

Identity Politics & Mystifications of Democracy in Islamist Thought¹

Any resurgence of religion in the age of globalisation takes place before the backdrop of a world society that is guided by the ideas and values of modernity (Meyer 2009; Eisenstadt 2006). While pre-modern or non-modern cultural reference frames tend to take a social structure as basic, which ascribes roles to each individual according to age, gender, family, profession, cast, estate, tribe, or religion, the modern cultural reference frame takes the individual as basic. All other institutions like marriage, family, association or state are construed as based on the free consent of individuals engaged in them. It is by reference to the individual that the roles of these collective institutions are defined and not the other way around. It is no longer the collective that defines the role of the individual. Instead, every collective is gauged by reference to the benefit that it gives to the individuals that partake in it. These benefits, Meyer reminds us, are expressed in terms of justice and progress in the modern cultural reference frame. If a collective does not stand the test of justice, it needs to prove at least that it progresses in the way justice prescribes. If it proves to be stagnating or even regressing, it loses its legitimacy. Progress in the way of justice is normally translated into expansion of equal liberties for all individuals. Accordingly, the political is construed as the result of individual citizens' decisions in elections and party memberships. Religion and culture are construed as based on individual choices regarding beliefs and values.

These constructions play the role of regulative ideas as long as one remains aware of the fact that the project of modernity remains incomplete, to quote a famous statement by Jürgen Habermas (1985). They become myths as soon as one stipulates that the process of its unfolding has reached its historical end (Fukuyama 1992). The very fact of an Islamic resurgence proves Fukuyama wrong. While in many ways the present world order reflects the global cultural reference frame and its universalist values of progressive expansions of equal liberties for all individuals. The Universal Declaration of Human Rights of 1948, the creation of the United Nations system with its purported aim to ban any unilateral use of force in the international arena, the attempts to strengthen the international law regime by creating international criminal tribunals, the attempts to create an international court of justice etc. all point in that direction. In other ways, however, the current world order is also marred by contradictions that prove its incompleteness. What is the status of collective actors like ethnic groups, nations and individual states vis-à-vis their individual members. Can collective rights override individual rights? Can aspirations for national independence override the sovereignty of the states to which these 'nations' belong? Can national sovereignty override the human rights of individual citizens? Can 'national interest' override the ban on the unilateral use of force in the international arena? While certain state actors benefit from the inconsistencies of the present order, others suffer the consequences of these indeterminacies. They are given a voice, however, by international human rights organisations who advocate strict adherence to international human rights standards by all collective actors including the most

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powerful single states. Whence the call for its institutionalisation in the form of an international court of justice, which is consistently torpedoed, like all other attempts at consolidating an international order based on independent institutions, by states who base their foreign policy predominantly on what they perceive as their 'national' interest.

Other challenges to this self-conflicting global order stem from churches or religious movements. The Catholic Church as well as Islamist political movements question the pre-eminence given to the so called 'nation-state' in the present world order. To the Catholic Church the idea of absolute sovereignty of single states has always been questionable. It has, however unsuccessfully, advocated the idea of a religio-political order limiting the idea of absolute sovereignty for individual states. Until very recently and unlike the cosmopolitan order promoted by advocates of an independent global judiciary this alternative was not based on modern normative individualism. Only after Vatican II (1965) did the Catholic Church formally embrace normative individualism in the form of human rights and democracy.

The struggle of Islamic thinkers with the emerging paradigm of the 'nation-state' and modern precepts such as secular law, human rights and popular sovereignty is as old as nationalism itself, possibly beginning with Rifa'a Rafi' al-Tahtawi (1834) in Egypt (Tamimi 1997). While some oppose the introduction of the concept of nationhood on grounds that it would divide the ummah others interpret the ummah itself as a nation. Some realise that modern politics needs a material base and thus a defined territory others remain silent on where the ummah, understood as a nation, should materialise. The need for a material basis for his 'Muslim nation' has lead Jinnah to demand the partition of the Indian subcontinent while other Indian Muslims would have been happy with an ummah in the air and a religiously neutral polity on subcontinental ground.

There is a long tradition of Islamic thought to demonstrate that Islamic principles of law can be brought into congruence with the 'nation state', human rights and democracy (An-Na'im, 1992, 1996a&b; Baderin, 2003). This is however not the concern of this paper. Until now such liberal-Islamic thinking has not sparked any brought social movement. This paper is therefore focussed on those brands of Islamic thinking that form the ideological basis for existing Islamist movements. The paper reviews the current survey literature on how Islamist movements and their ideologues relate to ideas of democracy and nationalism.

By 'Islamism' the paper understands a political ideology that would like to base the polity on an Islamic foundation. This does not necessarily mean that those adhering to such an ideology would like to advance it by violent means. Thus Islamism does not in itself amount to Islamic radicalism or 'jihadism'. From a perspective of liberal democratic theory, however, to base a polity on any religion is in itself problematic for it is precisely the task of the liberal democratic state not to grant privileges based on race, religion, caste, class, or gender to any of its citizens. Thus, trivially, Islamism, as any other ideology that would like to found the polity on religion, can not be liberal-democratic. The same holds true of any ideology that would like to base any given polity on cultural or ethnic identity. Apart from being an expression of a lack of democratic political culture in this trivial sense, the Islamist ideas examined here share further features with

the phenomenon of Identity Politics. As a consequence they are undemocratic and prone to conflict in specific ways that will only become apparent when seen as part of the larger phenomenon of Identity Politics, the phenomenology of which I shall briefly review in the following sections. A fourth challenge to the idea of present world order presents itself as secular and anti-liberal is discussed in the last section.

Identity Politics

This paper proceeds from the observation that Identity Politics dominates political culture in formative stages of new polities or in periods of transition to democracy of existing ones. It features prominently during the birth of new states since the 1800s and it remains an indicator for the democratic quality of political culture in any established state. This hypothesis was derived from explorative studies into various contexts, past and present, in which Identity Politics lead to the creation of new states (Germany, Turkey, Israel, India, cf. Dusche 2007b; 2008; 2009a,b; 2010).

From these explorations it transpires that Identity Politics in the form of ethnic or religious nationalism is largely serving the ends of an activist elite. Identity Politics does not necessarily translate into an increase in democratic participation for those it purports to represent. On the contrary, participation remains largely symbolic. The individual in totality tends to be seen as part of an organic whole and not as a party to a social contract which would limit the ends that may be pursued through politics.

Moreover, the organicist image of society derived from European, particularly German, romanticist political thought, renders Identity Politics inapt to handle inner conflict in a rational, non-coercive manner (Dusche 2008b). Instead of managing differing interests non-violently, it attempts to create a unity based on fear. Those articulating difference are threatened with the stigma of heresy or treason.

The paper attempts to show that similar propositions hold true of Identity Politics based on religion. Islamist political thought is used as an example here but of course Identity Politics based on Hinduism (Dusche 2009b), Christianity (Dusche 2007a) or Judaism (Dusche 2008b) run into similar problems.

The paper draws on findings from a variety of disciplines (history, history of ideas, international relations, peace and conflict studies). No pretence is made to contribute anything new to these fields. The aim is rather to gain new insights from the already existing research by way of a synopsis of the available literature across various disciplines. The only primary sources used in the paper are expert interviews taken in four contexts: India, Israel, Palestine and Turkey. The investigation was into challenges to established normative order stemming from ethnic, national and religious Identity Politics (Dusche 2009a). During extended trips to all of these countries 80 interviews were conducted with public intellectuals and academics mostly from the social sciences.² From the vantage point of the work already completed, the paper takes a look at consequences in terms of normative questions of politics (political theory) and cosmopolitan theory of justice (Dusche 2000, 2008a).

² Those conducted in India will appear in print soon in Dusche, 2010.

'Identity Politics' and 'Nationalism'

Frequently political mobilisation takes place on the basis of primordial features attributed to the individual such as ethnicity or religion. This is called 'Identity Politics'. When Identity Politics leads to the demand for independent statehood, it is called 'nationalism'.

In debates on nationalism 'ethnic nationalism' is often differentiated from 'civic nationalism'. The purpose of the second term, however, is questionable. If a political community is based on civic-democratic values, it is not clear why a term like 'nationalism' which connotes common origin, should be used at all. In cases like the USA, France, or India, where common identity is based on territory and state and not on a group of people with common origins, 'patriotism' would be the more appropriate term. Thus I am not using 'civic nationalism' at all and I am not distinguishing between 'nationalism' as such and 'ethnic nationalism'. In some way or another, any nationalism in the proper sense of the word involves a reference to some imagined common origin of a 'people' (as the Latin word 'natio' implies). This idea, however, is in contradiction with political theories that would base membership in the political community on choice rather than descent (cf. Renan's [1882] idea of a perpetual plebiscite).

The following deliberations form part of an ongoing research project. They are subject to further refinement and revision. More research has to go into comparing further cases of Identity Politics to see whether they confirm or contradict the present working hypothesis, i.e. that Identity Politics is a prominent feature of processes that lead to the formation of new states in transition to democracy. This is not to suggest that there is any determinacy in this process. Transitions to democracy can stagnate or reverse. But frequently, it seems, there is a moment in these transitions when mass mobilisation through Identity Politics gains the upper hand. From a normative perspective this is an indicator of a certain lack of democratic political culture. As democratic institutions and democratic political culture develop, the occurrence of Identity Politics diminishes. Correspondingly most established democracies today display very little of this phenomenon.

As a theoretical framework this research makes use of the theory of multiple modernities expounded by Shmuel Eisenstadt (2006) and the world polity approach developed by John W. Meyer (2009). The latter stipulates that local controversies over normative order are dependent on a global cultural reference frame that is dominated by modern conceptions of justice. These conceptions presuppose that the world consists of nation states. Controversies over the nature of these entities as well as their interaction in the international arena give rise to conflict both internally as well as between nation states.

The underlying nationalist paradigm is also mirrored in modern philosophical approaches to international justice such as in John Rawls' conception of a law of peoples (Rawls 1993, 1999). Rawls conceives of liberal democratic peoples – and not states – as actors in a society of peoples (1999: 23ff.). This is deeply problematic for it precludes the possibility of a truly global approach to justice (Dusche 2000; 2002). More specifically, Rawls' theory of international justice allows individuals to become hostages to societies that fail to make it into the category of 'well-ordered' societies (Dusche 2000: 166f.)

Although Rawls does not assume such peoples to be characterised by shared ethnicity, language or descent as ethno-nationalists would, he attributes to them a 'moral character'. This moral character is expressed in their political conception of justice, common sympathies, shared political culture and institutions. Such 'moral peoples' form political societies and not ethnic communities. It is not clear, however, why common outlooks and political traditions should prevent these societies from submitting to notions of justice developed by way of a global original position, i.e. a thought experiment that would take into account humanity as a whole and ignore the existence of particular societies to begin with, in order to yield the yard stick against which their relative justice could be measured.

Politics Proper

Politics is based on collective decision making and not on nature or destiny. The powerful, however, are often tempted to conceal this fact by pretending that power entails destiny. They transfigure their dominance into foundational myths of ancestral families or 'peoples', into mythologies of collective purpose and theological mission. In forging their power base, they use given pre-political identities that promise to unite a powerful enough mass of people and transform them into political identities by adding a seemingly collective goal. In all these instances, the purpose is similar. It is to create power before the purpose, power that then becomes an all-purpose instrument in the hands of the mighty. Rationally, in politics, the end should determine the means. In Identity Politics, however, power becomes an end in itself.

Politics can be characterised in empirical as well as normative terms and both notions are relevant for the purpose of this paper. Empirically, politics is about the eligible members of a polity taking collectively binding decisions. For this to work, a background consensus about how collective decisions ought to be made is required. This background consensus, which empirically enables and normatively legitimises procedures of decision-making, forms the subject of political theory. It informs (and is informed by) the legal frameworks of societies, their written or unwritten constitutions above all, and it is implicit in the way the judiciary interprets and applies the law.

Since the political theory underlying societal practice is for the most part implicit, with the exception of positive law, only a hermeneutic examination can bring it to light. Of course what is truly the political theory underlying a societal practice at any given moment of history is a matter of interpretation on which no two political theorists are likely to agree. The most influential exposition of the political theory underlying most Western democracies, however, is offered by John Rawls' *Theory of Justice* (1971) and his later work (1993, 1999). Rawls offers what ranks among the most sophisticated explications of theories of justice and political legitimacy available today.

For the German context the most influential thinker is Jürgen Habermas whose influence of course stretches far beyond the German speaking world. Both, Rawls and Habermas take recourse to various enlightenment strands of political philosophy with Immanuel Kant as a major reference point. This tradition is commonly referred to as lib-

eral although today's political liberalism is no longer the same as the liberalism of Locke and Kant. Today's liberal-democratic theory has absorbed various democratic, republican, and socialist traditions as well as the ideas of the rule of law and the universal validity of human rights. The result is a political theory based on the cornerstones of equal liberties and their 'fair value' (Rawls), popular sovereignty and the legal guarantee of human rights.

Politics within this framework takes place within a wider legal-ethical framework that defines it. This definition excludes certain issues from the process of simple collective decision-making as well as designates certain means by which a collectivity can legitimately reach agreement. The topics excluded from simple decision-making are first and foremost those implicit in the idea of human rights. Human rights define precisely what can never be the subject of a simple majority decision. Moreover they limit the means that can legitimately be used by political parties to achieve their political goals (no use of force). The background political theory also defines which interests can legitimately be articulated, or excluded, and by whom. This concept of politics is narrow and normatively loaded. For the purpose of this paper it is what I call 'politics proper' to distinguish it from 'Identity Politics', which is less 'proper'.

Does this mean that we cannot have a proper political identity? Not at all. Every political community has a legal-ethical identity, which is defined through a notion of 'us' as against a notion of 'them'. The underlying notion is implicit in Sternberger (1990) and Habermas' (1992) concept of *constitutional patriotism*. In contrast to the distinction of 'us' vs. 'them' made by Identity Politics, however, these distinctions in the liberal-democratic framework are not defined with recourse to any pre-political categories such as gender, class, race, ethnicity, religion, culture, primordial nationality, ethnicity, or the like. Although the dichotomy of 'us' and 'them' leads to exclusion through territoriality and citizenship, it is not based on pre-political identities. The boundaries between those included and those excluded are not fixed by 'nature', i.e. by essentialising categories of race, class, gender, religion, or ethnicity. Territoriality and citizenship in contrast are subject to negotiation in the political process itself.

Examples of this principal openness of the political process are the successive expansion of the electorate in many nation states to include formerly excluded races, classes or sexes. This process led to the abolition of class-based suffrage in Germany and other European countries, the abolition of race-based political participation in the USA and South Africa, the introduction of women's suffrage in Europe after World War I in a few countries such as Finland and Germany, and after World War II in most other European countries.

As a consequence, descent based citizenship laws are on the retreat and people of various ethnic and religious backgrounds are eligible to receive citizenship status if born in a particular country (*ius solis vs. ius sanguinis*, cf. v. Münch 2007). Likewise, the political identity of the EU is, in principle, open enough to include countries with a majority of protestant, catholic, and orthodox Christians and possibly even countries with predominantly Muslim populations such as Kosovo, Albania and Turkey, the criteria being adherence to constitutional principles and not ethnic or religious identity (i.e. the mem-

bership criteria agreed upon at the European Council of Copenhagen in 1993 and Madrid 1995).

In contrast, Identity Politics *does* resort to such naturalistic categories in order to define political collectivities. These collectivities are delineated along identity lines that do not necessarily have any bearing on matters fought over in the political process proper. Identities are multi-faceted (Sen 2006) and thus there is no reason why a particular ethnic or religious identity should determine political interests. Quite the contrary: In developed democracies, ethnic or religious identities are shared across political divisions. Political parties unite people from every lineage or creed.

Since identity does not define political interest, controversies over identity can rightly be called para-political. Nevertheless, Identity Politics as a discourse strategy plays an important role in political controversies starting from the inception of mass politics in Europe around the time of the French Revolution till the present day. Thus the discourse strategy of treating primordial group identity as political partisanship raises questions pertaining to theory of democracy and conflict resolution. The strategy offers specific 'advantages' at the expense of an ability to deal with conflicting interests non-violently and democratically.

One 'advantage' of couching political controversy in the para-political terminology of identity is that it absolves the contender from conceding that the political opponent may in fact be articulating legitimate interests that can be discussed on a par with his/her own. Instead, the adversary is depicted as essentially without legitimate political claim. This can be useful if the aim is not a fair political compromise between equals but the domination of the adversary. Identity Politics is thus about either establishing or reversing a hierarchy between 'us' and 'them'. If the goal is to reverse an existing hierarchy that is perceived as unjust, Identity Politics may be called emancipatory. It is often what drives the so called 'new social movements' (Rucht 1997, Honneth & Fraser 2003). Once such Identity Politics becomes majoritarian, however, and the aim is to establish a new basis for discrimination among citizens, it becomes undemocratic.

In well-established democracies the legal-ethical identity of the polity is not problematic. It forms part of the silent background consensus that constitutes the society. Its members are normally not aware of its operation in the background. Political controversies are couched in political terms and political adversaries describe each other equally in political terms (right vs. left, conservative vs. progressive, etc.). This requires the construction of political identities ('us' vs. 'them') but these identities are not hierarchical. The dichotomies so constituted are among equals and they are issue-bound. Members of different parties can fight over a number of issues and still respect each other as members in good standing of the same polity. Thus, political identities can be antagonistic but need not to be hostile to each other.

Identity Politics, by contrast, calls into question the very basis of this silent background understanding. The aim of Identity Politics is to subvert a given legal-ethical framework and change the set-up of the polity. Identity Politics can be a way to change the constitutive rules of the polity in order to get those included that were formerly excluded (i.e. the civil rights movement in the USA, the anti-apartheid movement in South Africa,

Feminism etc.). More often, however, the aim is not to achieve an inclusion into a larger and more equitable legal-ethical framework but to establish an alternative framework where new groups of people are excluded.

Thus when Hindu supremacists in India employ strategies of Identity Politics in order to change the secular Indian polity into a Hindu polity it is not because Hindus were excluded from, or disadvantaged within, the legal-ethical framework of the Indian polity. In the contrary, political Hinduism seems to use the Hindutva ideology to legitimise the supremacy of Hindus in India. Here Identity Politics is employed by groups which are already favoured by circumstances and who, from a position of relative strength, impose a framework on those already disadvantaged bereaving them of their status of formal equality (racial or religious suprematism).

Today it seems that Identity Politics is not an isolated phenomenon but follows a global trend. This flows logically from the idea propounded in John W. Meyer's (2009) world polity approach that the nature of the background consensus operating in individual polities depends on globally hegemonic scripts available at the level of the world polity. As Identity Politics is an indicator of social forces questioning and attempting to change the hegemonic ideas governing societies in the world polity, the occurrence of Identity Politics world-wide can be interpreted as a challenge to established norms of secular modernity and democracy. Thus in India, the secular Nehruvian state is besieged by Hindu nationalists. In Europe the conditions for a deepening and expansion of the Union are increasingly being discussed not in secular political terms but in the para-political terms of Christian (euphemistically: 'Judeo-Christian') identity (Dusche 2009c). This indicates a challenge to democratic political culture world wide.

Ethnic Nationalism and Religious Fundamentalism

Nationalism, especially in its integral form, has often been described as a religion of modern times or the substitute of religion. This makes ethnic nationalism and religious fundamentalism comparable. Both ideologies entail a higher readiness to use force in order to reach their goal, which has contributed to an increase in atrocities and civilian victims during the 'new wars' of the last decades in comparison to conventional state warfare. The asymmetry of combatants has lifted the limits of violence and blurred the line between times of war and times of peace (Münkler 2002: 57ff.; Czempiel 2000). So-called ethnic conflicts have claimed millions of civilian lives after the end of the Cold War and the number of victims of terrorism motivated by religious fanaticism tends to be higher than the number claimed by terrorism of other ideologies (Wieland 2006: 14f.; Hoffman 2001). Gagnon (1994/5, 2006) exhorts in an analysis of the Balkan wars of the 1990s: "The greatest threats to peace in this century have come from those regions in which partitions along ethnic or religious lines have taken place. Examples include Greece-Turkey (1922), Ireland (1921), the Sudetenland (1938), India-Pakistan (1947), South African apartheid (1948), Palestine (1948), and Cyprus (1974) (1994/5: 330 & Fn. 3).

From a normative perspective, as we have seen, Identity Politics in general and nationalism in particular are ambiguous. On one hand they have the potential to liberate groups of people from foreign rule (or from home-grown authoritative government). Modern mass-politics, on which nationalism is based, has the potential of including former subjects as citizens in processes of political deliberation. On the other hand, Identity Politics has the tendency to pitch one group of people against another, which frequently leads to violent conflict or even outright war.

The basic idea underlying nationalism is that 'peoples' exist prior to, or independently of, any state and that ideally each 'people' should inhabit its own sovereign state. This idea is rooted in the romantic notion of peoplehood following Herder (Dusche 2009b). Later, due to developments in bio-philosophy in the 1860s, 'peoples' were increasingly defined in racial terms. Social Darwinism following Herbert Spencer (1857) declared Darwin's 'survival of the fittest' as a natural law among racially defined nations. This school of thought helped the European powers to justify their dominance over non-European 'peoples' and their hegemony vis-à-vis each other. Ultimately, the competition among the 'fitter' ones among the European 'nations' culminated in the the First World War.

With Identity Politics focussing on religion, the postulated members of the religion become the carriers and the resource of an ideology. The religious ascription of each individual develops into a political asset. A conversion into the other camp amounts to desertion. When religion and its followers become a political asset, conflicts are sparked off by religious symbols and conversions. Temples, mosques and churches, religious symbols and processions suddenly gain immense significance (Wieland 2006: 370).

Often religionists resist such misuse of their beliefs. As Wieland points out, in the case of Bosnia, the majority of Muslims did not want a Muslim state. Similarly in the case of the Indian subcontinent, most Muslims did not support the idea of an independent Muslim state. The movement toward an independent state of Pakistan was spearheaded by the Muslim "salarial class" (Abu-Rabi' 2006: 15) of North India, a class that was "the product of the colonial transformation of Indian social structure in the nineteenth century and ... comprised those who had received an education that would equip them for employment in the expanding colonial state apparatus as scribes and functionaries" (Allavi 1998: 68). "This class did not represent the interests of the majority of the Muslim peasants in rural India or those of the Muslims in south India" (Abu-Rabi' *ibid.*). Consequently, the majority of the Muslims of the continent stayed back in India after partition where they still outnumber the Muslim inhabitants of Pakistan. Ahmad Khan's Aligarh Movement was against an independent Muslim state as well as – for opposite reasons – Maududi's Islamist movement Jama'at-i-Islami.

Very often the contents of the conflicts have nothing to do with the descent of the people, neither with their faith, their language or their habits as such. These features serve only as docking stations for an accelerated political mobilization. Neither in India nor in the Balkans did ethnic groups fight each other as such (Wieland 2006: 382). Wieland points out that the idea of an ethnically or religiously homogeneous state is self-defeating, because, as the example of Pakistan shows, once ethnic homogeneity is

achieved the category of 'ethnicity' becomes irrelevant. Primordial cleavages per se do not exist. If political goals are to be achieved, 'ethnic groups' must be politicized. Once each 'ethnic group' has 'its' state, new and smaller parcels must be created since the paradigm of 'ethnicity' became too big and all-embracing (ibid. 387). Thus Jinnah abandoned religious nationalism as soon as he received his Muslim state. Pakistan, however, is still struggling to get the spirits of identity politics back into the magic lamp. Whenever moderately Islamic or secular parties gain the upper hand, the military plays with Islamist identity politics to prevent further democratisation of Pakistan (cf. Nasr 2004).

These are examples of ethno-religious Identity Politics. They remain within the framework of nationalism. There is however a different kind of Identity Politics which resorts to religion as a means to mass mobilisation but does not follow the paradigm of nationalism. An example of this kind shall be discussed in the following section.

Islamism as a form of Identity Politics

This section discusses Islamism as a form of Identity Politics. A crucial point in this discussion is how Islamism relates to democracy and how it impacts on democratic political culture. For a definition of Islamism and an intellectual history of Islamist thought see Abu-Rabi' (2006) For a history of Islamic political thought see Tamimi (1997).

El-Solh (1993) divides Islamists into three groups (similarly Baderin 2003). Group one rejects democracy outright (i.e. the Lebanese 'Movement of Islamic Unification' or the Algerian 'Islamic Salvation Front'). There is not even a pretence to claim legitimacy from dominant patterns of normative order available from the global cultural reference frame.

Group two maintains that Islam is inherently democratic, without necessarily implying that representative forms of government conform to Western standards (i.e. Hasan al-Turabi, leader of the Sudanese 'Islamic National Front', for a detailed account of his thought see Moussalli 1994).

According to Turabi, "all the people believe in the principles and details of *shari'a* law, and apply them wholeheartedly as an expression of their free will. Thus there is no need for force" (after El-Solh 1993: 60). Turabi thereby denies the fact of plurality within the Muslim community itself, not to speak of non-Muslim minorities who by democratic standards should have an equal share in the authorship of the law by which they are governed. Muslims themselves may follow different schools of Islamic law and even within these schools there are divergent opinions regarding its applications to present concerns. In its denial of plurality, this brand of Islamism parallels ethnic Identity Politics. The evocation of a harmonious unity among Muslims leaves no room for legitimate disagreement and thus no peaceful way of resolving conflicts among Muslims themselves and among Muslims and non-Muslims.

Where no space exists to resolve conflicts by democratic means the outcome is oppression and violence. Al Turabi will therefore have to resort to force to bring about the unity that he evokes. Denial of plurality is a feature of Identity Politics common to all

the instances of ethnic nationalism surveyed so far. In this second group, religious Identity Politics resembles ethnic Identity Politics. As such it is indicative of a lack of democratic culture in the political movements that aim at the creation of new polities and states.

Group three, according to El-Solh, places more emphasis on democracy in its representative forms (i.e. Muhammad ‘Amara, Egyptian public intellectual, and Muhammad al-Ghazali, co-founder of the Egyptian ‘Muslim Brotherhood’). According to El-Solh, they insist on the ruler being bound by the rule of law and some form of consultation (shurah). They also advocate an adaptation of Western democracy to Islamic principles by some form of public reasoning (ijtihad).

However ‘democratic’ any of these groups may appear, none of their proponents take into account the equal right of non-Muslims in the state to own this state and to co-author its laws. This is not in congruence with democratic principles where state and law are owned in equal parts by each citizen no matter which religion s/he belongs to. There can be no exclusively Islamic state just as there can be no exclusively Christian, Jewish or Hindu state, without compromising on democratic principles. Thus we can not agree with El-Solh when he concludes that

those who tend to highlight certain Islamist anti-democratic theories and/or practices, and to equate them with the attitudes of Islamists in general, are committing an error of judgement. Such a misjudgement undercuts those Islamists who are responsive to the idea of parliamentary democracy, and as such, may eventually contribute to a weakening (sic!) of democratic tendencies in the Arab region” (ibid. 63).

El-Solh has not shown how in the Islamists’ mind a state should be democratic when it is exclusively ruled by Muslims.

Democracy requires that traditional doctrines transform themselves into reasonable comprehensive doctrines (Rawls 1993) that take into account that “the fact of reasonable pluralism is a permanent feature of democratic culture” (ibid. xviii, 36). This pluralism, even in the Muslim world, includes non-orthodox Muslims as well as non-Muslims and apostates. Religious comprehensive doctrines are compatible with principles of democracy, as understood by John Rawls and Jürgen Habermas, only if out of their own free choice they refrain from imposing by force their religious wisdom on others.

According to Habermas (2001) religious communities have to consider a reflection in three steps. “The religious mind has to first handle the encounter with other confessions or religions. Second it has to brace for the authority of the sciences that maintain the monopoly on world knowledge. And finally it has to get involved with the prerequisites of a democratic constitutional state that is founded on profane morality” (ibid. 17, translation MD). None of the Islamist thinkers that we have encountered so far meet these requirements of a democratic political culture.

As an illustration of this unpreparedness to accept the fact of disagreement among Muslims and among Muslims and non-Muslims and of the lack of readiness to engage

with people of different opinion, I would like to recount an event that took place when I travelled the Palestinian Occupied Territories in February 2008. I was introduced to the local ‘sheikh’ of a small town near Hebron by one of my interlocutors. We met in his house together with a number of notables from town. As the conversation started to centre around the topic of democracy in Islam, I switched on my recording device.

Sheikh: None of the Muslim caliphs, neither from the Umayyad period nor from the Abbasid period, had been selected as caliph without that the majority of Muslims agreeing on that. In the subsequent history mistakes were made and we pray to God that they may not be repeated. The next caliph system will be according to the prophetic system.

Dusche: How do we know what is the prophetic system?

Sheikh: We are following the system of Abu Bakr, Umar, Uthman and Ali. According to the Holy Qur‘an and the Prophet Muhammad’s words, the Sunnah, it is like this. And nowadays the Hisb at-Tahrir party is struggling for this aim. Hisb at-Tahrir issued booklets in which it describes its thoughts about the new world and how it should be and these are now published in the market. Among these booklets is the ‘government system in Islam’ and in it the caliph chapter is a big chapter which describes what a caliph should be and what he should not be. Then there are chapters on the economic system in Islam, the finances of the state, the zakat etc.

Dusche: There has been a caliphate movement right after the abolishment of the caliphate by Atatürk in 1924 but it failed. What do you do if most Muslims don’t want a caliphate system? Can there be a democratic way of deciding that we don’t want this system?

There follows a big ruckus in the audience. Somebody gets up angrily and leaves. My host wishes ma‘a salama (‘go with peace’). Loud banging of the door.

Note that it is not the sheikh who interrupts the dialogue but one of the notables. The dialogue continues for another forty minutes, in which the sheikh expounds the tenets of the Hisb at-Tahrir to which he belongs. At the end I had to promise that I would not rule out the possibility that one day I might convert to Islam. The sheikh was happy and we parted company in amicable terms.

Gudrun Krämer (1993) bases her assessment of Islamist notions of democracy on what she considers “voices of the Sunni Arabic mainstream” (i.e. the Egyptian and the Jordanian Muslim Brotherhoods, the Tunisian al-Ghanushi movement and voices of the so-called Islamic awakening; *ibid.* 4). Among these voices of the male urban elite and middle classes, Krämer notes, there is general agreement on the rejection of secularism and the applicability of *shari‘a*. Islam, in their mind, is religion and state (*din wa-dawla*) but the precise form of government is left to human reason alone. This does not rule out the adoption of democracy.

Certain Islamic values are in congruence with ideas of democracy, i.e. that all people are born equal, that government is accountable to the people etc. Forough Jahanbakhsh (2001) hints at the fact that al-Farabi and Ibn Rushd used the Arabic word ‘jama‘iya’ in the same sense that the Greek of the time used ‘democracy’. Thus a clearly defined model of democracy existed for the Muslim world as early as in the 9th to 12th centuries CE.

Other ideas do not seem to gel with democratic political culture, namely that sovereignty rests with God alone, that laws are not authored by the citizens of the state but by God. However, the application of the laws, again, rests with the people. This leaves room for an interpretation of Islamic law that conforms to Human Rights and democrat-

ic standards (explored in Dusche 2008c). However, the Islamist mainstream does not take such a stand. Wolfgang Merkel (2005) maintains that it is the combination of Arabic and Islamic culture that is accountable for the reluctance in those parts of the world to accept the globally dominant normative scripts of pluralism, liberalism and democracy. Quoting Clague et al. (1997), Merkel infers that it must be the Arab-Islamic cultural impregnation, way above any socio-economical variable, that explains the lack of democratic progress in the Muslim world (ibid. 52).

Most Islamist authors have difficulties, Krämer notes, “in envisaging consultation and participation as a genuinely political process involving interest representation, competition and contestation. It reflects the continued prevalence of a moral rather than a political discourse, strictly speaking. The ideals of unity (*wahda*), consensus (*ijma'*) and a balanced harmony of groups and interests (*tawazun*), often associated with the theological concept of tawhid (the oneness of God), are still paramount. In the debate about pluralism, there is general recognition that God created people to be different, and that therefore differences of opinion (*ikhtilaf*) are natural, legitimate and even beneficial to humankind and the Muslim community – provided they remain within the confines of the faith and common decency. There is great reluctance to allow for unlimited freedom of speech and organization of those different opinions ... As long as there is no certainty as to who defines the ‘framework of Islam,’ and where exactly power and interest come into play, pluralism and democracy remain in jeopardy” (ibid. 7f.).

This again confirms denial of plurality as a feature that Islamism has in common with Identity Politics. It is indicative of the lack of democratic culture among Islamist movements. The utopian vision of a harmonious body politic with no room for the articulation of disagreement and for the democratic organisation of competing interests appears to be a common feature of ethnic nationalism and Islamism. In all these instances an inability to deal with conflict leads to an upholding of an allegedly harmonious unity by force. To legitimise this use of force within, a state of emergency has to be declared against an outward enemy, real or imagined. This can lead Identity Politics into external conflict. Therefore the inability to deal with internal disagreement, the lack of institutional means of resolving internal conflict democratically (i.e. non-violently) right away leads to external conflict.

Differences between ethnic and religious Identity Politics

Ethnicity is often based on religion. Thus Hindu nationalism and Hindu fundamentalism are conceptually the same, but this is not true of all religious Identity Politics. Islamic fundamentalism often stands orthogonal on the divide between civic patriotism and nationalism. Islamism does not accept the basic idea entailed in both, civic patriotism and nationalism, that mankind has to be divided along territorial or ethnic lines and polities can only function within the confines of such entities. Islamism transcends such territorial or ethnic restrictions and bases the polity on the community of all believers. The *ummah*, as it is called in Islam, is neither territorially nor ethnically exclusive. Every human being and every country is welcome provided that they embrace Islam. The vision is of a global polity embracing all mankind turned Muslim. In this humanist and global

outlook it is only paralleled by cosmopolitan visions of world polity or world state (Dusche 2000; 2008a).

Despite many Islamists who parallel the *ummah* with the nation (Usama bin Laden for instance speaks of the *ummah* as the Islamic nation [Fradkin & Haqqani 2005: 1]), the question arises as to how much Islamism falls into the same category as nationalism when compared on the level of Identity Politics. In a way it seems that Islamism overcomes the aporiae of nationalism in a similar way as liberal-democratic cosmopolitanism. The true controversy, thus, does not seem to be between nationalism and Islamism, i.e. between ethnic vs. religious Identity Politics, but between liberal and Islamic cosmopolitanism. This line of argument has been taken up by authors such as Talal Asad (2003), Saba Mahmood (2005) and William T. Cavanaugh (2002) among others.

The debate is an interesting one and would merit a whole paper rather than just a few pages. Just now, however, I will restrict myself to the main argument. The argument is summarised by Goldstone (2007) with reference to the afore mentioned authors. Goldstone argues that liberal democracy is founded on a mythical account of how religion as a foundation for politics engenders conflict and how liberal democracy is the way to prevent such conflict from escalating into violence. According to him

“[S]ecular liberalism ... far from eliminating extreme forms of violence (as it purports to do), instead tries to redefine the manner in which, and, most importantly, the *reasons* for which one should be willing to defend and offend, suffer and inflict suffering, and even to kill and die” (ibid: 208, parenthesis and emphasis in the original).

Goldstone suggests that in actuality it is the other way around. While religion, according to him, once provided a foundation for politics that was less prone to violent conflict, it is instead the modern nation state based on secular liberal-democratic principles that is the cause of much violent conflict and oppression. “One’s sense of *political* belonging (emphasis in the original),” Goldstone writes, “*no longer* derives primarily from one’s religious community ... but is instead founded in the nation-state and its values” (ibid., emphasis mine).

The argument does not hold. While the conclusion may be partially true its antecedent certainly is not. The pre-modern religious world was not a peaceful Eden where the wolf lay beside the lamb. The Latin-Christian world was forged into a unity by the crusaders’ swords and through the pyres of the inquisition. Similarly the integration of the Muslim world followed violent military conquest.

The post-Westphalian system of sovereign states, later exacerbated by nationalism to form the present global order of so called ‘nation-states’ (a misnomer, cf. Dusche 2009) has emerged out of violent conflict. It was the cause of much violence and continues to generate violence. Goldstone, however, conflates the notions of unlimited sovereignty and nationalism with liberalism and democracy. This is a *non-sequitur*. The former may be questionable accompaniments of processes of modernity. However, liberalism and democracy are notions independent of these. Already in the late enlightenment period and well before the emergence of nationalism, liberal cosmopolitan thinkers like Im-

manuel Kant in his *Perpetual Peace* (2006) transcended the notion of unlimited sovereignty.

Goldstone, citing Cavanaugh (2002), correctly indicates that the post-Westphalian order emerged from decades of conflict where the emerging sovereigns of the newly independent states used religion as a means of mobilisation for wars that were primarily designed to wrest their autonomy from imperial and papal tutelage. To speak of 'religious wars' in this context would be misleading. Instead both sides, the defendants of the old religio-political order as well as the proponents of the nascent order of independent states used religion as a resource for political and military mobilisation. Goldstone, however, seems to believe that only the latter used religion in that way.

Notions of the political have changed dramatically over the centuries. Goldstone's idea of 'political belonging' equally carries very different meanings when referring to the 13th, the 17th or the 21st century. He takes no account of this. Instead he retrojects modern notions of 'civil society' back into a time where such concepts have no meaning (*ibid.* 221). Thus it remains in question what he has in mind when he refers to a pre-liberal, pre-secular 'political' order that, as he alleges, would have been less violent-prone – or at least not worse – than the present secular and liberal-democratic normative order.

Goldstone seems to suggest that present day democratic liberalism as a paradigm for normative order is on a par with the religio-political order of past days. For liberalism to function, it has to assume that everybody is liberal or is to be forced to obey its principles. Equally the older religio-political order rested on the assumption that everybody is Christian or has to be forced to accept Christianity. Today non-liberals are under suspicion of being fundamentalist. In the bygone age non-Christians were suspected to be siding with the anti-Christ. Where is the difference in terms of the use of force to maintain order? This seems to be the question that Goldstone and his paragons are asking.

Can one answer this question without already presupposing major tenets of liberal-democratic thinking? A liberal would answer that it does make a difference whether somebody is disciplined by violent means only when in his or her outward behaviour s/he does not obey the law or whether somebody is disciplined when his or her inner allegiance to the established order is in question. Inwardly you don't have to be a liberal to live as a law abiding citizen in a liberal society. But if your credentials as a believer are disputed in a Christian or Muslim society life might become a little difficult. At certain times there may be provisions for certain minorities. But these are always limited in scope and do not warrant an equal standing on a par with the subjects of the established religion.

This argument presupposes that freedom of conscience and equality before the law mean something to the opponent. If they don't, the dialogue has to begin with these matters. Why are human beings equal in value irrespective of their status, race, gender or creed and should therefore enjoy equal rights in any polity? Why should there be no coercion in matters of conscience? Why are political matters to be limited to a certain sphere and should not be all-embracing? These are the disputes of the enlightenment epoch. If these arguments fail to convince the opponent, the prospects for this dispute to take a non-violent form would be dim.

Goldstone admonishes that even a secular, liberal-democratic order sanctions certain kinds of violence and is therefore, according to him, no better off than the religio-political order that it castigates as oppressive and worth overcoming. The only force, however, that can be justified within a liberal-democratic order would be directed against those who infringe on the liberties of others, i.e. as a defensive means against those who use force in the first place. The use of force in the case of self-defence is not normally put on the same level as the aggressive use of force out of intolerance towards religious dissenters. Goldstone does not seem to agree. Instead he romanticises the Middle Ages an age of a peaceful “religious consensus of civil society” (ibid. 221). A Christian reverie, it would seem, paralleling the Islamist myth of the age of the four rightly guided caliphs.

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