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Middle East Brief

What Is “Muslim” about Tunisia’s “Muslim Democrats”?

Andrew F. March

At the end of its 2016 annual party congress, held in Hammamet, Tunisia, the traditionally Islamist party Ennahda formally declared that the label “political Islam” “does not express the essence of its current identity nor [does it] reflect the substance of its future vision.” Their statement continued: “Ennahda believes its work to be within an authentic endeavor to form a broad trend of Muslim democrats who reject any contradiction between the values of Islam and those of modernity.”¹ The party portrayed the change in its identity as driven by political realities and by the experience of five years of democratic transition: “We discovered the difference between belief in abstract principles like freedom and democracy, for which we had paid a high price over decades, and the transformation of those principles into tangible political achievements, following a revolution which saw the simultaneous explosion of political, cultural and social contradictions.” Ennahda’s emphasis on its “commitment to consensual democracy, dialogue, negotiation, and [to] the search for common ground in the management of our country’s affairs” suggests that it accepts as valid a pluralist political order, in which conservative Muslims participate on the basis of equal recognition with others—as opposed to an Islamic political order that tolerates and accommodates dissenters.

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Many analysts view Ennahda's rebranding as a "Muslim Democratic" party as a strategic move driven by political necessity in heavily secular Tunisia and claim it masks long-term aims to Islamize the state and society. Others see the change as genuine and as demonstrating that ideology does not really matter that much for parties once they start competing in free and fair elections. In contrast, this Brief argues that two related but distinct conceptions of politics have long been evident in the political thought and speech of Ennahda's co-founder and intellectual leader, Rached Ghannouchi. For decades, Ghannouchi and Ennahda have proclaimed a commitment to "democracy," but that commitment has been expressed both as a pragmatic willingness to engage in "politics" whenever greater political freedoms could be secured and as a more comprehensive vision of why Islam actually calls for a deeper form of democracy.

Ennahda's commitment to "Muslim Democracy," therefore, predates the 2010-11 Tunisian Revolution and has long coexisted ambiguously with a commitment to a more comprehensive notion of "Islamic Democracy." This Brief thus offers a different interpretation of the origins and significance of the idea of a post-Islamist ideology of "Muslim Democracy." It considers what a distinctly Islamic approach to politics has to offer today and its prospects going forward.

The Ideal Theory of "Islamic Democracy": The People as "God's Caliph on Earth"

The relationship between the Islamist commitment to divine sovereignty, on the one hand, and to democracy as a regime type, on the other, is a question that has long preoccupied Sunni Islamist thinkers, particularly since the 1970s and 1980s. Much of this discourse has a defensive quality to it, as it entails defending Islam and Islamist ideology against the excesses of certain radical groups that claim to be inspired by the doctrines of Sayyid Qutb, such as the Egyptian Islamic Group (*al-Gama'a al-Islamiyya*) and, later, al-Qaeda.² But it can also be regarded as a good-faith effort to theorize the ideal regime type that Muslims ought to regard as fully legitimate: one that harmonizes and synthesizes a range of values, including divine sovereignty, freedom, limited government, the rule of law, popular agency and responsibility, and justice.

Among the thinkers of a post-Qutbist political Islam, Rached Ghannouchi had long been recognized as the preeminent theorist of the harmony between democracy and Islam. Ghannouchi's prominence as "a democrat within Islamism"³ can be attributed to both his political and intellectual status. As a co-founder of a prominent national Islamist party, who also lived for over two decades in international exile, Ghannouchi long commanded attention for his political influence not only in Tunisia but also in global Islamist circles and within a Western public sphere interested in Islamist figures amenable to dialogue. At the same time, as a Paris-trained philosopher with training in Islamic thought, he earned recognition as a political thinker alongside figures active exclusively in the intellectual and scholarly realms. Ghannouchi's theory of democracy, legitimacy, and sovereignty—articulated most systematically in his 1993 book *Public Freedoms in the Islamic State*⁴ (a book that he wrote partly while in hiding from Tunisian authorities) is a complex account of the place of divine law in an Islamic democracy and of the kind of public that can partake in divine sovereignty.⁵

Three key points capture what is democratic about Ghannouchi's "Islamic Democracy." The first is the idea that the people is the source of all public

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authority (*al-sha'b masdar al-sulutat*). This is the core principle of virtually all Sunni political thought: Political offices (executive and administrative, in particular) derive their legitimacy only from popular consent and authorization. And this also implies certain democratic commitments to limited government and the rule of law. The most important aspect of this commitment in Ghannouchi's theory, however, is that not only executive and administrative officials but also religious authorities responsible for the interpretation of the *shari'a* derive their right to participate in law-making or adjudication only from popular authorization, not from their own epistemic or moral qualifications. This represents a major democratic departure from Islamic constitutional theory as it had been understood traditionally well into the 20th century.

The second point relates to the scope of constituent power. Ghannouchi's understanding of the people as the source of all public authority does not include only the appointment of officials to fill offices mandated by the *shari'a*; it extends as well to the authority to create *new* forms of institutions and determine the relations between them. Given that constituent power is often seen as the core aspect of democratic theory, this is an important democratic development in Islamic political thought.

The third point relates to popular participation in law-making. Unlike some theories of democracy that distinguish sharply between sovereignty (constituent power; authorizing constitutional regimes) and government (ordinary law- and policy-making), Ghannouchi argues in *Public Freedoms in the Islamic State* not only that the people have the right to appoint officials to legislate on both *shari'a*-related and public policy matters, but that the public itself is in various ways ultimately responsible for the way that the divine law is interpreted and applied.

Ghannouchi's theory is not just an Islamic affirmation of secular, liberal democracy, however. In my view, four very specific features capture what is specifically *Islamic* about Ghannouchi's "Islamic Democracy." The first is "perfectionism" in politics. As late as the 2015 edition of *Public Freedoms in the Islamic State*, Ghannouchi argued that the purpose of the state, and of political life generally, is to advance a particular (Islamic) conception of the good life and to create the conditions for the widest possible segment of the people "to live spiritually and materially in an innate accord with the law that Islam brought." Second, the traditional Islamist commitment to "divine sovereignty" remains: Ghannouchi never rejects in principle that Muslims are morally obligated to implement the *shari'a* and that this involves at the

very least the obligation to take seriously Islamic law in its revealed, textual, positive form (rather than just as expressed as broad principles and values).

Third, Ghannouchi's constitutional theory prioritized moral unity over managed competition and "ambition counteracting ambition." While Ghannouchi recognizes the separation of powers and political pluralism in the form of political parties, he rejects Montesquieuian and Madisonian visions of republicanism as amounting to merely the management of difference and of the competition for power. Rather, the purpose of political institutions for Ghannouchi is ideally integrative, designed to advance the moral interest that all citizens and officials have in realizing God's purposes on earth.

Finally, the theory of Islamic Democracy is based not only on modern conceptions of citizenship, but on a deeper understanding of mankind (and Muslims in particular) as God's caliphs (deputies, vicegerents) on earth. This is not only what authorizes popular agency at the expense of any others who might usurp political power; it is also what sets constraints on the people's own self-conception. The people is provided its collective political and moral essence via the covenant of vicegerency (*'aqd al-istikhlaf*), and politics is seen as providing the space for fulfilling the people's moral obligation. An Islamic democratic regime is, therefore, democratic in a way, but it is essentially the self-rule of a virtuous people largely in agreement regarding the fundamental matters of metaphysics, morality, and law. An ideal Islamic political order is a republic—but a kind of "republic of virtue."

"Muslim Democracy" as Non-Ideal Theory

This ideal theory of a "republic of virtue" that harmonizes the demands of divine and popular sovereignty through the theory of the people as "God's caliph on earth" always coexisted not only with deep personal pragmatism and flexibility on Ghannouchi's part, but also with less perfectionist and more pluralistic aspects of both his theoretical writings and the public statements of Ennahda. The same text, for example, that denounces Madisonian pluralism and calls for moral unity in political life explicitly declares toleration for and willingness to collaborate with a full range of political parties (including Communist ones). Moreover, in essays going back to the 1990s—including "When Is Islam the Solution?," "Freedom First," and "The Dialectic of Unity and Pluralism in Islam"—Ghannouchi expressed the view that Muslims should accept secular fellow citizens as a political fact and should prioritize political freedom over applying *shari'a* rules.

So there is no clean break between pre-revolutionary, “utopian perfectionist” political thought in Ghannouchi’s writings and post-2011 “pragmatic pluralist” political thought. The two have long coexisted, and it is not clear that an unambiguous unity can be established with respect to all of Ghannouchi’s theoretical reflections. Indeed, although pragmatic and radically pluralist elements are present in Ghannouchi’s thought before 2011 and the adoption of the Tunisian constitution in 2014, the elements of perfectionism and “universal caliphate” thought that can be discerned in his pre-2011 writings and speeches have almost completely dropped out in the post-revolutionary period.

Ghannouchi’s post-revolutionary writings and speeches appear in a number of collections. One volume, *Premonitions of the Revolution (Irhasat al-thawra)*,⁶ contains essays, articles, and interviews from 1999 to 2014, most of them originally published after 2010. He has also released a series of pamphlets on “the grounding of modern conceptualizations” of various core political terms—democracy, citizenship, secularism, and freedom.⁷ The following also draws on many hours of conversation with him, conducted in his home over multiple days, about his thought and evolving approach to politics.⁸

In these writings and conversations, a set of theoretical commitments are articulated with remarkable consistency. Four main themes stand out. The first is the centrality of a new interpretation of the famous “Covenant [*Sahifa*] of Medina.”⁹ Instead of the idea of the people as “God’s caliph on earth,” the primary organizing model for politics is the Prophet Muhammad’s agreement with the people of Medina, or the *sahifat al-Medina*. But rather than invoking this agreement to prove the essential union of “religion and state” (*din wa dawla*) in Islam, Ghannouchi instead derives from it an affirmation of radical political pluralism in politics. For him now, Islam as a political entity was born in a milieu comprising Muslims, Jews, Christians, pagans, and materialists, and the resulting covenant, ratified by the Prophet, was a *political* covenant, not a sacred one. Thus, politics is now seen as primarily about shared political values and about satisfying the people’s mundane needs rather than seeking moral perfection.

The second theme is that Islamic law (*shari’a*) is now portrayed as more functional and limited than as a detailed and comprehensive body of law. Rather than seeing the *shari’a* as a process of deliberation on the basis of text, tradition, and expediency, Ghannouchi now describes the *shari’a* in minimal, even generic, terms. In justifying the 2014 Tunisian constitution’s absence of any reference to *shari’a*, he writes that “the Islamic *shari’a* only

came for the purpose of limiting the authority of the ruler and subjecting him to the law.”¹⁰

A third dimension of Ghannouchi’s embrace of politics as a search for consensus is an approach that sees democratic politics largely as what could be called “harm reduction,” rather than as the pursuit of perfectionist moral goals. He reveals an acute sensitivity to the precariousness of civil society and political liberty, given the tyrannical powers of the state. Political life is perceived as a delicate search for actually existing agreement around the terms of political life, rather than for the most reasonable possible agreement between ideal interlocutors. Therefore, on contentious issues like the inclusion in the constitution of a reference to *shari’a*, the “universality” of human rights, or specific language referring to gender relations, Ghannouchi always privileges the attainment of actual agreement.¹¹ The most representative statement is on the issue of *shari’a*: “In Islam there is no church that can monopolize the interpretation of Islam. Instead, this is left to the *umma* [Muslim community] and the people through its institutions that translate the meanings of this ‘Arab, Islamic identity.’ And so when the question of the *shari’a* was proposed, we found that it is a matter of disagreement [*mawdu’ ikhtilafi*]. But constitutions are not adopted on the basis of what there is disagreement around but rather what there is consensus on.”¹²

Finally, Ghannouchi’s notion of agreement or consensus distinguishes between reasons specific to Islam and those that might appeal to anyone (i.e., “human values”). The best example of this is his treatment of the universality of human rights: “Our view is that we Islamists must be happy with the general consensus of humanity that humans have rights whatever their gender or religion, and for this reason we should not object to the [idea of the] universality of human rights, since this is one of the guarantees of rights and freedoms. Islam was only sent by God to realize human interests and welfare, and so anything that guarantees the welfare and rights of people is part of Islam even if there is no textual grounding for it in revelation.”¹³ Elsewhere: “The constitution must be adopted on the basis of human values, because we are a part of this humanity that crystallized and clarified a number of principles, such as the principles of democracy and human rights. We are also heirs to the principles of reform, and we regard the school of reform as one of the references and authorities for our constitution and our distinctive Tunisian thought. We want to adopt a civil state [whose] legitimacy does not depend on anything but the people [*al-nas*]—that is, [the] people [*sha’b*] who are governed by it. There is no legitimacy for a ruler other than from a clear delegation and mandate—that is,

through free, impartial, and pluralistic elections.”¹⁴ It is not entirely clear what the deeper Islamic or principled foundation for this preference for wide consensus is, except for the repeated insistence that “[w]e must spread freedom as much as we can, in addition to the fact that justice is one of the goals of Islam, as is freedom... Constitutions came to prevent authoritarianism, not freedom, and so every orientation toward the spreading of freedom is an Islamic orientation.”¹⁵

The theory of “Muslim Democracy” is thus not merely a tactical rebranding, but rather reflects a coherent view of the purpose of the basic structure of society: namely, to guarantee a moral conception of social life, but one that can be subject to the widest possible reasonable agreement. Controversial matters should be put aside as long as a reasonably just political order can be achieved without resolving them. But this more liberal approach raises obvious questions for a thinker like Ghannouchi: What sort of moral accomplishment is the 2014 Tunisian constitution, and what is the nature of its overlap with Islamic doctrines?

Islam and the Tunisian Constitution

Whereas Ghannouchi’s pre-revolutionary ideal theory for an Islamic democracy regarded the Islamic *shari’a* as both the foundation of the political community and the framework for public reason in a functioning political system, the 2014 constitution excludes any reference to *shari’a* at all. The ideal theory is based on a conception of the people (and each person individually) as God’s caliph on earth; but the 2014 constitution, though it does speak of an “elevated status of humankind,” is otherwise based on the principle of equal citizenship within a nation-state. And whereas the ideal theory was fundamentally committed to moral unity across all political institutions and between rulers and members of the community, the 2014 constitution more specifically articulates the aims of: “building a republican, democratic and participatory system, in the framework of a civil state founded on the sovereignty of the people, exercised through the peaceful alternation of power through free elections, and on the principle of the separation and balance of powers, which guarantees the freedom of association in conformity with the principles of pluralism, an impartial administration, and good governance, which are the foundations of political competition, where the state guarantees the supremacy of the law and...respect for freedoms and human rights, the independence of the judiciary, the equality of rights and duties between all citizens, male and female, and equality between all regions.”¹⁶

It is true that Ghannouchi has given reasons for the acceptability of the constitution derived from plausible religious commitments, but his preference is to do so without reference to any prior doctrine. He suggests, rather, a simple continuity in his views. Even when he acknowledges that the constitution required compromises and concessions, he does not expressly say whether accepting those compromises means revising earlier views on the fundamental basis for political life.

In this light, two questions present themselves as of particular interest:

- (a) Is the idea of *shari’a* permanently limited to this role of restricting the scope of government, or is this something future Tunisians might revise in different political circumstances?
- (b) Are non-Islamic worldviews themselves reasonable, or merely tolerable? While Muslims may have obligations to respect the freedom of conscience of others, should differences around the fundamental acceptance or rejection of Islam be seen as something internal to reason or as a failure of others to realize the truth?

Virtually every other principled question follows from the conception of the long-term place of Islamic religious norms and the permanence of moral pluralism. There are reasons to think that the compromises reflected in the Tunisian constitution may have principles behind them, but they are nonetheless compromises and should be regarded as such. For one thing, there is no deep account offered in Ghannouchi’s writings regarding why disagreement about the *shari’a* itself is reasonable or worth respecting. Rather, there is the observation that the question of *shari’a* is at present too divisive (like slavery was at the time of the 1789 American constitution) and the belief that the objections of some Tunisians to *shari’a* are based on misunderstandings and are the result of manipulation by radical secularists.

Furthermore, there is reason to believe that Ghannouchi still regards secular worldviews as insufficient foundations for a principled moral life. In his 2013 essay on “Human Rights in Islam,” he writes that the general direction of human rights declarations and international covenants is consistent with the precepts of Islam and its objectives of advancing justice, freedom, and equality in the divine dignifying of humanity; but, he argues, the experience of humanity shows that humans do not thrive without adopting God in some fashion. “In the human soul,” he writes, “there is a hunger that is not satiated except by accepting God.”¹⁷

In Ghannouchi's view, the basic defect in modern human rights declarations derived largely from materialist philosophies is the belief that humanity can be independent of its Creator in organizing life and attaining happiness. The result, he writes, despite some partial progress, is the domination of the strong over the weak, the destruction of the environment, and the fracturing of connection and compassion between humans. Whereas when human rights are based on and make reference to the Creator, they are invested with a degree of sanctity that makes them secure in the hearts of all believers, who regard their defense as a religious duty, with rewards for performance and punishment for neglect. They are also, then, comprehensive and positive, as opposed to the formalism and partialness of secular human rights schemes, since God is the creator of man and alone knows the true needs of His creatures. And the authority of the law that protects these rights is invested with the authority of religious conscience.¹⁸

In my conversations with him, Ghannouchi has also been reluctant to regard materialist or non-theistic metaphysics as fully rational. For example, when asked whether something like Kant's antinomies of reason might be persuasive from an Islamic perspective, he said simply that "Kant was wrong," insofar as he claimed that reason leads to equally good justifications for a purposive creation of the world and for the world's non-purposive origination.¹⁹ Thus, at some level, Ghannouchi's radical commitment to political pluralism (which accommodates even atheist political parties and actors) is ad hoc and non-foundational rather than grounded in a deep, moral epistemology based on the reasonable pluralism of metaphysical doctrines.

It is most probable, therefore, that Ghannouchi and others view the 2014 constitution as something that Islamists can be content with for principled reasons, some of them "Islamic" and some of them "free-standing," or derived from political experience. One possibility going forward is that the practice of politics will make the liberal principles embedded in the 2014 constitution seem attractive and even irreplaceable, given the permanence of moral pluralism around questions of religion and lifestyle: Over a long enough period of time, according to this scenario, the political compromises required for acceptance of the constitution will be accorded some deeper theological justification. Another possibility is that with demographic change—and perhaps after some sort of political crisis—future Islamists may feel entitled to embrace the consequences of enjoying a demographic majority.

It is still possible for Islamic democrats to imagine an "Islamic democracy to come," a future sovereign *umma* that can express its moral unity politically after the people have "returned" to their natural piety by means of a combination of a non-coercive moral education and removing alien causes of disunity. This is not a contradiction. Every democratic theory, if it aims for something more than managing competition or minimizing the evils that government can do, has to rest on faith in the people becoming fit for self-rule. All that remains to be said is that since this Islamic democratic vision of self-rule involves a very deep sort of consensus regarding metaphysical truths and the ethical purposes of human life, it may be that such deep moral agreement is no longer likely in the contemporary world—at least without the kinds of coercion and limitation on freedoms of conscience and speech that Islamic democrats claim to reject. What if moral pluralism is here to stay?

One response to this dilemma is to accept it. An Islamist might argue that Islam provides for an ideal regime type and, should a self-governing community of the pious exist, it might freely choose that regime type; but the non-ideal world, the world of politics, takes priority because the distinctly political goods and ills belonging to that sphere are more pressing and controlling than the aspirations of high doctrine.²⁰ We have seen certain Islamist parties (particularly in Tunisia, Morocco, and Jordan) reveal preferences for political stability, the sharing of political responsibility, and even coalition building with former enemies. Of course, there were pragmatic reasons for these decisions. And even where they reflect value commitments or an acceptance of the constraints of pluralist politics, the principled grounding for this kind of politics in terms of Islamic political theory is elusive, as this Brief has argued. (Indeed, as we have seen in Turkey, once the constraints vanish, so do the compunctions about establishing de facto single-party—albeit not exactly theocratic—rule.)

Nonetheless, where Islamist parties seem to accept the constraints of existing political orders as a space for political action, this might be read as an "incompletely theorized agreement"²¹ to accept the fact of political pluralism at the expense of the kind of Islamic sovereign constituent power that has become central in Islamic ideal theory. Related to this are facts about the requirements of actual government in modern states. Insofar as Islamism has represented a grand idea, it was all in the realm of the moral formation of a people and a vision of legal legitimacy. But the countless areas of modern administration and policy-making, particularly in societies with extremely high levels of economic and

other anxieties, can make the concerns of Islamism seem less urgent.

This is not to say that there are not laws and policies to be enacted, in the realms of education and public morality and otherwise, promoting a conception of religious truth, and it is not to say that areas like foreign policy or economics have not been subjects of Islamist doctrinal concern.²² But there is much less to distinguish an Islamic approach from other approaches to what might be called good governance and economic well-being than there is regarding other areas of collective life. And since the overwhelming task of politics concerns matters of policy that are not central to the distinctive Islamist vision of the world, it is less that the practice of ordinary politics refutes the ideal theory (as I think the permanence of pluralism arguably does), and more that it simply makes it seem less important.

The words of senior Ennahda party figure Saif Ferjani are instructive here: “Islamism ended once Ennahda entered government and shared responsibility for social and economic provision and became accountable to the electorate and to civil society.”²³ Both parts of this statement bear emphasizing. First, power is *shared*, and this simply creates a practice of acknowledging the fact of pluralism, whether or not there is a deep theory of it. And, second, the realities of “responsibility for social and economic provision” and being “accountable to the electorate and to civil society” have a way of making a vision of politics centered on a pious people expressing a shared will that fuses both divine and human purposes seem less descriptive of actual political life, again without necessarily refuting it.

Muslim Democracy: It May Work in Practice, But Will It Work in Theory?

It is a mistake to assume that the deeper, more comprehensive Islamist commitments must be the more sincerely and firmly held ones, waiting to re-emerge should electoral prospects change. But it is also a mistake to assume that pragmatism and real politics always make a mockery of any ideological commitments, religious or secular. Politics is about who gets what, when, and how; but it is also a meaning-creating activity. In my view, the idea of “Muslim Democracy” is neither merely a rebranding exercise nor just a public gesture to reassure secular counterparts during a democratic transition in which trust is extremely low. Rather, I believe that it represents a sincere acknowledgment of the gap between 20th-century Islamism’s confidence that it could remake the state, return society to a state of piety, and transform

modernity as such and the reality of the crushing power of the modern nation-state to co-opt all ideological alternatives.

The question, then, is less whether Islamists are sincere and more what a distinctly Islamic approach to politics has to offer in the 21st century. Surely, Islamic (and Islamist) critiques of modern secularism, materialism, and global capitalism are no less urgent or salient than when they were developed in the second half of the 20th century. But the traditional Islamist solution—a pious *umma* acting as God’s deputy on earth to restore the *shari’a*, possibly even under the aegis of a renewed caliphate—is hardly likely to inspire confidence as a genuine, realizable Islamic alternative to corrupt, materialist modernity. Rather, example after example shows that it is far more likely for an Islamic approach to politics to descend into the same kind of authoritarianism that Islamism traditionally decried—whether clerical tyranny in Iran; one-party, post-ideological corruption in Turkey; or monarchy buttressed by neo-traditionalist sycophancy in the Gulf. In light of this, embracing what essentially amounts to a form of secular, liberal democracy may be both a sincere move and one regarded as having Islamic justification—but will it in the long term satisfy the need that many Muslims have for a form of political life with genuine religious and spiritual meaning?

Endnotes

- 1 Ennahda Party Congress (2016), Concluding Statement (on file with the author).
- 2 Sayyid Qutb (1906–66) was one of the leading Islamist ideologues of the 20th century. Until roughly 1948, he was active in the secular literary movement in Egypt as a poet, literary critic, and essayist. His Islamist writings include *Social Justice in Islam*, *The Islamic Concept and Its Characteristics*, *Universal Peace and Islam*, *Milestones*, and the Qur’an commentary *In the Shade of the Qur’an*. In the 1950s and 60s, he was a prominent spokesperson for and leading ideologue of the Egyptian Muslim Brotherhood, on account of which he spent extended periods in prison before his execution in 1966. He is known not only as a pre-eminent systematizer of modern Islamist doctrine but also as a prime source and authority for some of the more radical Islamist views. The idea that every facet of the world can be divided neatly into “Islam” or “pagan ignorance” (*jahiliyya*) is largely derived from Qutb’s writings, for example, as is the belief that not governing purely by laws and commands revealed by God renders a ruler, state, or entire society in open war and rebellion against Islam. Later Islamists, especially those adopting the “centrist” or “moderate” (*wasati*) label, often define themselves by distancing themselves from Qutb’s more radical and uncompromising views, which have been taken up by militant groups ranging from the Egyptian

Islamic Group to al-Qaeda and Islamic State. For a scholarly biography of Qutb, see John Calvert, *Sayyid Qutb and the Origins of Radical Islamism* (London: Hurst, 2010).

- 3 Azzam Tamimi, *Rachid Ghannouchi: A Democrat within Islamism* (Oxford: Oxford University Press, 2001).
- 4 Rashid al-Ghannouchi, *Al-Ḥurriyyāt al-‘amma fi’l-dawla al-Islāmiyya* [Public freedoms in the Islamic State] (Beirut: Markaz Dirāsāt al-Wiḥda al-‘Arabiyya, 1993 (in Arabic). There was an updated edition released in 2015 (Tūnis: Dār al-Mujtahid li’l-nashr wa’l-tawzī‘, 2015), and an English-language translation by David Johnston is forthcoming with Yale University Press (2021).
- 5 For the following passages, see Andrew F. March, “A Sovereign *Umma* and a Living *Shari‘a*,” in *The Caliphate of Man: Popular Sovereignty in Modern Islamic Thought* (Cambridge, MA: Belknap Press of Harvard University Press, 2019), 150-200.
- 6 Rashid al-Ghannouchi, *Irhasat al-thawra* [Premonitions of the Revolution] (Tunis: Dar al-mujtahid, 2015) (in Arabic).
- 7 *Al-Dimuqrāṭiyya nahu ta ‘sil li-mafahim mu ‘asira* [Democracy: Toward a grounding of modern concepts] (Tunis: Dar al-Sahwa, 2015) (in Arabic); *Al-Muwatana nahu ta ‘sil li-mafahim mu ‘asira* [Citizenship: Toward a grounding of modern concepts] (Tunis: Dar al-Sahwa, 2016) (in Arabic); *Al-‘Ilmaniyya nahu ta ‘sil li-mafahim mu ‘asira* [Secularism: Toward a grounding of modern concepts] (Tunis: Dar al-Sahwa, 2016) (in Arabic); and *Al-Hurriyya nahu ta ‘sil li-mafahim mu ‘asira* [Freedom: Toward a grounding of modern concepts] (Tunis: Dar al-Sahwa, 2016) (in Arabic).
- 8 These include “Meanings and Rationales of the Post-Revolutionary Constitution,” “Human Rights in Islam,” “The Democratic Transition in Tunisia,” “The New View of Tunisia,” “From the Founding to the Revolutionary Constitution,” “Freedom of Conscience,” and “The Tunisian Model Is Confirmed and Verified.”
- 9 After expulsion from Mecca, the Prophet Muhammad settled with his community in the town of Yathrib, later to be known as “Medina” or “The City of the Prophet.” Shortly after arriving there, he contracted one or more agreements with its inhabitants, including a number of Jewish tribes. The text of this agreement was reported in the later 8th-century Prophetic biography. See Michael Lecker, *The “Constitution of Medina”: Muhammad’s First Legal Document* (Princeton, NJ: The Darwin Press, 2004).
- 10 Emphasis mine. “Ma ‘ani wa mujibat dustur ma ba ‘d al-thawra” [The meanings and requirements of a post-revolutionary constitution], in *Irhasat al-thawra*, 227 (in Arabic).
- 11 On these themes, see [Carla B. Abdo-Katsipis, “Islamists in Power and Women’s Rights: The Case of Tunisia,” *Middle East Brief* 112 \(Crown Center for Middle East Studies, August 2017\).](#)
- 12 “Ma ‘ani wa mujibat dustur ma ba ‘d al-thawra” [The meanings and requirements of a post-revolutionary constitution], 228 (in Arabic).
- 13 *Ibid.*, 230.
- 14 *Ibid.*, 228.
- 15 *Ibid.*, 229.
- 16 See the Preamble to [“Tunisia’s Constitution of 2014.”](#)
- 17 “Huquq al-insān fi’l-Islam” [Human rights in Islam], in *Irhasat al-thawra*, 236 (in Arabic).
- 18 *Ibid.*
- 19 I conducted a series of philosophical-theological dialogues with Ghannouchi at his home in Tunis between December 27, 2017, and January 4, 2018, and again between January 1 and January 3 of 2019. These are presently being translated from Arabic for publication (forthcoming by Oxford University Press in 2021 or 2022) alongside some of his articles and essays on “Muslim Democracy.”
- 20 Ghannouchi had been making an argument like this long before the 2011 revolt: for example, in his essay “Freedom First,” which argues that political liberty and protections against tyranny are the preconditions for any other political good. See Ghannouchi, “al-Hurriyya awwalan” [Freedom first] in *Irhasat al-thawra*, 78–82 (in Arabic).
- 21 [Cass R. Sunstein, “Commentary: Incompletely Theorized Agreements,” *Harvard Law Review* 108.7 \(1994–95\): 1733–72.](#)
- 22 See, famously, Muhammad Baqir Sadr, *Iqtisaduna* [Our Economy] (Najaf: Matabi‘ Al-Nu‘man, 1961) (in Arabic). Though written by an Iraqi Shi‘a scholar, this text had widespread influence on all Islamic movements.
- 23 [Said Ferjani, “The ‘End of Islamism’ and the Future of Tunisia,” *Hudson Institute*, April 29, 2016.](#)



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