ISLAMIC DEMOCRACY:
THE STRUGGLE FOR AND LIMITS OF RECOGNITION

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ISLAMIC DEMOCRACY: 
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ABSTRACT

The post-uprising Arab world is facing a problematic socio-political situation. For some, infusing the political realm with Islamic principles and reasoning - the practice of Islamic politics - is key for their emancipation. For others, such an infusion entails authoritarianism. But, social and political transformation should be driven by local experience, history and aspiration. If so, then to do justice to this social reality, both the emancipatory and the authoritarian potentials of Islamic politics must be accounted for. The challenge of social and political philosophy is to develop a framework that accommodates both, the call for emancipation and the fear from authoritarianism - to unleash the emancipatory potentials of Islamic politics while curbing its authoritarian potentials. The guiding question of this investigation is: How to place Islam in the post-uprising Arab world given that it is perceived as the source of both emancipation and authoritarianism? I tackle this question through a rapprochement, a forging of an intellectual path of sorts, between contemporary Critical Theory and dissident Islamic thought. I focus on Axel Honneth's recognition-based model and Rached Ghannouchi's theoretical conception of the Islamic state. While Honneth provides critical social tools that connects to the moral point of view of social subjects suffering injustice, Ghannouchi gives expression to a characteristically Islamic voice of resistance against a perceived crisis to Islamic identity.
In Part I, I reconstruct Ghannouchi’s social and political demands in terms of a demand for the recognition of Islamic identity. With an upgraded recognition model I identify the loci of the emancipatory potentials in Islamic politics, and the mechanisms to unleash them. In Part II, I capitalize on some elements in Ghannouchi’s thought to make explicit resources internal to the Islamic tradition capable of curbing the authoritarian potentials of Islamic politics. Finally, in Part III, I draw in outline a tripartite political arrangement that combines a robust sense of the Islamic state, the conditions for individual self-realization, and the mechanisms for radical democratic will-formation. The dissertation thus, takes initial steps in developing an Islamic critical theory by putting forward a radically democratic conception of Islamic politics.
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NOTE ON TRANSLATION

The translation of all Arabic text is mine.
Chapter I

Introduction

1. The Nature of the Project

It is intuitive to think of social practices, institutions, identities and personal commitments as norm-giving - that they generate authoritative normative claims, and provide justifying reasons to behave in certain ways and not others. We do also think, however, that not all social practices, institutions, identities and personal commitments are legitimate norm-givers. We criticize societies for being discriminatory, institutions for being unjust, political arrangements for being authoritarian, and persons for being cruel. Neither slavery, nor the Nazi identity, nor a commitment to execute a perfect crime justify the actions they prescribe. Every time we engage in social, political, or personal critique we rely, explicitly or implicitly, on evaluative standards. The status of those standards, in turn, determines the status of our criticisms and ensuing behavior. Criticisms and actions based on fascist standards are fascist. The validity challenge is the challenge of normatively grounding critical standards: In virtue of what are the standards we employ for criticizing practices, institutions, identities (individual or collective), and commitments normatively valid? Cultural and religious disagreements abound in an increasingly globalizing world put this challenge at the forefront of social, political and moral philosophy.

To be sure, I do not intend nor I am capable of addressing this challenge in its scope and complexity. I undertake this dissertation project, however, in light of that challenge and aspire to
make a contribution in how to approach and address it. My focus is on its social and political
dimension, and my inclination is practical in that I am concerned with the realization of social
and political ideals. Inter-cultural disagreements seldom are disagreements about the ideals of
equality, freedom, and justice per se. Instead, they are about the meaning and realization of said
ideals. Construing democracy as harboring equality and freedom at its core and aiming at justice,
it is hard to find someone who is not pro-democracy. Yet as soon as we start discussing those
ideals and the conditions for their realization we start departing from, and disagreeing with, one
another. Faced with such disagreements, one might proceed to look into the metaphysical and
epistemological conditions for their resolution given a plurality of perspectives and a multiplicity
of worldviews. That is not what I do. Instead, I approach these disagreements as posing a
practical political problem. More specifically, this project addresses a particular socio-political
situation that brings into play conflicting perspectives on the meaning and realization of
democratic ideals.

2. The Problematic Socio-Political Situation

The Arab world is undergoing a social and political transformation. The recent popular
uprisings, what the media have dubbed the “Arab Spring,” present an unprecedented opportunity
to break a centuries-long cycle of colonialism, authoritarianism, and oppression. While there’s a
lot to debate about the current situation in the Middle East and North Africa and its prospects,
one thing is for sure: The region’s populations have a chance to determine their own political
fortunes - to realize their right to political self-determination. The purpose of this dissertation is
to clarify and reconcile two of the Arab Spring's apparently incompatible intellectual currents.
With an eye to “real politics” - to fostering intellectual-cum-practical progress - I shall attempt to describe the role, place, and influence Islam could have in legitimate post-uprising Arab political arrangements. Assuming that such arrangements should (a) be democratic in character, and (b) attend to Islamic parties and interests - as reflective of a major social and political constituency - an old chestnut becomes pressing: Are Islam and democracy compatible? The controversy here is not about the democratic ideals of freedom and equality as such - i.e. whether they square with an Islamic worldview - but about their meaning and conditions for realization in the Arab social context. For some, infusing the social and political realms with Islamic principles and reasoning - i.e. the practice of Islamic politics - is key for their emancipation. For others, however, such an infusion entails degenerating into an Islamic-based authoritarian regime. To do justice to this social reality and to the extent that social and political transformation should be driven by local experience, history and aspiration, both the emancipatory and the authoritarian potentials of Islamic politics must be accounted for. If social and political philosophy is of any practical good, it should at least orient us in such moments. The challenge is to develop a framework capable of accommodating the emancipatory potentials of Islamic politics while simultaneously curbing its authoritarian potentials. In this way we make progress in uncovering both the enabling and disabling conditions for the realization of democratic ideals in the post-uprising Arab social context. Thus, the guiding question of this investigation is: How to place Islam in the post-uprising Arab world given that it is perceived as the source of both emancipation and authoritarianism?

3. The Strategy
I tackle this question through a rapprochement, a forging of an intellectual path of sorts, between contemporary Critical Theory and dissident Islamic thought and movement. Critical Theory's commitment to grounding critical standards in social reality itself is exactly the kind of tools we need, and Islamic dissident thought and movement is exactly the kind of reality to which we need to connect for the task at hand. More specifically, my focus will be on Axel Honneth's recognition-based theory and Rached Ghannouchi's Islamic dissident activity as informed by his theoretical model of the Islamic state. Before exposing the different steps of that rapprochement, let me justify my choices.

I started this project a couple of years before the uprisings. At the time, like everyone else, I could not predict that the Arab world was on the verge of an emancipatory historical moment. In its origins, the project was motivated by the potential of the notion of recognition to explain and evaluate the rise in Islamic revivalist movements. Since Hegel's mutual recognition alternative to Hobbes's individual self-interest as the basis of social relations, notions of recognition and identity have been occupying an increasing space in political life and discourse. Islamic revivalist thought and movement, on the other hand, have been mobilizing in response to a perceived crisis to their identity. Drawing on the early Hegel, Honneth provides the most rigorous and sophisticated theory of recognition, and coming out of the Critical Theory tradition, Honneth is committed to meeting the normative validity challenge - to developing normatively valid critical social standards. Working within that tradition, Honneth's theoretical-turn to recognition enabled his theory to access the moral point of views of social subjects suffering
injustice, which makes it most promising for grasping and responding to the social and political demands made by Islamic movements.

Ghannouchi, on the other hand, represents a trend in Islamic revivalism that was neither dismissive of nor infatuated with Western ideals and values. In the vibrantly alive debates about the compatibility of Islam with democracy and modernity, both among experts and non-experts alike, Ghannouchi falls in the rather radical camp according to which establishing an Islamic state is necessary for the proper and full realization of Islam. Notwithstanding such radicalism, Ghannouchi defends the claim that an Islamic state is democratic, respects human rights, and is pluralistic. Ghannouchi’s attitude exemplifies the right sort of attitude for conducting a constructive conversation on the ability and conditions for Islam and Muslims to join modernity and be democratic - a particularly promising intellectual attitude as far as the "Islam and democracy" debate is concerned. He is neither defeatist nor apologetic. Instead, he is confident about what Islam has to offer while at the same time being open to the challenges resulting from its interaction with the West. Thus, he neither rejects Western notions such as democracy and modernity wholesale and outright, nor adopts uncritically the Western articulations of modern and democratic political models and ideals. Instead, he directly engages the Western tradition while maintaining a strong and informed foothold in the Islamic tradition, thus portraying a healthy attitude of openness and a middle path between the two poles of the debate. Only in such

1 Ghannouchi calls neither for a purely Islamic modernity, nor a Western modernity covered with an Islamic veil. He seeks, instead, to develop a genuine Islamic modernity - "one that emanates from within, one that is in response to local needs and that is in conformity with the local culture and value system" (see: Ghannouchi, Rachid. "Secularism In the Arab Maghreb." Islam and Secularism in the Middle East. Ed. John Esposito and Azzam Tamimi. New York University Press, 2000. Pp. 100. Hereafter (Sec)). It is tempting, though misguided, to interpret Ghannouchi as wanting to hold on to the Islamic tradition no matter what. He in fact breaks with the tradition in formulating his conception of shura (consultation) - making it binding and all-inclusive - in his attempt to articulate a modern conception of the Islamic state. Islamists criticize him for doing so.
a way do we stand a chance to simultaneously address the worry that many Islamists\(^2\) and Muslims have over the survival of the Islamic identity in the modern world, on the one hand, and the worry that many other Muslims and non-Muslims have regarding the Islamic state being undemocratic and exclusionist, on the other hand.

The initial project was a project on the meaning of democracy and the nature of social critique. With the backdrop of the Arab popular uprisings, this project turned from a theoretical exercise into one that has a felt urgency and a real practical dimension. Going back to the question of how to address and approach the problematic socio-political situation in the Arab world, this investigation relies on the recognition model for unleashing the emancipatory potentials of Islamic politics, and capitalizes on some elements of Ghannouchi's model of the Islamic state to curb its authoritarian potential. With that said, a few more words on Ghannouchi and my engagement with his work are due.

4. Ghannouchi and How I Engage Him

   On July 25, 1957 Habib Bourguiba became the first president of the Republic of Tunisia. Bourguiba was an advent of pro-Western reforms - a Tunisian Atatürk of sort. The secularism he advocated and forcefully imposed is in line with the French (his colonial predecessors), as opposed to the Anglo-Saxon, version in the sense that the separation between state and religion he advocated took the form of a total exclusion of religion from public life. Under Bourguiba's

\(^{2}\) I use the term "Islamist" to refer in general and broad terms to Muslims whose political views and participation in the public sphere is based on Islam. Say those who hold that a political arrangement for a Muslim society must be guided by the preservation and promotion of an Islamic worldview, or those whose participation in public debates is grounded on Islamic reasoning. In other words, Islamists are those who support and seek an Islamic politics regardless of how they understand the influence of Islam on politics, the Islamic worldview, and Islamic reasoning.
oppressive measures, a distinctively Islamic dissident voice started to take shape in that small North-African Muslim majority country. Ghannouchi, head of *Hizb al-Nahda* (the Tunisian Renaissance Party), has been a courageous, outspoken and leading Islamic opposition figure in Tunisia for the last couple of decades. For the most part of that period Ghannouchi and his family lived in exile in the United Kingdom after being imprisoned and sentenced to death by Bourguiba, only to be released under the rule of Zine El Abedine Bin Ali who ousted Bourguiba in a violent coup d'état in 1987. Almost twenty five years later and after a month of nation wide popular protests triggered by the self-immolation of a Tunisian street vendor, Mohamed Bouazizi, Ben Ali and his family were forced to flee and sought refuge in Saudi Arabia. Neither Ghannouchi nor *al-Nahda* started the Tunisian revolution, but they surely are among its main winners. Ghannouchi’s thought and politics have been well-respected and widely debated in Islamic and non-Islamic circles, both inside and outside the Arab world, and he is considered to be representative of a contemporary trend in Islamic revivalist thought and movements. Yet, only after he won the hearts and minds of many Tunisians upon his return to his home country (which translated in his winning a majority in the first free and democratic elections in post-uprising Arab world) that he became a key figure for understanding and addressing pressing problems the Arab world is facing.

To put it differently, Ghannouchi’s radicalized version of Islamic politics which purports to be democratic is currently the most promising candidate we have for a real and genuine modern democratic Islamic politics. What I mean by that, is that there is on the table now a

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potential version of Islamic politics that reproduces neither the Saudi or Iranian models, nor the Turkish model. On the Saudi and Iranian models, the dictates of *shari’a* (Islamic law) as understood by Saudi and Iranian clerics is imposed on citizens and effectively constitutes positive law. On the Turkish model, we have a secular state with an Islamic veil. Put in these terms, the real challenge that a Ghannouchi-like conception of Islamic politics is currently facing is to articulate and exemplify a conception of how to engage in social and political life in a way that is characteristically Islamic - i.e. public engagement on the basis of Islamic principles and fundamentals - without either imposing Islam or keeping it at the surface. In other words, for a meaningful approach to the question of whether Islam and democracy are compatible we need to avoid two rather unhelpful if not empty extremes. If, on the one hand, we define democracy thinly enough, say as merely including democratic elections, we could easily maintain a robust conception of an Islamic state that is democratic. If, on the other hand, we define democracy thickly enough, say as having a vibrantly alive open and free democratic public sphere, we could easily maintain a frail conception of an Islamic state that is democratic. While the first option might satisfy some Islamists it surely won't satisfy non-Muslims and secular Muslims. And while the second option might satisfy non-Muslims and secular Muslims, it surely won't satisfy Islamists. Again, the challenge is to provide a robustly democratic and robustly Islamic conception of politics. The question on the minds of many observers is whether Ghannouchi's views on the role of Islam in politics - on Islam and democracy - would work. And in an important sense, the influence of Ghannouchi has just began. In this dissertation I make a contribution to a Ghannouchi-like conception of Islamic politics.
With that said, I should emphasize that the nature of my engagement with Ghannouchi in this dissertation is restricted to his social and political thought. Thus, I put aside the question of whether his Islamic model is truly Islamic. I also do not address Ghannouchi the person, his political rhetoric, or his party's political statements and performances. What I do instead, is treat him as a social and political thinker who has something to say on the relationship between religion, state and society in order to bring him into an ongoing debate on the place of religion in politics.

5. The Narrative

There are three parts to this project. Part I is concerned with recognition as a critical social perspective and Islamic revivalism as represented by Ghannouchi's social and political demands. The aim of this part is to addresses the emancipatory potential of Islamic politics, which is carried out through an application of Honneth's recognition model onto Ghannouchi's social and political demands. The part contains three chapters. It starts with Chapter II where I introduce Honneth's recognition-based Critical Theory. Here I lay out Honneth's conception of critique in Critical Theory, his theoretical turn to recognition, and his recognition-based critical model. Honneth argues for three forms of recognition relations (love, respect, esteem) that are conditions for three corresponding ways the individual relates to herself (self-confidence, self-respect, and self-esteem), which in turn are constitutive of individual self-realization. By connecting the tripartite recognition structure to individual self-realization Honneth can claim that acts that deny due recognition or acts of mis-recognition are experienced by affected subjects as threats to their identity and hence can generate struggles for recognition. On
Honneth's critical theory, social movements are explained in terms of struggles for recognition and their demands are evaluated against a formal conception of the good life (the three forms of recognition). In Chapter III I introduce Ghannouchi's social and political demands and reconstruct them in terms of a demand for the public recognition of Islamic identity. The concern underlying this demand is in part captured in terms of a struggle for the inclusion of Islamists in the public realm. I argue, however, that there is a deeper concern at play here and that is to enter modernity from the doors of Islam, as Ghannouchi puts it. On that deeper concern, the demand in question is better construed as a demand for the recognition of the value and importance of accepting the authority of *al-Nāṣṣ*.\(^4\) Having introduced Honneth and Ghannouchi, in Chapter IV I apply Honneth's model to Ghannouchi's demand for the public recognition of Islamic identity. I argue that while Honneth's tripartite recognition structure succeeds in normatively grasping and accommodating Ghannouchi's demand for the inclusion of Islamists in the public realm, it fails to do so with the demand for the recognition of the value and importance of accepting the authority of *al-Nāṣṣ*. This failure, however, can be remedied. By way of doing so I draw on two of Honneth's sympathetic critics: Bart van Leeuwan and Maeve Cooke. The upshot of following the recommendations of those critics is expanding Honneth's model to include a fourth form of recognition (difference-respect) and supplementing it with a procedural determination of ethical value. This upgrade not only empowers the recognition model, but also allows for a deeper, more nuanced and exact understanding of Ghannouchi's demand for the public recognition of Islamic identity.

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\(^4\) *Al-Nāṣṣ* for Ghannouchi includes both the *Qur'an* and *Sunna*. The *Qur'an* is believed by Muslims to be the word of God as revealed to Muhammad, the last of the prophets. And *Sunna* refers to the life of Muhammad, taken to be exemplary and admirable by Muslims. *Hadith* refers to the sum of reports of what Muhammad had said or done, and so it is the sum of the specific accounts of the life of the prophet. These differences do not affect my arguments in this dissertation. For simplicity's sake I will then only use *al-Nāṣṣ* to refer to the ultimate source of truth and validity in Islam, which is available to us in the form of a text.
Thus in Part I we cover recognition as a critical perspective, Ghannouchi’s social and political demands as representative of a trend in Islamic revivalist thought and movement, and the application of the former onto the latter. Given the purposes of this dissertation there are two lessons we learn from Part I that we must keep in mind. The first lesson is that recognition is not foreign to the version of Islamic politics under consideration - that it is implicitly at work in Ghannouchi’s demands. The second lesson concerns the loci of the emancipatory potentials of Islamic politics and how to unleash them. In more practical terms the upshot is to include Islamists in an open-ended public contestation battle where they are to convince their debate contenders on the value and importance of accepting the authority of *al-Naṣṣ*. In Chapter V, which is essentially a transition chapter between Part I and Part II, I argue that the emancipatory potential of Islamic politics depends not only on the inclusion of Islamists in the public realm and public debates, but also on the inclusion of their Islamic reasoning - a reasoning based on the acceptance of the authority of *al-Naṣṣ*. Such inclusion, however, brings to surface the worry that Islamic politics is authoritarian. After I distinguish among four ways in which a mode of reasoning can be authoritarian I move in Part II to argue that Ghannouchi’s conception of Islamic politics exhibits none of these. More specifically, in Chapter VI I argue that the conceptions of knowledge and justification embodied in Ghannouchi’s model of the Islamic state do not encourage authoritarian citizenship, and thus, the Islamic reasoning of Ghannouchi-like citizens do not undermine the well-functioning of democratic deliberation even though they accept the unquestionable authority of divine will. My argument here is based on the Ghannouchi’s conception of *ijtihad* (jurisprudence or interpretation) which, I argue, is fallible, flexible and
democratized. In Chapter VII I argue that accepting the authority of *al-Naṣṣ* does not undermine the autonomous agency of those who employ Islamic reasoning. My argument here is based on the Islamic notion of *maslaha* (well-being) which provides us with a human-species-dependent framework that allows us to systematically transcend the textuality of *al-Naṣṣ*. And in Chapter VIII, the third and last chapter in Part II, I argue that a Ghannouchi-like conception of Islamic politics does not encourage the maintenance of an exclusivist public sphere. Here I draw on Ghannouchi’s conception of *shura* (consultation) to develop a conception of public reasoning in the Islamic state and argue that it would be all-inclusive with no limits on the content of one's reasoning.

Thus in Part II (Chapters VI, VII, and VIII) I capitalize on some elements in Ghannouchi’s conception of the Islamic state to make explicit resources internal to the Islamic tradition that are capable of fending against the charge of authoritarianism. It follows then that the preservation and promotion of those elements is required for curbing the authoritarian potentials of Islamic politics. In brief these elements are the following: (i) a conception of *ijtihad* that is fallible, flexible and democratized, (ii) a commitment to *maslaha* (the purpose of *al-Naṣṣ*) as the basis for a human-species-dependent framework that systematically transcends the textuality of *al-Naṣṣ*, and (iii) the maintenance of the conditions for a conception of public reasoning that is all-inclusive and does not exclude participants on the basis of the content of their reasoning. With these elements we have a non-authoritarian conception of Islamic politics - a non-authoritarian politics that accepts the authority of *al-Naṣṣ*. 
Part III concludes this dissertation with two chapters. In Chapter IX I argue that the conception of Islamic politics I have developed has strong radical democratic features. More specifically and most interestingly, by drawing the lines of comparison and contrast between that conception of Islamic politics and Honneth's own conception of democracy as reflexive co-operation I make explicit the radical democratic features of Islamic politics. Hence, I show that Islamic politics is democratic not in the thin sense of allowing for democratic elections, but in the robust sense of allowing for and promoting a democratic public sphere that, like reflexive democracy, has both republican and procedural characteristics (where proceduralism and republicanism are the two main competing radical democratic theories). It bears noticing that nothing I have said so far implies that Islamic politics could not be authoritarian. Therefore, I finally conclude with Chapter X where I turn my attention to the possibility of that radical democratic conception of Islamic politics turning authoritarian. In doing so I put forward a challenge - which I articulate in terms of a tension between solidarity and pluralism - that Islamic politics and any other politics for that matter must meet in order not to become authoritarian. Here I expand and elaborate on Ghannouchi's claim that in the Islamic state unity is achieved through pluralism to suggest a way for transforming the tension between solidarity and pluralism into a productive rather than a destructive tension. And to link things back to the problematic socio-political situation in the post-uprising Arab context I put forward the outline for a tripartite-political-arrangement that is capable of combining a robust sense of the Islamic state, radical democratic will-formation, and the conditions for individual self-realization. To put it differently, I put forward the structure of a political arrangement that respects the moral integrity of both Muslims and non-Muslims and that is robustly democratic.
Part I: Chapter II

Honneth's Recognition-Based Modal

The aim of this chapter is to introduce Axel Honneth's recognition-based Critical Theory. After laying out Honneth's understanding of the notion of critique in the tradition of Critical Theory, I show how the advantage of his theoretical-turn to recognition. I end with a presentation of Honneth's recognition model.

1. Critique in Critical Theory: Construction, Reconstruction and Genealogy

In its 80 years of age the Critical Theory tradition witnessed several developments and changes. Nevertheless, a characteristic feature of that tradition can still be singled out. Critical theory is not merely after developing standards for social criticism, it is also committed to grounding these standards in social reality itself, rather, say, than in some metaphysical grounds, or some grounds that are external or alien to the society being criticized. There must be some kind of an interest or need in the society in question that is calling for emancipation from a certain form of injustice, domination, or oppression. The idea is to connect critical standards to the pre-theoretical level in social life. Starting from social facts, standards for criticism are to be generated which are then used to criticize that same society. “Critical Theory in its innermost core is dependent upon a quasi-sociological specification of an emancipatory interest in social reality.”

The term Honneth uses for the process of connecting critical standards to social reality itself by identifying an emancipatory interest in that reality is “reconstruction.” Unlike

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“construction,” where critical standards “take their starting point from the outline of a generally valid procedure, the real or fictive carrying out of which is then to lead to justified norms” (RSC, 46), “reconstruction” is distinguished in that “only those principles or ideals that have already in some way gelled in a given society count as legitimate resources for social criticism. Here, normative claims or ideals are to be reconstructed from within social reality itself” (RSC, 46-47).

The essential feature of reconstructed critical standards is that they have an internal dimension. Unlike external social critique - critique that relies on standards foreign to the criticized, standards that the society in question does not recognize or ascribe to, neither explicitly nor implicitly -, social critique based on reconstructed standards cannot be dismissed as paternalist or imperialist. When standards are external, ensuing criticisms are perceived by the criticized as an imposition on how they should lead their lives since the involved social members do not properly understand nor relate to the basis against which those criticisms are made. In addition, external critique tends to be ineffective since it is unlikely to have a normative grip on criticized subjects. In fact, it might even be counterproductive. Perceived as an imposition, external critique can easily initiate and justify for social subjects the adoption of a defensive attitude of dogmatically holding on to their traditional ways of doing things. With its internal dimension, reconstructed standards cannot rightly be dismissed for being paternalist, imperialist, or imposing. Not so dismissed, they open the possibility of a real, genuine and constructive

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6 Honneth gives the early Rawls as an illustration of a constructive form of critique. Starting from hypothetical conditions enjoying widespread agreement (standing behind the veil of ignorance), Rawls derive principles of justice that are used as standards for evaluating social practices, institutions, etc.

interaction and dialogue, which might in turn result in social subjects’s acknowledgment of a
defect in their traditional ways of doing things leading them to change their beliefs, actions, or
practices.

Although having an internal dimension is an essential feature for social criticism, it is not
sufficient. The internal critic is able to evaluate a society on the basis of ideals the criticized
already implicitly accepts, but such criticisms are restricted to inconsistency claims - to saying
that the society in question is not consistently applying its ideals. She might say that not only
poor adulterer should be stoned to death but rich ones too. The practice of stoning adulterers to
death, however, is itself beyond the reach of internal critical tools. Similarly, an internally
consistent slave-owning society is beyond the critical capabilities of an internal critic. What is
lacking is an "external" dimension to reconstructed critical standards - a dimension that allows
reconstructed standards to transcend already accepted social norms and ideals. In a nutshell,
sometimes the problem lies in social ideals themselves and not in their application. The ideal of
critical standards must have both, internal and external dimensions.

The relevant move in equipping reconstructed standards with an external dimension is to
show that they are normatively valid in a context-transcending way - that their normative validity
does not depend on the criticized society's taking them to be normatively valid. The injustice,
domination, or oppression that social members are supposed to be emancipated from should be
deemed so on grounds that transcend the criticized society's norms, values and ideals. What
characterizes the way Critical Theory addresses this normative challenge is a methodological
point inherited from Left-Hegelianism. Honneth explains that that methodology is based on a “special connection of an immanent procedure with a context-transcending concept of rationality. The critique of society can be based on ideals within the given social order that at the same time can be justifiably shown to be the expression of progress in the process of social rationalization” (RSC, 51). The idea here is that the rational capacity of human beings translate into rational achievements that get incorporated in social practices, which - being the vehicle of social reproduction - transmit these rational achievements from one generation to another. In that process, rational achievements get accumulated marking progress in social rationalization. In Honneth’s words, “social reproduction occurs through forms of social practice in which the rational achievements of human beings are incorporated. It is further assumed that these rational achievements unfold according to progress that is realized through the learning process in connection with social action” (RSC, 50). With such a connection between social reproduction and historical progress, it can be shown that reconstructed ideals are normatively valid. Thus, starting from social reality principles and ideals are reconstructed which are then shown to be the expression of the learning process of human rationality, hence have normative validity. In this way Critical Theory is to provide us with critical standards that are at the same time immanent and context-transcendent - internal and external to the society being criticized. More specifically, the emancipatory interest Critical Theory is to reconstruct must be an interest that conveys or represents the forward historical movement in social rationalization. “To this extent, the critical model of the Frankfurt School presupposes if not precisely a philosophy of history then a concept of the directed development of human rationality” (RSC, 51). As a result of its Left-
Hegelian heritage, Critical Theory ultimately grounds the normative validity of its critical standards on historical progress rather than divine authority or something of the sort.

But, what if these reconstructed normatively valid ideals get distorted in the process of their application? One impact that the experience of National Socialism had on the development of the tradition of Critical Theory is that it made it clear that

The meaning of normative ideals or principles had proved to be much more porous, open, even vulnerable, than had been predicted by the original critical program. A moral norm, accordingly went the conclusion, does not as such prescribe out itself how it should be socially applied. Rather, its meaning can be transformed as a result of imperceptible shifts of meaning, so that, in the end, it loses the normative kernel that originally justified its development (RSC, 52)

By way addressing the problem of norm-application, Honneth relies on genealogical forms of critique as a proviso. Other than reconstructing critical standards and grounding them in a conception of progress, there is the additional requirement of making sure that these standards get actually applied without losing their normative grounding. The work of genealogy is to provide the historical check as to whether reconstructed critical standards are in fact succeeding in doing the job they were supposed to do; “without the addition of such a historical test, critique
cannot be sure that the ideals it adduces still possess in social practice the normative meaning that originally distinguished them” (RSC, 52-53).8

According to Honneth therefore, the notion of critique in Critical Theory combines construction, reconstruction and genealogy: “The constructive justification of a critical standpoint is to provide a conception of rationality that establishes a systematic connection between social rationality and moral validity. It is then to be reconstructively shown that this potential rationality determines social reality in the form of moral ideals. And these moral ideals, in turn, are to be seen under the genealogical proviso that their original meaning may have socially become unrecognizable” (RSC, 53). Critique in Critical Theory hence relies on reconstructed standards that link to an emancipatory interest in social reality itself, those standards are additionally constructively shown to be normatively valid in a context-transcending sense via their connection to social rationalization and historical progress, and finally, they are historically tested to make sure that they are employed without undermining the emancipatory potential at their core.

2. From Habermas to Honneth: the Theoretical Turn to Recognition

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8 Honneth acknowledges Nietzsche’s contribution here, and sees the genealogical form of critique to be exemplified in Foucault’s critique of power. On a genealogical model of social criticism, a society is criticized “by demonstrating historically the extent to which its defining ideas and norms already serve to legitimate a disciplinary or repressive practice” (RSC, 48). And so, unlike the construction model that relies on accepted or agreed upon procedures to derive principles of social criticisms, and unlike the reconstruction model that extracts principles of social criticism from social reality, the genealogical model criticizes social reality “by demonstrating the necessary alteration of its normative ideals into practices that stabilize domination” (RSC, 48). As a form of social criticism, however, genealogy on its own is not sufficient. Honneth points out that genealogy is ‘parasitical’ in that it relies on an additional justificatory step that is supposed “to normatively justify why social discipline or political repression should represent a moral evil in the first place” (RSC, 48).
Coming out of the Critical Theory tradition, both Habermas and Honneth take seriously the highly demanding critical task this tradition sets for itself. Honneth’s contribution lies in the centrality he gives to the category of recognition in his critical theory - a contribution best understood in contrast to Habermas’s linguistically-based critical theory.

Habermas first tried to ground critical theory in a theory of knowledge, but by the time he published *The Theory of Communicative Action*, his shift from a theory of knowledge to a theory of communicative language is clear. Habermas famously argued that a proper grasp and analysis of everyday human linguistic communication geared towards reaching understanding - of communicative action - makes explicit a set of linguistic conditions or rules that are always and universally presupposed by speakers whenever communicative action is at play. In that sense, communicative action presupposes linguistic norms that go beyond the particularities of the parties engaged in communicative action. When these norms get distorted, the process of reaching understanding gets distorted, which in turn undermines our intersubjective ability for reaching understanding and hence hinders human potentials and constitutes a form of domination. As Honneth puts it: in Habermas’s model “we find a theory of language that can demonstrate convincingly that the endangered human potential of human beings consists in their ability to reach communicative understanding” (SDD, 68).

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10 The term understanding is a translated word and is meant to be broad enough to extend “across a spectrum of meanings ranging from comprehension to agreement” LR, p. 9.
Habermas distinguishes between two aspects of societal coordination: lifeworld and system. Communicative action is the primary form of coordination in the lifeworld, "the stock of implicit assumptions, intuitive know-how, and socially established practices that function as a background to all understanding” (LR p. 14). System is a form of coordination primarily governed by strategic action - when actors are interested in promoting their own interests (markets are a good example), and thus the demands of communicative action are relaxed. When two or more people coordinate based on communicative action, they are coordinating on the basis of some shared understanding that they have, and not on the basis of what they think they are getting out of that coordination, which would be the case had their coordination been based on strategic action. Habermas's critical theory is not calling for an ideal society where all human interaction is governed by communicative action free from domination. Habermas acknowledges the presence and importance of strategic action and instrumental rationality. The problem is that the system can take over the lifeworld (strategic modes of coordination replacing communicative modes of coordination) in a manner that creates social pathologies - the colonization of the lifeworld.

Armed with universal linguistic conditions the undermining of which threatens human potential, Habermas can then legitimately criticize, say an internally consistent slave-owning society, by showing how social relations in that society violate the standards inherent in any communicative discourse. By identifying the linguistic preconditions for communicative action Habermas have also identified the linguistic success-conditions for the process of reaching understanding. At least at certain times and in certain spheres of human experience the process of
reaching understanding should be obstacle and distortion free. Such distortions frustrate human potential, result in social pathologies, and the call for emancipation rises. And so, on Habermas’s critical theory, we should look for and remedy those institutions, modes of coordination, etc. that hinder the linguistic-conditions for communicative action.

Honneth follows Habermas’ footsteps in that his critical theory is also directed towards everyday communicative human interaction. Honneth, however, takes Habermas’ focus on language to be a mistake in that it detached his critical tools from the moral experiences of social subjects suffering injustice. The weakness that Honneth identifies in Habermas’s model is that there is nothing in social reality (the reality of experiencing injustice and domination) from which social members need to be emancipated that corresponds to the distortions of the linguistic rules presupposed by communicative action. Put differently, Honneth argues that on Habermas’s critical theory, we do not get fully in touch with an emancipatory interest in social reality. To do so, critical theory needs to reach all the way down to the moral experiences of social subjects - to their moral point of view, rather than staying on the linguistic level. Honneth's basic claim is that socialized subjects “experience an impairment of what we can call their moral experiences, i.e. their ‘moral point of view,’ not as a restriction of intuitively mastered rules of language, but as a violation of identity claims acquired in socialization” (SDD, 70). The root of Habermas’s mistake, according to Honneth, is that he equated “the normative potential of social interaction with the linguistic conditions of reaching understanding free from domination” (SDD, 70). And the key to Honneth’s alternative is “the fact that social recognition constitutes the normative expectations connected with our entering into communicative relationships” (SDD, 71). In sum,
Honneth follows Habermas's turn to intersubjective relations of everyday communicative interaction, but departs from his focus on language, which Honneth takes to be responsible for the gap between Habermas's critical tools and the moral experiences of concerned subjects. Alternatively put, Honneth moves away from language towards mutual recognition relations in order to access all the normative potential of everyday social interaction. Whereas Habermas makes explicit the implicit linguistic norms of communicative action, Honneth makes explicit norms of recognition that are implicitly at work in human interaction and social practices. Unlike Habermas, Honneth’s critical tools are recognition-based rather than linguistically-based, putting his theory in a better position to connect “the kinds of violation of the normative assumptions of social interaction” to “the moral experiences subjects have in their everyday communication” (SDD, 72). Having turned to recognition, Honneth reconstructs recognition conditions from the implicit norms of social interaction, which he then links to the moral point of view of concerned subjects. In this way, he connects his recognition critical tools with an emancipatory interest in social reality itself.

It is crucial to clarify that Honneth’s theoretical turn to recognition “represents an attempt to answer a theory-immanent problem” (RR, 125), and is justified by “an improved insight into the motivational sources of social discontent and resistance” (RR, 125), and not a response to claims of injustice made by social movements. Wanting to have a proper grasp of the normative assumptions of social interaction and hence to be sensitive to social injustice and discontent, yet not wanting to be normatively oriented by the claims that social movements make, Honneth's
recognition contribution is on the level of the conceptual prism for identifying social injustice, or what he calls the categorial determination of moral vulnerabilities:

With what conceptual tools...can a social theory determine what social reality is experienced by subjects as socially unjust? ... What is at issue here are the basic concepts to be used to inform us beforehand about the respects in which subject’s expectations can be disappointed by society. Thus, it is a matter of a conceptual pre-understanding of those normative expectations we must assume for the members of a society if forms of social discontent and suffering are to be investigated (RR, 126)

How we conceive of socialized subjects directly affects how we answer the categorial question. Honneth locates his conception of social subjects between two extremes. On one extreme, which he ascribes to Marxism, too much is assumed about such subjects. According to Honneth, the Marxist views social subjects as “rational-purposive actors, whose particular interests could be ascribed accordingly” (RR, 127). That is why, Honneth continues, “the normative dimension of social discontent was never able to come to view at all in Marxism” (RR, 127). On the other extreme, exemplified in some recent work in critical theory such as that of Nancy Fraser, social movements are the prime empirical indicators for social injustice: “the objectives articulated by social movements already tell us enough about existing forms of social injustice” (RR, 128). Here, social subjects’ interests, claims and moral vulnerabilities are fully captured by the claims made by social movements. The problem with that second extreme is that it “lacks any conceptual tools for hypothesizing about the potential causes of feelings of social injustice. Subjects remain, as it were, unknown, faceless beings until
precisely such time as they unite in social movements whose political goals publicly disclose
their normative orientations” (RR, 128). Locating himself between these two extremes, Honneth
conceives of subjects as endowed with normative expectations with respect to society. Getting a
grip on the structure of those expectations would then be our lead in investigating social
discontent.

Backed by research in history and sociology, Honneth writes: “subjects perceive
institutional procedures as social injustice when they see aspects of their personality being
disrespected which they believe have a right to recognition” (RR, 132). As useful and significant
as that may be, however, it remains an empirical finding that cannot serve as an adequate answer
to the categorial determination of moral vulnerabilities. Empirical research shows nothing “more
than that perceptions of social injustice depend not only on established principles of legitimation,
but also on different expectations of social recognition” (RR, 132). What these findings are
lacking is a conceptualization; that is, the conceptual link between (a) actual applications of the
principles of legitimation that govern a certain society, and (b) social subjects’ expectations in
terms of social recognition. That is where Honneth draws on Hegel to develop his recognition-
based critical theory. Before presenting that theory, it is worth emphasizing that according to
Honneth, “without a categorial opening to the normative standpoint from which subjects
themselves evaluate the social order, theory remains completely cut off from a dimension of
social discontent that it should always be able to call upon” (RR, 134). Given the commitment to
connect critical standards to social reality itself (by identifying an emancipatory interest), having
access to the normative perspective of social subjects marks an improvement. It is in light of
having access to this “categorial opening,” that we should understand Honneth when he writes: “what is needed is a basic conceptual shift to the normative premises of a theory of recognition that locates the core of all experiences of injustice in the withdrawal of social recognition, in the phenomena of humiliation and disrespect” (RR, 134).

3. Honneth's Recognition Model

   (i) The tripartite recognition structure. The outcome of Honneth’s reconstructive work is a tripartite structure of recognition. Taking social relations in modern social orders as his object of study, Honneth identifies three different and irreducible forms of recognition relations as covering the scope of communicative interaction. As modern socialized subjects, that is, we engage in three different kinds of mutual recognition relations, the totality of which constitutes our communicative interaction. It is within these relations of mutual recognition that we get to form our identities and exercise our autonomy.

   In The Struggle for Recognition Honneth argues that, as modern subjects, the very possibility of our individual self-realization, or identity-formation, depends on three practical relations-to-self: a) self-confidence, b) self-respect, and c) self-esteem. a) Self-confidence refers to an individual’s ability to trust and express her emotions, needs, desires, etc. b) Self-respect refers to an individual’s ability to treat herself as an equal participant, that is, to think of herself as an independent subject who can make her own choices and decisions. And c) self-esteem refers to one’s sense of being a unique and particular individual who is valuable and worthy of respect by belonging and feeling part of some sort of a communal project, or set of projects.
The unhindered development and growth of an individual’s self-confidence, self-respect, and self-esteem are the conditions for an individual in modern social orders to become fully autonomous.

These relations-to-self cannot develop and grow in the void outside of the intersubjective web of social relations. In order for an individual to develop these three relations-to-self, three corresponding forms of mutual recognition must apply. Self-confidence, self-respect, and self-esteem are themselves respectively dependent on the following three forms of recognition: a') close personal relationships: such as love and friendship. b') Legal relations: the sort of relations one has with institutions, which provide her with rights that preserve her dignity. And c') relations of solidarity:¹¹ that is the nexus of shared values between community members, the value-horizon within which different projects and self-understandings make sense and are bestowed value and worth. Thus, in order for one to have self-confidence, one must have the mutual recognition involved in relations of love and friendship. In order for one to have self-respect, one must have rights that recognize her as an equal participant. And, in order for one to have self-esteem, one must have projects and social roles that are recognized as valuable by the community within which these projects and roles have a contribution to make.

Given the dependency of the three practical relations-to-self on their three corresponding forms of recognition, it follows that violating forms of recognition (non-recognition or misrecognition) will in turn violate the individual self-relations, hence undermine that individual's

self-realization. These violations, taken from the subject's moral point of view, are experienced as threats to a certain aspect of their personality. On the basis of the connection between self-relations and forms of recognition, Honneth distinguishes between three forms of disrespect. For example, abusive personal relationships undermine an individual’s self-confidence by threatening the physical integrity component of her personality. Similarly, denial of rights in legal relations undermines an individual’s self-respect by threatening the social integrity component of her personality. And finally, the denigration of a way of life undermines an individual’s self-esteem by threatening the dignity component of her personality. When recognition-conditions get violated or undermined, affected subjects feel that they are being denied something that they deserve, and they experience it as a threat to their identity, which gets manifested in the form of moral emotions such as humiliation and denigration. When social subjects are “denied the recognition they deserve, they will generally react with moral feelings that accompany the experience of disrespect – shame, anger or indignation” (SDD, 72). These moral emotions will in turn motivate concerned subjects to struggle for the recognition they deserve.

(ii) The recognition model as a critical perspective. We can state the critical perspective of the recognition model as follows: societies, social practices and identities are deficient because and to the extent that they undermine one or more of the recognition-conditions for individual self-realization. Honneth's recognition critical theory is then concerned with

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identifying and analyzing obstacles and hindrances to the relations of mutual recognition that are necessary for developing the positive relations-to-self that are required for full individual self-realization; hindrances such as torture, legal marginalization, cultural insults, etc.

The logic that informs Honneth's recognition model is that social pathologies are deemed so against a certain conception of individual self-realization. The recognition model is then individualistic in the sense that its direct concern is individual self-realization. It is only indirectly concerned with the self-realization of a community or group. Honneth's theory is not individualistic in the sense of adopting a narrow and atomistic conception of the individual. On the contrary, at the core of Honneth’s model is an intersubjective conception of individual autonomy. It is individual self-realization that is to be promoted and protected, but since doing so is crucially dependent on the nature and quality of relations of mutual recognition, communal values and practices enter the picture. In other words, the recognition model is individualistic in that it gives priority to individual self-realization over communal self-realization. This critical-logic is not peculiar to Honneth's theory, but characteristic of critical social philosophy broadly construed. In tracing back the origins of social philosophy - the theoretical discipline “concerned with determining and discussing processes of social development that can be viewed as misdevelopments…disorders or ‘social pathologies’ ” Honneth shows that the different accounts that mark the development of social philosophy since Rousseau to the present “refer indirectly to social conditions that are taken to enable individuals to lead a fuller or better – i.e., a well-lived – life” (PS, 35). And a page later he writes: “[T]he determination of social pathologies

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in social philosophy always proceeds with a view to the social conditions that promote the individual’s self-realization. The fact that a whole spectrum of highly diverse standards of evaluation is nevertheless revealed as soon as these approaches are compared with one another is not related to differences in formal-ethical perspective, but to the respective foundational concept of personal self-realization” (PS, 37).

On Honneth's theory, the social conditions that promote individual self-realization are in terms of recognition conditions. The three recognition forms (love, respect, achievement) jointly make up a formal conception of the good life, which is meant to be maximally pluralistic. That is why Honneth speaks of

‘autonomy’ or ‘self-realization’ in the most neutral sense possible, in which we attribute to every human being an interest in being able to freely determine and realize his own desires and intentions; that is why, on my view, this way of specifying the goal does not entail any culturally specific commitments, or even the designation of particular conceptions of the good. On the contrary, a formal concept of ‘autonomy’ or 'self-realization’ should rather let differences come to the fore regarding the various cultural ways of realizing, within history, the telos of a relation-to-self that is free from domination or compulsion14

The formal conception of the good life also functions as a critical standard. Significantly, Honneth intends this formal conception to be neither too abstract nor too substantive. If, on the

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one hand, it is too abstract, then it will be thin to the point of not being helpful in conducting social criticism. If, on the other hand, it is too substantive, then it will be thick to the point of becoming the mere reflection of a particular form of life, or conception of the good. In the last chapter of The Struggle for Recognition\textsuperscript{15} Honneth explains how the formal conception of the good life falls between Kantian moral theory and communitarian ethics. It is Kantian in the sense that it is concerned with norms “understood as conditions for specific possibilities,” and it is communitarian in the sense that it is oriented “towards human self-realization as an end” (SR, 173). The formal conception of ethical life is the set of conditions for human self-realization, “the structural elements of ethical life, which…can be normatively extracted from the plurality of all particular forms of life” (SR, 172).

It is important to appreciate the middle path Honneth is trying to navigate here. In order to avoid the difficulties associated with communitarianism - difficulties such as relativism, and merely reflecting a particular conception of the good - the conditions for individual self-realization must be kept on an abstract level, which will also allow for a pluralism in individual self-realization. Being too abstract, however, undermines the critical bite of the different recognition forms. Honneth's middle path is highly desirable.

\textit{iii. Immanence and context-transcendence.} We saw how Honneth criticized Habermas for his focus on language and the resulting gap between his critical tools and the moral point of social subjects experiencing injustice. In order to connect his critical tools to the moral

experiences of social subjects, Honneth made a theoretical turn to recognition. The significance of Honneth's recognition-turn lies in providing conceptual tools that are sensitive enough to explain a wide range of social discontent and experiences of injustice. What I want to look at now, is the sense in which recognition critical tools are immanent yet context-transcendent.

We saw that recognition relations are conditions for self-realization and identity-formation. And that acts of mis-recognition or non-recognition are experienced as threats to identity and result in moral emotions that initiate struggles for recognition. It is these moral experiences, which are the result of social subjects not getting the recognition they deserve, that connect Honneth’s critical tools to social reality. These moral feelings and emotions “represent a pre-theoretical fact, on the basis of which a critique of the relations of recognition can identify its own theoretical perspective in social reality” (SDD, 72). Hence the emancipatory edge of Honneth’s critical tools. It is worth emphasizing here that this immanent dimension of the recognition model is specifically connected to social subjects’s recognition expectations as manifested in modern capitalist societies. Honneth’s three forms of recognition are reconstructed from the expectations of recognition that successfully socialized modern subjects have. Love, respect, and esteem are three irreducible forms of recognition that have been demarcated as we moved from pre-modern to modern times. For example, the separation between “respect” and “esteem” is a feature of modern social life that was not there in pre-modern times. In the feudal social order, “honor” was the recognition form where an individual’s moral/political and social place were sought and determined. With the historical move from feudal to capitalist social orders, and due to the rise of the modern conception of law, according to which each individual’s
status as a person is equal, the status of the individual as a moral/political actor got its own separate form of recognition, “respect,” exemplified in equal legal relations. Consequently, the status of the individual as a social actor got its own form of recognition, “achievement,” exemplified in the value horizon within which ones social contributions are valued.\textsuperscript{16}

So, unlike Habermas’s theory that is based on the inherently intersubjective ways of reaching understanding, Honneth’s theory is based on the inherently intersubjective ways of identity-formation. That is at the root of Honneth’s anthropological foundations. The idea here is that we are the kind of beings who can form identities, and the process of individual identity-formation depends on developing certain relations-to-self whose nature and quality are conditioned on the nature and quality of our recognition relations with others. Instead of making explicit linguistic norms that are already implicitly at work in communicative action, Honneth makes explicit recognition norms that are already implicitly at work in human practices of socialization. So how exactly would forms of recognition, as a critical standard, work?

According to Honneth, each of the three kinds of social relations that characterize the capitalist social order “must be distinguished by an internal conflict over the legitimate application of its respective principle” (RR, 144). That is to say that to each of personal relationships, legal relations, and social esteem relations, there corresponds a recognition principle considered to be legitimate in modern societies, and hence, modern social subjects can appeal to these principles in order to contest their society’s current ways of applying them. Thus,

\textsuperscript{16} See SR Chapter 5. Also refer to \textit{Redistribution as Recognition} in RR pp. 138-143. In SR, Honneth talks about “solidarity” instead of “achievement”, but he later came to adopt the latter.
the way in which the immanent dimension of Honneth’s critical social standards gets to work is via a gap between one of the three principles of recognition, on the one hand, and the current application of that principle at a particular time in a particular society, on the other hand. When it comes to personal relationships, for example, modern subjects can “appeal to mutually attested love in order to demand a different or expanded kind of care.” While in legal relations, the appeal is made to “the basic idea of equality” in order to demand legal recognition. Finally, in social esteem relations modern subjects can “appeal to the achievement principle in order to demand greater social esteem and at the same time a redistribution of (material) resources” (RR, 144-145). The crucial idea here is what Honneth calls “surplus of validity,” which basically refers to the inherent normative potential in each recognition principle: “each principle of recognition has a specific surplus of validity whose normative significance is expressed by the constant struggle over its appropriate application and interpretation” (RR, 186). Further, and this is crucial, the gap between the recognition principles and their applications is a gap that will never be totally closed. It can be tightened, but not closed. This gap is there always and at all times, “even when there is no apparent gap between de facto practices and implicit norms, the ideals associated with the distinct forms of recognition always call for greater degrees of morally appropriate behaviour, than is ever practiced in that particular reality” (GR, 517). Because of inherent conflict within social relations there will always be struggles for the attainment of more expansive and better recognition. It is these struggles for recognition that push history forward.

So recognition critical tools are immanent, but are they context-transcending? Without showing that they are, and hence enjoy a normative validity that goes beyond the socio-cultural
context of Western modernity, Honneth's critical tools would be limited to inconsistency claims. What needs to be shown is that struggles for recognition push of history marks progress rather than mere change. What reasons does Honneth give us to show that the formal ethical conception of the good life along with its corresponding recognition principles are normatively valid beyond the context of modern capitalist societies? Honneth addresses the normative validity challenge in two steps: First, he assumes that the movement of history is progressive, which amounts to saying that modern times marks progress in comparison with pre-modern times. With the assumption of progress Honneth “first presume the moral superiority of modernity by assuming that its normative constitution is the result of past directed development” (RR, 184). Second, he extracts from the normative constitution of modern social orders criteria for social development. Honneth identifies two such criteria: i) individualization, and ii) social inclusion. In modern social orders, “we see...a process of individualization, i.e., the increase of opportunities to legitimately articulate parts of one’s personality, [and] we see a process of social inclusion, i.e., the expanding inclusion of subjects into the circle of full members of society” (RR, 184-185).

With these criteria Honneth continues to show that the tripartite structure of recognition he identifies as characterizing the historical move from feudal to modern social orders satisfies these criteria hence, marks historical progress: “we ought to view the differentiation of various kinds of recognition not as an ahistorical given but rather as the result of a directional progress” (GR, 511). And we are justified to do so because “the differentiation of the three recognition spheres of love, legal equality, and the achievement principle went along with an increase in the social possibilities for individualization as well as a rise in social inclusion” (RR, 185). Honneth’s strategy for securing context-transcending validity is to connect his critical tools
with the criteria of individualization and social inclusion, which are supposed to be the marks of
the historical progress that was achieved in the move from feudal to modern social orders. It is
important to note that Honneth does not give us reasons to believe that individualization and
social inclusion should be the criteria of historical progress. What he does instead, is assume that
the move to modernity marks a progress, and on the basis of that extract the criteria for progress.
Maybe for Western social subjects providing such normative reasons is not a priority. But, when
dealing with non-Western societies the importance of such reasons can be paramount. To put it
simply, why should non-Western societies take the Western historical development to be
authoritative over them? In terms of normatively grounding the recognition framework, more
work needs to be done.

In any case, and while keeping in mind the important role that historical progress plays in
Honneth's model, I want to end this section by distinguishing the historical from the ahistorical
aspects of recognition to get clear on where exactly the assumed historical progress is supposed
to operate. Honneth writes:

I now distinguish much more sharply than in my original approach between
‘anthropological’ starting conditions and historical contingency: although the
human form of life as a whole is marked by the fact that individuals can gain social
membership and thus a positive relation-to-self only via mutual recognition, *its*
*form and content* change during the differentiation of normatively regulated
spheres of human action (GR, 501 – my emphasis)
In this quote Honneth distinguishes between the ahistorical universal “human form of life,” and the historically contingent form and content that that form of life takes. Human beings are the kind of beings such that as individuals they can only develop positive self-relations through relations of mutual recognition. Being a human being, there is an anthropological fact about me: I can only realize myself and form my own identity in the intersubjective web of human relations that characterize communal life. That there must be recognition-relations is necessary for any individual to realize herself, form an identity, and be autonomous. How many forms of recognition-relations are there, and what specific substantive fillings these forms have, is not dictated by human nature but the outcome of history. It is within the contingent history of a particular community or society that human action gets differentiated in spheres governed by recognition norms. Historical contingency has a place both at the formal and content level of the human form of life. The tripartite recognition structure that Honneth reconstructs encapsulates the forms that recognition relations took in modern Western societies. Fifty years from now, a fourth form of recognition might get added to that structure. Further, the content or the substantive filling of these three forms of recognition is also subject to the historical contingencies of these societies. So, not only are recognition relations of love, respect, and esteem particular to Western modern times, but the way each of these gets specified is itself subject to the way the intersubjective norms and values that govern the social practices of these particular society developed. We can then distinguish between three levels:

On the first level, items without which a human being cannot form an identity and be autonomous are identified in broad and general terms. This item is “relations of mutual
recognition.” If it so happens that a human life is spent without engagement in relations of mutual recognition, then that human won’t have the possibility of being autonomous or form an identity. This first level concerns human nature and is a universal ahistorical fact about the kind of beings we are. On the second level, there is the structure of, or the different forms that, relations of mutual recognition take in any particular socio-cultural historical context. In modern social orders relations of mutual recognition have a tripartite structure. This was not the case in pre-modern times, and given future developments this structure might shrink or expand. But, and to the extent that we accept Honneth’s reconstructive work, as modern social subjects we form our identities and realize ourselves by developing self-confidence, self-respect, and self-esteem through close personal relationships, legal relations, and achievement relations respectively.

Honneth's recognition theory is normatively grounded on the connection between the tripartite recognition structure's connection to an increase in individualization and in social inclusion. On the third level, there is the content of the recognition structure, where content refers to the substantive filling of the different forms of recognition, i.e. the different ways in which love, respect, and esteem get concretized in a particular society. It is on that level that the forms of recognition get specified in such a way to determine what counts as an act of love, respect, or esteem; the different norms and values that are taken by social subjects to constitute relations of love, respect, and esteem. It is on that level that social subjects’s recognition-expectations get formed. According to Honneth, there will always be a gap between the forms of recognition and their corresponding principles (the second level), and any particular application of these forms and principles (the third level). This gap, i.e. the surplus of validity, is what is behind the never
ending struggle for recognition - the struggle for more appropriate and/or more expansive application of the principles of recognition.

The recognition model is then universal and ahistorical only on the first level, but historically contingent on the second and third levels. With the assumption of historical progress (that modernity marks social progress), however, and to the extent we accept Honneth's analysis (his reconstruction of the forms of recognition, and his identification of individualization and social inclusion as criteria for progress), we can further say that the tripartite recognition structure (second level) is a mark of progress and thus has normative validity beyond the Western social context. If so, then we can say that any social order that lacks any of the three forms of recognition is defective. And, social criticism would proceed via an appealing to the recognition principles by way of demanding a better application of those principles - say an appeal to the equality principle in order to demand a more expansive equality in legal relations. In doing so, social criticism is based on immanent yet context-transcendent standards.
The aim of this chapter is to introduce Rached Ghannouchi's social and political demands. Through this introduction, three points are made: First, that Ghannouchi's demands are best understood in terms of a demand for the public recognition of Islamic identity. Second, that this recognition demand is in part captured as a demand for the re-inclusion of Islamists in the public realm. And third, that a more complete understanding of Ghannouchi's demand would also include his concern for entering modernity from the door of Islam.

1. The Demand for the Public Recognition of Islamic Identity

Ghannouchi argues that modernity in the experience of the Arab Maghreb, specifically Tunisia, is what Westernized elites imported from their colonialists predecessors. It is a pseudo-modernity used to cover these elites’ oppressive and hegemonic rule in order to stay in power. This false modernity, Ghannouchi explains, “has manifested itself in the demolition of Islamic society and its rebuilding on non-religious foundations, not by means of a separation between religion and state, but by totally excluding religion from all aspects of public life.” As a result, “The state of pseudo-modernity has taken over the remaining institutions of civil society. Mosques, endowments, courts, religious institutes, trade unions, parties, charities and the press have all been seized” (Sec, 99). Such public exclusion is most threatening for the expression of Islamic identity. Tunisians experienced these repressive measures as a threat to their Islamic

identity, and in response they clung to it. The more Muslims “move toward Islam to reassert their identity and shield themselves from the state” (Sec, 99), the tighter the fist of the state of pseudo-modernity becomes. This felt threat motivated Ghannouchi, and the trend of Islamic movement he represents, to struggle for the public reassertion of Islamic identity. The challenge that the Islamic movement is facing, Ghannouchi explains, “lies in convincing the ‘other’, that is the ruling regimes, of the principle of ‘the people’s sovereignty’ and of the right of Islamists – just like other political groups – to form political parties, engage in political activities and compete for power or share in power through democratic means.”\(^\text{18}\)

What we have, then, is a fundamentally secular Tunisian state that imposed a monopoly over the public realm and forcefully excluded the Islamic voice. From the Muslim point of view, these measures are perceived as threats to its Islamic identity, which in turn motivated people like Ghannouchi to struggle for the public recognition of that identity. Ghannouchi’s struggle is a response to a social and political crisis under the banner of ”modernity.” In the name of equality and justice, rather than the superiority or truth of Islam, Ghannouchi calls for re-introducing Islam to the public realm. And in doing so he opted for social activism as a form of resistance to the authoritarian behavior of the Tunisian state which sought to get rid of Islamic parties and institutions of civil society. His methods for changing society and earning the recognition Islamists deserve can be characterized as bottom-up rather than top-down, and as based on persuasion rather than force. That is, Ghannouchi advocates political change through social change, and social change through persuasion. Ghannouchi’s methods are the offshoot of his

conception of the relation between the social and the political, a relation where the social takes priority over the political.

Ghannouchi is explicit in his rejection of the use of violence: “The Islamic movement must abide by peaceful methods. It must refuse all forms of military activity.” Violent or force-based ways of struggling are off the table. Instead, he adopts peaceful means which he justifies, in part, on pragmatic grounds: "Pragmatically speaking […] all of the episodes where Islamists responded violently to state violence have been negative. Popular violence, whether Islamic or otherwise, has not been able to damage any regime’s standing” (SCR, 3). Combined with his rejection of violent means is his targeting the social rather than the political level of social interests, which “must be put before anything else" (SCR, 2). His choice of the target, and of persuasion as the tool for social change are also in part justified on pragmatic grounds. "It has been proven that what is achieved socially is more permanent and better than what is achieved politically. Modern experience has taught us that things achieved through the state are quick but short-lived, because they depend on force. But what is done through social activity lasts, because it depends on persuasion. Humans do not like to be forced" (SCR, 2. My emphasis). Social change lasts longer than political change, and in terms of methods, persuasion is more effective than force. Ghannouchi's project as an activist is social change through persuasion in response to the authoritarian state's measures for controlling the public sphere.

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However, Ghannouchi's social activism is not only based on pragmatic considerations. It is also intellectually justified. Ghannouchi provides philosophical grounds for the priority of the social over the political. He argues that society is the foundation for legitimate political authority. Criticizing authoritarian and oppressive regimes in the Arab Maghreb he says that in such regimes “[s]ociety is…not the source of authority but its field of action” (Sec, 99), thus implying that society should be the source of legitimate political authority. More explicitly, he writes: “We, the Tunisian Islamists, value human dignity and civil liberties, accept that popular will is the source of political legitimacy and believe in pluralism and in the alteration of power through free elections” (Sec, 100; my emphasis). Such a statement, and pragmatic considerations aside, could explain why Ghannouchi is the social activist that he is. By tracing the legitimacy of political authority to society, bringing social change via social activism does not merely replace one regime with another, instead, it replaces a non-legitimate regime with a legitimate one. This is not to say, however, that social activism is a mere means to the end of political power. On Ghannouchi’s view, not only is social work more effective than politics, but the role of politics - specifically, the government - is to serve society to the point where the people become independent from it. Hence, even if political power is achieved, social activism should not subside. “Government is a small part of the institutions of civil society. It is there to support and strengthen society. There must be more institutions of civil society, enough so that the people don’t need the state” (SCR, 2). The government then is an instrument in the service of society. Not the other way around.
Be that as it may, two fundamental questions come to mind: First, how is Ghannouchi going to square attributing authority and sovereignty to the people with his overall religious perspective according to which God has the ultimate and absolute authority and sovereignty? And, second, what exactly does Ghannouchi mean by the "popular will is the source of political legitimacy" and by "pluralism"? The answer to the second question will slowly develop throughout the dissertation to take final shape in the concluding part. I answer the first question in the following section. By way of concluding this section I want to identify the project that informs Ghannouchi's social and political demands as I have laid them out so far.

To the point, my reconstruction of Ghannouchi's social and political demands is based on his project as a social activist, which I understand primarily as a negative project. It is negative in the sense that it says what is does not want. This struggle for the public recognition of Islamic identity is a response to the discriminatory measures of the state, and it aims at getting rid of those measures. Here, the core concern behind Ghannouchi's demands is the ending of state monopoly over the public realm, and for an equal non-discriminatory treatment of Islamic parties and institutions. On that negative project, Islamic politics should be seen and treated as an equal social and political player among others. In that regard, it is worth noting that without abandoning secularism altogether, a move towards a less fundamental secularism would have appeased Ghannouchi’s concerns. Ghannouchi rejects the French version of secularism of the pseudo-modern Tunisian state but is on board with a secular Western democracy where everybody is on equal footing. In fact, according to Ghannouchi, in the absence of an Islamic state, secular democracy is the second best alternative.
One of the great accomplishments of secularism is the space it provides for pluralism and reasonable degree of coexistence…. In fact until an Islamic shura (consensual) system of government is established, the second best alternative for Muslims is a secular democratic regime which fulfills the category of the rule of reason, according to Ibn Khaldun […]. A democratic secular system of government is less evil than a despotic system of government that claims to be Islamic (Sec, 123)

2. A Deeper Understanding of the Demand for the Public Recognition of Islamic Identity

There is more to Ghannouchi's demand for the public recognition of Islamic identity than the negative project. To do justice to this demand we need to consider Ghannouchi's aspiration for entering modernity through the doors of Islam. These aspirations fall under a more positive intellectual project I take Ghannouchi to be pursuing. “Instead of pseudo-modernity, Islamists today seek genuine modernity, one that emanates from within, one that is in response to local needs and that is in conformity with the local culture and value system” (Sec, 100). Ghannouchi's struggle here, is to articulate a genuinely Islamic conception of modernity. Ghannouchi takes genuine modernity to include “human emancipation and establishing the right to freedom of choice; the propagation of scientific and technological progress; and the establishment of a democratic system and reassertion of the sovereignty of the people” (Sec, 106). Although these notions are too broad to be helpful, they are nonetheless indicative of what Ghannouchi takes to be basic requirements for modernity. In other words, any conception of modernity is committed to "human emancipation," "the right to freedom of choice," "a democratic system," and
"sovereignty of the people." These notions, however, can be specified, articulated and concretized in different ways, which in turn can be seen as constituting alternative or multiple modernities. What Ghannouchi is after in this more positive intellectual project, is a conception of modernity that springs from, and answers to, the social context to which he belongs, the Arab-Islamic social context. Ghannouchi’s intellectual project comes to the fore when he articulates an Islamic conception of those requirements for modernity. That is, Ghannouchi’s conception of Islamic modernity is to be found in his Islamic understanding of human emancipation, democracy, and sovereignty of the people, which he articulates in his theoretical model of the Islamic state.

The question I want to address now is: What is the connection between the search for a genuine Islamic modernity and democracy, on the one hand, and the demand for the public recognition of Islamic identity, on the other hand? To answer this question we must look at Ghannouchi’s conception of the Islamic state. More specifically, we must understand what is characteristically Islamic about the Islamic state, which also brings me to the first question from above: How does Ghannouchi combine divine and human authority in his conception of Islamic politics?

According to Ghannouchi the core distinguishing feature between the Islamic and the secular Western perspective is that the former unlike the latter has a God-dependent view of the human being. More specifically, “that [the human being] is always in need of the creator and is
incapable of separating from the creator without jeopardizing his own humanity". Although this God-dependency is common to all religious outlooks, Islam is characterized in infusing every other dimension of human life with it. More specifically, when social, political and moral thought is approached from an Islamic perspective, it must be done on the basis, and against the background, of the human dependency on the creator. Consequently, any complete and indiscriminate separation of the political, social or moral sphere from the religious sphere is a step outside the Islamic perspective. Islamic politics and ethics must be informed by the fundamentals of the Islamic religion. What exactly is that "informing" and how should we carry it out are debates within the Islamic perspective. To deny such "informing" altogether, is to work from without the Islamic perspective, as I am understanding it here, and Ghannouchi would agree. He supports such a holistic view of Islam and repeatedly brings up the notion of unification in Islam implying that Islam has a say and a part in every human sphere, activity or situation. Talking specifically about politics, citizenship and political participation, Ghannouchi writes "it is imperative that a religion which came for the purpose of improving the life of all humans wherever and whenever they exist should have the capacity to respond to all emerging situations and forms of development through which the Muslim communities may pass" (Par, 90). Separating Islam from politics puts an end to Islamic politics. The point of Islamic politics is the realization of Islam. The question for Islamic politics is what does that mean and how to achieve it.

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21 The context within which Ghannouchi writes this is that of determining whether Muslims should participate in non-Muslim governments.
The fundamental core of Islamic political philosophy, Ghannouchi continues, is the vicegerency theory: that the human being is God’s vicegerent on earth. Endowed by God with reason, will, freedom, and responsibility, man’s task on earth is to establish justice, good, and freedom in accordance with God’s revelation. On the basis of the vicegerency theory, Ghannouchi derives the two sources of authority in the Islamic state: al-Naṣṣ (the text) and shura (consultation). Al-Naṣṣ represents the absolute authority of God, and shura represents the authority of humans. It is because the Islamic state is the state of al-Naṣṣ and shura, that Ghannouchi refers to it as the state of God and the people. Being the appointees of God on earth, humans have the legitimate authority to carry out the task of establishing justice in accordance with God’s revelations as embodied in the al-Naṣṣ. Given, however, that it is practically impossible for all humans to directly manage that appointed authority, only some are to do so. Further, and crucially, Ghannouchi adds that this task must be carried out under the surveillance of the people via the mechanisms and habits of shura.

In the Islamic state, ruler and ruled equally fall under the authority of al-Naṣṣ. This unquestionable, unchanging, and all encompassing authority, however, does not exclude human authority,

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23 *Al-Naṣṣ* for Ghannouchi includes both the Qur’an and Sunna. The Qur’an is believed by Muslims to be the word of God as revealed to Muhammad, the last of the prophets. And Sunna refers to the life of Muhammad, taken to be exemplary and admirable by Muslims. Hadith refers to the sum of reports of what Muhammad had said or done, and so it is the sum of the specific accounts of the life of the prophet. These differences do not affect my arguments in this chapter. For simplicity's sake I will then only use al-Naṣṣ to refer to the ultimate source of truth and validity in Islam, which is available to us in the form of a text.

24 Ghannouchi refers to shura both as mechanisms and as habits. Going into the details of that here is beyond the scope of this chapter. But let me just say that he talks of the mechanisms of shura when talking about elections and the structure that allows the people to choose their representatives and check their behavior, and when he talks of political parties in the Islamic state (see H, p. 123-125, 296). But Ghannouchi also talks about shura in terms of habits and a way of life, and of a society of shura, to depict a particular kind of social interaction in the Islamic state, one that is characterized by social cooperation and solidarity. I address these different understandings of shura when I develop Ghannouchi’s conception of shura as a conception of public reasoning in Chapter VIII.
Ghannouchi argues. Ghannouchi’s claim that "popular will is the source of political legitimacy" should not be construed as double-crossing divine authority. Ghannouchi distinguishes between divine authority as the highest guiding authority, on the one hand, and human understanding of it, whose authority is derived from shura. He takes very seriously the idea that man is the vicegerent of God on earth, which is the drive behind the emphasis and importance he gives to shura. In the most general terms shura is supposed to guarantee that no one person, group, or institution can have a monopoly on human authority. Authority belongs to the vicegerent 'ummah and not to any one particular human or institution. This function of shura as the distributor of authority is clearest when Ghannouchi talks of Islamic rule. For instance, he writes: "Islamic rule is based on shura, and shura is the distribution of authority and prohibiting the latter’s concentration in the state" (H, 299). He also says: “The more distributed political decision is, the wider the base of participants in political decision making, the more the Islamic rule is achieved, and the same goes for the democratic rule" (H, 62).

With that said, we can tap into the deeper concern behind Ghannouchi’s demand for the public recognition of Islamic identity and see how it relates to his positive intellectual project for a genuinely Islamic modernity and democracy.

25 In this chapter I am not concerned with the success or plausibility of Ghannouchi’s model of Islamic politics. My focus here is the nature of the model he is defending. In Chapters IV, V and VI, I defend the plausibility of Islamic politics by arguing that accepting the authority of al-Naṣṣ does not have to lead to authoritarianism.

26 In Chapter IV I look at the role of the public in interpreting al-Naṣṣ. For now, suffice it to say that on Ghannouchi’s model, the jurists' interpretations of al-Naṣṣ are “no more than their understanding, or their ijtihad” (Par, 21), which can either be accepted or rejected by the community, and they are free to do so.
The key insight here is what Ghannouchi takes to be the main danger facing the Islamic community. Muslims live in dangerous times, Ghannouchi concurs, not because they are deviating from the shari‘a (Islamic law), but because they are resisting the authority of shari‘a - they are less and less taking shari‘a to be authoritative over them. In his writings Ghannouchi reminds the reader repeatedly that Islam is for human beings, and that human beings are imperfect and are bound to make mistakes and stray away from the right path as prescribed by Islam. Such deviations, however, presuppose the acceptance of the authority of shari‘a. From an Islamic point of view, this is different in kind from rejecting the authority of shari‘a. While in the first case the Muslim fails to abide by the Islamic path, in the second case the Muslim rejects the validity of that path. On my reading of Ghannouchi, that rejection is fueled by a predicament modern Muslims find themselves in: that in order to join modernity they need to reject the authority of shari‘a. Let me explain.

On Ghannouchi’s view, Muslims' resistance to the authority of shari‘a results from a particular perspective on the human being and its place in the world - a perspective characteristic of modern secular Western thought. Ghannouchi explains that according to that Western perspective, Islamic shari‘a, like any other law, arose at a particular historical period to address the needs of the people living in that period. As historical progression took place the dialectic of historical development transcended that shari‘a, making accepting the authority of shari‘a in modern times obsolete - making reliance on shari‘a no longer adequate for the modern period, and making modern people no longer adequate for it (H, 100). Modern times, so the story goes, has its own laws which address the needs of the people living in a modern context. From the
modern Western perspective, it follows, Ghannouchi continues, that in order for Islamic societies and Muslims to join modernity, they must approach their religion from a modern perspective, namely, that *shari'a* was fitting at a certain point in history but now must be adapted to the modern context, one according to which man is independent from his creator (H, 100). It is precisely that perspective that Ghannouchi is struggling against in his positive intellectual project, and that is where he locates the worst danger that the Islamic community is facing.

This is not to say, however, that Ghannouchi rejects the modern Western perspective indiscriminately or wholesale. He actually identifies elements in that perspective that can help Muslims address failures their own tradition has incurred, and improve their current social and political predicament. Ghannouchi's own efforts in articulating a theoretical model of the Islamic state should be understood as his own efforts in adopting, and in some instances adapting and recycling, some of the achievement of the modern West into an Islamic framework. This should not lead us, however, to understand Ghannouchi's efforts as being apologetic. Ghannouchi's positive project is the outcome of his attunement to the social and political context of contemporary Muslims and their modern predicament. It is a project for thrusting a middle path between the extremes of total rejection and total surrender to the modern Western point of view - to which corresponds the middle path between the extremes of blind and total acceptance of the Islamic past and a complete severing from the Islamic past (his model of the Islamic state as a merger between Islamic values and Western democratic mechanisms is a case in point). Put more precisely, therefore, what Ghannouchi is rejecting is not Western modernity as such, but the blind acceptance of the Western perspective as the criteria for success in determining whether and how
Islam can join modernity and be democratic - the threat comes from a hegemonic Western discourse on modernity and democracy.

How convincing or successful is Ghannouchi’s positive project isn't this chapter's business (I address this in chapters IV, V and VI). The focus here is on the nature of the concerns informing Ghannouchi's social and political demands as representative of a trend in Islamic dissident thought and movements. On the basis of my reconstruction of Ghannouchi's thought so far we have a struggle to develop a genuinely Islamic conception of modernity, where human emancipation, people's sovereignty, and democracy are cashed out in terms of Islamic fundamentals and principles all of which are derived from al-Naṣṣ (or shari'a as Islamic law embodied in al-Naṣṣ), and an understanding of the human being as dependent on his creator for his own humanity. This struggle is a response to the danger posed by an understanding of the human being as independent from his creator that informs the modern secular Western perspective which sets the criteria for modernity, and hence excludes the Islamic perspective as a genuine and equal candidate for modernity and democracy. The deep and underlying concern behind Ghannouchi's positive project then is the preservation of the Islamic understanding of the human being and his role on earth, an understanding that is inseparable from accepting the authority of al-Naṣṣ. Such an acceptance is a basic presupposition for Islamic identity, thus its value and importance for Muslims. Ghannouchi's demand for the public recognition of Islamic identity is more fully captured as a demand for the public recognition of the value and importance of accepting the authority of al-Naṣṣ.
3. Conclusion

In this chapter I reconstructed Ghannouchi's social and political demands in terms of a demand for the public recognition of Islamic identity. I distinguished between two projects Ghannouchi is pursuing both of which underlie his demand for recognition. The first project is a struggle for the re-inclusion of Islamists in the public realm - for their political participation through parties and the re-establishment of their institutions of civil society. This project is driven by a struggle for equal social and political rights, for Islamists to be equal against the law. In that sense it seeks to get rid of oppressive state measures that blocks the public engagement of Islamists. The second project is also a response to a crisis, but this time it is not a social and political crisis but an intellectual one. The intellectual crisis is the result of the secular modern Western perspective setting success criteria for modernity and democracy, and adopting a view of man as independent from its creator. If accepting man's independence from God is a condition for entering modernity and democracy, then the possibility of a genuinely Islamic modernity and democracy is excluded right from the start. To be sure, such an intellectual crisis can have social and political implications, be it on the side of the West when dealing with politics or on the side of Muslims engaged in an Islamic politics. Ghannouchi's response to that second crisis is his positive intellectual project which puts forward a conception of Islamic politics that accepts the authority of *al-Naṣṣ* without rejecting human authority, the right to freedom of choice, a democratic system and the principle of the sovereignty of the people. With that positive project on the table, Ghannouchi's demand for recognition is adequately captured as a demand for the recognition of the value and importance of accepting the authority of *al-Naṣṣ*. 
Part I: Chapter IV

Recognition and Accepting the Authority of Al-Naṣṣ

Since Hegel’s articulation of a mutual recognition alternative to Hobbes’s individual self-interest as the basis for social relations, notions of ‘recognition’ and ‘identity’ have occupied an increasing space in political life and discourse. Today, a whole range of political debates, arguments, and activism get clustered under the category of "identity politics," "politics of recognition" or "multiculturalism." What characterizes this form of political theorizing and activity is a focus on protecting and securing the political freedoms of specific social groups organized around some aspect of their identity (culture, religion, gender, class, race, etc.). In Chapter II I introduced Ghannouchi's social and political demands in terms of a demand for the public recognition of Islamic identity. As such, Ghannouchi is engaged in a politics of recognition. I have also distinguished two layers to Ghannouchi's demand for recognition: one for (i) equal social and political rights of Islamists, and the other for (ii) entering modernity from the doors of Islam, which requires the recognition of the value and importance of accepting the authority of al-Naṣṣ. In Chapter I, I introduced Honneth's recognition tools that explain social movements in terms of a "struggle for recognition," and evaluate their demands against a formal conception of the good life. In this chapter, I apply Honneth's tools to Ghannouchi's demands. In doing so, I intend to both test recognition as a critical tool and deepen our understanding of Ghannouchi's demand. More specifically, I focus on the second layer of that demand. After briefly showing the success of Honneth's theory in capturing and responding to the first layer, I move to show its failure in doing the same with the second. This failure, however, can be
remedied if we draw on two sympathetic and constructive criticisms of Honneth's recognition theory and its contribution to the politics of identity. I argue that expanding Honneth's theory in the ways suggested by Bart van Leeuwen and Maeve Cooke enables the recognition-model to both normatively grasp Ghannouchi's demand and adequately respond to it.

Before I proceed, however, I want to get out the way an objection some might have against the whole point of responding to recognition demands, and hence the point of applying Honneth's theory to Ghannouchi's demand.

1. Markell's Objection

The basic idea of that objection is that acts of recognition in response to social and political demands based on identity are ineffective if not counter-productive. Patchen Markell's rejection of multicultural recognition makes the point powerfully. The potency of Markell's objection is that it is capable of countering any practical implications based on accepting the connection between recognition and autonomy. The point is that even if recognition is a condition for individual autonomy, we should not perform acts of recognition because by doing so we would undermine individual autonomy. Summarizing his argument against the politics of multicultural recognition, Markell writes:

[B]y making the protection of the state, the distribution of resources, and the institutionalization of rights dependent upon one's recognizability as the bearer of an identity, the politics of multicultural recognition risks subjecting the very people whose agency it strives to enhance to powerful forces of normalization, binding them
ever more closely to who they are, and heightening their indifference, or even hostility, toward other possibilities of existence

I find Markell's critique insightful. It illuminates a subtle, hidden, and important impact of recognition. Markell's worry is that acts of recognition themselves might undermine, rather than enhance, the agency of the recognized. This is so because the latter is working within a mistaken conception of the relation between action and identity. According to this mistaken conception, identity is a fait accompli that undermines action. Markell rejects this conception and argues that "who we are" is the result of action rather than the other way around. Let us, for the sake of the argument, accept Markell's conception of the relation between identity and action. Once we do, his worry becomes much more plausible. Through state protection, resource allocation, and rights institutionalization, we establish and strengthen a particular way of existing by recognizing certain actions as characteristic of a group. This in turn will rigidify the perceived identity of that group, and block the members of that group from all sorts of possibilities of existence. I do not want to deny the insight in these reflections. Nevertheless, I think that, by itself, this insight is impotent. My worry is that lack of recognition, rather than recognition, can also have the same sort of negative impact on agency.

My worry is rooted in the following consideration: when a group of people demand to be recognized for a particular feature that they take to be important for who they are, and that demand does not get recognized, the people in question might get more attached to who they

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take themselves to be. When state protection, distribution of resources, or the institutionalization of rights do not cater for certain particularities of groups, members of these groups take themselves to be victims, alienated, and discriminated against. As a result these members will adopt some sort of a defensive mechanism by way of "binding themselves even more closely to who they are." If you recall our discussion at the beginning of Chapter II, we saw that according to Ghannouchi, the more Muslims “move toward Islam to reassert their identity and shield themselves from the state” (Sec, 99), the tighter the fist of the state of pseudo-modernity becomes. What Ghannouchi is describing here is an instance of the sort of worry I am concerned with. As the dissertation proceeds Ghannouchi's particular way of "moving toward Islam" will be explained, and in the concluding chapter, I will have something to say about Ghannouchi's attitude and Markell's objection. For now, I just want to make explicit the worry that non-recognition or mis-recognition can itself undermine agency in the same way that Markell claims that acts of recognition do. When resistance to a group's demands for recognition are perceived to be external to that group, the sort of "binding" with which we are concerned with can be initiated and nourished by opportunists. And what better candidate than the state's lack of recognition do you have for such resistance?

This consideration pushes in a direction opposite to Markell's insight. It lends credence to the idea that lack of recognition might undermine the agency of the non-recognized in exactly the same way that Markell is concerned about. If the proposed consideration is correct therefore, non-recognition and mis-recognition might trigger a group's defensive mechanisms in such a way as to bring into effect a closing of possibilities similar to the "powerful forces of
normalization" that acts of recognition could have according to Markell; that is, making group members more and more attached to "who they are", which in turn has the effect of indifference or even hostility to other possibilities of existence. Unlike the politics of multicultural recognition, this consideration lends support to recognition, not on the grounds of respecting or preserving a group's identity, but on what you might call Markellian grounds. That is, the importance (in terms of agency) of not being bound to a particular identity, and the value of various possibilities of existence. According to this analysis, the proposed consideration has a neutralizing effect (rather than a countering effect, since it is based on the same sort of grounds) with respect to the force of Markell's critique of the politics of multicultural recognition. So, even if we accept Markell's dismissal of identity as a fait accompli, and we accept his insight into the subtle way in which recognition as an agency-enhancer might itself be an agency-underminer, we cannot reject the politics of multicultural recognition tout court. We need to consider the way in which lack of recognition, just like recognition (and in the same way) could be an agency-underminer.

With that objection out of the way, I move to applying Honneth's theory to Ghannouchi's demands.

2. The Success of Honneth's Model

In *Redistribution as Recognition*28 Honneth addresses the question of how his recognition framework is to explain cultural minorities’s political and moral demands for the recognition of

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their identities. He provides a systematic analysis of different possible objectives behind such demands and concludes that for the most part, they can be accounted for by the equality principle; i.e., respect or the recognition of rights. “Whether the demands refer to protection from culture-threatening encroachments, the elimination of group-specific discrimination, or support for the maintenance of particular ways of life” (RR, 169) they can be “meaningfully grasped only as expressions of an expanded struggle for legal recognition” (RR, 170). This perfectly captures layer (i) of Ghannouchi’s demand for the recognition of Islamic identity. Ghannouchi’s aims, in part, at the protection of a group, the Islamists, from state encroachments and discrimination. This negative demand is normatively grasped as a demand for the expansion of legal recognition. And Ghannouchi’s concerns here could be met through Honneth’s equality principle - through the granting of equal social and political rights. The Islamic movement’s struggle would be satisfied if Islamists are granted equal rights to form political parties and establish their institutions of civil society. The recognition form of respect and its corresponding equality principle can normatively grasp and adequately respond to Ghannouchi’s demands for the recognition of Islamic identity, in its negative formulation.

Honneth’s model also explains the motivational drive behind that struggle. With Honneth's shift to a recognition-based critical theory, the kernel of social injustice is traced to social subjects' experience of disrespect which results from violations of social recognition. The Tunisian state's oppressive measures deny the Islamists legal rights by denying them social and political participation. This denial undermines the Islamists' self-respect since it violates the social integrity component of their personality, which makes them perceive state measures as
social injustice. Being denied the recognition they deserve, Tunisian Islamists experience a moment of social disrespect generating moral emotions that motivate their struggle for recognition. The significance of Honneth's turn to recognition lies in providing powerful critical tools in explaining and understanding social discontent and experiences of injustice. The empirical case of Ghannouchi's negative demands is a case in point.

3. The Failure of Honneth's Model

The more interesting and challenging question is whether Honneth's model succeeds with the positive formulation of Ghannouchi's demand. Under which form of recognition (love, respect, or esteem) does the demand for the recognition of the value and importance of accepting the authority of al-Naṣṣ fall? The demand is clearly not a demand for love. Is it then a demand for respect? I do not think so. If it were then it must be construed as a demand for the expansion of legal recognition. But, what kind of right would capture the demand in question? In its positive formation, Ghannouchi's demand has a deeper concern that goes beyond the elimination of discriminatory state measures. Honneth explicitly states that when demands for recognition “no longer take the merely negative form of protection from group-specific degradation but shift to seeking esteem for one’s own goals and values, the normative framework of the legal equality principle is finally exceeded” (RR, 166). Is Ghannouchi's demand then, a demand for esteem? Again, I do not think so. Consider the recognition form of esteem and its corresponding principle of achievement. According to Honneth, esteem is determined by an individual’s contribution to society. It is a way of rewarding an individual for her particular abilities and their role in achieving social goals. The achievement principle is intended to apply to individuals, not to
collective entities like cultures and religious communities.\textsuperscript{29} Ghannouchi’s positive demand, however, is not a demand for the recognition of the individual’s social achievement. In fact, it is not even a demand for collective or group achievement. The claim is not that the Islamic tradition, or individual Muslims, made considerable contributions to humanity, and that is why the Islamic perspective must be recognized and accepted as a legitimate perspective on the basis of which Muslims can lead their social and political life. The recognition of individual or group achievement misses the point. That said, Honneth considers cultural esteem - demands for esteeming a culture for its own sake - and that is the closest he gets to recognizing group identities. As far as cultural esteem is concerned, neither respect nor esteem are helpful. Honneth is explicit that with such demands,

the normative horizon of both the equality principle and the achievement principle is definitively exceeded. For it is no longer a matter of either ensuring, with the greatest possible value-neutrality, the equal opportunity of all subjects to realize their life goals, nor of as fairly as possible esteeming particular contributions to society as 'achievements,' but rather the far more sweeping goal of respecting the cultural practices of a minority as something socially valuable in itself - as a social good (RR, 167)

This quote is very helpful but can also be misleading. It is helpful in delineating the scope of the normative horizons of both the principle of equality and the achievement principle, which in turn helps clarify why the demand for recognition of the value and importance of accepting

\textsuperscript{29} For example, refer to page 126 in SR where Honneth talks about esteem as something that “the individual earns”, and how esteem is an “individualized system of recognition relations".
the authority of *al-Naṣṣ* transcends both horizons. It is misleading, however, because it lumps all demands that transcend the normative horizons of respect and esteem as demands for the valuing of cultural practices for their own sake. Yet, Ghannouchi's demand does not have this "far more sweeping goal" - it does not ask for the recognition of the value of accepting the authority of *al-Naṣṣ* as "a social good." That is precisely the difficulty is normatively grasping Ghannouchi's positive demand.

Even though Ghannouchi's demand is not a demand for cultural or religious esteem for its own sake, it is helpful for the purposes of this chapter to consider Honneth's response to such demands. The most Honneth can grant these sweeping demands is that they be "judged according to an 'anticipation of completeness' (Gadamer) of their values," which, Honneth continues, effectively amounts to "nothing more than that a liberal democratic society possess the procedural virtue of being able to treat its minorities as candidates for the same social esteem it shows its own culture" (RR, 169). Unfortunately, Honneth does not make explicit what this "candidate status" implies in more concrete terms. Are there any measures, for example, that the liberal state can take that are conducive for the liberal society's possession of the suggested procedural virtue? I think there is. One such measure relates to the way in which the liberal state draws the limits on public reasoning. I will have more to say about that when I draw on Maeve Cooke's work below. That aside, Honneth concludes this part of his analysis with an ambivalent note: "Whether this candidate status regarding 'cultural' esteem is already tied to a new fourth recognition principle, which is gradually starting to join the previously institutionalized principles, is a very difficult question" (RR, 169). Honneth is in principle open to expanding his
recognition theory. With the failure of reducing Ghannouchi's positive demand to love, respect, and esteem, adding a fourth recognition form promises to enable the recognition model to normatively grasp it. Bart van Leeuwen carries out such an expansion.

4. Expanding Honneth's Model

In *A Formal Recognition of Social Attachments* Bart van Leeuwen expands Honneth's model in exactly the direction we need. Leeuwen argues for what he calls "difference-respect" as a fourth recognition form. Difference-respect recognizes the value and importance of a particular culture for its social members, rather than for its own sake. This is neither a matter of equal opportunity for subjects to lead the life they want, nor a matter of social contributions, nor a matter of valuing cultures for their own sake. It is a matter of the value of particular cultural practices for the members of that culture, rather than absolutely. This is a crucial move which allows Leeuwen to maintain, rightly, that difference-respect is formal and non-evaluative in character since "what is being recognized is not so much the value of a particular culture as such, but rather the value of it for the social group involved" (FRSA, 181).

But where does the value of a culture for its members lie? The answer, according to Leeuwen's is: social attachments. The value of religion or culture for the concerned social group lies in that group's social attachments. Difference-respect's object of recognition is social attachments. What is being recognized is the value that religious and cultural attachments have for involved members. For Leeuwen, not any social attachment is of the sort that can be the

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object difference-respect. It has to be "a social attachment that comes about through the fact that people consider themselves and each other as part of a group on the basis of a shared good, such as language or culture, without this belonging being the direct result of individual choices or certain achievements" (FRSA, 189). National, linguistic, ethnic, cultural and religious attachments are the examples he mentions (FRSA,189). Leeuwen continues to identify the self-relation to which difference-respect corresponds. It is "a sense of being accepted and being part of a particular social world," though, and importantly, this "sense of belonging" is not the result of an individual's achievement, but of simply "being accepted by a particular social group" (FRSA, 195).

Expanding the recognition model in Leeuwen's direction is promising for our purposes because difference-respect is capable of normatively grasping Ghannouchi's positive demand. With difference-respect we are to recognize the religious attachments of Islamic communities as valuable and important for Muslims. Which indirectly implies the recognition of the value and importance of accepting the authority of al-Naṣṣ, since Islamic religious attachments always take place against such acceptance. Further, by recognizing social attachments that revolves around accepting the authority of al-Naṣṣ as valuable and important for Muslim social members and communities, we are not taking those attachments and what they presuppose as valuable for their own sake. Which in turn makes clear the way in which Ghannouchi's demand is not as radical of a demand as cultural esteem. In addition, undermining the self-relation that corresponds to difference-respect is in line with the predicament modern Muslims are experiencing according to Ghannouchi, and to which he is responding. With the secular Western perspective as setting the
criteria for entering modernity, Muslims find themselves in a situation where they either become modern (and reject the authority of al-Naṣṣ) or hold on to their Islamic identity (and accept the authority of al-Naṣṣ). With such a predicament we can see how Muslims' ability to feel at home in their community gets undermined. Which in turn could explain the extremes between which Ghannouchi is trying to navigate. In response to their predicament Muslims could reject modernity and develop radicalized versions of what it means to accept the authority of al-Naṣṣ, or they could reject the authority of al-Naṣṣ and join secular Western modernity. Put that way, we can see how (and in line with what we said earlier) in his positive project Ghannouchi refuses to accept the terms of the predicament, and tries to transcend them by seeking a genuine Islamic modernity, rather than a purely Islamic modernity or a no-Islamic modernity (dropping the whole project of an Islamic modernity). Unlike other Islamists, Ghannouchi does not reject the West wholesale, and unlike other Muslim intellectuals, he does not uncritically adopt Western social and political models and ideals with little, if any, sensitivity to the Arab-Islamic context to which he belongs.

Furthermore, with Leeuwen's "social attachment" we can build on our understanding of the demand for the recognition of the value and importance of accepting the authority of al-Naṣṣ in a constructive way. Consider the gap between "accepting the authority of al-Naṣṣ" and "social attachments." Social attachments are to be found in a particular and concrete set of social practices or cultural traditions. Accepting the authority of al-Naṣṣ, on the other hand, does not make reference to any one particular and concrete set of practices. On my reconstruction of Ghannouchi, the underlying concern behind his positive demand is best understood as an
umbrella concern, so to speak - a concern that includes different *specifications* of accepting the authority of *al-Naṣṣ*. There is a plurality of ways that a Muslim community can specify and substantiate through its practices and way of life its acceptance for the authority of *al-Naṣṣ*. Further, and crucially, no one has a monopoly over the right way to do so (this is a central claim that Ghannouchi endorses as we will see in Chapter IV). In fact, which is the right way, or the better way, for specifying and concretizing the acceptance of the authority of *al-Naṣṣ* should itself be construed as the subject of contestation among Muslim individuals and communities, be they of the past, present or future. So, Ghannouchi's positive demand is concerned with the preservation of a *family* of ways of life, all of which acknowledge and submit to divine will and take *al-Naṣṣ* to be authoritative. The preservation of this family is not in the preservation of all its members. Rather, it is in establishing the legitimacy of what all these family members presuppose and are expressions of - the legitimacy of a perspective on the world and the human place in it that submits to the authority of *al-Naṣṣ*.

Put that way, we can see how undermining the value and importance of accepting the authority of *al-Naṣṣ* for involved Muslims, undermines from the outset the possibility of Islamic politics to be modern and democratic regardless of what specific shape or form it might take. Ghannouchi's demand is then addressed to those who adopt a perspective on the world that begs the question against the Islamic perspective; i.e. those who adopt a perspective that sets the rules of the social and political realm, of participating in the games of modernity and democracy, in such a way that renders the Islamic perspective a non-starter. The threat of the secular modern Western perspective poses to contemporary Muslims - the crisis which Ghannouchi's positive
The significance of so understanding Ghannouchi's demand is that it allows the modern Western perspective, as well as contemporary Muslims such as Ghannouchi himself, to reject and criticize different members of the Islamic family without rejecting the Islamic perspective as such - a rejection that declines all members of the Islamic family before even engaging in the particular ways they conceive, articulate, specify and concretize the acceptance of the authority of *al-Nass* in the social and political realm. This nicely connects with the formal non-evaluative character of difference-respect. Given that what is being recognized is not the value of social attachments as such, but their value for involved members, we have not closed the door for critical evaluation of the different contents of social attachments.

When put in these terms, the question of how the recognition model can evaluate the content of social attachments and the different specifications of accepting the authority of *al-Nass*, come to the fore. Here Leeuwen's answer is as unhelpful as Honneth's reference to Gadamer's "anticipation of completeness." According to Leeuwen, the evaluation of the contents of particular attachments is a question of cultural merit that "ought to take place within the moral framework of the third sphere of recognition, namely on the basis of the concept of 'hermeneutical openness'" (FRSA, 194). I do not want to undermine "anticipation of completeness" or "hermeneutical openness," but neither do I want to stop at them. Doing so diverts our attention from a more pressing and general problem of the recognition theory, the
problem of how to distinguish between ways of life, identities, and practices that are worthy of recognition and those that are not? - how to draw the limits or boundaries of recognition?

5. Supplementing Honneth's Model

According to the recognition theory, a society, social practice or identity is deficient to the extent it undermines one or more of the recognition conditions for individual self-realization. The recognition theory is then concerned with identifying and analyzing obstacles and hindrances to the relations of mutual recognition that are necessary for developing the positive relations-to-self that are required for full individual self-realization. Put together, the different forms of recognition (love, respect, esteem, and difference-respect now that we adopted Leeuwen's expansion) jointly constitute a formal conception of the good life which makes up the recognition-based critical standard. Crucial to this critical standard is its formal character. In the last chapter of *The Struggle for Recognition* Honneth elaborates on the status of this formal conception of the good life and writes:

Our approach departs from the Kantian tradition in that it is concerned not solely with the moral autonomy of human beings but also with the conditions for their self-realization in general. Hence, morality, understood as the point of view of universal respect, becomes one of several protective measures that serve the general purposes of enabling a good life. But in contrast to those movements that distance themselves from Kant, this concept of the good should not be conceived as the expression of substantive values that constitute the *ethos* of a concrete tradition-based community. Rather, it has to do with the structural elements of ethical life, which, from the
general point of view of the communicative enabling of self-realization, can be normatively extracted from the plurality of all particular forms of life. To this extent, insofar as we have developed it as a normative concept, our recognition-theoretic approach stands in the middle between a moral theory going back to Kant, on the one hand, and communitarian ethics, on the other. It shares with the former the interest in the most general norms possible, norms which are understood as conditions for specific possibilities; it shares with the latter, however, the orientation towards self-realization as an end (SR, 172-173)

The formal conception of the good life is intended to neither be too abstract nor too substantive. If, on the one hand, it is too abstract, then it will be thin to the point of not being helpful. If, on the other hand, it is too substantive, then it will be thick to the point of becoming a mere reflection of particular forms of life, or conceptions of the good. It is because Honneth is fully aware of the critiques to the Kantian tradition that he makes a move towards communitarian ethics. This tradition “is criticized for leaving a crucial question unanswered, in that it is unable to locate the purpose of morality as a whole within the concrete goals of human subjects” (SR, 172). But, Honneth is also fully aware of the dangers in moving all the way to a communitarian ethics (namely worries of relativism and of merely reflecting a particular culture’s point of view). That is why he is keen on always describing “‘autonomy’ or ‘self-realization’ in the most neutral sense possible, in which we attribute to every human being an interest in being able to freely determine and realize his own desires and intentions [...] that is why, on my view [Honneth's],
this way of specifying the goal does not entail any culturally specific commitments, or even the designation of particular conceptions of the good”.

Keeping this in mind we can appreciate the difficulty of how the recognition theory is to distinguish between ways of life, identities, and practices that are worthy of recognition from those that are not generally, and contents of social attachments and different specifications of accepting the authority of al-Naṣṣ more particularly. We saw how accepting the authority of al-Naṣṣ depicts a family of ways of lives, each with its particular concretization and articulation of accepting the authority of al-Naṣṣ. The recognition model cannot simply accept all specifications as worthy or not worthy of recognition. It must critically evaluate the different specifications and it can only do so by relying on its formal conception of the good life. But, these specifications contain particular conceptions of the good, particular beliefs, and particular practices. How can the formal conception of the good life evaluate these particulars? Doing so would require a substantive conception of the good life and not a merely formal one. Having a substantive conception of the good life, however, pulls the recognition model towards communitarian ethics by pressing it to spell out in more concrete terms what constitutes individual self-realization. In Beyond Dignity and Difference Maeve Cooke addresses this problem.

Cooke gives the following three examples of contemporary social movements: the Slow Food Movement “founded on the concept of eco-gastronomy, which emphasizes the strong

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connections between ‘plate and planet’” (BDD, 80); the Welsh-Language Initiatives, which “offer support to communities to increase and develop their use of the Welsh language”; and the Assembly for the Protection of Hijab, which “describes itself as seeking the protection of Muslim women’s right to wear the hijab in accordance with their beliefs and of every woman’s right to dress as modestly and as comfortably as she pleases” (BDD, 81). Through these empirical cases Cooke identifies the “concern for recognition of the value of a specific substantive conception of the good, a specific linguistic and cultural tradition and a specific religious belief and practice” (BDD, 83). Mentioning these movements is helpful since when we talk of particular specifications of accepting the authority of al-Naṣṣ, or of the contents of social attachments, we are operating on the level of Cooke's example. Now, when Cooke considers the ability of Honneth's model to evaluate the demands made by these movements, she makes the following point: “the inability of Honneth’s schema to accommodate recognition of the value of specific substantive ethical conceptions, cultural traditions and religious beliefs and practices is due to his concern to avoid making self-realization dependent on particular substantive values” (BDD, 89). In other words, and in the case of the different specifications of accepting the authority of al-Naṣṣ, this difficulty points to the inability of non-evaluative recognition forms to determine whether a particular specification is worthy of recognition without a substantive conception of individual self-realization.

Does this mean that we should substantiate individual self-realization? No. Cooke rightly notes that Honneth’s concern in maintaining a formal abstract level is praiseworthy and must be preserved because “[w]ere his theory to specify in advance the ethical ingredients of a good life,
it would undermine the individual’s capacity to form and develop her own conceptions of the
good – in other words, her autonomy” (BDD, 89). What needs to be done instead is “to find a
way of recognizing the value of particular substantive conceptions of the good, cultural traditions
and religious beliefs and practices without preempting the question of which values are the right
ones” (BDD, 89). Cooke’s suggestion for doing so is to conceive of the determination of ethical
value as “a matter to be worked out [by each individual] with other individuals in cooperative
processes of challenge and response. Such a processual conception of ethical value has the
advantage that it does not specify in advance which judgments and actions are the right
ones” (BDD, 89). In answer to the question of “what it would mean to respond to the concern for
public recognition of the value of particular ethical conceptions, cultural traditions and religious
beliefs and practices,” (BDD, 91) Cooke’s suggestion calls for “open-ended public processes of
contestation in which individuals and groups seek to convince others of the value of particular
substantive ethical conceptions, cultural traditions and religious beliefs and practices” (BDD,
91).

Given our concerns, Cooke’s processual conception of ethical value is the right move in
the right direction. On the one hand, it enables the recognition model to publicly recognize the
value of particular practices and identities (for involved members) without committing itself to
which are the right values, hence avoiding the dangers of a communitarian ethics. On the other
hand, Ghannouchi would consider his inclusion in the processual determination of ethical value
as answering his recognition demand. This is so because what Ghannouchi is looking for is a
place where he and other Muslims can engage with others on the same footing, i.e. in a social
and political environment that does not assume the validity of modern Western perspective. This would treat the Islamic view of man as the vicegerent of God on earth as a worldview that is possibly worthy of consideration as any other worldview, rather than dismissing it before public debate even starts. What is gained with a processual determination of ethical value, over and above equal social and political rights, is that when it comes to public reasoning there is no question begging against Ghannouchi’s Islamic social and political perspective. It is this processual determination of ethical value that I had in mind when I mentioned above that there are measures the liberal state can take that are conducive for the liberal society's possession of the "procedural virtue" Honneth refers to. The liberal state is to devise policies that render its public sphere (formal and informal) an open and free zone of contestation, where citizens (individuals or groups) contest the value of their different particular ways of life. The next step for someone like Ghannouchi would then take place in the zone of contestation, where convincing and persuading occur. How successful would Ghannouchi be in that battle is an empirical matter that should only be settled on the battleground.
1. Recognition and Islamic Revivalism

After laying out Honneth's recognition-based theory and reconstructing Ghannouchi's social and political demands in terms of a demand for the public recognition of Islamic identity, Part I tested Honneth's model against Ghannouchi's demand. The outcome of this encounter between representatives of contemporary Critical Theory and Islamic dissident thought respectively, was a deeper understanding of the latter's demand and an upgraded version of the former's model.

Accordingly, I construed Ghannouchi's demand for the public recognition of Islamic identity not only as a demand for equal rights and social and political participation, but also as reflective of a deeper concern to enter modernity through the doors of Islam. Ghannouchi’s demand is fundamentally a demand for the recognition of the value and importance of accepting the authority of *al-Nass* - the basic common commitment of any characteristically Islamic approach to social and political affairs. Crucially, the demand does not require the valuing of the different specifications of accepting the authority of *al-Nass*. Instead, it requires recognizing the value of such acceptance *for Muslims*, hence allowing for the critical evaluation of different particular and concrete shapes and forms Muslims might give to their acceptance of the authority of *al-Nass* in the public realm. Thus, the demand is not for recognizing an Islamic modernity but
for recognizing the condition for the possibility of a genuinely Islamic modernity - one that is committed to *al-Naṣṣ* in all spheres of human existence.

As far as the critical perspective of recognition is concerned, I argued that Honneth's tripartite recognition structure succeeds in normatively grasping and adequately accommodating Ghannouchi's demand interpreted negatively - i.e. as primarily concerned with getting rid of state oppressive and discriminatory measures against the Islamists in the public realm. The fact that I identified an element to Ghannouchi's demand for public recognition deeper than that of an expanded legal recognition should not undermine the significance of the success of Honneth's model. In fact, and from a practical point of view, one might say that explaining and responding to the demand interpreted negatively is a precondition for accommodating its more positive interpretation. After being recognized as an equal social and political participant the hidden obstacles for entering modernity from the doors of Islam could be properly understood and addressed. As I argued, however, Ghannouchi's demand for the recognition of the value and importance of accepting the authority *al-Naṣṣ* transcends the normative horizons of both respect and esteem (and their respective corresponding principles of equality and achievement).

Following Bart van Leeuwen, I expanded Honneth's model by adding a fourth recognition form (difference-respect which corresponds to the "sense of belonging" as a self-relation) which enabled the recognition perspective to normatively grasp the demand in question as a demand for recognizing the value of social attachments revolving around accepting the authority of *al-Naṣṣ* for Muslims. Due to this expansion we were able to better understand Ghannouchi's demand, and bring to the surface the emancipatory potential of Islamic politics. With Ghannouchi's positive
intellectual project as a struggle for the legitimacy of accepting the authority of *al-Naṣṣ* in social and political affairs, Muslims have the opportunity to feel that they belong to their community while being active social and political participants as members of that community and doing so on the basis of the fundamentals of their religion, hence the opportunity to get out of their predicament - that they either let go of their religion as far as public affairs are concerned and join modernity, or let go of the desire and need to join modernity in order to preserve their religion.

I have also made clear how to understand Ghannouchi's demand as an umbrella demand that contains different ways of specifying "accepting the authority of *al-Naṣṣ,*" hence allowing us to criticize these specifications without rejecting the Islamic perspective as such. At this point, the question becomes, how can the recognition critical perspective evaluate these specifications and the content of their corresponding social attachments? The challenge here is that such an evaluation requires taking a normative stand on the substantive articulations of individual self-realization, and the critical kernel of the recognition perspective, thus pulls it towards a communitarian ethics that it must avoid. By way of addressing this challenge I followed Maeve Cooke in supplementing the recognition model with a processual determination of ethical value. Accordingly, the evaluation of particular practices and beliefs is carried out in open-ended public debates and contestations. Including Ghannouchi in these debates would grant him the public recognition he is seeking in his positive project since it amounts to including him in a contestation battle where he is given the opportunity of being on an equal footing in convincing others of the value and importance of the specific way he gives expression to accepting the
authority of *al-Naṣṣ*. Through this inclusion the recognition perspective can publicly recognize Ghannouchi's demand without committing to a substantive conception of individual self-realization. With difference-respect and the processual determination of ethical value, Honneth's recognition-based theory is better equipped for a global politics of identity, since it now has a non-evaluative recognition form for normatively grasping a wider spectrum of cultural and religious demands, and a way to respond to them without slipping into a communitarian ethics.

In sum, then, the outcome of introducing Honneth to Ghannouchi in Part I is a better understanding of the social and political demands of a trend in contemporary Islamic movements, and an upgraded recognition-critical perspective. The practical upshot of all this is (i) to understand the demand for the recognition of the value and importance of accepting the authority of *al-Naṣṣ* in terms of the value of social attachments revolving around accepting the authority of *al-Naṣṣ* for involved Muslims, and (ii) to respond to that demand by including those Muslims in the public and open-ended contestation battle where they are to convince others of the value of their particular way of specifying accepting the authority of *al-Naṣṣ*. In doing so, we open the doors for a characteristically Islamic social and political practice that infuses social and political life with Islamic principles, fundamentals and reasoning - for the possibility of a genuinely Islamic politics. What becomes available to the Islamists as a result, and over and above merely granting them equal rights, is that they are now operating in an environment that does not beg the question against the assumption that informs the way they conduct social and political affairs - their acceptance of the authority of *al-Naṣṣ*. In this way we have allowed the emancipatory potentials of Islamic politics by allowing concerned subjects to belong to their
communities without a sense of shame or anger. Through the encounter between Honneth and Ghannouchi, we see the insight that the notion of recognition (recognition as a critical perspective) can give into the motivational sources behind Ghannouchi’s (and the trend in Islamic movement he represents) social discontent and resistance against state oppression (in the case of the negative project) and a hegemonic discourse of modernity and democracy (in the case of the positive project). Explaining and responding to the demand for the public recognition of Islamic identity is what allows the emancipatory aspect of Islamic politics to take shape and come out. Finally, and maybe most importantly for Part III of the dissertation, through this encounter we learn that the notion of recognition is already implicitly at play in Ghannouchi's thought and movement. This acceptance will be fortified when we see Ghannouchi's treatment of non-Muslims in the Islamic state and the basis on which he includes them in the public domain. Basically, and to jump ahead, Ghannouchi's own conception of the Islamic state has complex forms of recognition built into it.

2. Authoritarianism and Islamic Politics

Now that we have the emancipatory potential of Islamic politics in view, we should turn to the specter of authoritarianism commonly associated with infusing social and political life with Islamic principles and reasoning. In the minds of many, Muslims and non-Muslims alike, allowing the Islamists to participate socially and politically on the basis of their acceptance of the authority of al-Naṣṣ raises serious worries and many eyebrows. At the heart of such worries is the belief that Islamic politics is inherently authoritarian - that the fact that Islamists regard divine authority as unquestionable, universal, and objective makes it authoritarian. This worry is
not particular to Islam, though it is currently mostly relevant in the case of Islam. From the Western secular perspective, there is a strong association between a religious state and an authoritarian state. After all, the secular state has rid Europe from its religious wars and for that it is taken to be a historical achievement not to be reconsidered. That religious politics is authoritarian is one of the main underlying supporting assumptions for separating state from religion. One way such separation has taken shape is by excluding religious reason from public reason. Of course, there are different ways and degrees for doing so, but for the most part the standard Western liberal position is that religion is to be restricted to the private sphere, and if it goes to the public sphere it remains in the informal public sphere. Cooke, however, and rightly so, is for including religious reasoning in public reasoning, in both informal and formal public spheres. Yet Cooke warns, and again rightly so, of the risk of degenerating from a constitutional democracy to a religiously-based authoritarian state. That is the worry I address in Part II, but first, some stage setting is required.

To appreciate the worry about authoritarianism and Islamic politics consider someone who tries to accommodate it by saying: "There is no problem including Islamists in the contestation battle as long as we make sure to exclude their ways of reasoning and make sure that they won't or can't win in the contestation battle. The worry is twofold: (1) that Islamic reasoning gets a place in the public sphere since that would undermine the latter's democratic potentials. Muslims can be social and political actors, but they need to keep their religion at home. And (2) that Islamic politics gains political power since that would undermine the freedoms of non-Muslims and would lead to an Islamic-based authoritarian state. Therefore, all
we need to do is guard against the authoritarian potentials of Islamic politics by simultaneously restricting public reason to secular reason, and guaranteeing a secular political arrangement that will not allow Islamic politics to rule so that the most we could have are Muslims running and executing a secular political arrangement."

The twofold characterization of the authoritarianism worry hits the mark. The suggested solutions, however, are problematic. As far as excluding Islamic reasoning from public reasoning is concerned, which I address in more detail in Chapter VIII, suffice it to say that including the Islamist in the processual determination of ethical value while excluding her Islamic reasoning from public debates is, from a recognition point of view, self-defeating. What is the point of this inclusion as a way to respond to the demand for the recognition of the value and importance of accepting al-Naṣṣ, while excluding reasoning grounded on the authority of al-Naṣṣ? Further, I mentioned that Cooke is among those who fear a religiously-based authoritarian state, yet Cooke is also aware of the importance of including religious reasoning in public debates. In *A Secular State for a Postsecular Society?* Cooke argues against Habermas’s reduction of public reasoning to secular reasoning. She claims that by excluding religious reasoning "the conditions of political autonomy for citizens who do not subscribe to a postmetaphysical conception of legal-political validity" gets impaired, "thereby building an inequality into the political order from the outset and creating the conditions for political and social disaffection" (SSPS, 233). Finally, religiously-based authoritarian states are a token of a more general worry about authoritarian states be they religious or not. Authoritarian states can be religious, non-religious,

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or anti-religious. Thus, excluding religious reasoning can at best be an discriminate preemptive measure against that token, leaving other tokens of authoritarian states untouched.

And as far as setting the rules of the political game in such a way as to guarantee a "secular" arrangement whoever ends up winning political power, it is a failed solution. Call this strategy the no-winner strategy: all groups including Muslims are to participate in the political game and hence exercise their right to political self-determination, yet everyone is to accept the imposition of restrictions that guarantee that no one particular group could grow to achieve the height of political self-determination and turning politics, not even only in part, a vehicle for the expression of its own-self-understanding. This is a failed strategy because: whatever entity is going to secure those measures is going itself to be representing a particular value system. We learn this from the experience with liberal neutrality. It simply is not possible to be operating from a neutral point of view, or from without a particular conception of the good. 34 If so, then adopting a no-winner strategy effectively amounts to accepting a winner that skips the contestation battle and is here to stay. Furthermore, a no-winner strategy undermines the struggle for self-determination if not make it self-defeating. You are to participate and convince others of the value of your perspective, but you are never allowed to fully realize that perspective even if it is the most popularly willed perspective. What is the point? Although the no-winner strategy allows for the exercise of the right to political self-determination, it intentionally blocks its maturation into running the political show, thus restricting the right to self-determination to its

34 The works of Charles Taylor and Alasdair MacIntyre attest to that, to mention a couple.
exercise and never to its full-realization. That is better that no-exercise at all. But that is not enough.

We seem to have driven ourselves into a quandary. We have reasons to include the Islamist along with her reasoning in the contestation battle, yet by doing so we run the risk of undermining democracy. Cooke has an insightful way out. Being aware of the importance of including religious reasoning as well as the danger of authoritarianism associated with doing so, Cooke steers away from both a blank exclusion and a blank inclusion of religious reasoning. Instead, and rightly I think, she aims at the exclusion of authoritarian reasoning, be it religious or not. She imposes a "requirement of non-authoritarian reasoning (and acting)" (SSPS, 234) on public debates. Religious reasoning as such is not to be excluded. It is religious-authoritarian reasoning, like any other authoritarian reasoning, that gets excluded from public debates. This is a promising way out of the quandary. For one thing, it does not render the response to the recognition-demand at hand self-defeating. For another thing, it does not from the outset impair the political autonomy for those who do not "subscribe to a postmetaphysical conception of legal-political validity." And finally, it has the potential of guarding against the risk of degenerating into any authoritarian state, be it religious, non-religious, or anti-religious. In Part II I explore the notion of authoritarian reasoning and its relation to Islamic politics. Taking Cooke's conception of authoritarianism as my point of departure I capitalize on Ghannouchi's conception of Islamic politics to dispel any in-principle association between authoritarianism and Islamic politics. So what is Cooke's conception of authoritarianism?
Cooke articulates her conception of authoritarianism on two different yet related occasions. On the first occasion she draws the limits on public reasoning, while on the second occasion she identifies the conditions that contemporary critical social theorizing must meet. On both occasions, Cooke's conception of authoritarianism springs from the notion of situated rationality which, according to Cooke, gives expression to the anti-authoritarian impulse characteristic of the modern Western self-understanding. The basic idea is that as a result of a constellation of events in the last several hundred years, the Western self-understanding came to endorse a normative assumption against authoritarian judgments about truth and validity. Cooke distinguishes between an epistemological and an ethical dimension to situated rationality. On the epistemological side, the basic idea is that “human knowledge is temporal, subjective, and partial: our perceptions of the ways things are, or of how they should be, are unavoidably influenced by the historically specific, sociocultural context in which we live our lives as embodied, finite human beings. All access to reality, or to validity in a context-transcending sense, is mediated by history, context, and embodied subjectivity” (RGS, 16). On the ethical side, the idea is that critical social thinking “should be guided by the deep-seated, normative intuitions and expectations of the inhabitants of the social order in question" (RGS, 17). Embodied in the notion of situated rationality is the ethical idea of autonomous agency: "Ethical autonomy is the individual counterpart to political autonomy. It rests on the intuition that the freedom of human beings consists in important measure in the freedom to form and pursue their conceptions of the good on the basis of reasons that they are able to call their own" (SSPS, 235). Thus, violating situated rationality, either by asserting unmediated access to truth and validity or by criticizing practices and identities without being guided by what involved social members think and feel,
we would be violating individual freedom, and hence, authoritarianism obtains. Authoritarianism is then directly connected with the violation of autonomous agency, and out of respect for that agency, epistemological and ethical authoritarianism should be rejected both, when dealing with citizenship and public debates, and when grounding critical perspectives.

3. Authoritarian Reasoning

Throughout Part II I will be coming back to and explicating Cooke's notion of situated rationality and the way it informs her requirement of non-authoritarian reasoning and acting, as well as her conditions on contemporary critical social theorizing. I conduct this explication, however, against a more general conceptual distinction between practical and theoretical authoritarian reasoning. Here it is:

Practical-authoritarian reasoning obtains when a mode of reasoning leads the agent in question to behave in an authoritarian fashion - to converse and act with others on the bases of a logic-of-force such as imposing her ideas and views on others, not respecting another's will, and treating them as inferior, followers or incapable of reasoning and revising their views if evidence call for it, etc. This sort of authoritarianism is most damaging for public deliberation as it effectively blocks it, if not put an end to it altogether. And if, for whatever reason, a particular style of such authoritarian reasoning, say an Islamic one, wins over a majority of citizens which in turn gain political power, we can see how that might lead to an authoritarian state, in this case an Islamic-based authoritarian state. I take this to be Cooke's underlying concern in drawing her limits on public debates, which she fittingly refers to in terms of "authoritarian citizenship."
Similarly, we can talk of an authoritarian stateship when the state devises the rules of public debates and the public sphere in an authoritarian fashion, say by silencing dissident voices or imposing restrictions that are discriminatory, exclusive, etc. So, a mode of reasoning that leads to authoritarian behavior - to being-authoritarian - can be employed by citizens in the public sphere or by the state in its policies regarding the public sphere. In both cases the democratic potentials of an open and free public sphere are undermined.

A mode of reasoning, however, can be authoritarian without leading to being-authoritarian. Here a mode of reasoning is authoritarian because it undermines the autonomy of those who employ it (not those who are subjected to the behavior that ensued from it). Such theoretical-authoritarian reasoning obtains when the conditions, rules or structure of a mode of reasoning constrain what the agent can contest. When the scope of what can be doubted, revised, or put in question gets restricted for having accepted (consciously or not) certain principles or rules as authoritative. To be sure, not every time such constraining occurs does theoretical-authoritarian reasoning obtain. The rules of logic constrain what an agent can question but do not undermine her autonomy. But now consider a wife that takes the dictates of her husband to be authoritative and that contests only what he says to be contestable. In this case theoretical-authoritarian reasoning obtains. I give two accounts for why theoretical-authoritarianism obtains in this case. On the first account, authoritarianism obtains as a result of the wife's mere acceptance of the rule that what her husband says is authoritative over her. On the second account, authoritarianism obtains as a result of the wife being subject to the arbitrary will of her husband.
With the distinction between theoretical and practical authoritarian reasoning in mind, it is important to note that neither entails the other. One can be-authoritarian even if their autonomy is not being undermined as a result of accepting certain rules and principles. One can be-authoritarian for all kinds of reasons. Very simply, and sadly, people can be mean, cruel, inconsiderate, disrespectful, and violently imposing. Similarly, one can accept the authority of certain principles and rules that undermine her autonomy without being-authoritarian. Consider the case where one accepts an unquestionable authority that dictates being tolerant, respectful of others, and not to impose one's views either in thinking or in acting.

What we have then are four categories of authoritarian reasoning. The first two are practical in that they lead to being-authoritarian and these are (i) authoritarian citizenship (when citizens are being-authoritarian in their behavior in the public sphere), and (ii) authoritarian stateship (when the state is being-authoritarian in its policies regarding the public sphere). The second two are theoretical in that they undermine the autonomy of those who employ them and these can be (iii) formally-based (when the mere acceptance of certain rules and constraints is the cause of authoritarianism), or (iv) will-based (when being subject to the arbitrary will of another is the cause of authoritarianism).

I start Part II with Chapter VI by addressing (i). I argue that on Ghannouchi's conception of Islamic politics, accepting the authority of \( al-/Na\#\) does not exhibit authoritarian citizenship. Using Cooke's notion of authoritarian citizenship as a starting point, I argue that there are
resources internal to the Islamic tradition that obviate this charge of authoritarianism. In particular, I draw on Ghannouchi's conception of *ijtihad* (interpretation)\(^\text{35}\) as the bridge between divine and human authority, to make these resources explicit. The basic idea here is that *ijtihad* embodies non-authoritarian conceptions of knowledge and justification. This, however, might not satisfy those for whom accepting the authority of *al-Naṣṣ* is sufficient for authoritarianism to obtain. The worry of such objectors concerns theoretical-authoritarian reasoning. Starting with Cooke's rejection of what she calls the "authoritarian position" as a legitimate candidate for contemporary critical theorizing, I proceed in Chapter VII to address (iii) and (iv). I argue, again drawing on Ghannouchi's work, that autonomous agency is not undermined by accepting the authority of *al-Naṣṣ*. More specifically, I draw on the notion of *maslaha* (well-being) to show how the Islamic tradition has provided a human-species-dependent framework that systematically transcends the literality of *al-Naṣṣ*. Finally, in Chapter VIII I address (ii). I argue that accepting the authority of *al-Naṣṣ* does not undermine the conditions for, and the well-functioning of, a democratic public sphere. Here I develop an Islamic conception of public reasoning on the basis of Ghannouchi’s conception of *shura* (or "mandatory consultation" (Par, 91)).

Put together, Chapters VI, VII, and VIII articulate the conditions for non-authoritarian Islamic politics. Thus, in order to curb the authoritarian potentials of Islamic politics we should, at least, maintain these conditions.

\(^{35}\) More specifically, *ijtihad* refers to the "legal methods of interpretation and reasoning by which a mujtahid (q.v.) derives or rationalizes law on the basis of the Quran, the Sunna and/or consensus; also, a judge's evaluation of customary practices as they bear on a case brought before him." Hallaq, Wael. *An Introduction to Islamic Law*. New York: Cambridge University Press, 2009. Pp. 173.
I. Authoritarian Citizenship

Cooke's notion of authoritarian citizenship is tightly connected to the notion of situated rationality. When we understand Cooke's requirement of non-authoritarian reasoning and acting in terms of situated rationality, we get Cooke's notion of authoritarian citizenship. According to Cooke, authoritarian citizenship is exemplified by the citizen who internalizes and acts on the basis of authoritarian conceptions of knowledge and justification. That is, a citizen's reasoning and acting is authoritarian when her conception of knowledge "restrict access to knowledge to a privileged group of people and tend to assert the availability of a standpoint removed from the influences of history and context that could guarantee the unconditional validity of claims to truth and rightness" (SSPS, 234-235), and/or when her conception of justification "split off the validity of propositions and norms from the reasoning of the human subjects for whom they are proclaimed to be valid" (SSPS, 235). A citizen, religious or not, that internalizes and behaves on the basis of authoritarian conceptions of knowledge and justification would exhibit authoritarian citizenship and should be excluded from public debates.

What we have then is a modern conception of authoritarian citizenship for drawing the limits on participation in the processual determination of ethical value. This strategy for drawing such limits is procedural in nature. It targets ways of reasoning rather than contents of reasoning. This is crucial in order for authoritarian citizenship to do the work it is supposed to do, i.e.
include religious reasoning while excluding authoritarian reasoning. If the limits target content of reasoning, then we can't be neutral to the substantive normative import of the content of reasons; we would have to either include or exclude religious content (i.e. religious reasons), whether it is employed by an authoritarian mode of reasoning or not. By targeting ways of reasoning rather than contents of reasoning, authoritarian citizenship is all-inclusive as far as reasons are concerned, while excluding authoritarian modes of reasoning whether they are religious or not. 36

Unlike the significance of deliberation in a democratic public-sphere, democratic civility, and achieving real democracy, the inclusion of religious reasoning in public reasoning is controversial and subject to an increasingly heated debate. Without going into that debate, suffice it to say that, as far as public recognition is concerned, to include the religious person while excluding religious reasoning is self-defeating. What is the point of including Ghannouchi in the processual determination of ethical value by way of responding to his demand for the recognition of the value and importance of accepting the authority of shari'a, while excluding his Islamic reasoning which is grounded on the authority of shari'a? Doing so would block him from expressing and articulating the real concerns driving his demands, and would block the rest from appreciating, addressing and engaging with those concerns. And so, the political autonomy of Ghannouchi-like citizens would be undermined by pushing involved subjects to rightly re-iterate, maybe more forcefully, their social and political demands. By rejecting religious reasoning, we would be denying recognition to, or mis-recognizing, those citizens, which would generate moral emotions such as shame and anger leading to a struggle for recognition.

36 I argue that procedural limits on public reasoning, ones that target ways of reasoning rather than contents of reasoning, are most adequate for drawing the limits on public reasoning. I say more about that in Chapter VIII where I present Ghannouchi's conceptions of shura as a conception of public reasoning.
Cooke is explicit and clear in stating that religious belief and conviction do not necessarily imply authoritarian reasoning: "There is no conflict in principle between non-authoritarian reasoning and an orientation towards some 'otherworldly,' transcendent source of validity (for example, God or the good)" (SSPS, 235). So it must be possible, on Cooke's view, that one can be a religious person without internalizing and acting on the basis of authoritarian conceptions of knowledge and justification. In order for one to be religious without reasoning and acting in an authoritarian fashion, it must be possible that she can accept divine authority without internalizing and acting on authoritarian conceptions of knowledge and justification. The case of the religious hypocrite is of no interest to us here. What we need is a non-hypocritical religious person who does not employ authoritarian modes of reasoning. With the condition of non-hypocrisy, the religious person should internalize and act upon the conceptions of knowledge and justification that his religion embodies. Therefore, what this tells us about authoritarian citizenship is that it depends on the content of divine authority rather than the mere fact that one accepts divine authority. That some citizens are religious does not undermine the autonomy of their fellow citizens, unless those religious citizens impose their own ideas on others; for example, when religious citizens reason with others as if they already have access to absolute knowledge (through revelation, a sacred text, or a privileged group of people), and take references to divine authority to be sufficient reason to apply their views on others regardless of what those others happen to think and feel. The fact that a person accepts an unquestionable authority does not imply that she will be-authoritarian. And for sure, one can be-authoritarian even if she is an atheist. Thus, on the level of citizenship, one can accept divine authority without reasoning and dealing with others in an authoritarian fashion. That, however, would depend on
the divine authority in question and the way human authority relates to it. In a nutshell, being-authoritarian is content-dependent.

That said, what we need to determine then is whether Ghannouchi's model would be conducive or inimical to non-authoritarian citizenship. One way to approach the question is to see whether citizens in the Islamic state internalize and practice authoritarian modes of reasoning. But that is not the kind of thing we can determine before we actually engage with these citizens. If we understand the question in empirical terms, then this is not the place to address it. A more promising way to raise the question here is to ask whether non-hypocritical citizens of the Islamic state would employ authoritarian modes of reasoning? Must they internalize and act on the basis of authoritarian conceptions of knowledge and justification? In order to investigate the conceptions of knowledge and justification Ghannouchi's model embodies, we should investigate the structure of the relation between man and God as far as determining the content of divine authority is concerned. The object of such investigation should then be Ghannouchi's conception of *ijtihad*. After a brief recap of the nature of the Islamic state as a political arrangement, I look at the meaning and function of *ijtihad*, and identify the conceptions of knowledge and justification it embodies.

2. *Ijtihad* and Epistemological Authoritarianism
The Islamic state accepts divine authority as the source of truth and validity. We have access to the ethically valid standpoint through al-Naṣṣ, which we have in the form of a text. Muslims are to understand, apply and live by the divine message. According to Ghannouchi, God assigned humans, the vicegerent ummah, with the task and authority of establishing justice, good and freedom in accordance with al-Naṣṣ. It is practically impossible, however, he argues, for all humans to directly manage their appointed authority, there is a pragmatic need that only some do so. The Islamic state, as a political arrangement, is to ensure the legitimacy of those "some" in representing "all" and of their exercise of political power in accordance with al-Naṣṣ, which, according to Ghannouchi, can be achieved only through the proper practice of shura. Thus, the Islamic state has two constitutive features: al-Naṣṣ and shura (or "mandatory consultation" (Par, 91)). Al-Naṣṣ embodies God's law, which is overarching, unquestionable and eternal. Shura, the second source of legitimacy (after al-Naṣṣ) and the locus of human authority, is "the spinal cord of the 'ummah's authority in establishing political rule on the basis of participation, coordination

37 Al-Naṣṣ for Ghannouchi includes both the Qur'an and sunna. The Qur'an is believed by Muslims to be the word of God as revealed to Muhammad, the last of the prophets. And sunna refers to the life of Muhammad, taken to be exemplary and admirable by Muslims. Hadith refers to the sum of reports of what Muhammad had said or done, and so it is the sum of the specific accounts of the life of the prophet. These differences do not affect my arguments in this chapter. For simplicity's sake I will then only use al-Naṣṣ to refer to the ultimate source of truth and validity in Islam, which is available to us in the form of a text.

38 In Chapter VIII I will address the Islamic state as a political arrangement in more details. Here I just want to note that Ghannouchi distinguishes between "mere legitimacy" and "Islamic legitimacy". For Ghannouchi, Islamic legitimacy of political rule is derived from the total acceptance of, and abidance to, God's commands without any contender or partner (H. 101). While mere political legitimacy revolves around the acceptance of the ruled, expressing the will of the ruled, and taking care of the interests of the ruled, which for Ghannouchi is what we get with secular democratic rule that fits under Ibn Khaldun's category of rule of reason (H, footnote 32, p. 101). I think the distinction between mere political legitimacy and Islamic political legitimacy is better captured in terms of "legitimacy" and "validity".

39 This is not to say, however, that shura is ultimately grounded on pragmatic considerations and contingent social and political circumstances. Ghannouchi explains how abiding by shura is one of al-Naṣṣ's directives and thus its practice and the general participation in issues related to ruling is not an optional but a necessary requirement (H, 108). This leaves open the question of how to understand the principle of shura, its scope, and whether its results are binding or not. As I will explain later, according to Ghannouchi shura is wide in scope, all-inclusive and binding.
and responsibility" (H, 109). The Islamic state is then intended to be the "state of God and the people, the state of *al-Naṣṣ* and *shura*" (H, 148).

*Al-Naṣṣ*'s directives, however, are general and abstract while human life is concrete and changing. This creates a gap between the universal general and the concrete particular. This gap must be bridged in order for humans to successfully carry out their authority and appointed task. Understood broadly *ijtihad* is individual and collective struggle for figuring out the meaning of *al-Naṣṣ* and how it applies to concrete and changing human situations. It is through *ijtihad* that the gap should be closed. As Ghannouchi puts it, God's law as found in *al-Naṣṣ* "is not a summation of rigid texts, neither is it articulated in a final manner, nor is it a legalistic document that identified a ruling for every act and state. Rather, there is plenty of room for interpretation, specification, addition, and renewal through the use of individual and collective *ijtihad*" (H, 120). So *ijtihad* is responsible for bridging the gap between the universal general and the concrete particular. Further, this is to be done, according to Ghannouchi, with full confidence in Islam's ability to accommodate the particularities of human existence. "Realism and flexibility are among the most important features of Islamic methodology" he writes, and then concludes on that same paragraph: "Therefore, it is imperative that a religion which came for the purpose of improving the life of all humans wherever and whenever they exist should have the capacity to respond to all emerging situations and forms of development through which the Muslim
communities may pass” (Par, 90). Through *ijtihad* the *ummah* is to understand and apply *al-Naṣṣ*, which requires living by it and thus specifying it in the most concrete sense, as well as applying it to new cases and situations.\(^4\)

Having said that, it is important to clarify how the flexibility of *ijtihad* does not undermine the universal validity of *al-Naṣṣ*. I take the key idea here to be: "perfection is not in the particulars, but in the generalities" (H, 101), as Ghannouchi puts it. By way of expanding on that idea I want to draw on a distinction Cooke makes between static and dynamic universalism. When an approach claims static universal validity, its judgments and prescriptions are fixed once and for all. In this case, such an approach denies "the finitude of human knowledge and understanding, the contingency of human life and history, and the creativity of human free will."\(^5\) By contrast, when an approach claims dynamic universal validity, its judgments and prescriptions are flexible and subject to revision. In this case, claims to universal validity are accompanied with the awareness "that there is an ineliminable gap between the aspiration of universal validity and all actual claims to instantiate it” (RGS, 20). What I am suggesting here is that the universal status of God's law is best understood in terms of dynamic, rather than static,

\(^4\) In responding to human situations, two lines need to be drawn: "the main straight lines as well as the bending ones; that is, it [Islam] would not just be content with drawing the lines for the absolute fundamentals during normal circumstances, but would also define the rules and mechanisms which ought to be followed and observed during exceptional extra-ordinary circumstances. In this way the believers remain in close contact with the fundamentals of the shari'a [religious law] in the situations of both strength and weakness" (Par, 90). The context within which Ghannouchi writes this is that of determining whether Muslims should participate in non-Muslim governments. More on that below.

\(^5\) Ghannouchi agrees with Abbas al Aaqad and writes in reference to him: "there is no contradiction in holding that the *ummah* is the source of authority and in holding that the *Qur'an* and *sunna* are the source of legislation, since it is the *ummah* that understands the book and the *sunna*, live by them and look into states to identify the places for application, refraining from applying, and modifying" (H, 120)

universalism. *Al-Nass* is general and perfect, human interpretations are particular and imperfect. There is then always a gap between the universal validity of *al-Nass*, and the validity of human interpretations of *al-Nass*. In that regard, Ghannouchi writes: "What the 'ulama [jurists] suggest is no more than their understanding, or their *ijtihad*” (Sec 114). Perfection might be attainable in the afterlife but not in this life, and no human interpretation of *al-Nass* should even claim to have attained a perfect, certain or absolute status. Doing so amounts to playing the role and taking the place of God, which is unacceptable from an Islamic perspective. What humans can and should do, however, is to strive individually and collectively towards divine perfection, while being aware that that is a task that can never be completed. Thus, there should be a constant awareness of an ineliminable gap between God's law and all actual human attempts to understand, interpret and apply it. It is then imperative to keep in mind the distinction between God's law as embodied in *al-Nass*, on the one hand, and Islamic law as a man-made law derived on the basis of *al-Nass*, on the other hand. Whereas God's law is unquestionable and unchanging, Islamic law is the product of human effort and so cannot but be an approximation of God's law, and thus can never reach the status of certainty, validity, or truth.

With *ijtihad* always being an approximation, having access to the ethically valid standpoint (*al-Nass*) does not imply that human knowledge can be atemporal, objective, and

43 Ghannouchi explicitly states that human knowledge is always deficient and lacking (H, 119). This human deficiency, however, according to Ghannouchi, can be minimized when Muslims act as a community. This is to say that on his view collective deliberation and action has an epistemic value. So after acknowledging the fallibility of human knowledge, he continues to say that the 'ummah's push in the road of God grants it an immunity from leading Muslims astray and elevates the relative to the absolute (H, 119). Although Ghannouchi is not explicit as to wether the community's epistemic value could *in fact* reach the absolute, I think it is clear that he should not. Doing so would not only undermine his claim that human knowledge is "deficient and lacking," but it would contradict other claims he makes such as the claim that "perfection is not in the particulars, but in the generalities (H, 101). This epistemic dimension of the community appears again in his work as a way to justify the priority he gives to the community over the individual, which he also take to be derived from the principle of *shura*.
impartial. That is the case since any knowledge claim to accessing the ethical standpoint is mediated through *ijtihad*, and *ijtihad* is temporal, subjective, and partial. Thus, we can say that on Ghannouchi’s model accepting divine authority does not express epistemological authoritarianism, and the conception of knowledge embodied in his conception of *ijtihad* is not authoritarian. But what about its conception of justification? Does *ijtihad* take into consideration the point of view of those subject to it? Does it split off the validity of its claims from the reasoning of those for whom these claims are taken to be valid?

3. *Ijtihad* and Ethical Authoritarianism

For Ghannouchi, one of the things that *shura*, the locus of human authority, is supposed to guarantee is that no one person, group, or institution can have a monopoly on how to interpret *al-Naṣṣ*. With a monopoly over the interpretation of *al-Naṣṣ* the freedom of the interpretive exercise is undermined, which would in turn jeopardize the self-realization of Islam. In the Islamic state, those who have political power, say the president, “has no right to monopolize the interpreting of religious texts, nor has he the authority to impose on the public any particular interpretation” (Sec, 113). So although politics in the Islamic state is grounded on and is in the service of religion, it has no religious authority by itself. Religious authority to interpret *al-Naṣṣ* and derive religious rulings lies with the *'ulama* (scholars). This authority, however, does not imply the right to force interpretations and rulings on the public. According to Ghannouchi, even the *'ulama* cannot rightly impose their interpretations on the public, nor should their
interpretations be binding irrespective of what the public thinks. He is explicit about that:

“While respecting its 'ulama, an Islamic society does not lose its freedom of choice. The 'ulama interpret religion in their capacity as mujtahidin [plural of mujtahid - jurist] not as representatives of some kind of an official establishment that monopolises speaking in the name of God or interpreting his revelation. What the 'ulama suggest is no more than their understanding, or their ijtihad, a proposal submitted to the community, which has the final word in accepting or rejecting” (Sec, 114). Thus, if the status of a jurist’s interpretation is a mere understanding and not the correct understanding, then this is in line with the epistemological status of ijtihad discussed above. In principle, any interpretation can be mistaken and thus it must be open to challenge and contestation. Further, if an interpretation is only an approximation, then individuals might choose not to abide by it, and opt for another competing interpretation that fits better with their context, subjectivity and aspirations. That is why we can say that for Ghannouchi the mere fact that a jurist has issued a ruling or interpretation regarding a particular issue, does not make that ruling and interpretation binding on community members. In addition, and significantly, there is no requirement that all community members should abide by the same ijtihad. Talk of the Islamic society or community should not lead us to think that there is homogeneity or agreement on religious matters, be they superficial or not. There could be disagreement and controversy between jurists and they might provide different interpretations regarding the same issue. “An ijtihad that is accepted by the majority is usually adopted, though on most matters there could be more than one ijtihad. In this case people subscribe to the ijtihad

44 Sometimes Ghannouchi uses the language of "imposing" to express the religious authority of the 'ulama. For example, after saying that the president has no authority to impose on the public a certain interpretation, he continues to say that "such authority lies in the hands of the 'ulama (scholars)” (Sec, 113). But, as I am trying to show, it would be a misunderstanding if we take Ghannouchi to be saying that the 'ulama can impose their interpretations of al-Nass in the strict sense of the term (to force an interpretation on the public against its will, desires, expectations, etc.) or that their interpretations are automatically and directly binding.
they feel more comfortable with” (Sec, 114). Different sections of the same community might choose to follow different and even opposing interpretations.45

The basic idea I am after here is that community members have an indispensable and important part in both the process of interpreting and understanding divine law, and in determining the success or failure of such interpretation. Different religious scholars present their interpretations on how to understand God's law given the particular realities of people, but these understandings remain mere understandings until community members accept them.46 When they do they become law and binding. We can then say that a certain understanding of the shari‘a (ijtihad) is neither applicable nor binding until community members accept it; that is how I am interpreting Ghannouchi’s claim that the community “has the final word in accepting or rejecting” a particular interpretation, and that they do so on the basis of how comfortable they feel towards that particular interpretation. Further, the floor is open to all kinds of processes and mechanisms that community members can adopt to figure out whether they want to accept or reject an interpretation. Voting in committees and sub-committees is one such process. Public deliberation as a way to give expression to that community's self-understanding and how that

45 To be sure, social divisions and disagreements make an appeal to the people, the public, or the community problematic when it comes to issues of legitimacy and legislation since it is not clear who "the people, public, or community" are. I address this issue in Chapter VIII when I look at pluralism in the Islamic state. But with regard to the jurist taking into consideration people's commitments, expectations, etc., we can say that social division is itself a feature of a particular social context and must be taken into consideration as such when the jurist struggles to apply al-Nāṣṣ in that context.

46 Put that way, the worries associated with consent theories come to the surface. Ghannouchi does not specify what counts as "acceptance". Does it have to be explicit? Is tacit consent acceptable? How many should accept? What happens to those that do not accept? These are all important questions and they raise important problems, but they are not peculiar to Ghannouchi's model. The important move that Ghannouchi makes is that of including the community in the process of ijtihad. There can be different ways of determining the "acceptance" of the community but for our purposes here these are variations on the same theme. This is not say that all such variations are acceptable or workable. The point rather is that the fundamentally important point is the theme, and once that is established we can deliberate on which variation is best.
self-understanding fits with the interpretation in question, is another. In an important sense, then, we can say that on Ghannouchi's model the very process of interpreting *al-Naṣṣ* is democratized.\(^47\) His description of current schools of jurisprudence as "societal projects" is telling. For him, schools of *ijtihad* are “societal projects that materialize out of the interaction of Islam with specific social and cultural conditions. Once these conditions change, the school would have to accommodate them. A failure to do so would inevitably cost an intractable school of jurisprudence its hold on the public, who might opt for another, and are free to do so” (Sec, 114). Ghannouchi agrees with the opinion that we cannot deny the will of the *ummah* to prefer one school over another based on an apparent or non-apparent harmony of fit between the psychological and sociological background understanding of a people, on the one hand, and a *fiqh* school's interpretations and rulings, on the other hand.\(^48\) Similarly, Ghannouchi agrees that individuals reserve the freedom to abide or not abide by a *fatwa* (a legal opinion) of a particular jurist without this reaching the point of rejecting all interpretations, since that would be considered a rejection of *shari'a* unless one is a jurist.\(^49\)

\(^{47}\) Here the democratized element lies in that all social members, either directly or through representatives, has a say and a role to play. This, it should be noted, however, is a role that in formulating or designing interpretations, but in testing the success of an interpretation given their particular socio-cultural background, the dominant intellectual trends etc. Later on I will introduce the principle of maslaha, as the purpose of *al-Naṣṣ*, which provides a framework independent from the textuality of *al-Naṣṣ*. In chapter 5 I will use this feature of Maslaha to show that the Islamic state is in principle capable of justifying its laws to non-Muslims without reference to the text while still being committed to it. This will be useful in showing that in terms of the democratic features of Ghannouchi's model we can also talk of citizens, even non-Muslims, having reasons they can call their own for accepting the law in the Islamic state. This is not to say that there are no problems involved, but I just wanted here to flag this issue in relation to how I am understand a democratized process.

\(^{48}\) H, 123. Reference to al-Fasi, footnote 130.

\(^{49}\) Here Ghannouchi is in agreement with al-Shawi in his "Fiqh al-shura wa al-istishara". Note the qualification "unless one is a jurist", which implies that jurists can reject all interpretations without being considered to be rejecting *shari'a*. Two questions come to mind. First, what if an individual or group rejects all interpretations, not because they reject the authority of *shari'a* but because none of the available interpretations captures their inclinations, aspirations, etc.? Would that count as rejecting *shari'a* as such? Second, what is it about being a jurist that makes it the case for Ghannouchi that a rejection of all interpretations does not amount to a rejection of *shari'a*? Could it be that such a rejection is based on reason, is well informed and is from within the Islamic tradition, thus making it a rejection of all interpretations as interpretations rather than a rejection of the authoritativeness of *shari'a*?
In order to avoid some confusion allow me to make the following clarification: The *ummaḥ’s* acceptance or rejection of a certain *ijtiḥad* should not be construed as affecting the validity of divine law and principles themselves. The idea is that although jurists have a privileged position in understanding and figuring out the meaning of the text, their understandings and interpretations are neither complete nor fully legitimized until they are accepted by those who are subjected to them. Neither should the latter (those subjected to the interpretations of the *ʿulama*) be conceived as fully determining, and on their own, how should divine law be construed. The *ʿulama* dedicate their lives for the study of *shariʿa* in all its dimensions and hence are most qualified for interpreting and understanding divine law. They are the experts of *al-Naṣṣ*. Their interpretations, however, are intended for social members and will materialize only within a particular socio-cultural context with its own reality, history and particularities (social, psychological, economic, environmental, etc.). And so, the success of interpreting divine law cannot be determined independently from the subjects for whom they are made and within whom they are to take shape and implemented. So, although the consensus of the *ummaḥ* in its strict legislative side (i.e. whether interpretations are properly grounded on and derived from *al-Naṣṣ*) is restricted to the *ʿulama*, this neither hijacks nor undermines the role of the *ummaḥ* in accepting or rejecting a particular *fiqh* school (H, 123). To be sure, and in line with what has been said, humans can never be certain of the validity of their interpretations of divine law. Thus, we should not confuse the success of interpreting divine law with the validity of that interpretation. No interpretation can rightly claim validity. Only God can do so, and we are not God either individually or collectively. Any and all interpretations produced by jurists could
potentially the true, or a true, one and thus cannot be categorically dismissed as false neither because it contradicts with the opinions and understandings of other 'ulama, nor because the community, in whole or in part, rejects it. The combination and interaction between the 'ulama’s input based on their scholarly religious study and their knowledge of al-Naṣṣ and the Islamic tradition, on the one hand, and the community’s embodiment of their own history, context and circumstances, on the other hand, draws a picture of the process of ijtihad as a project that includes, though in different ways, all community members.

Therefore, individual citizens, groups and the community at large in the Islamic state play a role in the process of interpreting al-Naṣṣ. True, it might not be a direct role, but it surely is an important one. The community, through accepting or rejecting the different interpretations of God’s law, determine whether the jurists have succeeded in understanding and accounting for the needs and interests of the people. That is to be distinguished from the jurists's responsibility to make sure that interpretations, be they their own or others', are legitimate and properly founded on and derived from al-Naṣṣ. More significantly for my purposes here, the community's acceptance and/or rejection of certain interpretations is based on how comfortable they are with a particular ijtihad. There should be a harmony of fit between the jurists's understanding of the text, on the one hand, and that understanding's fit with the community's self-understanding including the deep-seated, normative expectations and intuitions of social members. Put in these terms, we can say that ijtihad is guided, though indirectly, by a respect for the ethical idea of autonomous agency. Thus, accepting divine authority on Ghannouchi’s model does not express ethical authoritarianism, and his conception of ijtihad embodies a non-authoritarian conception
of justification. In sum, this section identified the function and features of *ijtihad* in Ghannouchi's model of the Islamic state to argue that it encourages non-authoritarian citizenship. *Ijtihad* can only be an approximation and thus, is fallible and revisable. Further, the process of *ijtihad* is itself democratized in such a way that it takes into consideration the commitments, expectations, intuitions, etc. of those subject to it. Hence, accepting the authority of *al-Nass* as an ethically valid standpoint, or of *shari'a* as God's law, implies neither epistemological nor ethical authoritarianism. Therefore, a non-hypocrite Muslim who follows Ghannouchi's social and political religious thought can accept the authority of *shari'a* without internalizing or acting on the basis of authoritarian conceptions of knowledge and justification, and thus exhibits non-authoritarian citizenship and should be included (along with his religious reasoning) in the processual determination of ethical value.
I. Rejecting the "Authoritarian Position" and Formal-Authoritarianism

In Chapter VI I argued that Ghannouchi's conception of Islamic politics does not exhibit authoritarian citizenship. The main thrust of my argument is based on Ghannouchi's conception of *ijtihad* and showing that it is fallible, flexible and democratized. At this point, one might object that the worry of authoritarianism is not fully addressed by showing that *ijtihad* embodies non-authoritarian conceptions of knowledge and justification. The objector will then proceed to identify a sort of authoritarianism that obtains independently of the content of divine authority and the process of understanding and applying it. On that sort of authoritarianism, a mode of reasoning that accepts an unquestionable authority would be authoritarian even if it does not engender authoritarian citizenship. The concern here is not with being-authoritarian (not with practical-authoritarian reasoning), but with the autonomous agency of involved members (with theoretical-authoritarian reasoning). The claim is that accepting an unquestionable authority is sufficient to undermine autonomous agency, and that that is the case irrespective of the content of the directives of that unquestionable authority. This objection relies on a formal conception of authoritarianism - a content-independent conception, which is in contrast with the content-dependent conception of authoritarianism at work in Cooke's notion of authoritarian citizenship. On that formal conception, the fact that Ghannouchi's model is constrained by *al-Naṣṣ*, which represents an unquestionable authority, makes it authoritarian in that it undermines the autonomous agency of those who accept it. In this chapter I reply to this objection. After
elucidating formal-authoritarianism through analyzing Cooke's rejection of what she calls the "authoritarian position," I draw on Ghannouchi's work to dispel the charge.

Cooke employs a formal conception of authoritarianism on the occasion of identifying the conditions that contemporary critical social theorizing must meet. On the basis of such a conception Cooke rejects the "authoritarian position" as providing adequate grounds for an idea of the good society that could guide social criticism. Not surprisingly, Cooke's rejection is based on the notion of situated rationality, so I apologize in advance for sounding repetitive but it is important to do so in order to make explicit how rejecting the "authoritarian position," unlike rejecting authoritarian citizenship, relies on a formal (content-independent) conception of authoritarianism. In *Re-presenting the Good Society* Cooke construes critical social theory very broadly to include "any mode of ethically oriented reflection that looks critically at social arrangements from the point of view of the obstacles they pose for individual human flourishing, or that reflects on what it means to do so" (RGS, 7). Critical social theory must be guided by a normative perspective (a guiding idea of the good society that functions as critical standards) against which it can criticize social arrangements, prescribe social change, and justify its prescriptions as marking progress rather than mere changes. Whether a theory's critical assessments and prescriptions are valid would then depend on the validity of its critical standards. Cooke's test for the acceptability of the guiding ideas of the good society is situated rationality and its associated ethical idea of autonomous agency. Accordingly, contemporary critical social theory must be guided by an idea of the good society according to which human knowledge is temporal, historical and partial, and that takes into account the ethical perspective.
of the inhabitants of the criticized society. Cooke rejects the "authoritarian position" for its appeal to "a transcendent, final authority.... The crucial feature of this position is that correct perception entails the acceptance of the unquestionable authority of some transcendent power or idea" (RGS, 15). Because this position asserts "an ethical standpoint that is unquestionable, immune to any kind of critical interrogation" (RGS, 15), she argues, accepting it implies "that ethical validity is accessible...[and] can be established independently of the ethical reasoning of concrete human agents" (RGS, 15). Cooke's rejection, then, is based on the supposed connection between accepting an unquestionable authority, on the one hand, and violating situated rationality and the ethical idea of autonomous agency it embodies, on the other hand. Unfortunately, however, Cooke does not make explicit that connection. I shall bring out the formal character of her rejection.

With the acceptance of an unquestionable authority, say divine will, as a condition for the correct perception of human affairs and conduct, comes the acceptance of an ethically valid standpoint that we cannot contest. In order for Cooke's rejection to go through, such an acceptance must lead to the assertion that ethical validity is accessible and independent from human agents' ethical reasoning. But, what is it about asserting an ethical standpoint immune from criticism that implies the accessibility of ethical validity and its independence from the agent's ethical reasoning? Cooke's reasoning for rejecting the authoritarian position is independent from the content of authority, and authoritarianism obtains regardless of what that authority dictates. It is the *mere acceptance* of an unquestionable authority that leads to the violation of situated rationality and undermining autonomous agency. The question I want to ask
is: what understanding of authority supports a content-independent authoritarianism, or formal-authoritarianism? Undermining individual reasoning must be constitutive of the concept of authority, implying that the individual is no longer in a position to develop her own reasons for obeying that authority. On that conception of authority, if an individual were to abide by authoritative directives on the basis of her own reasons, the authority in question would not really be an authority. The individual's actions would be in compliance with the authority, but the individual would not be acting the way she is because the authority said so. Put that way, accepting an unquestionable authority functions like a ceiling on human deliberation, a ceiling we cannot contest and which we thus must accept and obey regardless of what we happen to think and feel. Accepting an unquestionable authority would then cut agents off the standards for figuring out what to do and how things should be.

On a content-independent conception of authoritarianism then, Ghannouchi's model would be authoritarian irrespective of the content of al-Naṣṣ, shura and ijtihad. The objection undermines the role of ijtihad, since even if we accept that it is fallible, flexible and democratized, it remains constrained because it can only function within the incontestable boundaries of al-Naṣṣ. The charge is not that al-Naṣṣ is limited and does not cover all cases of human experience, but that it limits the human ability to reason about what should be done and how things should be. My response to this objection is in two steps. In the first step, I draw on one of the principles in Islamic jurisprudence; the notion of maslaha as the purpose of al-Naṣṣ. I show how through maslaha Muslims can transcend the literality of al-Naṣṣ, and can do so by relying on a framework that is human-species-dependent rather than human-species-
transcendent. At this point I consider a reformulation of the objection in the form of a dilemma. In a nutshell, the dilemma is: if through maslaha we can completely ignores al-Naṣṣ then there is no need for al-Naṣṣ, and if we cannot, then there remains some maslaha-exempt aspects of al-Naṣṣ and these are sufficient for theoretical-authoritarian reasoning to obtain. Thus, even if reference to maslaha can somehow attenuate the charge of authoritarianism, it fails to do so completely or even sufficiently. In the second step of my response, I distinguish between two accounts one can give for why theoretical-authoritarianism obtains. On the first account, the mere presence of constraints is sufficient for authoritarianism to obtain (a formally-based account), and on the second account, being subject to the arbitrary will of another is what makes authoritarianism obtain. I argue that while the first account is empty and uninteresting, the second account does not apply to the case of divine will.

2. What is Maslaha?

In Islamic studies, usul al-fiqh (the origins or fundamentals of jurisprudence) or `ilm al-usul (the science of fundamentals) refers to the study of the sources, guiding principles and methods of the law, legislation and interpretation; that is, of deriving particular rulings from al-Naṣṣ given a particular context or situation, providing the reasoning behind already existing rulings, as well as devising new rulings for new situations. Maslaha, or public interest and well-being, as representing the purpose of God's law, is one such principle that entered Islamic jurisprudence as early as the 10th century. The history of maslaha and maqasid al-shari'a (the purposes of shari'a) is rich, complex and has several stages. For our purposes, it suffices here to

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identify certain elements of *maslaha* then look at one of Ghannouchi's employment of *maslaha* as an illustration of his use of *maqasid al-shari'a*.

The basic idea is that the purpose of divine revelation is the improvement and attainment of human interest and well-being in this life and the hereafter. As the purpose of *al-Naṣṣ*, *maslaha* has been used by jurists and 'ulama in different ways. It has been used as a guiding principle in the procedure of deriving laws by analogy (*qiyaṣ*) when applying a text to a situation that is not covered by *al-Naṣṣ*. *Maslaha* has also been used in a more substantive way as a validity test for already derived legal rulings. Further, and most importantly for our purposes, *maslaha* has been used to override textual rulings - to adapt the text. Used for deriving laws and/or for checking the validity of laws, *maslaha* functioned as "a tool of finding new law when the authoritative texts are silent and adapting existing law when circumstances call for it" (MPL, 2), Opwis summarizes. *Maslaha* is then a key principle for both widening the scope of application and revising Islamic law.51 Ghannouchi's own use of *maslaha* and *maqasid al-shari'a* draws on the views of Shatibi, the 12th century Andalusian jurist, whose work, according to Opwis, "provided jurists with a comprehensive system to extend and adapt the law to new circumstances" (MCI, 196). Based on a thorough study of *al-Naṣṣ*, the tradition of Islamic jurisprudence, and considering the different experiences of the applications of jurisprudence and the state of human knowledge, Shatibi established the basic guidelines of the *maqasidi* (purposiveness) school (Par, 90). Quoting Shatibi, Ghannouchi writes: “From our exploration of the *shari`a*, we have concluded that it was only set up to serve the interests of man” (Par, 90). In

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51 For a classification of the different ways *maslaha* has been used and incorporated into legal theory in the middle period of Islam refer to pp.193-197 in: Felicitas Opwis. "*Maslaha* in Contemporary Islamic Legal Theory." *Islamic Law and Society*, 12:2 (2005): 182-223. Hereafter (MCI)
Ghannouchi’s own words, according to *maqasid al-shari`a* “religion was revealed only to fulfill and protect the needs and interests of mankind in this life and the hereafter, as a general framework for tackling new problems with the Muslim society” (Par, 91).  

As for the definition of *maslaha*, Ghannouchi summarizes Shatibi’s categorization of the requirements of *maslaha*: "He [Shatibi] categorizes them into 'essential requirements' without which life would be ruined; these include the protection of faith, of life, of progeny, of wealth and mind. Then he spoke of the 'special requirements' without which man would be in distress and hardship. They include the requirement to enjoy lawful and good things in life. Finally, he spoke of 'ameliorative requirements' whose absence would not seriously undermine life. These include the various manners related for instance to eating and drinking etc." (Par, 91).

Ghannouchi uses this categorization as the general framework within which all the details of religion are to be subsumed, and "all new problems in the lives not only of Muslims but of all humanity, can find proper solutions that guarantee the fulfillment of their requirements" (Par 91). With that in mind, I want to take a quick look at a particular context in which Ghannouchi employs *maslaha* to adapt God's law and accommodate for the needs of Muslims. The example illustrates the extent to which Ghannouchi takes *shari`a* to have "room for interpretation, specification, addition, and renewal through the use of individual and collective ‘ijtihad’ " (H, 120).

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52 It is worth adding here Shatibi’s distinction between the universals and particulars of the religion. Opwis writes: Shatibi "argued that the Meccan suras embody the general message of Islam in which the universal sources of the law are laid down. The Medinan suras, as well as the Sunna, constitute the particulars of the law that elucidate, specify, qualify or complement the earlier suras of the Qur'an. He considered the universal sources of the law to be certain and immutable whereas the particulars of the Qur'an and Sunna were probable and subject to change" (MCI, 196).
Ghannouchi is very clear in affirming that it is the duty of every Muslim to work towards establishing the Islamic state, where shari'a, as divine law, has the highest legislative authority and "political power belongs to the community (umma), which should adopt a form of shura, which is a system of mandatory consultation" (Par, 91). When this ideal, however, is not attainable and Muslims, be them a majority or a minority, are bound to live in a non-Islamic regime, what should they do? In such "abnormal" or "exceptional" situation Islam must guide Muslims and by way of doing so Ghannouchi draws on maslaha to justify a religious duty for Muslims's participation and power sharing in non-Islamic regimes, even though it is not based on shari’a law, and under certain strict interpretations is in contradiction with it. He writes: “this power-sharing may not necessarily be based on Islamic shari’a law. However, it must be based on an important foundation of the Islamic government, namely shura, or the authority of the umma, so as to prevent the evils of dictatorship, foreign domination, or local anarchy. Such a process of power sharing may also aim to achieve a national or humanistic interest such as independence, development, social solidarity, civil liberties, human rights, political pluralism, independence of the judiciary, freedom of the press, or liberty for mosques and Islamic activities” (Par, 92). The participation of Muslims in non-Islamic regimes, including forming alliances with the non-religious and secularists, is justified by reference to the promotion of the interest of, and the avoidance of harm for, man; i.e. maslaha. This is a case in point where given Muslims's social and political realities Ghannouchi opts for not applying shari’a, while staying within the boundaries of Islam by drawing on another Islamic fundamental, shura, and principles such as, "necessities eliminate prohibitions" (Par, 91), in order to preserve and fulfill the interests and needs of man. Thus, and that is the main point I want to make, a commitment to
Islamic fundamentals does not mean a blind, dogmatic, or even righteous commitment to rulings and principles to be applied no matter what or irrespective of the context in which we find ourselves.

The first, and maybe most significant, contribution of maslaha as the purpose of al-Naṣṣ, given our purposes, is that through it the literality of al-Naṣṣ has been transcended in a systematic way. With maslaha the jurist has at its disposal a framework for interpreting, applying, and revising the text, and it is a framework that is independent from the literality of the text. To show or deny maslaha one needs to provide rational argumentation that should be convincing independently from the textuality of al-Naṣṣ. In this regard, one needs to show that x, y, or z are inimical to one or more of the necessary requirements (life, religion, progeny, and wealth and mind) and should thus be prohibited, or that they are conducive to one or more of the necessary requirements and should thus be promoted. The second contribution of maslaha is that the general framework for assessing and deriving legal rulings is human-species-specific, rather than human-species-transcendent, since it refers to human interests and needs. What counts as conducive or inimical to maslaha - i.e. what falls under the elements of essential, special and ameliorative requirements, and what counts as a violation or a promotion of these - is also subject to human discernment and the sociocultural background of the context in question. As Opwis puts it:

in the final analysis, what attains maslaha and averts harm is - as al-Shatibi's thought shows - determined by human estimation. Acceptable harm is known by custom and convention not by religious law. Human evaluation of what constitutes hardship is
decisive in determining the believer's religious responsibility to obey God's laws (MPL, 351)

With *maslaha*, then, textual rulings themselves can be questioned in the sense that given a certain situation there is no religious duty to obey that particular text. With systematically transcending the literality of *al-Naṣṣ*, and providing a human-species-specific framework for interpreting, applying and revising the text that has room for human discernment, estimation as well as their sociopolitical, historical and subjective situatedness, *maslaha* and *maqasid al-shari'a* open the doors wide open for the ethical reasoning of concrete human agents on more than one level.

Thus, *al-Naṣṣ* is not a limit in the sense that we cannot question the meaning of its directives; we saw in Chapter VI that figuring out the meaning of *al-Naṣṣ* is a human effort mediated through fallible human reason. Nor is *al-Naṣṣ* a limit in that it must be applied no matter what irrespective of the situation and the human context; we just saw with *maslaha* that there is room for human rational discerning concerning how, when, and whether to apply a text or a legal ruling. In what sense, then, is *al-Naṣṣ* a limit on autonomous agency and how does it exhibit theoretical-authoritarian reasoning?

3. The Objector's Comeback

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53 Jumping ahead, I want to note two things: first, by transcending the literality of the text and with a human-species-dependent framework, we open the door for adding or combining principles from outside Islam to Islam. Crucially for this dissertation are the principles of recognition identifies in Part I. Such combination will play an important role in Chapter X. Second, it must be noted that there is an associated danger with *maslaha* since it facilitates confusing the voice of God with the voice of man. That is the real and most threatening and reprehensible form of authoritarianism from an Islamic point of view. Being diligently aware of the distinction between the voice of man and the voice of God is something that Ghannouchi would recommend and does practice. This is clearest in his rejection of Hassan Banna's one party Islamic state (Chapter VIII).
At this point the objector could retort by posing the following dilemma: "Fine, maslaha allows us to transcend the literality of the text. But, if, on the one hand, we are always guided by maslaha, i.e. that considerations of maslaha as substantive criteria determined by human estimation takes precedence over al-Naṣṣ’s directives in every case (that there are no maslaha-exempt rulings and directives), then the response to the objection works but at the expense of sidestepping al-Naṣṣ altogether. In this case it would be more accurate and direct to just rely on maslaha as a general framework and forget about the text. With the purposes of al-Naṣṣ understood in terms of human interest as the only limits imposed by al-Naṣṣ, then there is no need for al-Naṣṣ anymore. If, on the other hand, we acknowledge that there are maslaha-exempt rulings and directives that we find in al-Naṣṣ, then the charge is not met and authoritarianism holds since in those exempted rulings whatever ethical reasoning took place due to maslaha applies no more."

The first horn of the dilemma is not really an option for anyone who is concerned about preserving, in any significant and robust sense, a characteristically Islamic perspective. Preserving a characteristically Islamic perspective is at the core of Ghannouchi's concerns, and in fact, jurists who have capitalized on the principle of maslaha to expand or adapt al-Naṣṣ have also set restrictions on its application. There is a wide variety in the scope and justification of such restrictions, but in all cases maslaha does not always and unqualifiedly take precedence over the text. Commenting on the variety of ways restrictions on maslaha took shape, Opwis writes: "The extent to which a jurist permitted textual rulings to be superseded by appeal to the purpose of the law, either in form of unattested maslahas or legal precepts, varies greatly. At one
end of the spectrum we find Ibn Taymiyya who held that the human intellect cannot comprehend God's will and, hence, cannot evaluate situations merely by looking at the maslaha involved. *Maslaha* has no priority over the revealed texts simply by being intended by the Lawgiver. Without taking recourse to the texts, a jurist's decision was invalid. Located at the other extreme is al-Tufi. He saw in *maslaha* a method to unify the Muslim community and, hence, permitted its application widely in the sphere of customs and civil transactions" (MPL, 348).

The point is that although *maslaha* goes beyond the literal text and allows us to expand and revise textual rulings, it does not totally put the text aside. Thus, there will always be a *maslaha*-exempt part of *al-Naṣṣ*. Other than the centrality of the spiritual dimension to human well-being, we saw that Ghannouchi accepts the categorization of Shatibi of the three classes of requirements, and what goes under them. And although the articulations and specifications of these requirements and their sub-categories is context-dependent, the general framework itself is not. *Al-Naṣṣ* remains the ultimate source that provides in abstract and general form the way we should understand human interest. Furthermore, it is *al-Naṣṣ* that makes that general framework authoritative in the lives of devout Muslims. If Muslims were to realize that that framework does not articulate the purpose of *al-Naṣṣ*, it would loose its normative grip over them. In addition, if we bypass *al-Naṣṣ*, we would be ignoring the basis on which different Muslim communities and individuals have been, are still, and will keep on articulating a way of life by concretizing the universal message given their particular contingent historical, socio-cultural, political and subjective conditions. The implicit suggestion here, which fits with what we have said so far, is to

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54 In the case of Shatibi, for example, Opwis says that he "did not consider *maslaha* to be weightier in every instance. Exempted were those particular rulings that constituted legal licenses (*rukas*) or specifications (*takhisat*). In addition, considerations of *maslaha* had no bearing on acts of worship (*'ibadat*), acts that happened or could have happened during the lifetime of the Prophet and that received a ruling, and the continuous practice of the early Islamic community. Any other act may be judged according to the *maslaha* it entails under particular circumstances, which, of course, varies by place, time, and person" (MCI, 196)
understand *al-Naṣṣ* as a text with which Muslims have been conversing for fourteen centuries. This conversation is geared towards bringing the text to life through the lives of Muslim communities and individuals. An aspect of that conversation is the Islamic tradition of jurisprudence which struggles to set the principles and norms for how to understand, apply and adapt the divine message. *Maslaha* is the chapter in that aspect of the conversation concerned with the purpose of *al-Naṣṣ*, which as we saw is the fulfillment and enhancement of human interests and needs. That Islamic tradition has developed its own logic, methods and virtues on the basis of which we can talk of an Islamic-language for filling in and giving content to human interests. Any changes, additions, and revisions to *maslaha* related issues are to be presented and defended using that language. To get rid of *al-Naṣṣ* and stick with the general framework provided by *maslaha*, is to ignore that conversation and tradition which in effect provides the background against which *maslaha* and its articulations make sense, are conducted and abided with. Thus, the first horn of the dilemma is not really an Islamic option.

Falling on the second horn, however, re-invites the charge of authoritarianism. It was *maslaha* that gave us a framework independent from the textuality of *al-Naṣṣ*, which I used to undermine the charge that Ghannouchi's model exhibits theoretical-authoritarian reasoning. But once we land on the second horn of the dilemma, we are committed to some *maslaha*-exempt rulings, directives and constraints, and the charge pops up again. This time around, the objector would hammer not only on accepting the authority of *al-Naṣṣ* as such but on the *maslaha*-exempt prescriptions and how they undermine autonomous agency by imposing constraints on the agents that she cannot put in question, revise or contest. In response, I want to ask: what exactly
accounts for authoritarianism as a result of not questioning the authoritativeness of al-Nass and of these maslaha-exempt rulings?

In answering this question the objector can stick to her formalism and maintain that the mere fact that there are unquestionable prescriptions and rulings in an agent's mode of reasoning undermines that agent's autonomy, and thus authoritarianism obtains. On Ghannouchi's view, even with its fallible, flexible and democratized conception of ijtihad, and its adoption of maslaha, Muslims are to accept certain constraints as indubitable and incontestable and that, by itself, is sufficient for authoritarianism. Further, and importantly, the objector will continue to explain that it is not up for Muslims to decide whether al-Nass and/or its purpose have normative force. To be sure, they can reason about their meaning and application but not about whether they are authoritative, and that amounts to authoritarian reasoning. The charge is not that agents do not exercise ethical reasoning, but that the thing on which their ethical reasoning gets exercised is not within the scope of what they can ethically reason about. Authoritarian reasoning is then the outcome of the agent's reasoning being structured such that the object of reasoning is determined by al-Nass. Be it the scope and extent of the application of maslaha, or the authoritativeness of al-Nass and/or its purpose, the charge is that Ghannouchi's model is authoritarian because the aboutness (the object about-which the reasoner can reason) of its reasoning is beyond the reasoning of the agent. Simply put, Islamic ethical reasoning cannot but be reasoning about al-Nass in one form or another. By accepting the authority of al-Nass, one is thus limiting the objects of her ethical reasoning and is no more in a position to question the
validity of *al-Nāṣṣ* itself. Being so constrained is sufficient to say that the ethical autonomy of the agent is undermined.

Sticking to this formally-based account for explaining the cause of authoritarianism, however, is neither informative nor helpful. The reason is that our reasoning is always operating within certain constraints. The rules of logic for example constrain our reasoning. So do the canons of science. More to the point, Cooke's notion of situated rationality is a constraint on the reasoning of modern Westerners. Recall that situated rationality gives expression to an *impulse*. True, it is an anti-authoritarian impulse, or so Cooke calls it, but it is itself a constraint on the reasoning of those with that impulse. On the formally-based account all these constraints would imply authoritarianism. Understood in this strict formal way, the objection is no more interesting and rather empty. Accordingly, Ghannouchi's model would exhibit theoretical-authoritarian reasoning, but so does contemporary critical social theorizing, mathematics, the sciences, etc. In order for the objector's comeback to be effective, she needs to give a more robust, substantive, and meaningful account for explaining why not questioning the authoritativeness of *al-Nāṣṣ* and accepting *maslaha*-exempt rulings is authoritarian and undermines the agent's autonomy.

Consider a wife that takes the dictates of her husband to be authoritative and that only contests what he says to be contestable. I take that to be a clear case of a constraint on a mode of reasoning that undermines autonomous agency. On the formally-based account, the wife's acceptance of her husband's dictates, in and by itself, is sufficient for her reasoning to be authoritarian in the theoretical sense (whether it is also authoritarian in the practical sense
depends on what these dictates are). Although we agree that authoritarianism obtains in this case, we do not think that it does as a result of the mere presence of constraints in the wife's mode of reasoning. Authoritarianism obtains here not as a result of the wife's mere acceptance of the rule that what her husband says is authoritative over her, but as a result of the wife being subject to the arbitrary will of her husband. This will-based account of theoretical-authoritarian reasoning is much more informative and helpful than the formally-based one. Accordingly, in cases such logic, mathematics, science, and situated rationality, authoritarianism does not obtain since no arbitrary will of another is involved. On that second account, the objection, then, is that accepting the authority of *al-Naṣṣ* and the *maslaha*-exempt rulings are instances of authoritarian reasoning because the agent in question is subject to the arbitrary will of God. The agent cannot reason on the authoritativeness of *al-Naṣṣ*, nor can she reason on those exempted rulings. And if she does and finds her own reasons for that authoritativeness and rulings, she should be obeying her own reasons and not divine will. All the agent can do is reason within the confines set by these constraints. This is analogous, the objector continues, to the case of the wife who can contest and reason, but can only do so on those issues that her husband has determined to be eligible for contestation. It is important to note here that the wife's mode of reasoning is authoritarian (in a theoretical sense) irrespective of whether her husband punishes her when she transcends the limits he set for her. Even if the husband does not interfere or demand obedience, authoritarianism obtains as a result of the wife's reasoning being limited (because she chooses to) by what her husband wills, or what she thinks he wills and wishes. In a patriarchal society where women have internalized male superiority, and as a result a wife structures her reasoning (what she can do, contest, etc.) in such a way that is in line with her husband's wishes, theoretical-
authoritarian reasoning obtains. We can say in this case that the wife's reasoning is being
dominated by her husband's will and that undermines her agency. This talk of domination,
however, is inappropriate in the cases of mathematics and situated rationality the objector
concludes.\footnote{Pettit, Philip. \textit{Republicanism: A Theory of Freedom and Government.} New York: Oxford University Press, 1997. Here Pettit defends a conception of freedom as non-domination as a genuine alternative to positive and negative freedom (where positive freedom is understood in terms of self-mastery and having control over oneself, and negative freedom is understood in terms of absence or threat of interference). My discussion here is indirectly informed by freedom as non-domination. More specifically, on the second (will-based) account I am discussing here, authoritarianism obtains as a result of autonomous agency being undermined, where the undermining is understood in terms of domination.}

I agree with my objector's analysis of theoretical-authoritarian reasoning in terms of
domination, and with her claim that on that analysis situated rationality, rules of logic, and the
sciences do not amount to authoritarianism. What I disagree with, is the analogous reasoning that
shifts from the husband to God. To put it bluntly, being dominated by your husband is
objectionable, but being dominated by God is not. There is no doubt that for Ghannouchi, and
the Islamic point of view more generally, the right perspective is one according to which humans
are dominated by God. When I introduced Ghannouchi in part I we saw that on his view what
characterizes the Islamic perspective from the modern secular Western perspective is the view of
the human being as dependent on his creator for his humanity. And in Islam, that dependence
takes the shape of a total submission to divine will. With that said, the point I want to make here
is that that submission or being dominated or whatever else one might call it is not objectionable.
What is problematic about a husband's domination is that he is an equal to his wife. But God is
not an equal. Put differently, theoretical-authoritarian reasoning obtains when one's mode of
reasoning is subject to the arbitrary will of another equal (and not merely another, or any other),
and God is not an equal. It is because we humans are equals that one dominating the other is objectionable. Two humans who are in a relationship where the context and dynamics are of the sort that makes one of the parties unable to look in the eyes of the other reflects the subordinate position she is in. Being in such a position is inimical to that person's ability to take control over herself and her life. Relating to oneself as the inferior of another equal carries with it all sorts of constraints on autonomous agency. That a wife cannot look in the eyes of her husband is a problem. And it is this sort of a problem that undermines the autonomy of the agent. That a person cannot look in the eyes of God, however, is not a problem. At least, it is not uncontroversially a problem. With that said, and in support of my rejection of the second horn of the dilemma of the objector's comeback, I want to put forward a way of understanding the authority of *al-Naṣṣ* over Muslims on the basis of what we have done so far in part I.

4. Authority of *Al-Naṣṣ*: Guiding vs Limiting

From an Islamic point of view one might argue that true freedom and full autonomy can be achieved only as a result of a total submission to divine will. This total submission, however, and as I have been trying to show in this and the previous chapter, is not to be equated with a dogmatic acceptance of divine will, or, even worst, the blind acceptance of what others have told us is divine will. On the contrary, a total submission to *al-Naṣṣ* is a Muslim's commitment, in the strongest and most dedicated sense, to actively, responsibly and tirelessly seek truth, freedom and justice in her actions and thought, in her life and the life of the community. We also saw that in doing so Muslims are to employ reason, be aware of human fallibility, be flexible, and take into account social, psychological, and historical particularities be they on the level of the individual
or collective. Chapter VI presented the function Ghannouchi gives to *ijtihad* in terms of operationalizing *al-Nass* through a particular sociocultural context. Through *ijtihad* humans are to bridge the gap between the universal general (*al-Nass*) and the concrete particular (human condition); between the perfect and the imperfect. *Ijtihad*, then, fulfills a necessary function for humans to successfully carry out their authority and appointed task to establish justice, freedom and good.

Let us consider now the following statement by Ghannouchi: “Transforming the Book [the *qur'an* or text] into an *ummah* is the essence of the mission of ‘ulama, and it is a mission that goes beyond individual efforts...” (H, 297-298). One way to misunderstand this call for transformation is to conceive of *al-Nass* as a set of propositions to execute and believe in their truth, which the ‘ulama interpret then teach, and everyone involved obey and mechanistically execute the dictates of *al-Nass* and of the ‘ulama. That would be a misunderstanding since, as we know by now, the operationalization of *ijtihad* involves understanding, applying and adapting the text in such a way that it requires seeing the point of rulings and directives. In that respect, we can say that the point of *maslaha* is to see the point of the text. Once we are in the business of seeing the point of *al-Nass*, its directives and rulings, and we can do so without sticking to the literal text, living by *al-Nass* can no longer be interpreted as a blind execution or orders. Furthermore, and given that the subject matter here is human affairs broadly construed (or moral and ethical thinking and acting), interpreting the Islamic message is not something that can be reduced to a set of propositions or formulas that we must believe to be true or must memorize. Rather, it is interpreting-by-doing. That is, by constraining ourselves with Islamic principles as
we go through life, we start to see the point of these principles, reflect about them, reformulate our interpretations, face different situations, re-apply the principles, and so on and so forth. In that process we develop what can be referred to as an Islamic practical knowledge of what to do, when, and why. What makes that knowledge Islamic is that it is guided by Islamic fundamentals and carried out by people committed to these fundamentals. This should fall, in the reader's mind, right under the previous characterization of the Islamic tradition in terms of a conversation with al-Nass. One does not interpret, or live by, the message of Islam by learning that Islamic principles, but by learning what to do, what not to do, etc.

The way I am trying to explain what it means to accept the authority of al-Nass and live by it, and thus of how to construe the authority of Islam over Muslims, is akin to authority in morals as Elizabeth Anscombe understands it. In comparing moral and mathematical education she writes: "You have to do the mathematics; and the teacher can get you to do it: that is what teaching mathematics is. Similarly teaching morals will be, not getting the pupil to think something, not giving him a statement to believe, but getting him to act...one does not learn morality by learning that certain propositions - ethical ones - are true, but by learning what to do or abstain from in particular situations and getting by practice to do certain things, and abstain from others". Similarly, I suggesting, accepting the authority of al-Nass gets us to trust its teachings and practice its directives. The 'ulama are not the spokesmen of God. They are experts in the divine message and thus can inform and assist others in their journey of living by it. To accept the authority of al-Nass, then, is to trust the authoritativeness of its teachings as the guide

for leading a life in harmony with human interests and needs in this life and the hereafter. By doing so, the possibility of living the Islamic way of life is opened, and we are to discover it by doing rather than by a mechanical execution of directives or by memorizing and believing a set of propositions.

The first thing to note here is that this perspective on life cannot be adequately captured and properly understood if we adopt a conception of authoritarianism where being subject to the will of God undermines autonomous agency. From the Islamic perspective I am trying to articulate, autonomous agency and ethical reasoning get their direction from the revelation and the acceptance of the unquestionable authority of God and His message. To say that by setting the direction for human agency and reasoning al-Naṣṣ undermines them, is a misguided charge as a result of narrow conceptions of authority and autonomy. From the Islamic point of view, these constraints set the goals for human reason and abilities in broad and general terms, without undermining them. Actually, real freedom, one might say, does not lie in the mere exercise of autonomous agency, but in doing so in a particular way. The crucial distinction here is between guiding versus limiting human agency and reasoning. From the Islamic perspective God has provided humans with a body of knowledge (al-Naṣṣ) that should guide, help and support the human quest, which should and can only be sought by humans freely and autonomously employing their reasoning and faculties. Going back to Ghannouchi's image of transforming the Book into an ummah, we would say that humans are autonomous in conducting that transformation. Given that al-Naṣṣ is "restricted to determining the general organizing principles for human relations" the responsibility of figuring out the rest is left to "the legislative efforts of
the *ummah* which develops with time" (H, 119), Ghannouchi says. And with responsibility comes freedom, “the authority of religion in Islamic society is founded on the freedom of *ijtihad*” (Sec, 113). Humans are free and autonomous in exercising their legitimate authority to rule on earth, though they are to do so in accordance to divine authority which sets the general guiding principles. In that regard, Ghannouchi asks rhetorically: "does not the closing of prophecy means ruling with the guidance of man and the human ability for driving the boat of life on his own in light of the general rules of driving?" (H, 120). Ghannouchi acknowledges human freedom and autonomy in the exercise of human authority but warns against losing one's compass in the midst of navigating concrete human situations - of losing one's grounding in *al-Naṣṣ* as one makes accommodations for human particularities. The universal generals of *al-Naṣṣ* would then be the compass and the general rules of driving. The accepting the authority of *al-Naṣṣ* is accepting an authority that guides and opens possibilities rather than one that imposes a ceiling on reasoning and closes possibilities.

Going back to the second horn of the dilemma, we can say that it is misleading because it conflates being subjected to the will of another equal with being subjected to the will of God. I argued that while the former leads to theoretical-authoritarian reasoning the latter does not. At least, I showed that being subjected to the will of God does not uncontroversially lead to authoritarianism. More importantly for our purposes, however, to adopt a conception of authority and authoritarianism that is blind to the distinction between the will of another equal and the will of God begs the question against the Islamic point of view and the religious point of view more generally. And as our discussion in this chapter shows, Cooke's rejection of what she calls the
"authoritarian position" is a case in point. Authoritarian positions that ground critical standards and guiding ideas of the good society must still be rejected, but our understanding of the "authoritarian position" must be more nuanced. My suggestion to Cooke here is that her analysis of the conditions for contemporary critical social theorizing should learn from her analysis of the conditions for democratic citizenship, more specifically, her analysis of non-authoritarian citizenship. Referring to authoritarian reasoning and acting on the level of a citizen's behavior she writes: "There is no conflict in principle between non-authoritarian reasoning and an orientation towards some 'otherworldly,' transcendent source of validity (for example, God or the good)" (SSPS, 235). Similarly, I am suggesting, there is no conflict in principle between theoretical-non-authoritarian reasoning and an orientation towards some "otherworldly" transcendent validity, such as the sort of validity we get by accepting the authority of al-Nāṣṣ. To be sure, this on its own is not sufficient for saying that Ghannouchi's conception of the Islamic state meets the requirements of a guiding idea of the good society and can thus be used a critical perspective. That is only part of the story. The other part has to do with authoritarianism in the practical sense - the sense that leads to being-authoritarian. In the previous chapter I argued that Ghannouchi's model does not exhibit practical-authoritarianism on the level of citizenship, and what remains to be shown is that it does not exhibit practical-authoritarianism on the level of stateship. Let us move to that.
The question this chapter addresses is whether Ghannouchi's conception of Islamic politics exhibits authoritarian stateship - whether it can maintain a free contestation battle. Can an Islamic government that seeks the preservation and promotion of an Islamic worldview and identity maintain an all-inclusive public sphere where the political liberties of minorities and their right to self-determination is respected and protected? I address this question with a double-barreled approach. As I develop a conception of public reasoning on the basis of Ghannouchi's understanding of the principle of *shura* (barrel 1), I’ll show how such a conception is all-inclusive and enables minorities to exercise their right to political self-determination (barrel 2).

1. *Shura*: Function and Scope

Ghannouchi does not have an explicit or a well defined conception of the public sphere. His conception of *shura*, however, applies to a broad swath of the social and political spectrum. *Shura* is best understood as a principle rather than a particular system of governance - a principle that applies not only to formal mechanisms and procedures for decision-making and will-formation, but also to social norms and habits on a pre-political level. As a principle, therefore, the scope of *shura* has both a formal procedural dimension and a pre-political social practice dimension. In terms of its content and function, Ghannouchi describes *shura* as "the spinal cord of the ummah’s authority in establishing political rule on the basis of participation, cooperation and responsibility" (H, 109, emphasis mine). Thus, the legitimacy of political authority is
grounded on *shura*, and for such grounding to materialize and take effect, social and political participation, cooperation and responsibility would have to infuse the entire social and political spectrum including the public sphere, public reasoning. As far as the public realm is concerned, *shura* is mandatory and its results are binding. Ghannouchi clarifies that although Islam did not specify the forms that *shura* can take, thus making it a matter of controversy and debate among Muslims, it does assert the importance and significance "that public affairs be managed through *shura*" (H, 125).

On Ghannouchi's conception of politics, the procedural mechanisms of *shura* can take many forms. Elections are one of them. Members of parliament and other social and political representatives are chosen through *shura*, and elections are the suitable mechanisms. Justifying his claim about the appropriateness of elections, Ghannouchi clarifies that although *al-Naṣṣ* does not mention elections, it did specify that *shura* must be used. He then continues to say that "*any allowed path* that can indicate or show who gets the trust of the 'umma is acceptable, and there is no doubt that elections in these times are among the acceptable ways that we can use under the condition that there be no tricks and deceptive means" (H, 125; emphasis mine). The significance of Ghannouchi's position here is twofold and goes beyond the appropriateness of elections. First, it puts in relief the instrumentality of elections and the importance of gaining the trust of the people. Second, it makes it clear that whatever methods capable of achieving the required task can be adopted. Elections are nothing but a means for forming and translating the authority of the people into political rule. As such, elections are an instrument for enhancing *shura*. Today elections are effective and so can be adopted. And if elections have defects we should correct
them, and if elections are insufficient we should supplement them. Any procedural mechanism that enhances shura is in principle acceptable, and to say that x enhances shura is to say, not only that x is a good measuring rod for what the people want, but also that x enhances "participation, cooperation, and responsibility" - the basis on which the community is to establish political rule. With that said, deliberation is another shura-enhancing procedure that Ghannouchi adopts. Members of the high legal council (an equivalent to the supreme court in the USA) deliberate about religious interpretations concerning a particular political matter. Here participation is restricted to members of the council. These members, however, do not have a monopoly on religious interpretations. In Chapter IV we saw how on the legislative side the principle of shura leads Ghannouchi to democratize the process of ijtihad by including, though indirectly, all the Muslim community. In that process the community would have to deliberate to figure out and better understand the ways in which a particular juristic interpretation of al-Nasṣ fits with its context (social, political, historical, and psychological), thus determining the success of that interpretation (which, the reader should be reminded, is different from the legitimacy of that interpretation as a valid derivation from al-Nasṣ). Public participation and deliberation is not limited to religious issues, but include all matters of public affairs and the aim is to reach an agreement or consensus (ijma'a). Ghannouchi is open to all shura-enhancing procedures in opinion-measuring, decision-making, problem-solving, representative-choosing, or will-formation, be they in formal or informal forums.

In addition to the proceduralist dimension of shura, and whatever institutions, laws and enforcement come with it, Ghannouchi also appeals to shura to refer to a basic principle that
should underlie everyday social interaction - communicative interaction on a pre-political level. He talks of the "habits of shura" and a shuristic "way of life", as when he writes: “shura is not merely a style in managing political matters...but is a way of life that springs from the general vicegerency of humans, the primacy of the collective over the individual, and considering the individual to be weak on his own but strong with his brother, and mistaken on his own but enlightened towards his best with his brother” (H, 190-191). Furthermore, because social and political participation, cooperation and responsibility hinges, at least in part, on the economic and educational status of citizens, the social practice of shura, for Ghannouchi, has direct implications on economic and educational policies. The habits of shura, for example, would suffer in an uneducated, ignorant, unexposed, and economically impoverished social base. This is not to say that without education and wealth a citizen won't have a say in public affairs, but that education and income affect the flourishing of the habits of consultation. Without informed and independent thinking, the power of the people can be easily highjacked and manipulated. And without a minimum of economic independence and a decent standard of living, the people can be easily pressured and indirectly coerced to make choices and decisions not reflective of their own self-understanding and will. On the educational level, Ghannouchi argues for mandatory education "so that people won't remain the slaves of an authority that controls their minds" (H, 326), and on the economic level he argues that "to the extent that the circle of ownership expands, so does the circle of shura, i.e. political participation and vice versa" (326).

2. Recognizing Group Identities
One of the upshots of what I referred to in Chapter II as reflecting the priority of the social over the political in Ghannouchi’s social and political thought, is that Ghannouchi rejects the claim that the establishment of an Islamic government must precede the development of an Islamic society. The Islamic state should be the result of a social outgrowth - it should grow out of an Islamic society. Through social activism Islamists work towards realizing an Islamic society through convincing and persuading social members of the values of Islam and the Islamic way of life, which would in turn lead to an Islamic state. With the proper social foundations political power can be won by democratic means. Put that way, the Islamic state is not merely an Islamic rule, it is rather the rule of Islam that grows from the bottom up - from society to politics. This is not to say, however, that citizenship in the Islamic state is based on creed. For Ghannouchi, citizenship is open to people of all creeds and is based on allegiance to the state (H, 137). In defense of non-creedal citizenship Ghannouchi refers to how the Prophet Muhammad dealt with the non-Muslims in Madina. The crucial distinction here is between the creedal and the political community. Muhammad, as a statesman, issued al-Sahifa (considered to be the equivalent of a constitution) where he brought the different creeds under the same umbrella of a political umma or community. Members of the political umma are equal citizens of the state (H, 94-95).

The priority that Ghannouchi gives to the social over the political level is not temporary, holding until an Islamic state is established. It holds in the Islamic state. As equal citizens of the Islamic state, non-Muslims are parts and parcel of society and are equally respected and accepted. Further, and crucially, Ghannouchi notes that to accept someone’s creed implies
acknowledging their right to defend it and to show its advantages over, and the disadvantages of, what differs from it.\textsuperscript{57} That is why he allows non-Muslim citizens to preach to Muslims and attempt to persuade them to join their creed. More generally, citizens of all faiths, atheists included, are welcome to engage in public debates, to defend their views, criticize others, etc. (H, 292). In that sense, Ghannouchi's model does publicly recognize all group identities by securing the opportunity for each group to publicly express its identity in public debates. Ghannouchi does not put in place any obstacles that might prevent that opportunity from turning into an active exercise of those groups rights to political self-determination. Rather, he leaves the door wide open for non-Muslims to organize themselves in the way they see fit in order to guarantee their survival and to defend their existence. This is most explicit in his views on political parties in the Islamic state. Non-Muslims can form political parties and don't even need a license to do so, nor to establish newspapers, magazines and other forms of expression (H, 300). Non-Muslims are allowed and encouraged to be socially active and to build a strong civil society. Be it in the case of Muslims in a non-Islamic state or in the case of non-Muslims in an Islamic state, such social activism and a strong civil society are not a mere means to the end of political power. On Ghannouchi's view, the role of the government, be it Islamic or not, is to serve society: “Government is a small part of the institutions of civil society. It is there to support and strengthen society. There must be more institutions of civil society, enough so that the people

\textsuperscript{57} In connection with Part I two things are worth noting here. First, that on Ghannouchi's view Muslim citizens in Western democracies should be allowed to publicly defend their religion and show the deficiencies of other perspectives and worldviews. Something that would only be adequately granted, as I tried to argue, if Muslims are included in the processual determination of ethical value. Second, that from the perspective of the updated recognition model defended in Part I, this is in line with and complementary to recognizing the value of social attachments revolving around accepting the authority of \textit{al-Nass} for Muslims and, in the case of non-Muslims in the Islamic state, recognizing the value and importance of religious attachments for members of the different creeds. Therefore, we can say that recognition norms and principles are implicitly at work in Ghannouchi's model of the Islamic state, and these include not only respect and esteem but also difference-respect.
don’t need the state” (SCR, 2). In order for society to be and stay the source of political legitimacy - in order for the voice of the people to be heard, and for guaranteeing the political liberty of the citizenry - there must be an independent and organized civil society. One of the main functions of civil society, on Ghannouchi's view, is to monitor and check the performance of those in power. Consider for example when he writes:

Islamic rule is based on *shura*, and *shura* is the distribution of authority and prohibiting the latter’s concentration in the state.... And the distribution of authority does not merely mean participating in public discussions and deciding in it, but it is more and deeper than that, it is constituting civil society, the society whose relation to authority is not like that of a head to its body where the function of the former stops once it is separated from the latter. Surely, the perfection of civil society is in the organized connection between it and authority, but society has to have enough organization and self-sufficiency that enables it to get less and less dependent on the state, and that provides it with the ability to resist the deviation of the state (H, 299-300)

Civil society should neither be totally cut off from, nor always in opposition to, political authorities. The goal is an "organized connection" between the two. It should not be a connection that undermines society's ability to mobilize and act against political authorities when they abuse their powers.
With that said, to appreciate the depth of Ghannouchi’s position regarding party pluralism (allowing non-Muslim parties in the Islamic state), we should view it together with the role he gives to political parties in the Islamic state. *Shura* allows Ghannouchi to ground legitimate political authority in society and in democratic will-formation. However, this requires an organized civil society, and according to Ghannouchi, this organizing task falls on the shoulders of political parties, be they Islamic or not. Further, an organized civil society is capable to mobilizing to counter and resist the state in case the latter abuse its powers. The organizing role of political parties in the Islamic state, or any state for that matter according to Ghannouchi, is fundamental. If society does not organize, the principles of *shura* and of doing good and forbidding wrong remain slogans lacking the mechanisms that allow it to become a power to check and control the power that represents it. In that regard, Ghannouchi writes: “The truth is that in the absence of mechanisms that organize the crowd, in order to transform it into a power, there will be an imbalance between the ruler and the ruled” (H, 296). He continues:

Organizing the crowds through parties with common goals and interests is the best way, if not the only way, for addressing the problem that lead to the abortion of the Rashidi rule, that is the problem of transforming the crowds into a power not diminished by *bi’a* [consent] but rather a power that it keeps to direct and guide the ruler when he starts to deviate, and failing that the power of the crowds transforms into a power that pressures and objects, and if the ruler does not comply, he is secluded and put away through the retrieval of allegiance by parties leaders, popular organizations leaders, the *shura* council, *ahl al-hall wa al-’qd* [the people who make and break, i.e. those who represent and have the trust of the people] (H, 297)
The imbalance between ruler and ruled, and the preservation of the power of the crowd, are at
the core of Ghannouchi's political worries. As we saw in Chapter II, the political problem for
Ghannouchi arises from the fact that only some can rule though authority is for all. As a result,
political power gets concentrated and hence could be misused and turn into an oppressive tool
thus undermining the authority of "all". An organized civil society is necessary for addressing
these political worries. When civil society is unorganized, the distribution of authority and the
principle of shura won't instantiate and materialize.

3. The Limits on Public Reasoning: All-Inclusive and Procedural

So groups representing different creeds as well as atheist groups fall within the scope of
party pluralism. And in principle there seems to be no reason to think that cultural groups would
be excluded. But aren't there any limits on party pluralism? Are some groups excluded from
public reasoning on the basis of the content of their views and ways of life? Is political
participation open to all in the Islamic state? In fact Ghannouchi does impose some limits on
public debates and political parties. When it comes to the conditions all political parties must
abide with, Ghannouchi holds the following position: As long as political parties (non-Muslim
parties included) abide by the general morals of dialogue and acknowledge the state they have
the right to be protected by law (H, 294, my emphasis).

The first thing to note is that, similarly to Cooke's requirement of non-authoritarian
reasoning, Ghannouchi's limits on public debates do not target the content of the reasoning
employed by political parties. A secular, Christian, or Jewish political party is included in public debates and is allowed to show its advantages over an Islamic party. Parties in public debates are not to be excluded on the basis of questioning and criticizing Islamic rulings, nor because they are non-Muslims or atheists. The "general morals of dialogue" are content-neutral conditions on how we reason in public rather than on what we say in public. The constraint is that participants in public debates are to engage with one another respectfully and on the basis of arguments aiming to convincing others rather than shaming or coercing them. Ghannouchi's justification here relies on his claim that ideas, or the realm of thought generally, have to be addressed with ideas. This is to say that in order for me to change your conviction, I can only do so by persuading you rather than forcing you. Ghannouchi takes this to be one of the implications of the Qur'anic verse: “there is no compulsion in religion.” The main idea here seem to be the following: Muslims are to follow the Islamic path and accept the authority of al-Naṣṣ not because they are being forced to do so. Muslims must be convinced. And if they are convinced then they must also be ready to defend their convictions and faith, which in part implies trying to meet the challenges that others raise to it. In fact, this is Ghannouchi's own attitude towards Islam and Western modernity and democracy. The West raised many challenges to Islam and instead of a total rejection or acceptance, Ghannouchi engages with it and tries to learn from it while maintaining a strong foothold in Islam, and all this takes place on the plane of dialogue, talk, and persuasion. Ghannouchi is clear in allowing such contestations to take place not merely on the individual level but on the level of organized parties and groups as well. As a result of their religious differences with Muslims, non-Muslims are to organize themselves in the way
they see fit in order to guarantee their survival and to defend their existence the best they can, and they must do so through dialogue and contestation.

So, Ghannouchi's limits on public debates are procedural and the space of public reasoning is all-inclusive. Abiding by the general morals of dialogue at least requires engaging with the other respectfully and on the basis of arguments aiming to convince rather than shame or coerce. Would insulting Islam or deprecating its value for Muslims count as a violation of the morals of dialogue? Can Muslims and non-Muslims show that Islam is weak in dealing with certain issues or that it leaves important things out? It is unfortunate that Ghannouchi does not elaborate on what exactly he means by the "general morals of dialogue" other than that they exclude coercion and force. Nevertheless, it is clear that such limits do not target the content of public reasoning, but the ways in which public reasoning is conducted. With that said, I want to expand on what the "general morals of dialogue" could mean by commenting on Cooke's non-authoritarian requirement and drawing on James Bohman and Henry Richardson's conception of democratic civility.58

4. Respecting the Morals of Dialogue as Democratic Civility

Cooke's requirement of non-authoritarian reasoning and acting does not target the substantive content of conceptions of the good or worldviews. It is silent with regard to the content of reasoning. Instead, the requirement targets the way we reason in public. What determines whether an argument is included or excluded from public debates is not the sort of

reasons that arguments deploy (say, secular reason versus religious reason) but the way in which those arguments are deployed and defended. To put it from the point of view of autonomy, Cooke's limits are neutral to substantive autonomy - the thick, value-charged conception of self-determination or self-government. Moral autonomy, so understood, is contrasted to formal autonomy - the thin value-neutral conception of self-determination depicting humans' ability for substantive autonomy but not to any particular one. Excluding modes of reasoning informed by authoritarian conceptions of knowledge and justification, indirectly promotes respecting other citizens' point of view and engaging with those views for what they are. With these exclusions, we also avoid dogmatic and righteous interlocutors with whom constructive deliberation cannot really take place. There are several benefits in adopting the requirement of the non-authoritarian reasoning as a limit on public debates.

First, consider the widely held strategy that public reason must only include "reasons all can accept". The hope is that by including only reasons that all can accept, reasons traded in the public realm would have a normative grip on all participants to the extent that they are being moral and/or reasonable. This, however, seems to undermine the possibility for radically different and innovative solutions of existing social and political problems. Simply put, if you interact only with those who agree with you and share your values and norms, the chances that you get enlightening insights about your predicament and see your own perspective from a different point of view are slim. Typically, interacting with those who hold significantly different perspectives on the world is a fertile soil for expanding one's horizon and thinking creatively.  

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59 Cooke makes a similar point in a different context in SSPS, 230.
Second, a strategy for limiting public reasoning that targets reasons will necessarily have two categories: reasons included versus reasons excluded from public debates. Every time we make such bifurcation, we invite the charge of begging the question against the excluded. As Bohman and Richardson convincingly argued, the work the notion of "reasons all can accept" gets done by substantive normative constraints of morality and/or reasonableness, rather than the notion itself (RACA). In a sufficiently pluralistic social context, however, those normative constraints would themselves be subject to controversy. That is why, imposing limits on public debates on the basis of substantive normative constraints cannot but beg the question against whomever gets excluded. It should be noted here that this does not mean that Cooke's requirement of non-authoritarian reasoning could not beg questions. It surely could. After all, "non-authoritarian reasoning" also harbors substantive normative constraints that can be subject to controversy. In fact, as I argued in Chapter V, the notion of authority Cooke employs for identifying the conditions for contemporary critical social theorizing is blind to the conception of authority in Islam, which could lead to question begging if it is not addressed. There is a sense in which there isn't really a way of totally avoiding begging questions. But as far as drawing the limits on public debates is concerned, "non-authoritarian reasoning" is much broader and inclusive than "reasons all can accept" in that it transcends the secular/religious divide - arguably among the most significant divide democracies are currently facing. Whether reasons are secular or religious is not part of the criterion for inclusion or exclusion from public reasoning. When the requirement of non-authoritarian reasoning excludes a citizen or a political party from public debates it does so not on the basis of what they are saying but how they are saying it. This is relevant because one can alter their mode of reasoning without altering the content of their reasoning. An Islamic
fundamentalist would be too imposing in public debates. He would refer to his own particular understanding of *al-Naṣṣ* and consider that to be the end of the debate. If the response is that he is to be excluded because he is referring to *al-Naṣṣ*, we would be excluding him for the wrong reasons. That same person can come to accept something like Ghannouchi’s view, and see that any understanding of *al-Naṣṣ* is always mediated by human fallibility. As a result he could still defend whatever position he was defending in the first place, still refer to *al-Naṣṣ*, but not be righteous about it, and be aware that he can be mistaken without having to stop being a Muslim.

Third, when someone gets excluded on the basis of the content of their reasoning, they are at a disadvantage as they have to translate their own views and reasons so as to meet the criteria for inclusion in public debates. Lacking such translation, those members cannot be active political participants. It is worth noting that such translation does not push involved members to question and revise their views as much as it pushes them to re-package their views. The Islamic fundamentalist would wear his secular veil and toolkit and proceed to confront others in public debates. Other than being burdensome and raising worries about mistranslation, there is a higher cost for the translation requirement: it risks blocking the real concerns of the excluded from entering public debates. Such consideration might shame involved subjects into keeping for themselves, and failing that, they work against a sincere citizenship. The significance of sincerity should not be underestimated. If in the public sphere we do not respect other citizen's autonomy in such a way that allows them to be sincere in representing their point of views, speak their minds, and express their concerns, beliefs, expectations, etc. then the democratic potentials of public reasoning get undermined.
Fourth, and finally, the requirement of non-authoritarian reasoning is conducive to democratic civility. In the third section of their article, Bohman and Richardson give an account of democratic civility which I think exemplifies the sort of impact that the right kind of strategy for limiting public debates should have. They write: "In sum, civility for those making arguments requires forthright rather than distanced engagement, and for listeners, it requires open-mindedness in considering anyone's (civilly offered) arguments" (RACA, 272). Their illustrative examples of the devoutly religious citizen conversing with the atheist are very helpful (RACA, 269-270), I will reproduce them using the case of the Islamist: If, when conversing with the Islamist, the atheist presumptuously and arrogantly argues for a public policy by reference to the life of the Prophet Muhammad, the Islamist can rightly conclude that the atheist is not respectfully engaging with him given the common knowledge that the life of the Prophet has no normative grip on the atheist. That is the first failure of civility on the part of the atheist; ad hominem hypocrisy they call it. If alternatively, however, the atheist totally avoids addressing the Islamist's religious objections to the policy under consideration, he would fail to address the Islamist's real concerns and in effect be treating him as a dogmatic person and pointless to reason with. That is the second failure of civility on the part of the atheist; they call it cognitive apartheid. To each of these failures of civility on the side of those making arguments, there are corresponding failures on the side of those listening to arguments. For the first we get "the incivility of closing oneself off to the arguments offered by another", for example, if the Islamist does not even consider engaging the arguments of the atheist. And for the second, we get the "incivility of being unwilling to consider revising his or her position, which is effectively the
same as refusing to continue to deliberate" (RACA, 272), for example, if the Islamist is categorically not open to revising his position on a particular political issue. These examples help us see how violating the requirement of non-authoritarian reasoning can be inimical to democratic civility. Assuming that an Islamist holds authoritarian conceptions of knowledge and justification, she would not be willing to revise her position, since, from her perspective the position she is defending has an unconditional validity. Further, those who converse with such an Islamist would distance themselves from her religious arguments since they would be convinced that there is no hope changing that Islamist's mind.

By targeting ways of reasoning rather than contents of reasoning, the requirement of non-authoritarian reasoning is all-inclusive as far as content is concerned, does not impose a translation requirement, fares well in not begging questions, encourages sincere citizenship, and is conducive to democratic civility. Nothing we said in this section cannot be adopted by Ghannouchi under the rubric of "the general morals of dialogue". It is true that Ghannouchi himself does not expand on these "morals," but it is clear that as limits on public reasoning they are all-inclusive, and procedural in nature. And given our discussion of Cooke's limits on public debates, it is encouraging and promising to adopt the requirement of non-authoritarian reasoning with an eye on democratic civility as an elaboration on the general morals of dialogue.

5. Maslaha as the Framework of Public Reasoning

The last point to make by way of developing the conception of shura as a conception of public reasoning concerns the framework within which public reasoning takes place in the
Islamic state. If public reasoning is all-inclusive with procedural limits, yet everyone is to abide by strict rules of what counts as a good and valid reasoning, then Ghannouchi's party pluralism is more decorative than substantive. Is the Islamic state committed to imposing Islamic criteria in assessing the reasoning of the different parties? In response to this question, we should draw on the notion of *maslaha* as explained in Chapter V. In a nutshell, *maslaha*, or public interest and well-being, is one of the principles of legislation and interpretation in Islamic jurisprudence according to which the purpose of divine revelation is the improvement and attainment of human interest and well-being in this life and the hereafter. Ghannouchi follows al-Shatibi's categorization of the requirements of *maslaha* into the essential, the special, and the ameliorative. For our purposes here we can just focus on the essential requirements, i.e., those "without which life would be ruined; these include the protection of faith, of life, of progeny, of wealth and mind" (Par, 91). To be sure, and as we already saw, what counts as conducive or inimical to *maslaha* is subject to human discernment and the sociocultural background of the context in question. And the two main political upshots of adopting *maslaha* are: first, that the literality of the text is transcended systematically, and second, this is done through a human-species-specific framework. With *maslaha*, then, the door is wide open for the ethical reasoning of concrete human agents on more than one level, since we have at our disposal a framework for interpreting, applying and revising the text that has room for human discernment and estimation as well as their sociopolitical, historical and subjective situatedness.

With that said, we can think of *maslaha* as the framework within which public contestations of policies, law, and Islamic rulings can take place. If, for example, a non-Muslim
group makes a case that this or that particular ruling violates the protection of its essential requirements, that ruling would have to be either changed or that group would be exempted from abiding by it. To be sure, the normative validity of the maslaha framework differs between citizens in the Islamic state. Unlike Muslims, non-Muslim citizens are not required or expected to accept the validity of God's law, "shari'a for them is nothing more than a law that organizes the political community" (H, 105). In other words, in the Islamic state there could be an overlapping consensus\(^60\) on the validity of the framework of maslaha - different social constituencies can adopt and abide by the framework of maslaha for their own reasons.

In sum: I have reconstructed a conception of public reasoning on the basis of Ghannaouchi's principle of shura. The principle of shura in Ghannouchi's model of the Islamic state embodies a conception of public reasoning according to which groups publicly express their identities, and are organized in political parties to preserve and affirm their identities and ways of life. Further, no one is to be excluded from public reasoning on the basis of the content of their views but only on the basis of the way in which they defend and promote their views. Finally, when different groups contest the Islamic state's rulings and policies they do not need to do so by reference to al-Naṣṣ. Instead they can refer to the framework of maslaha which transcends the literality of the text and provides a human-species-dependent framework, a framework around which an overlapping consensus could be achieved. Thus, the Islamic state is in principle capable of justifying its policies and laws to non-Muslims and of allowing non-Muslims to question its laws without deviating from its commitment to Islam.

Chapters VI, VII and VIII capitalized on some elements in Ghannouchi's social and political thought to make explicit resources internal to Islam that are conducive for a non-authoritarian conception of Islamic politics: the sort of politics that accepts the authority of al-Naṣṣ but does not exhibit authoritarian citizenship, does not undermine the autonomous agency of involved subjects, and does not maintain an exclusionist public sphere. Given that this dissertation is primarily concerned with forging an intellectual path between critical social theory and Islamic political thought, and having just expounded a non-authoritarian conception of Islamic politics, it is worth concluding by locating that conception in contemporary radical-democratic theory.

In his writings, Ghannoushi relies primarily on the way in which shura allows for including the mechanisms of democracy, "such as elections, polls, the parliament, majoritarianism, and rotating power, these are mechanism that are totally accepted by Islam” (H, 62), in support of his claim that his model of the Islamic state is democratic. Reliance on such mechanisms might very well be necessary for democracy, but it surely is not sufficient. Radical democratic theory has moved away from a reliance on democratic elections towards a reliance on a democratic public sphere. Elections and other formal mechanisms aside, I want to argue that there are radical democratic features in Ghannouchi's thought that must be made explicit for both his contenders and his supporters.
Throughout this chapter my focus will be on Axel Honneth's understanding of and contribution to critical-democratic thought, the result of which is his conception of democracy as reflexive co-operation, which he develops on the basis of John Dewey's work. This is so not only because it was Honneth's recognition-based model that was used to explain and evaluate Ghannouchi's social and political demands in Part I, but also because the middle path Honneth tries to navigate between republicanism and proceduralism (the two main trends of radical democracy) bares strong resemblance to Ghannouchi's conception of Islamic politics as developed in Part II.

1. Radical Democracy

It is safe to say that since the second half of the 20th century, the attractiveness of the ideal of democracy as the preferred form of politics has been increasing, and many of us take that status of democracy for granted. Simply defined, democracy is 'rule of the people by the people and for the people'. This is not meant to be a mere positive description of the platitudinous fact that in a democracy ruling and being ruled belong to people. After all, in that sense, in every form of politics ruling and being ruled belong to people, since it is always the case that people hold positions of social and political power, influence and authority, and people are subjected to social and political power, influence and authority. Rather, when we talk about democracy as 'rule of the people by the people', we are talking about democracy as a form of politics in the normative sense, that is, as providing an answer to the question of legitimate political authority. Ideally, in a democratic form of politics everyone has a say in the laws to which they are subject,
in issues of common concern, etc.; or, in a nutshell, in the way in which society is ruled and organized. In a democratic form of politics, legitimate political authority is conferred by the people upon whom that authority applies. At the foundation of the ideal of democracy are the ideals of equality and freedom. It is because we are all equal and free that the legitimizing of the authority to which we are subject belongs to all of us. And in order for each of us to endorse the authority to which he or she is subject, he or she must freely confer that authority; and when we all do so, political authority belongs to all of us. At its heart therefore, democracy is about political self-determination, and political self-determination requires autonomous individuals; political autonomy requires individual autonomy.

An electoral democracy is one where citizens exercise their political rights, mainly through voting, to elect their representatives from available candidates. In virtue of that exercise of individual political rights, elected representatives gain the authority to make political decisions, legislate and execute public policies, etc. This authority has an expiration date, at which time the same process of legitimizing political authority gets repeated, and so on and so forth. This political practice of electing representatives, occurring at regular intervals, encapsulates the place and role of democratic will-formation in electoral democracy. The validity of this election-based periodic legitimation as the adequate expression of democratic will-formation depends on the liberal understanding of individual freedom. As Honneth puts it:

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61 I could use the term liberal democracy for the same idea, but I would rather preserve "liberal" and "liberalism" to depict a trend in social and political thought, and thus has something to say about not only political arrangements, but also individual autonomy, the meaning and function of politics, a conception of society, and the relationship between society and politics.
in the liberal understanding, democratic political will-formation can be reduced to the function of periodically legitimating state action only because here the subject is understood as existing in isolation from all others and as being in possession of a certain amount of individual freedom. If the personal autonomy of the individual is understood as being independent of processes of social integration, the normative implication is that citizens’ political activity must consist primarily in the frequent and regular control of a state apparatus, whose essential task must in turn be the protection of their individual liberties.  

Electoral democracy has come under severe attacks. For one thing, political parties’ competition to reach political power can deviate from, if not undermine, the democratic ideals of equality and freedom. It does not take much to show that corruption, individual and group interests, and power differentials in political negotiations can distort democratic will-formation. Not satisfied with electoral democracy’s deficiencies in achieving democratic ideals while not wanting to abandon these ideals, some have taken the path of radicalizing democracy. Chantal Mouffe explains how the:

radicalization of the modern democratic tradition...can be achieved through an immanent critique, by employing the symbolic resources of that very tradition.

Indeed, once we acknowledge that what constitutes modern democracy is the

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assertion that all human beings are free and equal, it becomes clear that it is not possible to find more radical principles for organizing society. The problem therefore is not the ideals of modern democracy, but the fact that its political principles are a long way from being implemented, even in those societies that lay claim to them\(^6^4\)

This failure of electoral democracy has been fundamentally attributed to the liberal conception of individual freedom. By criticizing liberal individual freedom, the validity of periodic legitimation as a sufficient expression of democratic will-formation is put in question. “The core of all the radical democratic objections leveled against liberalism’s understanding of democracy relates to its negative, individualistic conception of personal freedom” (DRC, 221). The alternative to liberal individual freedom that radical democrats endorse is a “communicative concept of human freedom. On the basis of evidence that the individual’s freedom is dependent upon communicative relations, these [radical democratic] traditions have adopted an expanded understanding of democratic will-formation, in which individual citizens are understood as being capable of attaining personal autonomy only in association with all others” (DRC, 221). With a communicative concept of human freedom, radical democracy has shifted the emphasis from democratic elections to the democratic public sphere. This shift in emphasis is characteristic of the two opposing forms that radical democracy has taken: republicanism and proceduralism.\(^6^5\) United in their critique of liberal democracy and the insufficiency of democratic elections, and driven by the claim that individual freedom arises out of communication, both republicanism and

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\(^6^5\) There is also “civil society” approaches to radical democracy. I follow Honneth, at least for the time being, in considering that third approach as merely going back and forth between republicanism and proceduralism. Refer to footnote #2 in DRC, p. 237
proceduralism seek to achieve democracy via a deepened understanding of democratic will-formation in the public sphere. As Honneth puts it, republicanism and proceduralism are two normative models of democracy whose common goal it is to give democratic will-formation a greater role than in political liberalism. Instead of limiting the participatory activity of citizens to the function of periodically legitimating the state’s exercise of power, their activity is to be a permanent matter embodied in the democratic public sphere and should be understood as the source of all political decision-making processes (DRC, 218)

2. Republicanism vs Proceduralism

Honneth explains that although republicanism and proceduralism criticize liberal democracy for the same reasons, and look for a solution in the same place (i.e. the democratic public sphere), they significantly differ in the ways in which they normatively justify the principle of a democratic public sphere. Whereas republicanism takes its orientation from antiquity’s ideal of a citizenry for whose members the intersubjective negotiation of common affairs has become an essential part of their lives, proceduralism insists that citizens’ virtues are not needed to reactivate the process of democratic will-formation, but simply morally justified procedures. Thus, for republicanism, the democratic public sphere is the medium of a self-governing political community, while for proceduralism, it is the

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66 Another radical, though not democratic, way of reacting to the failures of liberal democracy is Soviet-style rule. Mouffe makes that point in her introduction to “Dimensions of Radical Democracy” by way of arguing that the radical democratic way is the right way for the Left to proceed.
procedure through which society attempts to solve political problems rationally and
legitimately (DRC, 218-219)

Put that way we can understand the difference between republicanism and proceduralism in
terms of the former’s emphasis on participation, and the latter's emphasis on deliberation. This
difference has significant implications on how we understand the state and its role, and on the
institutions that are supposed to achieve democracy. Honneth follows Habermas in connecting
the difference in the normative justification of the democratic public sphere to a difference in
how to conceive the law:

Political republicanism by nature has a certain tendency to understand legal norms as
the social instrument with which a political community attempts to preserve its own
identity. According to the proceduralist conviction, on the other hand, basic rights
represent a kind of guarantee for the continued existence of the interplay between the
democratic public sphere and the society’s political administration. For the former,
legal is the crystallized expression of the particular self-understanding of a citizenry
joined in solidarity; for the latter, it represents a set of state-sanctioned but morally
legitimated precautionary measures for the protection of the democratic procedure in
its entire complexity (DRC, 219)

Radicalizing democracy is then to be understood as the effort to thicken democracy by
moving beyond democratic elections towards a democratic public sphere. The democratic public
sphere is an improvement on democratic elections in that it deepens our understanding of
achieving democratic will-formation, and caters to the claim that individual freedom arises from
communication with others. In the democratic public sphere, where democratic will-formation takes shape through communicative interaction, each individual is to realize and preserve her freedom through her participation in the communicative processes of addressing common concerns and problems. As we saw, however, how we conceive of the democratic public sphere is a matter of controversy between republicanism and proceduralism. For republicanism, democracy is deepened via citizens’ participation in political life, which is given priority in such a way as to allow the self-understanding of the community in question to give shape to the form of rulership to which that community is subject. Here, the state is an outgrowth of the self-understanding that binds the political community in question; the law serves the solidarity of the political community by maintaining it and allowing it to express itself. For proceduralism, democracy is deepened via public deliberation that is rational and legitimate, which is given priority for being the best method in addressing common political concerns and problems. Here, the state is separated (and does not grow from it) from the political community in question, and is assigned the role of making sure that public deliberation about common concerns is proceeding according to certain norms, which are given shape in legal rules that are supposed to guarantee democratic problem-solving. In other words, for republicanism, the democratic public sphere is the medium for an already self-governing political community to express and preserve its self-understanding and identity, which are at the basis of social solidarity (the glue of the political community) and makes that community what it is. Here the state is the outgrowth of this self-expression, and the law is the reflection of that community’s solidarity. For proceduralism, the state is an independent entity separate from the political community, or communities for that matter. Here we do not have a self-governed political community unified in solidarity, and thus
the public sphere does not function as a medium but as a procedure for solving political problems common to different social constituencies and members with all their differences and disagreements. The state’s role is to guarantee that no one individual or group is denied equal and fair participation in public deliberation and that common political problems are addressed rationally and legitimately, that is, free from domination.

3. Weaknesses in Republicanism and Proceduralism

We already saw that both republicanism and proceduralism radicalize democracy by giving a greater role to the public sphere in democratic will-formation. We also saw that on the republican understanding of the public sphere certain political virtues are required in order for the political community in question to form its will democratically. With this requirement, democracy comes to depend on citizens possessing these virtues, “for it is only to the extent that political participation itself becomes a central part of the lives of all members of society that the democratic public sphere can maintain itself as an end for itself” (DRC, 233). Political participation as a political virtue shared by all social members is required for the well functioning of a democratic public sphere. Because of this republican requirement a strong connection between politics and ethics gets established. To have the right kind of politics, you need the right kind of ethics; to achieve democracy, citizens must possess the virtues associated with political participation. It then follows that not all communities can politically participate and achieve democracy, since not all communities have developed the required political virtues as part of their ethics. Honneth rightly notes that this is “scarcely compatible with the actual
value pluralism of modern societies” (DRC, 233). So the first weakness in republicanism lies in its failure to accommodate for modern value pluralism.

The second weakness of republicanism results from conceiving of the public sphere as an end in itself. Referring to Arendt’s republican conception of the public sphere, Honneth writes that “the standard according to which the institutional form of intersubjective opinion formation is to be gauged is never clear since it is neither a means nor an instrument but an end in itself” (DRC, 234). That is, if we put all the emphasis on political participation, we would be lacking an adequate critical edge/perspective for assessing the "institutional form of intersubjective opinion formation." Clearly, for this to be a weakness it must be important to assess the institutional form of intersubjective opinion and will formation, and the worry here is that some institutional forms are inimical to equality and freedom, not free from domination, authoritarian, are discriminatory, etc. If all the emphasis is on political participation, we could have a political community that scores high in solidarity and political virtues but hold values and norms that are discriminatory and oppressive.

Proceduralism does not face the two problems associated with republicanism. Because proceduralism takes place on the political level rather than on the social level, that is, at the level of the public sphere where intersubjective communication takes place in order to address common problems and concerns, politics get separated from ethics. There are no requirements that a political community’s ethics must meet; no political virtues are required. Hence, proceduralism is better equipped to deal with modern value pluralism. Further, for
proceduralism, the public sphere is a means to an end and not an end in itself. It is a means to achieve communication free from domination which functions as the standard for evaluating “the institutional form of intersubjective opinion formation.” However, this is not to say that proceduralism is problem-free. Referring mainly to Habermas’s understanding of the public sphere, Honneth points out two weaknesses of proceduralism, both of which result from restricting democracy to the proceduralist conception of the public sphere. The first concerns accounting for social and economic inequalities as they take place on the pre-political level, that is, the social level which underlies the political level of the public sphere. Because Habermas’s proceduralism is restricted to the public sphere, he can only indirectly address inequalities that take place at the social pre-political level by including in “liberal democratic constitutions...a normative principle that gives marginalized or repressed groups the chance of a legally legitimated struggle against all forms of social disadvantage” (DRC, 234). The first problem with proceduralism is that social inequalities can be addressed only if they make their way to, and get articulated in, the political public sphere. That is, “Habermas...cannot grant the demand for social equality conceptual priority over the principle of democratic will-formation; he has to make it dependent upon the contingent state of politically articulated goals” (DRC, 235). Another difficulty concerns accounting for citizens’ motivation to participate in the public sphere and contribute to the democratic will-formation. “Habermas...has to be able to assume more than just the establishment of democratic procedures for the success of democratic will-formation. For citizens to be motivated and interested in participating in public opinion and will-formation, they have to have made democratic procedures as such a normative element of their daily habits” (DRC, 235).
4. Democracy as Reflexive Co-operation

Honneth presents republicanism and proceduralism as two opposing alternatives to liberal democracy, and then proceeds to locate his conception of democracy in between them. Drawing on Dewey’s work, Honneth identifies a third radical democratic alternative, democracy as reflexive co-operation, which, he claims, reconciles republicanism with proceduralism while avoiding their shortcomings.

The lesson Honneth takes form the weakness in Habermas's proceduralist conception of politics is the importance of connecting politics to the pre-political level of social life. If we introduce the level of the social, then socio-economic inequalities can be directly addressed without having to be articulated on the political level. Further, citizens’ motivation to participate in the public sphere can be accounted for. The question, however, is whether that connection can be made without falling back into republicanism, i.e. without having to assume a political community in the strong sense in which the self-governing of the community is tightly linked to that community’s collective expression of its identity and conception of the good. That is where Honneth's reliance on Dewey is most apparent and productive. In the following quote, Honneth brings out the basic elements of Dewey’s theory of democracy:

Dewey locates the prerequisite for a revitalization of democratic publics in the pre-political sphere of the social division of labor, which has to be regulated in a fair and just manner such that all members of society can understand themselves as active participants in a cooperative enterprise. Dewey correctly assumes that without this
sense of shared responsibility and cooperation, individuals will never manage to see
democratic procedures as a means for joint problem-solving. Therefore, democratic
procedures of will-formation and the just organization of the division of labor imply
one another’s existence: only a kind of division of labor that grants each member of
society a fair chance in accordance with his or her autonomously discovered abilities
and talents to assume socially desirable occupations will allow this consciousness of
communal cooperation to emerge. Only in this way will democratic procedures
necessarily become the best instrument for rationally solving common problems

(DRC, 233)

To see how this passage allows Honneth to connect politics with the pre-political social level
without falling into republicanism, we just need to note that the republican demand for political
virtues is replaced by “a sense of shared responsibility and cooperation.” Doing so will rid us
from the republican failure to accommodate for pluralism; “within networks of groups and
associations that relate to one another on the basis of a division of labor, the factual pluralism of
value orientations has a functional advantage because it ensures the development of an
abundance of completely different interests and abilities” (DRC, 233). And because on Dewey’s
theory, “the democratic public sphere constitutes the medium through which society attempts to
process and solve its problems, its establishment and composition depend completely upon
criteria of rational problem-solving” (DRC, 234). Thus, the public sphere is not an end in itself
but a means to rational problem-solving which can be used to evaluate and assess the
"institutional form of intersubjective opinion formation." Regarding the weaknesses of
Habermas’s proceduralism, they do not figure in Dewey’s proceduralism, since the fair and just
division of labor will directly address socio-economic inequalities. Social injustices do not need to make their way to the public sphere in order to be addressed. And in democracy as reflexive cooperation, a citizen's motivation to participate in the public sphere and contribute to democratic will-formation is accounted for by "a sense of shared responsibility and cooperation," hence allowing for a democratic ethical life without connecting politics to ethics.

5. *Shura* and Democracy as Reflexive Co-operation

There are striking and very interesting similarities between Honneth's adaptation of Dewey in his conception of democracy as reflexive co-operation and Ghannouchi's conception of *shura* as a conception of the public sphere. The key to these similarities, and thus to locating our reconstruction of Ghannouchi's conception of Islamic politics in radical democratic theory, is *shura*. More specifically, it is the dual dimension of *shura*, that is: (a) *shura* as a set of mechanisms, and (b) *shura* as habits and a way of life.

From Chapter VI we learn that (a) depicts procedures for reaching agreement and consensus, as well as for opinion-giving, will-formation, and decision-making. These procedures are on the political level and include not only elections but also deliberation, dialogue and persuasion. Further, Ghannouchi's Islamic politics is committed to these procedures so long they are conducive to gaining the trust of the people in the case of choosing representatives, and of allowing different groups represented by political parties to express themselves and preserve their ways of life sincerely and without shaming or coercion. *Shura* as a conception of the public sphere has a strong procedural bent. And unlike the public sphere in republican politics, the
procedural dimension of shura is not an end in itself, but an instrument for other ends - for addressing disagreement and difference without coercion or domination, and in a democratic and non-authoritarian civil way. We also learn from Chapter VI that this procedural dimension does not exhaust the principle of shura. Shura, as "the spinal cord of the ummah's authority in establishing political rule on the basis of participation, cooperation and responsibility" (H, 109), also includes (b) which depicts social norms and habits of everyday communicative interaction that play out on a pre-political level. To meet the demands of shura, Islamic politics cannot stop at granting basic rights and enforcing legal norms that would guarantee the well-functioning of procedures for problem-solving and will-formation. It must further work on the social level to enhance participation, cooperation and responsibility among the different social constituencies.

To be committed to shura, to engage in social and political affairs on the basis of shura, Islamists not only need to endorse procedural mechanisms and whatever rights and legal norms is attached to that, but also develop shuristic habits in their communicative interaction with others, including differing others. This, on Ghannouchi's view, falls under the task of political parties, which are responsible for organizing the crowds to create a strong and independent civil society that both, allow the voice of the people to be heard and resist political authorities when these authorities abuse their assigned authorities.

To relate this to Honneth's Deweyan way of combining elements from both republican and procedural politics, we can say that shura's dual dimension corresponds to the mutual dependence between democratic procedures of will-formation, on the one hand, and the just organization of division of labor, on the other hand. More explicitly, with political parties as
organizing civil society and as allowing social members to exercise their right to self-determination by freely expressing, asserting and preserving themselves and their identities, parties in Ghannouchi’s view play a role similar to the one played by the social division of labor regulated in a fair and just manner in Honneth’s democracy as reflexive cooperation. Through the organization of civil society, different group members can come to see themselves as active participants in the cooperative enterprise of strengthening civil society so that they can live under a political rule they have established on the basis of cooperation, participation and responsibility, while not losing their ability to resist it if need be. This in turn allows social members to see the procedural mechanisms of *shura* as the right method for addressing their disagreements and common problems. "Islamic rule is based on *shura*, and *shura* is the distribution of authority and prohibiting the latter’s concentration in the state.... And the distribution of authority does not merely mean participating in public discussions and deciding in it, but it is more and deeper than that, it is constituting civil society" (H, 299).

Thus, with *shura* as a conception of the public sphere Islamic politics has joined the radical turn to democracy with its emphasis on a democratic public sphere. In terms of its justification for a democratic public sphere it bears a strong resemblance to Honneth's conception of democracy as reflexive co-operation. Honneth and Ghannouchi see democratic procedures as instruments (what they share with Habermasian procedural politics), and they connect the political level with the pre-political level. However, there are significant differences. These differences are primarily differences in the way they connect politics to society. While Honneth relies on social division of labor and the sense of shared responsibility and cooperation it creates
in social members that consequently allow them to see democratic procedures as the right way for solving common problems and hence be active participants and revitalize a democratic public, Ghannouchi, on the other hand, relies on the organization of civil society and the sense of belonging to a self-determining community it creates in social members that consequently allow them to see democratic procedures and the right way for expressing and preserving themselves, as well as addressing social disagreements and common problems. In other words, while Ghannouchi's model revolves around groups, their identities and rights to self-determination, Honneth's model revolves around individuals and their achievements and talents. For Ghannouchi, the fair and just distribution of authority creates a sense of shared responsibility and cooperation among groups, and for Honneth, the fair and just social division of labor creates a sense of shared responsibility and cooperation among individuals. And in both models, it is that shared responsibility and cooperation on the pre-political level that feeds back into the political level by motivating citizens to participate in the public sphere and democratic will-formation.

Put that way, Ghannouchi shares more with republican politics than does Honneth. On Ghannouchi's model, politics on the level of political parties has a strong connection with ethics and political virtues, something that Honneth could avoid in his reliance on a division of labor. Ghannouchi's reliance on groups rather than individuals raises two main problems. The first problem it shares with republican politics, which concerns its ability to deal with modern value pluralism. A simple and powerful reply to this problem is to ask why should it concern itself with it in the first place. Remember, the Islamic state grew out of the contestation battle, and for the social members of that society it is perfectly legitimate to ask why should they adopt modern
value pluralism (basically the pluralism in Western societies we see on the level of the individual) as a criterion for the success of their own attempts for political self-determination. To impose the range of variety in conceptions of good we find in Western modern societies as an outcome-legitimacy condition for the winner in the contestation battle begs the question against them. Western modern pluralism is itself the result of certain historical developments, and as such it is a particular concretization of certain values and commitments. But values and commitments are themselves part of what is being contested in the contestation battle.

The second problem results from the commitment of Islamic politics to Islamic unity and solidarity. How could Islamic solidarity be preserved in a society organized around political parties as the preservers and defenders of different creeds and cultures? I address this question in the following and final chapter.
I have developed a non-authoritarian conception of Islamic politics with strong radical-democratic features. Yet, it bears noticing, nothing I have said implies that Islamic politics could not be authoritarian. There is a sense in which this is not an interesting question. After all, whatever social and political arrangement we might come up with could become authoritarian. The more significant question is whether a political arrangement has built-in features that makes it authoritarian or that makes it susceptible to authoritarianism. In this chapter, I focus on a shortcoming that makes the conception of Islamic politics I have been developing vulnerable to authoritarianism. The Islamic state is committed to its Islamic character. Without such commitment there would be no robust sense that that state is Islamic. A secular political arrangement with an Islamic veil (think of the Turkish example) is Islamic only at the surface in that an Islamic party is ruling, but there is nothing that makes that arrangement characteristically Islamic. Although that would satisfy many, it won't satisfy and shouldn't satisfy those for whom politics is a vehicle for the realization of their religion. The question is how should we understand the "Islamic character" of the state? To put it differently, if we construe the Islamic character too thinly, then there is little difficulty defending an Islamic state that is robustly democratic. And if we construe the Islamic character too thickly, then there is little difficulty defending an Islamic state that is fragilely democratic. In order not to reduce the debate to mere semantics and the definition of words, and in order to adequately address the problematic socio-political situation in the post-uprising Arab world - a situation where Islam is at the same time
perceived as the source of emancipation and authoritarianism - we need to put forward a political arrangement that is both sufficiently Islamic and sufficiently democratic. I shall also put forward the structure of such an arrangement as I address the authoritarian point of vulnerability.

There are four sections to this chapter. In section 1 I discuss the intention-based limit on public reasoning, an implicit limit in Ghannouchi's model responsible for keeping the authoritarianism door open. I shall also argue for rejecting this limit. Doing so, however, is not sufficient for closing the authoritarianism door. My discussion of the intention-based limit points to a deeper and more general problem the Islamic state faces, namely, the tension between solidarity and pluralism. That will be the focus of section 2. In sections 3 and 4 I look into and develop Ghannouchi's insightful, though hand-wavy, solution to that tension.

1. Intention-based Limits on Public Reasoning

In the Islamic state, non-Muslim communities are allowed to publicly express their identities and defend their existence and ways of life. They can form political parties and organize themselves so as to be more effective in achieving their goals, interests, and exercise their right to political self-determination. Ghannouchi's notion of political party pluralism fits with a notion of social pluralism where plurality is cashed out in terms of group identities and ways of life rather than individual conceptions of the good.\textsuperscript{67} Ghannouchi is not explicit on how broad the scope of his party pluralism is supposed to be. We saw that \textit{shura} as a conception of

\textsuperscript{67} In that sense, pluralism in the Islamic state stands in stark contrast with pluralism in a liberal state. For a discussion on the failures of a liberal conception of toleration in a context of group and cultural plurality see Galeotti, Anna Elisabetta. "Contemporary Pluralism and Toleration." \textit{Ratio Juris}. 10:2 (June 1997): 223-35.
public reasoning includes those of different religions (or none at all) and those of different cultures, but what about anti-Islamic groups?

One of the conditions that Ghannouchi puts on political parties is that they must "acknowledge the state" in order to get legal protection. What Ghannouchi has in mind here is that parties must acknowledge the Islamic character of the state. Such an acknowledgment imposes certain restrictions on public debates. These restrictions, however, neither imply a restriction on questioning juristic rulings nor, do they make Islam a taboo topic. That these are allowed in the Islamic state was made clear in Chapter VIII. Instead, these restrictions imply that political parties cannot set as their goal getting rid of the basis of society - in this case Islam (H, 294). These sorts of restrictions have to do more with the underlying intention behind one's reasoning - as opposed to the content and mode of one's reasoning. In that sense, Islam as the basis of social solidarity is also a limit on public reasoning. Targeting Islam as the social glue for the sake of undermining it is not to be allowed in the Islamic state. Although protecting social solidarity and unity might seem to provide a legitimate justification for limiting public reasoning, it is problematic. Consider Ghannouchi's position on apostasy where his intention-based limit on public reasoning is clearest.

Ghannouchi is of the opinion that in the Islamic state apostasy is not a theological but a political crime. As a political crime apostasy is punished by political authorities only if it takes significant momentum as part of an organized attempt to overthrow the Islamic regime; i.e. when it becomes part of a campaign to undermine the foundational basis of state and society.
Ghannouchi explicitly maintains that from a theological point of view, and absent the political dimension, apostasy would not be punished by the authorities though it would be socially looked down upon and thus indirectly controlled by the majority of social members in an Islamic society. Although apostasy as such is not officially punished, it is socially punished through the frowns of Muslim citizens. How damaging "social punishment" would be depends on the context; Islamic societies would differ in their degree of tolerance in that regard. In this vein, Ghannouchi flags the distinction between those who are born and raised Muslims and then abandon their faith, and those who join Islam for pragmatic considerations say, to marry a Muslim woman, and then abandon the faith after they separate or divorce. To each of these cases, and to each degree and sort of political mobilization against Islam, there would be a different kind and degree of punishment or reaction, which in turn would depend on the socio-cultural context and on those who have political power (H, 50).

It is not social punishment that is troubling. After all, other than protecting individual rights, there is not much that the state can do in that regard. The more troubling feature of the intention-based limit concerns the criteria for determining when the public expression of apostasy reaches a momentum and organization that warrants punishment by political authorities. Given our reconstruction of Ghannouchi’s politics, it is important to note that under "organized attempt" we should not include the different attempts by non-Muslim groups to show where and how Islam is lacking. Doing so is, on Ghannouchi’s view, part and parcel of those groups’ struggle for self-determination and preservation. Thus, the intention-based limit hinges on the distinction between a critical engagement with Islam, on the hand, and an intentional inimical
attack on Islam, on the other. Without such a distinction, we won't be able to differentiate between a political crime against Islam and a constructive critical engagement with Islam - an engagement that is entailed by the Islamic state's acceptance of different creeds including atheism. If political authorities interfere under the pretext that "social punishment" is not enough, they would be determining for society the adequate degree and response to apostasy. In that way they would be running against popular will and to that extent acting illegitimately. Recall that for Ghannouchi the social takes priority over the political - that it is not the case that first an Islamic state gets established and then an Islamic society gets engineered. Taking that idea seriously, as we should, implies that when an Islamic society that already grew into an Islamic state changes to the point of not being willing to support that state, the legitimacy of the state has already been undermined. To be sure, this does not mean that the popular will is always right. Political authorities can interfere to stop an increasingly discriminatory and violent society, for example. The point, rather, is that by allowing political authorities to punish apostasy, we allow the political to take priority over the social. The Islamic state would be seeking its preservation irrespective of, if not contrary to, its social base. This directly relates to the slipperiness of the distinction on which the intention-based limits hinges. Intentions are subject to varying interpretations and are resilient to measurement and verification. Any intention-based limit on public reasoning presents a serious threat to an all-inclusive public sphere. To prevent Ghannouchi's conception of public reasoning from turning into an exclusionist public sphere, it is not enough to design a list of clear, verifiable, and public criteria of what counts as an attack on the social glue of an Islamic society. The intention-based limit should be dropped altogether.
Not doing so keeps the door open for Islamic politics to turn authoritarian and maintain an exclusionist public sphere.

2. Pluralism and Solidarity

Our discussion of the intention-based limit points to a deeper and more general difficulty, one that regards the tension between pluralism and solidarity in the Islamic state. To put it simply, letting go of the intention-based limit is not as easy as one might think. The Islamic state is much more committed to acknowledging the Islamic character of the state than is apparent. Although Ghannouchi supports pluralism he is explicit in maintaining that the Islamic state is fundamentally committed to unity and solidarity. Pluralism and unity, however, are typically considered to be in tension. While solidarity tends towards exclusion, pluralism tends towards inclusion. Acknowledging the Islamic character of the state is supposed to grant solidarity, and the intention-based limit aims at preserving it. Given party pluralism and the tension between solidarity and pluralism, letting go of the intention-based limit would effectively dilute the Islamic character of the state. Can the Islamic state preserve its party pluralism given its commitment to solidarity? (That is second problem I raised at the end of Chapter IX).

That Ghannouchi, and for that matter most if not all Islamists, are committed to solidarity is not controversial. Chaos, fragmentation and hostile social division is among the worst that can happen to any community, and Islamic thinkers have traditionally been acutely aware of that danger. As a result of their commitment to solidarity, some Islamists advocate a one party state and then try to convince their contenders and social constituencies that Islam is tolerant of
minorities, does not discriminate, etc. Others, like Ghannouchi, have rejected the one party state and sought a deeper and wider pluralism. We already saw that according to Ghannouchi, the public sphere should be all-inclusive, and that acknowledging the other implies their right to form parties, have their own mediums of expression, consolidate their efforts, and defend their ways of life in public. Unless Ghannouchi finds a way to square his pluralism with Islamic unity, or solidarity, he is faced with a lose-lose situation. If, on the one hand, he sticks to solidarity, then he loses on pluralism and will probably end up in some variation of the one party state. If, on the other hand, he sticks to pluralism, then he loses on solidarity and will end up with a model that is not robustly Islamic. What is Ghannouchi’s solution?

Recall Ghannouchi’s strategy in his departure from Islamists like Banna as far as unity and pluralism are concerned. His argument is based on a distinction between the particular and the universal, and on an increased awareness of the importance of guarding against the tendency of treating the particular as the universal - to take what applies under specific conditions, then generalize and apply it under all conditions. The distinction between the general and the particular has been with us since we introduced Ghannouchi in Chapter III. One of the most central building blocks in the conception of Islamic politics we have developed is the distinction between al-Naṣṣ as embodying divine will (which is absolute, general and universal), and Islamic law as man-made law based on individual and collective ijtihad (which is fallible, particular and concrete). With the goal of transforming al-Naṣṣ into a community, the context (historical, economic, political, psychological, etc.) of the community for the success of ijtihad is ineliminable. Thus, any human understanding of al-Naṣṣ or juristic ruling, be it a ruling that has
the consensus of the 'ummah (if that is even possible) or of a single jurist, must have some elements that pertain to al-Nass and others that pertain to the particular context of interpretation which includes both the particularity of the interpreter and the particularity of the situation or object of application. Thus, the tendency to be guarded against is that of confusing what is universal with what is particular in the different rulings and opinions in the Islamic tradition (starting with the Prophet, his companions, the great jurists of the jurisprudential tradition and other influential Islamic thinkers). Being committed to avoiding that tendency and maintaining that humans are always fallible, Ghannouchi cannot but hold on to pluralism. Further, not being able to hold on to pluralism at the expense of solidarity, Ghannouchi puts forward a conception of Islamic unity that "can only be achieved and established through acknowledging and respecting pluralism, and organizing the methods of dialogue and convincing and negotiation to resolve conflicts" (H, 139), and that rejects all uses of force and coercion for "deleting or silencing the opinion of the other under the pretext of preserving unity" (H, 139). Not surprisingly, the achievement of this construal of Islamic unity is crucially dependent on *shura*. This is so not only because *shura* aims at consensus, but also because *shura* is "the spinal cord of the *ummah*’s authority in establishing political rule on the basis of participation, coordination and responsibility" (H, 109), and because all procedures for problem-solving and conflict-resolution fall under its jurisdiction. So, Ghannouchi’s solution is to conceive of unity in terms of pluralism, and to achieve it through *shura*. That is an interesting and promising solution worth investigating since if we manage to make good sense of "solidarity through pluralism," then Islamic politics is saved from the lose-lose situation. What Ghannouchi has to say about this solution, however, is rather hand-wavy. The most informative thing he says is: "it is better to understand Islamic unity
not in terms of simple unity but in terms of unity that is produced by variety through al-Naṣṣ and shura, or commitment and freedom" (H, 256-257). Though vague, this is suggestive. The basic idea is that solidarity and pluralism do not have to be in tension; in fact they should complement one another. Further, solidarity should not be construed in terms of harmony and homogeneity where there are little or no differences in opinions, views, etc. That would be "simple unity." So it is some sort of complex unity that Ghannouchi envisages and it is to be "produced by variety through al-Naṣṣ and shura, or commitment and freedom." But how are we to understand this claim?

Based on my reconstruction of Ghannouchi's conception of politics we can say the following: All citizens of the Islamic state pay allegiance to the state as an Islamic state - acknowledge the Islamic character of the state. Thus, they are committed to the state of al-Naṣṣ and shura, the state of God and the people. We also saw that the validity of al-Naṣṣ does not transfer to human interpretations of it, and that non-Muslims are not required nor expected to accept the validity of al-Naṣṣ - "shari'a for them is nothing more than a law that organizes the political community" (H, 105). With maslaha as the purpose of al-Naṣṣ we have at our disposal a text-transcending and human-species-specific framework that citizens can be committed to, though for different reasons. With an overlapping consensus on the validity of the requirements of maslaha, and the fallible, flexible and all-inclusive process of ijtihad, we get a picture where there is a common and shared commitment to the framework for state laws along with a commitment to revision and contestation of the different interpretations of that framework. Further, being also committed to shura, these revisions and contestations are to be addressed in a
cooperative, participatory, and responsible way. With a conception of social disagreement and conflict as occurring against a common background all parties are committed to, and being approached in a cooperative responsible participation we can make good sense of Ghannouchi's claim that solidarity is achieved through plurality. Still, two main questions need to be addressed: First, what is that conception of social disagreement and conflict? And second, to what exactly, and why, should citizens (all citizens) be committed to - what does "acknowledging the state" mean exactly, and why should citizens commit to such acknowledgment?

3. Disagreement

Conceiving of unity through pluralism relies on a distinction between two kinds of social disagreement and conflict, which in turn corresponds to a distinction between social division and social pluralism. Pluralism on Ghannouchi's model cannot imply social division or fragmentation. Yet his model acknowledges and welcomes social disagreement, and social disagreement can and in most cases does lead to social fragmentation. Ghannouchi's solution then depends on a distinction between two kinds of social disagreement: (a) disagreement that is conducive to social fragmentation (and inimical to Ghannouchi's pluralism), and (b) disagreement that is conducive to social unity and solidarity (conducive to Ghannouchi's pluralism). Disagreement (b) lends itself to cooperative, participatory and responsible resolutions, while disagreement (a) lends itself to fierce competitive might-makes-right resolutions. But where exactly lies the difference in kind between disagreements (a) and (b)?
The difference is not captured in terms of the intensity of the disagreement. That would be a difference in degree, not in kind. To say that disagreement is allowed but only below a certain intensity-threshold does not make much sense, and can itself be a source of feeling oppressed. The intensity of disagreement is neither something we can control nor something we should control. A married couple committed to their union could have intense disagreements on certain issues without affecting their commitment; in fact, it might even strengthen and give meaning to that commitment. Is then the difference between (a) and (b) one of subject matter, or object, of the disagreement? I do not think so. After all, subject matters as such and as far as disagreements are concerned remain rather empty until we attach them to involved parties' attitudes. Parties must care about the object of their disagreement in order for that disagreement to be meaningful. A dispute on where to build a public garden, for instance, is meaningful to the extent that the parties in question care about public gardens. A disagreement about whether to put your cross under or over your shirt is meaningful to the extent we care about the public expression of religious symbols. It might turn out, as a matter of fact, that certain subject matters, say disputes about land or about religious practice, are always meaningful. This, however, should not mislead us into believing that because a disagreement is about religious practice it is meaningful. Instead, it is because, as a matter of fact, religious practice is crucial for the religious person that disagreement about religious practice is meaningful and important. The key to understanding the difference between the two kinds of disagreements lies in the background against which a disagreement occurs.
As a segue to answering the question at hand, I want to recall Ghannouchi’s call for a constant and rigorous awareness of what is universal and what is particular in rulings, what has to do with our contingent sociopolitical, historical, and subjective situatedness, on the one hand, and what has to do with divine will and intention, on the other. This awareness is crucial in not allowing human imperfection to take over divine perfection and speak in its name to dominate and oppress others. Doing so, from the Islamic perspective, amounts to authoritarianism.68 It is not the acceptance of the authority of al-Nasṣ that leads to authoritarianism but the individual's taking his voice to be the authority of al-Nasṣ. Ghannouchi asks rhetorically: "does not the closing of prophecy mean ruling with the guidance of man and the human ability for driving the boat of life on his own in light of the general rules of driving?" (H, 120). Other than an acknowledgment of human freedom and autonomy, this is a warning against losing one's compass in the midst of navigating concrete human situations, i.e losing one's grounding in al-Nasṣ, or the framework of maslaha and the principle of shura as one makes accommodations for, and is immersed in, human particularities. Drawing on the requirement of a constant and rigorous awareness of what is universal and what is particular, we can identify the loci of the difference between disagreements conducive to unity and those to fragmentation. Disagreements in the Islamic state should be conceived as disagreements between different expressions of the same thing. Debate contenders should not see themselves as competitors but as partners in expressing a common and shared commitment. To be sure, public debate contenders will have different and maybe incompatible specifications and concretizations of al-Nasṣ, the principle of shura, and the framework of maslaha. But these differences and incompatibilities will be conducive to social

solidarity as long as all participants are aware not only that they share a common commitment but also that their disagreements are the result of different specifications of that commitment. If we add to that the claim that human knowledge is always fallible then, debate contenders cannot dismiss others on the basis that they already have access to truth and validity. Instead, they are to keep on cooperating responsibly in order to find the most suitable resolution to their disagreements. Thus, the kind of social disagreement that is conducive to social solidarity is that which occurs against an overarching common background where no one has a privileged access to truth and validity. In this case, when we disagree with one another we are made aware that fundamentally we agree, and we would cooperate rather than compete to resolve our disagreements. Through such cooperation we are pressed to sharpen, improve and revise our own particular way of specifying our commitments to the ideals we share with our contenders. On this view, the underlying conception of social conflict is one according to which conflict is an opportunity for growth and development, and is embedded in social dynamics and public debates, be they formal or informal. In this way, difference and pluralism can be conducive to solidarity.

This looks good in principle, or in theory, but in practice these type (b) disagreements, one might rightly note, will most likely turn into type (a) disagreements, hence leading to social fragmentation. Maybe, the objector continues, a "common commitment" takes a step forward in easing the tension between pluralism and solidarity, but it does not go far enough. I agree. What is missing is to place one's loyalty to that common commitment and not on one's own specification or interpretation of that commitment. Consider the following scenario: an American
and a German citizen, each committed to freedom of speech, get into a fierce disagreement as to whether neo-Nazi groups should be protected. If both are loyal to their respective society's particular way of concretizing freedom of speech, then in an important sense each of their identities would also be attached to that particular concretization. This implies that their disagreement might very well lead to division and not solidarity since that disagreement poses a threat to who these citizens take themselves to be. Thus even when disagreement concerns the specification of a common ideal to which contending parties are committed, that disagreement can still lead to division rather than solidarity. Maintaining that parties of a disagreement have a shared commitment does not rule out the sort of disagreement that can lead to social division and fragmentation, and hence to undermining social cohesion and solidarity.

There is an important lesson here. On the basis of the distinction between loyalty to the abstract general versus loyalty to the concrete particular we can draw a distinction between the fundamentalist versus non-fundamentalist attitude. While the fundamentalist's loyalty is to a particular concretization, say of *al-Naṣṣ*, the non-fundamentalist's commitment is to *al-Naṣṣ* in its abstract form. It is crucial to keep in mind that this is a distinction between attitudes and that it is non-evaluative. Further, and significantly, this distinction is peculiar neither to Islam nor Islamic thinkers, nor any religion. The distinction applies to secularists as well, and to all and any case of a commitment to a normative ideal. Consider the German citizen from above. Since her loyalty is to the particular way the German society concretizes freedom of speech (one that excludes the neo-Nazi), she is adopting a fundamentalist attitude. Whether she is right or

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69 Similar cases can be made for the wearing of the *hijab* (Islamic veil), or the building of mosques, or state funding of religious schools.
justified in doing so is still an open question. When social members are loyal to particular concrete specifications of ideals, their identity (as a collective or as individuals) would be attached to that concretization. And thus, in the case of a disagreement that attacks that particular specification, the individuals in question would consequently perceive that disagreement as a threat to who they are. In a nutshell, then, in order for a common commitment to normative ideals, *al-Naṣṣ*, *maslaha*, or *shura*, to be conducive to pluralism - rather than to social division and fragmentation - social members must adopt a non-fundamentalist attitude. Without doing so, social disagreements will be experienced as threats to identities, hence perceiving debate contenders as enemies rather than partners which in turn leads to division rather than solidarity.

In order for Ghannouchi's model not to degenerate into an exclusionist and authoritarian regime, a non-fundamentalist attitude must be highlighted, preserved and promoted. Again, this is not a peculiarity of Islamic politics. One can arguably make the case that the current situation in Europe is moving in that direction (towards a fundamentalist attitude) as far as immigrant and Muslim communities are concerned. That the European commitment to freedom of speech and freedom of religion, for example, is in fact more of a commitment to a particular way of interpreting that commitment than to the ideals themselves. Which on the basis of my analysis explains the increasing intolerance towards Muslims and their practices. Again, the fundamentalist versus non-fundamentalist attitude is non-evaluative. That is, whether Europeans are right in placing their loyalty in their particular specifications of normative ideals is still an open question. Be they right or wrong, the point is that this comes at the cost of social fragmentation, division and exclusion. More interestingly, this raises the question as to whether it is even possible to get robust solidarity if social members' loyalty goes to the abstract general
rather than the concrete particular. Which in turn makes one wonder if ideals grounded in religious fundamentals stand a better chance in of generating solidarity even when loyalty is to their abstract and general forms. These are important questions that must be investigated if we are serious about our commitment to democratic ideals.

4. Common Commitment in the Islamic State

Finally, to what exactly are citizens of the Islamic state to be committed, and why? Ghannouchi talks of "acknowledging the state," but what does that mean and why should citizens (Muslims and non-Muslims) commit to such acknowledgment? We saw that the claim to acknowledge the Islamic character of the state should not translate into intention-based limits on public reasoning. But even if we let go of intention-based limits, the Islamic state would have to be committed to such an acknowledgment, otherwise it won't be able to square solidarity with pluralism. And if that squaring fails, the Islamic state would face a lose-lose situation. More needs to be said on that acknowledgment.

In the least, all parties are to acknowledge the state as the designated authority to enforce the law, and to preserve and enhance the mechanisms of shura. These mechanisms, however, are nothing more than the democratic procedures for will-formation. I point this out not to undermine the importance of democratic procedures, but only to note that on their own they are incapable of preserving the Islamic character of the state. There is nothing characteristically Islamic about these procedures. Recall Ghannouchi saying that "The enemy of democracy, and the enemy of Islam is one, and it is dictatorship and oppression. The difference is in the content
only and not in the ‘mechanism’; not in the mechanisms of democracy such as elections, polls, the parliament, majoritarianism, and rotating power, these are mechanisms that are totally accepted by Islam” (H, 62).

At this point one might suggest treating \textit{al-Naṣṣ} as the constitution of the Islamic state. This would preserve the Islamic character, and what we have said so far about non-authoritarian Islamic politics makes it more appealing. This alternative, however, is bound to fail. With \textit{al-Naṣṣ} as the constitution, interpreting \textit{al-Naṣṣ} (even if they are questionable, fallible, flexible and democratized) effectively turns into positive law. This is problematic for two reasons. First, and from the perspective of Muslim citizens, making the interpretations of \textit{al-Naṣṣ} positive law implies making them rigid and inflexible. Further, one must abide by positive law whether one likes it and is convinced by it or not. This is not the case with \textit{shari'a} as man-made Islamic law. Not only can a Muslim choose to follow other competing and maybe incompatible interpretations of \textit{al-Naṣṣ}, a Muslim can at any point decide to reject Islam in its entirety. Apostasy as a theological crime is punishable by God and only the involved individual is to bear responsibility. From the perspective of the Islamic politics we are working with, turning \textit{al-Naṣṣ}'s interpretations into positive law would undermine Muslims's own freedom of religion by making it compulsory. Second, and from the perspective of non-Muslims, \textit{al-Naṣṣ} can't be accepted as the constitution since the constitution is supposed to be that which makes a people into a people. Maybe Muslims would accept \textit{al-Naṣṣ} as their constitution, but why would non-Muslims? At best non-Muslims can have an overlapping consensus on the framework of \textit{maslaha}, which as we saw in Chapter VII should not be equated with \textit{al-Naṣṣ}. 178
So, acknowledging the Islamic character of the state can be satisfied neither by adopting *al-Naṣṣ* as the constitution, nor by merely relying on the procedural mechanisms of *shura*. The Islamic state is the state of God and the people, of *al-Naṣṣ* and *shura*, and without a way of understanding that dictum we won't be able to make much sense of a characteristically Islamic state. In the introduction of this dissertation I said that my goal in this project is to develop the structure of a solution to the question regarding the place of Islam in post-revolutionary Arab world, given that Islam is simultaneously perceived as the course of emancipation and authoritarianism. I can now lay that structure out through my answer to how we should understand the Islamic state as the state of God and the people.

The Islamic state is the state that is limited and guided by *al-Naṣṣ*. This way of placing *al-Naṣṣ* in the Islamic state is inspired by Ghannouchi's own writings. Not only does he use the term "Islamic state" in ways to implicate it, he also analogously refers to *al-Naṣṣ* as providing the general rules for humans in driving the boat of life. What I am suggesting then is a political arrangement whose political outcomes are checked against *al-Naṣṣ*. Accordingly, a characteristically Islamic political arrangement would be one structured in a way that allows *al-Naṣṣ* to function as the upper limit, or the outer boundaries, on what political authorities can pass as positive law, public policies etc.; on political outcomes generally construed. Crucially, *al-Naṣṣ* as such and on its own cannot be a limit. It is human interpretations of it that would function as limits. But, no one particular person, committee or council would have a monopoly over these interpretations. That is where Ghannouchi's conception of *ijtihad* as flexible, fallible and
democratized becomes most fruitful politically. Think of a constitutional democracy with a supreme court, a parliament, etc., and call that the "political system." The political system produces laws, policies, etc. Parallel to that system, there is what can be called the "religious system," in this case the Islamic religious system including the jurists who derive interpretations on the basis of *al-Naṣṣ* and whatever other democratic mechanisms that guarantee a back and forth feedback between the jurists and the Islamic community, which has the final say in determining the success of the different interpretations in capturing their own social, economic, psychological and historical context. The religious system functions as a check on political outcomes. When a law or a policy is being discussed or enacted the religious system gives its say and if it turns out that that law or policy clearly violates how the majority of society (in this case the Muslims) choose to embody *al-Naṣṣ* then that law must be changed or abandoned. Thus, to acknowledge the Islamic character of the state is to acknowledge that *al-Naṣṣ* imposes limits on politics in the manner just described. Drawing the boundaries that political outcomes cannot transcend on the basis of *al-Naṣṣ* gives a robust understanding of the Islamic state.

While this conception of the Islamic state gives a more refined understanding of what it means to acknowledge the Islamic character of the state we cannot stop here. Nothing I said so far can explain why would all citizens endorse a common commitment (the kind of commitment that can square solidarity with pluralism) to *al-Naṣṣ* as the upper limit on political outcomes. At best what we have so far is only part of the sought-after commitment, the part that concerns *al-Naṣṣ* and *shura*; i.e. the part that concerns the majority Muslim citizens of the state. But although
Muslims are a majority, they are not the totality. And if we stop here, it would be unreasonable to expect non-Muslims to accept such an upper limit with no guarantees for their own survival, flourishing, and freedom. True, non-Muslims can form political parties, organize their social constituencies, and their identities as groups would be expressed and respected, but what if the Islamic religious system imposes unbearable limits on them, as groups or as individuals? What if the Islamic community in question is so conservative that non-Muslims feel their basic rights and political liberties are being violated? From the perspective of non-Muslims, who are equal citizens in the Islamic state, there must be some limits on the Islamic religious system itself? Simply to say that without limits on the religious system non-Muslims do have an impact on that system in virtue of being part of the population and hence can impact the opinions of Muslims which in turn impact the religious system is unacceptable. Such an indirect impact is meager and insufficient to say the least. To be more specific, the impact that non-Muslims are allowed here is a two-step indirect impact. Muslim social members have an indirect impact in the process of *ijtihad* since they are to determine the success (not the legitimacy) of juristic interpretations. These Muslim citizens themselves live in society along with non-Muslim citizens and thus can see and sense the impact of different juristic interpretations on them. That in turn might affect Muslim citizen's judgments regarding the success of these interpretations. In short, non-Muslim citizens are part of the context of Muslim citizens. For example, if jurists recommend the wearing of the *hijab* by all adult female citizens of the Islamic state, Muslim citizens will have a direct feel and experience of the implications of such a recommendation on their fellow non-Muslim citizens if it comes to be imposed. And to be sure, the more non-Muslims are organized into political parties the more effective they would be in mobilizing against such a
recommendation. This two-step indirect impact, however, is deficient and on its own unacceptable. If that is all they have, non-Muslims would always and rightly feel under the mercy of Muslims in the Islamic state, and that is a built in inequality and unfairness that must be addressed. And the fact that the Islamic state is a Muslim majority state does not justify the category of a second class citizenship. The question then is how to limit the religious system without undermining the Islamic character of the state?

One of the conclusions I drew from introducing Honneth to Ghannouchi in Part I is that Ghannouchi already implicitly accepts recognition conditions. This is clearest in what I called his negative project and the way in which the recognition form of respect succeeds in both explaining and meeting Ghannouchi's demands for the re-inclusion of Islamists in the public realm. In addition, Ghannouchi's treatment of non-Muslim minorities, his conception of group pluralism, and the crucial role political parties play in the Islamic state clearly indicate that he accepts some complex forms of recognition, such as difference-respect. Ghannouchi's acceptance of difference-respect is most explicit in his construal of what it means to accept someone's creed and in the sort of recognition he grants to different groups as we saw in Chapter VIII. Furthermore, and this has wider implications, Ghannoushi is committed to maslaha and maslaha is concerned with the well-being of humans in this life and the afterlife. And just like discoveries about say the human body and physical health can affect what is conducive to maslaha, the realization that certain recognition conditions must hold in order for individuals to be capable to form identities and achieve self-realization should also affect what is conducive to maslaha. Therefore, recognition conditions are both already at work in Islamic politics and are conditions
for enhancing *maslaha*. Thus they are already and indirectly working as limits on how we interpret *al-Naṣṣ*. Hence, from the perspective of the Islamic politics we are considering, there is also a commitment to the framework of recognition. What is still missing, crucially, is to make these limits explicit and institutionalized. What needs to be done then is to introduce the forms of recognition and their corresponding principles (of particular interest here are: respect, achievement, and difference-respect) as lower limits, or inner boundaries, on political outcomes in the Islamic state. Thus, another third "system" needs to be added. Call it the recognition system. What that effectively means is that forms and principles of recognition must be included along with whatever other democratic mechanisms that allow for an ongoing articulation and re-articulation of the content of these principles, what they mean and how are they best instantiated and realized. Functioning as a lower limit on political outcomes, the recognition system checks whether they are undermining the conditions for individual self-realization.

This checking by the recognition system should take place in the public sphere and through civil society. The interpretation both of *al-Naṣṣ* and of recognition principles should be shaped, expressed and played out on the social level and through democratic procedures or *shura* as mechanisms. Through deliberation and participation there will be an ongoing contestation battle not only on what is valuable but also on how to interpret recognition conditions, and how to interpret *al-Naṣṣ*.

What I am putting forward then is a tripartite political arrangement (political system, Islamic religious system, and recognition system). It is this system that can win a common
commitment by *all* citizens of the Islamic state, which effectively is a commitment to democratic procedures, to *al-Nass* as an upper limit and recognition conditions as a lower limit on political outcomes. The common commitment that can then square pluralism with solidarity is a commitment to this tripartite political arrangement. With this common commitment, social disagreement and conflict can be seen as variations of that commitment - as different specifications of that same thing. That way we can make proper sense of solidarity through pluralism, and do so in a way that both Muslim and non-Muslim citizens can accept. The virtue of this tripartite political arrangement is that it promises to transform the tension between solidarity and pluralism, individual self-realization and group self-realization, and individual pluralism and group pluralism into a productive rather than a destructive tension.
Bibliography


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