen by scrutinizing the society at the time of the Prophet. That is what their ideal state is, and that is what they want to achieve, not the liberal democracy we have in the West. All this contributes to a mindset stuck in the past, in the old society and its old traditions. Therefore, to hope that Arab Islam will change and start adapting to Western liberal democratic societies will most likely be wishful thinking.