

Between Islamic and Western Conceptions of Law and Politics: Akeel Bilgrami's Conception of Muslim Identity and his Critique of John Rawls' Political Liberalism

Abstract

A great number of empirical studies on the attitudes of Muslims indicate that Islam or Muslim identity hardly allow any predictions regarding the predilections of Muslims regarding human rights and democracy in the framework of the modern constitutional state, or regarding the principal separation of politics from religion. From these studies one can infer that reasons other than Islam are responsible for the deficiencies in human rights and democracy in Muslim majority societies. Nevertheless, there has been an ongoing discourse among Muslim intellectuals about an apparent "malaise" of Muslims in the modern world, which according to these authors also affects the ability of Muslims to embrace modern democratic ideas and make democratic institutions work. One of their proponents is Akeel Bilgrami, a philosopher at Columbia University, New York, and a critique of John Rawls, one of the most influential theorists of the modern democratic state. The aim of the project is to place Akeel Bilgrami in the contemporary discourse of the "malaise" and to engage with his criticism of John Rawls' political liberalism, which Bilgrami bases on a philosophically sophisticated notion of Muslim identity.

State of Empirical Research

Current events in the Arab world as well as long-standing empirical research seem to rule out any possibility of an influence of Islam, Muslim identity or Arab culture on prospects of democracy in the Muslim world (an exception is Merkel, 2005). Thus Schlumberger et al. (2010: 17, translation MD) write:

Popular science often has it that "Islam" or "the" Oriental culture were responsible for the remarkable resistance to Democracy in the Arab world. These arguments, however, are irrelevant in the academic literature. They play no role in discourses among regional experts since they are counted as empirically disproved as well as methodologically questionable.

These findings are not restricted to the Arab world. The different World Values Surveys and European Values Surveys (Inglehart et al. 2003, 2004, 2005) also suggest, that the lack of democratic institutions in the Muslim world is not above all a result of religion. "Islam" or a "Muslim cultural influence" may be variables that exert a bit of a negative effect on the development of democratic values and democratic institutions. The deciding factors, however, are socio-economic development and the corresponding increase of "self-expression values" (Inglehart et al.) in the population.

What is true for the many countries considered in the World Value Surveys is also true for two countries like India and Germany, for example. Based on the data of the Indian National Election Study (CSDS, 2009) Subrata Mitra (2010) determines that Indian Muslims hardly differ from members of other religious communities in their understanding of themselves as citizens of India as a democratic country. If the data from Jammu and Kashmir are subtracted out, where many Muslims strive for their own state independently of India, the identification with India among the remainder of Indian Muslims proves even higher than the average in the Indian population (cf. also Mitra, 1999).

For Germany, Wetzels et al. (2007) have determined that "highly democracy-distant attitudinal patterns" can be found only in ten per cent of the Muslim resident population. Thirty-four per cent have an unequivocally positive attitude towards the constitutional democracy (*Rechtsstaat*) and fifty-six per cent are ambivalent. Compared with the average German population and taking into account socio-economic factors, Muslim residents fare hardly worse than the German average. The ten per cent of highly democracy-distant Muslims roughly correspond to ten per cent in the average German population who display xenophobic or radical right-wing attitudes and are therefore equally democracy-distant. Only the middle level of democracy-distance does not quite correspond to the German average. Whereas only one third of the average German population displays a medium democracy-distance the figure for Muslim residents is a bit higher (cf. Embacher, 2009). Further below, I shall refer to this middle segment as the "moderate Muslims".

Even when compared with the average of Muslim residents in Germany, the segment of the moderate Muslims is remarkable. In four out of nine questions, the "moderate Muslims" display a heightened level of democracy-distance. For example, eighty-two per cent of moderate Muslims favour censorship of the media on ethical grounds but only sixty-six percent of the average Muslim residents do so. For sixty-one per cent of moderate Muslims religion ranks higher than democracy. The corresponding value for the average Muslim is only forty-seven per cent. Forty per cent of moderate Muslims demand the death penalty for capital crimes whereas only thirty-four do so among the average Muslim residents. By contrast, in the remaining interview questions asked by Wetzels and his collaborators, moderate Muslims display a higher degree of democracy-compliant attitudes than the average Muslim resident in Germany. This somewhat inconsistent picture of the moderate Muslim calls for further, and more detailed, empirical research, which is, however, not the subject of this study.

As of now, the empirical studies existing on this topic seem to allow the following preliminary summarisation: Islam or Muslim cultural influence do not hinder Muslims to embrace and support the constitutional democratic state as loyal citizens. And they do so in their overwhelming majority just as the majority of citizens in their respective societies does, be they of Muslim or other denomination. Here the

nation state as a modern institution (Meyer 2005, 2009; Eisenstadt 2006), modern conceptions of *laïcité*, of politics as independent from religion (Luhmann, 1984), and society's level of socio-economic development play a much more crucial role as variables than religion. Relative to individual national contexts, however, Muslims, more frequently than citizens of other denominations, display ambivalent attitudes *vis-à-vis* human rights and democracy. Wetzels et al. (2007) speculates that this may be explained by a higher degree of marginalisation and a higher probability of discrimination experienced by Muslims in Germany and other countries. In India, for example, the Sachar Committee Report (Sachar, 2006) suggests a similar explanation. Muslims in India, by a great number of standards, form a disadvantaged group even when compared to other disadvantaged categories such as "scheduled castes", "scheduled tribes" or "other backward castes".

Discourse about the "Malaise" of Moderate Muslims in the Modern World

In apparent contrast with these rather unalarming facts, there is a widespread discourse among intellectuals on a cultural or philosophical "malaise" in the Muslim World (Kassab, 2009). Since the Rushdie affair, Bilgrami (1989), for example speaks of a malaise of moderate Muslims in the modern world. Moderate Muslims, according to Bilgrami (1992a), find themselves caught between "Islamic absolutism" and "their faith in a religion that is defined upon detailed commitments with regard to the polity, commitments that Islamic absolutists constantly invoke to their own advantage (ibid.: 824)." In Bilgrami's analysis

there is a simple but deep *philosophical malaise* at the heart of it; and that insight, in turn, should help them [moderate Muslims] distinguish between different aspects of their faith in a way that allows for its doctrinal reform, and so eventually allows for the conflict they find themselves in to be resolved in favor of a more determined opposition to Islamic absolutism than they have been able to produce so far. What do I mean here by a *philosophical malaise*? I have already granted that the contemporary reassertion of Islamist sentiment in many countries as well as a good part of the moderate Muslim's own commitment to Islam is the product of a certain history of subjugation and condescension, which continues today in revised but nevertheless recognizable forms. Why, then, am I not showing the appropriate sympathy towards these defensive stances? It is in answering this question that the specifically abstract character of the *malaise* is revealed. The answer is that Muslims themselves have taken the wrong attitude to this historical determination of their Islamist sentiments. Their own observation of the role of colonialism and the West in shaping their commitments and identity ought to – but, alas, does not – have a strictly limited and circumscribed role in their own self-conception. *The acute consciousness of and obsession with the historical cause of their commitment has made them incapable of critical reflection about the commitment itself.* For too long now there has been a tendency among Muslims to keep saying, "You have got to understand why we are like this," and then allow that frame of mind to dominate their future actions. This has destroyed their capacity for clear-headed, unreactive political thought and action (ibid.: 835-6, emphases mine).

The philosophical malaise, in Bilgrami's analysis, prevents moderate Muslims from actively and publicly pursuing a reform of Islam. Their indecision, according to Bilgrami, leads to a defensive attitude and an incapacity to publicly defend themselves against their appropriation by fundamentalist ("absolutist") Muslims. What is lacking, according to Bilgrami (1990) is an open debate among moderate Muslims that would help them differentiate between political and non-political aspects of their faith.

Their defensiveness, says Bilgrami, stems from the fear that a critical engagement with the fundamentals of their faith would be misjudged as a sign of disloyalty in the face of a common threat emanating from the West that has treated Muslims with disdain throughout the centuries. In Bilgrami's opinion, it is the historical commitment to Islam as a source of their identity that impairs moderate Muslim's capacities for self-criticism. By this sort of self-victimisation, claims Bilgrami, moderate Muslims give away their "first-person perspective", the only perspective that would place them in the driver's seat of their existence. By their fixation on the West, and their "third-person perspective" on themselves as victims, they permit their adversaries to dictate the rules of actions.

To justify the preoccupation with Bilgrami as the main focus of this study it is important to note that his discourse of the malaise of the modern Muslim is not an isolated phenomenon among post-colonial intellectuals. Nandy (1983), Al-Azm (1969, 1997), Mamdani (2002, 2004, 2005), Mernissi (2002), Ramadan (1999, 2009), Kassab (2009) and many others have come to similar conclusions. Some of them, like Nandy, speak for the post-colonial subject in general; some of them restrict themselves to the Arab – but not exclusively Muslim – world, and some speak only of Muslims, be they located "in the Muslim world", in India, or in the West. By focussing on Bilgrami, who speaks of Muslims primarily, I do not wish to suggest that one could speak of Islam, Muslims or the Muslim world *tout simplement* and without caveats. These are all categories that are loaded by their essentialist uses in Orientalist literature and therefore problematic. Keeping in mind that no human being is Muslim by essence but either by choice or by way of imputation, and that also not to an equal degree and at all times, and that "the Muslim world" is not a geographic category but a cultural frame of reference that allows human beings all over the world to be part of it, be they Muslim or not, or be they located in Muslim majority countries or not, one can still use these categories, and one has to use them, since they are part of a hegemonic discourse that, albeit misconceived, can not be dismantled without active engagement with its very terms.

This is precisely what Bilgrami is doing and that is why he is interesting. And he remains interesting as he is currently completing a book where he takes up the question of "What is a Muslim?" in more detail (forthcoming with Routledge, New Delhi). However, Bilgrami is not only interesting because of his post-colonial critique and because of his critique of the post-colonial subject's own entanglements in

the categories of the very discourse that was designed to keep him/her in a subject position rather than in a position of free and active citizenship. Bilgrami goes a step further and uses his sophisticated theory of Muslim identity as a launch pad for his criticism of one of the major representatives of Western political thought today, John Rawls. His systematic engagement with Rawls' political liberalism, one of the most widely discussed renderings of constitutional democracy today, forms the chief subject of this study.

According to Bilgrami, the accommodation of committed Muslims in a constitutional democracy poses principled problems that can neither be solved by resorting to extreme forms of multiculturalism (which, according to Bilgrami at a talk delivered at the Centre of Philosophy, Jawaharlal Nehru University, New Delhi, on 13 January 2010, offer "too little too late") nor by amending political liberalism in the vein of John Rawls'. Thus if Bilgrami's criticism would turn out to be true, both political liberalism and multiculturalism, which mark the far ends of political theories considered viable today, would be faced with an impasse. This concerns the following strands of theory, which this study would scrutinize in detail.

Firstly, we have theorists like Talal Asad, an anthropologist from the City University of New York, who claims the viability of the radical multicultural path. Talal Asad's (2003) model of an institutional representation of Muslims in a constitutional democracy, which according to him should know of no majority at all but consist of only minorities. This proposal is on the line of communitarian approaches that, rightly or wrongly, draw on Charles Taylor. In Asad's theory, different conceptions of law and politics co-exist more or less without mediation. This study will try to apply Bilgrami's critique of multiculturalism to proposals in this radically multiculturalist vein. Secondly, we have legal and political theorists like Andrew March, a philosopher from Yale University, who are well versed in both, Western and Islamic legal traditions, and who consider amendments to Rawls' conception of *justice and fairness* as a possible way out of Bilgrami's dilemma. These theorists apply Rawls' (1985, 1987, 1997) conception of an *overlapping consensus* to the problem of a unified theory of law and politics for Muslims and non-Muslims (cf. March, 2006, 2007a&b, 2009).

Tariq Ramadan, a philosopher from Geneva who is currently teaching in Oxford, is another proponent of the second strategy. Ramadan (1999, 2009) explores the conditions of possibility for an overlapping consensus between basic tenets of human rights and democracy and certain interpretations of Islam that is meant to appeal to even conservative Muslims. Instead of interpreting Islam as a comprehensive ethical and legal tradition, Ramadan suggests focussing only on the five pillars as the core of Islamic belief and develop out of them rules of conduct for the present. This allows him to treat the compatibility of democracy and modernity with Islamic precepts as an open question that Muslims are at

liberty to answer in the positive (or in the negative). Since Ramadan answers this question in the positive, he invites European Muslims and non-Muslims to share in the responsibility of building a just commonwealth in the universal, humanist sense. By this he understands the duty to struggle against unemployment, marginalisation and crime and to act in favour of legal, economic and political reform. This duty can be justified with recourse to Islam. But it can also be justified with recourse to any other religious or secular humanist frame of reference. This conception of justice, which draws on Rawls' (1993) notion of a *free-standing conception of justice*, however, doesn't make it un-Islamic. This argumentative strategy makes Ramadan's proposal a candidate for an *overlapping consensus* in the vein of John Rawls. In Ramadan's wording, adherence to the basic tenets of Islam in Europe is not tantamount to a subversion of European legal standards. Instead he calls for "honest citizenship" of Muslims and non-Muslims within the already established legal framework that Muslims, as far as Ramadan goes, already have accepted by virtue of accepting to live in Europe. In contradistinction to Asad, Ramadan defends a conception of justice that does not, in principle, distinguish between Muslims and non-Muslims. Both must be prepared to grapple with the legitimate interests and concerns of the other on the basis of a common understanding of justice.

Baderin (2003) has spelled out the compatibility of Islamic law and modern notions of democracy and human rights in further detail and as pertaining to three fields of justice: gender equality, right to life, and prohibition of torture. For Baderin, it is important that the compatibility of Islamic law and modern notions of democracy and human rights does not rest on a simple retro-projection of an idea of human rights into an historical period where such ideas were simply not to be had. Instead it should be based on a universal understanding of human dignity and public welfare shared by Islamic as well as Western legal traditions. With Ramadan and Muhammad Kalish (2005) he is agreed that this can be achieved through a recourse to the five pillars of Islam taken in the abstract, i.e. minus the concretisations that Islamic customary law have given them in historical circumstances of the past. Even if Baderin is not always convincing in his argument of the compatibility of Islamic interpretations of law and Western notions regarding gender equality, right to life, and prohibition of torture, he identifies three important challenges for the viability of an overlapping consensus between Islamic and Western notions of law and justice.

Furthermore, permanent settlement in a non-Muslim country, service in a non-Muslim army, and solidarity with non-Muslims in the face of common social and political challenges are identified by Andrew March as challenges for the viability of an overlapping consensus between Islamic and Western notions of law and justice. March (2006, 2007b, 2009) highlights the conditions that have to be fulfilled by either side, the Islamic and the Western one, for the viability of an overlapping consensus in the vein

of John Rawls. Therein March takes account of Islamic legal traditions only in so far as they can positively contribute to such a consensus.

Of course all these positive endeavours by Ramadan, Bilgrami, March and others (like Al-Azm, 1969; An-Na'im, 1992, 1996a&b; Abu Zaid, 1999, 2004; Arkoun, 2006; Al-Jabri, 2009 etc.) hinge on the assumption that Bilgrami's (1994, 1997) critique of Rawls' (1971) idea of the *original position*, which is based on Bilgrami's notion of Muslim identity, is not so devastating that Rawls' conception *justice as fairness* is ruled out as theoretical framework for considerations of inter-cultural justice. The proposal is to critically engage with Bilgrami's writings on Muslim identity and commitment and his subsequent critique of John Rawls and to draw the necessary conclusions regarding political liberalism's ability to accommodate committed Muslims and regarding the prospects of an overlapping consensus between Islamic and Western notions of justice.

Bilgrami's Criticism of Political Liberalism in General

Generally, in Bilgrami's (2004) view, political liberalism mistakenly suggests that there could be reasons that bind all rational people and that justify secular and liberal ideals. Here Bilgrami relies on Bernard Williams' (1982) criticism of externalism. Instead he favours internalism which holds that an agent's action can be regarded reasonable only in view of his or her internal motivations, desires and persuasions and not in view of external principles or propositions. Bilgrami (1998) calls "Archimedean" the secularist stance that draws on externalist assumptions. Archimedean theories, according to Bilgrami, are based on the false idea that they could take an external stance relative to the arena of substantive political commitments. Instead, Bilgrami (1982: 405-408) proposes a model of "negotiated" or "emergent secularism". According to Bilgrami, it is possible to convince the moderate Muslim or other illiberal religionist that he or she could support secular liberalism only if the contestant appeals to the values and principles internal to the reference frame of the supposedly illiberal religious person. Archimedean secularism, in contrast, pretends to be able to present a neutral field of discussion. In contrast with this stance, the negotiated-emergent model proposes that we refrain from seeking such a neutral common agreement and rather create a framework, which renders it possible for the communities to contribute to a secular outcome for different (therefore non-neutral) reasons from within their own very different substantive value economies (ibid. 411). According to Bilgrami "secularism can only *emerge* as a value by negotiation between the substantive commitments of particular religious communities" (ibid. 393).

Bilgrami's Criticism of John Rawls

In "Secular Liberalism and Moral psychology of Identity" Bilgrami (1997) presents a critique of John Rawls' political liberalism based on a criticism of Rawls' moral-psychological presuppositions. In Bilgrami's reading, Rawls' conception of the "original position" can be disqualified as untenable with the help of three moral-psychological ideas: "reinforcement", "akrasia" and "identity". Firstly, in certain cases our desires may reinforce each other without there being an instrumental relation between them. In Bilgrami's example, one's desire to do philosophy can be accompanied by one's desire to be respected by his or her intellectual friends. At the same time, as Bilgrami points out there need not be an instrumental temptation of doing philosophy *in order* to be respected by the friends. Reinforcement, as Bilgrami defines it, is a relation between desires that is more than simple consistency. He insists that it should not be identified with an instrumental means-end relationship. With this fundamental notion, Bilgrami can describe desires as carriers of certain forms of intrinsic rationality. For Bilgrami, an agent is rational if his/her actions are in accord with his/her values. A person's values in turn are those among her desires that are most highly reinforced (1997: 2528). Secondly, Akrasia (weakness of the will), is defined as "that form of irrationality where the most reinforced among our desires points to one sort of actions, but what we actually opt for is something less reinforced in our evaluative economy" (ibid.). Thirdly, identity is defined in terms of an agent's most "fundamental commitments". Identity, for Bilgrami, is constituted by the desires that the agent most identifies with. He points out that we can attribute the role of fundamental commitment only to those desires that are specified in counter-factual terms. "A desire", writes Bilgrami, "is a fundamental commitment if one wants it fulfilled even were one not to have the desire" (ibid. 2529). A desire counts as fundamental commitment "at a given time, if at that time one wants it to be fulfilled at a future time, even if one believes that at the future time one may not have that desire" (ibid.). In Bilgrami's view, those desires are "our identity-shaping commitments for they reveal our deepest self-conception" (ibid.). It is worth noting, that the identities so described need not be permanent or essentialising. Now, Bilgrami argues, Rawls' proposal cannot fulfil the requisites of rationality in the sense derivable from Bilgrami's conception of identity. Moreover, Rawls can not make his position acceptable for an illiberal, albeit moderate, Muslim or other religious communitarian. When Rawls refers to the higher order desire regarding the satisfaction of our revised desires he supposes that it would be rational to commit ourselves to the principles of political liberalism because "that way we would be taking out an insurance policy for possible future conceptions of the good which were significantly different from our religious communitarian one" (ibid. 2531). This is why, according to Rawls, an illiberal, albeit moderate, Muslim behind the veil of ignorance would contract into the principles of political liberalism, which implies an approval of the equality and liberty of non-religious citizens or citizens of other faiths. Against this, Bilgrami holds that if the religious communitarian has fundamental commitments as described above, the illiberal, albeit moderate,

Muslim would not find it reasonable to admit the principles of political liberalism, even if he or she takes the revisability of desires into account. "This is because his fundamental commitments are structurally defined in a way that preclude making any sacrifices now ... for a different psychological make-up in the future" (ibid.). "Rawls" however, as Bilgrami argues, "has given an argument for a liberal principle that requires us to possibly make sacrifices in the present for the fulfilment of our desires in the future" (ibid.). This counters the very logic of the moral psychology of identity as understood by Bilgrami by misinterpreting the way our present fundamental commitments shape our identities. Moreover, "Rawls *cannot make any similar appeal* to reinforcement from substantive conceptions of the good for his higher-order desire for the satisfaction of future desires since that higher-order desire is introduced by him only behind the veil of ignorance *where, ex hypothesi, there are no substantive conceptions of the good*" (ibid.). Behind Rawls' veil of ignorance, Bilgrami argues, the opting of the illiberal, albeit moderate, Muslim for the principles of political liberalism would be irrational because he or she "would be opting for an outcome which is not only in conflict with his fundamental commitments (which in itself is not decisive since it gives rise only a stand-off) but also choosing something that is much less reinforced by his other desires. To do this last is to be no different, say, from the weak-willed alcoholic who desires to sober up and fulfil all his other desires (say to be a good husband and father, a good professional, etc.) that are better reinforced than his desire for alcohol" (ibid.). In this sense Rawls would be asking the illiberal, albeit moderate, Muslim to be addicted to liberalism, as it were, which, in accordance with the notion of weakness of the will (*akrasia*) described above would be irrational.

In a footnote attached to "Secular Liberalism and Relativism", Bilgrami (2004: 185, fn. 5) reflects on Rawls' conception of the "overlapping consensus". Here Bilgrami notes a possible similarity between the idea suggested by Rawls' idea of an overlapping consensus and his own model. In personal email correspondence, Bilgrami explains:

"it is interesting that you ask about 'overlapping consensus'. when i first wrote on rushdie i had not really read the middle and late rawls. i had only read 'a theory of justice.' my ideas were entirely motivated by williams's notion of 'internal reasoning'. it was really only much later that i began to see that rawls himself had been abandoning his position of 'a theory of justice'. so in a longish footnote to my paper 'secularism and relativism' (which was written much later than but overlaps quite a lot with 'secularism and the moral psychology of identity' – leaving out only the material on india), that i had read the middle and later rawls. in a longish footnote in that paper, i address the relationship between my view and the overlapping consensus view. so my response to your question is that if you really believe in overlapping consensus in the form that puts stress on 'internal reasons' as i deploy that idea, then you cannot have ANY role for 'the original position' because it is now completely redundant. but that is obviously not how rawls means it since overlapping consensus for him is embedded in the original position both in the middle period of the constructivist lectures and in 'law of peoples'. the footnote talks about this a little, saying that you have to give up on the original position idea as made redundant by internal reasons

and think entirely in Hegelian terms, as that paper explains (email from Akeel Bilgrami sent to the author on 5 March 2010).

Although these propositions should be the subject of further critical scrutiny, Bilgrami is probably right about the redundancy of Rawls' original position, an interpretation of Rawls (in spite of himself) that I have argued for in my Ph.D. dissertation (Dusche 2000). As already mentioned, the fragmentary comments on the conception of an overlapping consensus wait for further elucidation in a forthcoming book by Bilgrami (forthcoming).

The basic intention of Bilgrami with the invention of the emergent-negotiated secularist model is two-fold. On the one hand, his aim is to work out a position that could render possible an inclusivist attitude towards illiberal, albeit moderate, Muslims. He proposes that this model renders it possible that they can subscribe to principles of (secular) political liberalism without compromising their religious commitments. The process of negotiation itself is supposed to take the form of a public discourse and secularization would result from this process. Bilgrami locates himself in a mid-position between liberalism and communitarianism. The nucleus of his epistemological theory is his thesis about the role of internal reasoning in context of value statements. This stance Bilgrami (1992, 2006, 2011) expounds within a complex theoretical framework, involving fundamental issues like that of agency, identity, commitment, and intentionality. As we have seen, the central element of his argument in support of the model of emergent secularism is the demonstration that the generally applied "classical" liberal strategy is impotent. According to Bilgrami, it is somewhat simple-minded to suppose that in case of value conflicts the consent of the moderate Muslims could be reached by arguments that draw on premises falling outside their value commitments (1990a: 605).

At the same time, it is also important to see that Bilgrami does not subscribe to a pluralistic agenda in terms of value pluralism. He argues against any kind of legal pluralism regarding the outcome of his emergent secularism. For him, pluralism is welcome "only at the level of allowing plural (internal) reasons for signing on to liberal principles and laws without in any way compromising on the principles and laws themselves" (2004: 193). As he admits, this is "an evaluative stance that gives a secular liberal the confidence to insist on the exclusive rightness of secular liberalism against illiberal opponents, despite the loss of externalist reasons and the loss of externalist justifications of liberalism (ibid. 195). In other words, Bilgrami's intention is to save liberalism from the liberals, as it were, and not to take sides with the communitarians.

References

- Abu Zaid, Nasr Hamid (1999). *Ein Leben mit dem Islam*. Freiburg im Breisgau: Herder.
- (2004). *Rethinking the Qur'an. Towards a Humanistic Hermeneutics*. Amsterdam: Humanistic University Press.
- Al-Jabri, Mohammed Abed (2009). *Kritik der arabischen Vernunft. Die Einführung*. Berlin: Perlen Verlag.
- Al-Azm, Sadik J. (1969). *Critique of Religious Thought*. Beirut: Tali'a.
- (1997). *Unbehagen in der Moderne*. Frankfurt am Main: Fischer.
- Arkoun, Mohammed (2006). *Islam. To Reform or to Subvert?* London: Saqi.
- An-Na'im, Abdullahi Ahmed (ed.) (1992). *Human Rights in Cross Cultural Perspectives: A Quest for Consensus*. Philadelphia: University of Pennsylvania Press.
- (1996a). *Towards an Islamic Reformation: Civil Liberties, Human Rights and International Law*. Syracuse: Syracuse University Press.
- (1996b). "Human Rights in the Muslim World." In: Henry Steiner and Philipp Alston (eds.). *International Human Rights in Context*. Oxford: Clarendon, 1996.
- Asad, Talal (2003). *Formations of the Secular. Christianity, Islam, Modernity*. Stanford: University Press.
- Baderin, Mashood A. (2003). *International Human Rights and Islamic Law*. Oxford: Oxford University Press.
- Bilgrami, Akeel (1989). "Rushdie and the Reform of Islam." *Grand Street* 8[4]: 170-184.
- (1990). "Rushdie, Islam and Postcolonial Defensiveness." *Yale Journal of Criticism* 4[1]: 301-311.
- (1990a). "Rushdie and the Reform of Islam." *Economic and Political Weekly* 25[12]: 605-608.
- (1992). *Belief and Meaning*. Oxford: Blackwell.
- (1992a). "What Is a Muslim? Fundamental Commitment and Cultural Identity." *Critical Inquiry* 18[4]: 821-842.
- (1994). "Two Concepts of Secularism: Reason, Modernity and Archimedean Ideal." *Economic and Political Weekly* 29[28]: 1749-1761.
- (1997). "Secular Liberalism and Moral Psychology of Identity." *Economic and Political Weekly* 32[40]: 2527-2540.
- (1998). "Secularism, Nationalism, Modernity." In: Rajeev Bhargava (ed.). *Secularism and its Critics*. New Delhi: Oxford University Press: 380-417.
- (2004). "Secularism and Relativism." *Boundary* 2 31[2]: 173-196.
- (2006). *Self-Knowledge and Resentment*. Cambridge MA: Harvard University Press.
- (2011). *Democratic Culture. Historical and Philosophical Essays*. London: Routledge.
- (forthcoming). *What is a Muslim?* New Delhi: Routledge.
- CSDS (2009). *National Election Study (NES Survey)*. Questionnaire available from www.lokniti.org/questionnaires.html (30. Juni 2010).
- Dusche (2000). *Der Philosoph als Mediator. Anwendungsbedingungen globaler Gerechtigkeit*. Vienna: Passagen.

- Eisenstadt, Shmual Noah (2006). *Theorie und Moderne. Soziologische Essays*. Wiesbaden: Verlag für Sozialwissenschaften.
- Embacher, Serge (2009). *Demokratie! Nein Danke?* Bonn: Dietz.
- Inglehart, Ronald (Hg.) (2003). *Islam, Gender, Culture and Democracy*. Ann Arbor: University of Michigan Press.
- Inglehart, Ronald / Pippa Norris (2004). *Sacred and Secular: Religion and Politics World Wide*. Cambridge: Cambridge University Press.
- Inglehart, Ronald / Christian Welzel (2005). *Modernisation, Cultural Change and Democracy*. Cambridge: Cambridge University Press.
- Kassab, Elizabeth Suzanne (2009). *Contemporary Arab Thought. Cultural Critique in Comparative Perspectives*. New York: Columbia University Press.
- Kalish, Muhammad (2005). *Muslims als religiöse Minderheit – Ein Beitrag zur Notwendigkeit eines neuen Ijtihad*. In: Thorsten Gerald Schneiders und Lamyia Kaddor (Hg.): *Muslims im Rechtsstaat*. Münster: LIT: 47-67.
- Luhmann, Niklas (1984). *Soziale Systeme. Grundriß einer allgemeinen Theorie*. Frankfurt am Main: Suhrkamp.
- Mamdani, Mahmood (2002). "Good Muslim, Bad Muslim. A Political Perspective on Culture and Terrorism." *American Anthropologist* 104[3]: 766-775.
- (2004) *Good Muslim, Bad Muslim*. New York: Pantheon.
- (2005) "Culture Talk: Six Debates that Shape the Discourse on "Good" Muslims." *The American Journal of Islamic Sciences* 22[3]: 95-104.
- March, Andrew F. (2006). "Liberal Citizenship and the Search for Overlapping Consensus: The Case of Muslim Minorities." *Philosophy & Public Affairs* 34[4]: 373-421.
- (2007a). "Reading Tariq Ramadan: Political Liberalism, Islam, and 'Overlapping Consensus'." In: *Ethics & International Affairs* 21, No 4]: 399-413.
- (2007b). "Islamic Foundations for a Social Contract in non-Muslim Liberal Democracies." In: *American Political Science Review* 101[2]: 235-252.
- (2009). *Islam and Liberal Citizenship. The Search For an Overlapping Consensus*. Oxford: Oxford University Press.
- Merkel, Wolfgang (2005). "Islam, Islamismus, der Westen und die Demokratie." In: André Kaiser & Wolfgang Leidhold (eds.) *Demokratie. Chancen und Herausforderungen im 21. Jahrhundert*. Münster: LIT Verlag, 41-69.
- Mernissi, Fatema (2002). *Islam and Democracy. Fear of the Modern World*. New York: Basic Books.
- Meyer, John W. (2005). *Weltkultur. Wie die Westlichen Prinzipien die Welt durchdringen. (World Culture. How Western Principles Permeate the World)*. Frankfurt am Main: Suhrkamp.
- (2009) *World Society. The Writings of John W. Meyer*. Oxford: Oxford University Press.
- Mitra, Subrata (1999). *Culture and Rationality. The Politics of Social Change in Post-Colonial India*. New Delhi: SAGE.
- (2010). "Citizenship in India. Some Preliminary Results of a National Survey." *Economic and Political Weekly* 45[9]: 46-53.
- Nandy, Ashis (1983). *The Intimate Enemy. Loss and Recovery of Self under Colonialism*. New Delhi: Oxford University Press.
- Ramadan, Tariq (1999). *Être Musulman Européen. Étude de sources islamiques à la lumière du contexte européen*. Lyon: Édition Tawhid.

- (2009). "Reinventing Ourselves." In: *Kulturaustausch II* [Theme: The West and Islam]; www.ifa.de/en/pub/kulturaustausch/themes/the-west-and-islam/theme-the-west-and-islam/reinventing-ourselves/type/98/ (17 June 2011).
- Rawls, John (1971). *A Theory of Justice*. Cambridge: Harvard University Press.
- (1985). "Justice as Fairness: Political not Metaphysical." *Philosophy and Public Affairs* 14[3]: 223-251.
- (1987). "The Idea of an Overlapping Consensus." *Oxford Journal of Legal Studies* 7[1]: 1-25.
- (1993). *Political Liberalism*. New York: Columbia University Press.
- (1997). "The Idea of Public Reason Revisited." *The University of Chicago Law Review* 64[3]: 765-807.
- Sachar, Rajindar (2006). *Social, Economic and Educational Status of the Muslim Community of India*. New Delhi: Govt. of India (Ministry of Minority Affairs); <http://minorityaffairs.gov.in/newsite/sachar/sachar.asp> (30. Juni 2010).
- Schlumberger, Oliver / Kreitmeyer, Nadine (2010). "Autoritäre Herrschaft in der arabischen Welt." In: *Aus Politik und Zeitgeschichte* 24[14. Juni]: 16-22.
- Bernard Williams (1982). *Moral Luck: Philosophical Papers 1973-1980*. Cambridge: Cambridge University Press.
- Wetzels, Peter / Katrin Brettfeld (2007). *Muslimen in Deutschland. Integration, Integrationsbarrieren, Religion sowie Einstellungen zu Demokratie, Rechtsstaat und politisch-religiös motivierter Gewalt*. Berlin: BMI 2007.