THE SEPARATION OF CHURCH AND STATE UNDER THE "ISLAMIST PROTOCOL"

The debate over the separation of Church and State (Church used here in its generic meaning of established religion or religions) in the Islamic context recently gained momentum in the face of devastating and increasingly violent terrorist attacks around the world, including in Western societies home to significant Muslim minorities. In this article, the author traces the roots of Islamic extremism to fundamentally show that Islamism as an ideology is a politically motivated distortion that is all about conquering and maintaining power. Accordingly, the Western concept of secularism does not find ground in the Islamist context because of the exclusive and monolithic nature of Islamism.

Lotfi Maktouf[*]

* Lotfi Maktouf is the founder and President of Almadanya, a Tunisian NGO formed after the Tunisian revolution to empower citizens through a series of development and cultural programs. He is the author of "*Sauver la Tunisie*," in which the concept of "Islamist Protocol" was first developed. An earlier version of this paper was presented and discussed at Stanford University in the context of a conference on "The New Politics of Church and State Relations" on 3-4 December 2015.

W ith the dramatic uptick of Islamist terror attacks all across the world and with the ever-increasing, so-called "home-grown" terrorism, Western public opinion is more and more drawn to the traditional "Church and State" debate, trying to apply it to the new realities of Islam as part of Western societies.

Almost systematically, Western analysts and political observers apply the traditional Western tools of the separation of Church and State in an attempt to answer the applicability of what the French call *laîcité*, or a specific form of secularism, to the Muslim context.

This debate goes beyond regulating (or not regulating) wearing the Islamic headscarf to school or the full veil (*niqab or burqa*) in public spaces. It encompasses indeed the issue of private Islamic centers – *madrassas* – informal, unchartered mosques, and even the actual reach of the rule of law to segments of the societies in Western countries that are increasingly ruled by a different set of Sharia-inspired laws.

With Islam taking center stage in current affairs and beyond, it appears that the application of the Western concept of the separation of Church and State is simply insufficient for truly apprehending the conceptual contours of the relationship between Islam and the State for at least one reason: the very concept of the State as understood in the West is conceptually irrelevant in what this article terms the "Islamist Protocol."

The Islamist Protocol is the foundation on which Islamists base their ideology. It comprises the observation of two guiding principles: the systematic and universal application of Sharia and governing in accordance with the principles of the caliphate, i.e., Islamic State. Under the Islamist Protocol, statecraft as such amounts to the fusion of faith and governance in one body of rules that does not leaving room for the separation of Church and State, as demonstrated in the two instances where Islamists were in power (Egypt and Tunisia).

The Islamist Protocol

Islam is a religion. Islamism is an ideology that is all about governance: conquering and maintaining political power.

Islam is in keeping with peace and serenity on the part of the believer in his or her rapport with the Creator. Further, it is a life-long undertaking of discovery, learning and submission, commitment, and exchange. Muslims are serene beings, curious,

loving, and peaceful. They are committed to their families, their friends, their community; they are conscious of their role as ambassadors of their faith with a deep sense of belonging to their national community, whichever one it might be, even non-Muslim. The overwhelming majority of the faithful live their faith peacefully, and live their daily lives in total harmony with their surroundings. Lines of separation are clearly drawn.

Islamism, by contrast, is an ideology based on faith as a platform for political struggle. The appeal to the religion's precepts and values is motivated and justified only by the political project of this absolutist ideology. The "holy grail" of Islamists is to rule unchallenged. Their mission is to govern on the basis of an Islamist Protocol.

The Sources of Political Islam

This ideology's source and *raison d'être* derive from a very specific historical context. It is worth recalling that Muslim consciousness is broadly haunted by the fate of the inexorable decline suffered by the Muslim nation, or *ummah*. This decline began after a period of glory that is now centuries in the past. In the memory of every Muslim individual, infighting and arbitrary concentrations of political power have constituted the principal feature of citizenry from the beginning. Ever since, violent conflicts have structured the *ummah*'s long history and would come to dominate as the mode of transferring power. The political instability fed and exacerbated by early internal rivalries springs from this mode of governance.

One of most the emblematic episodes is the fall of Grenada, seized in 1492 by the Christians of the Spanish Reconquista, followed soon by the humiliating expulsion of the Moors from the Iberian Peninsula after seven centuries of their presence and flourishing civilization.

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The Ottomans would provide the *ummah* a second wind, before their fate was sealed by the 1923 Lausanne Treaty that reduced their empire to the borders of today's Turkey, throwing wide open the doors of violent domination of Islamic lands by European colonizers. After the fall of the Ottoman Empire, the Arab-Muslim world – only just freed from one form of domination, divided, exhausted, impoverished, and underdeveloped – was then subjected to yet another colonizer. This time it was the ogre from the West, which implanted its "infidels" in the heart of the land of Islam.

From one invasion to the next, one enslavement after another, Muslim populations sank ever deeper into poverty, ignorance, economic and political dependence, and an inward-looking identity. For example, the Arabs' successive and almost systematic defeats in their wars with Israel haunt all strata of Arab-Muslim memory.

Generation after generation, Muslim individuals submit to defeat and pass it on, just as they themselves inherited it, a legacy of ignorance, poverty, submission, and regression. Those who aspire to something else are crushed, either by their fellow Muslims or by a foreign force.

But it was recent events in Afghanistan and Iraq that somehow produced a tipping point in the seemingly endless impasse of Muslim defeatism, and revealed to a large sector of the masses that a return to Islamic roots was the *only way to salvation*. This is the basis of the Islamist Protocol.

As far back as the 19th century, however, in the face of persistent defeat, destitution, despair, and dependence, the central issue raised by the first reformers in Egypt and Tunisia was this: how did the Muslim world get to this point, and why has the West made progress while we have sunk into backwardness?

Two incommensurable responses from the Arab world to that question have conditioned the political and social structure of Arab and Muslim thinking to various degrees. It is precisely at this critical juncture that the fate of modern Muslim societies is played out.

The first possible response is modernist and nationalist. As was the case with the Young Turks, Arab thinkers like the Egyptian Rifaa al-Tahtawi and the Tunisian Kheireddine Pasha identified the problem with great acuity. In order to rise out of backwardness, Arab-Muslim

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societies had no choice: they had to open up, learn foreign languages, take inspiration from great scientific and technological advances, and engage in large-scale development projects, both social and economic. At the heart of this effort was education.

By deepening their analysis of the Golden Age of Arab-Muslim civilization, these reformers almost all came to the same conclusions: tolerance, a thirst for knowledge, exchange, experimentation, science, research, technology, art, poetry, literature, and freedom of expression underpinned and explained this exceptional flourishing of civilization. By remaining open to its own people's demands, as was characteristic of that era, Islamic civilization wrote some of the most beautiful pages of human history, and for centuries associated its name with enlightenment, tolerance, opulence, generosity, openness, beauty, creativity, emotion, and adventure.

The conservative argument starts from a totally different premise: if Arab-Muslim society is in its current state of disrepair, it is only because it strayed from the earliest form of Islam, or Salafism. For fundamentalists, only by "returning" to original Islam can society once again flourish and develop. In Tunisia, as in the rest of the Arab world, an open and fertile school of thought was faced with these conservative premises, represented at the time by the *Zaytuna*. This relatively open school of thought grew increasingly dogmatic and narrow-minded, accommodating to the conservative times, and seeking refuge to better protect society from what it perceived as incessant cultural assaults from the West.

These traditionalists opted for an outmoded path that they called "back to basics" in order to build their protocol: the return to Sharia and an Islamic state, a political system borrowed from that of the caliphate. Thus was born the first political Islamist party, forged in Egypt by Hassan al-Banna: the Muslim Brotherhood movement. Principally rural and feudal, the social structure of Egypt at that time was naturally

favorable to a new message of return to the golden days. The movement was essentially political, despite its early works of charity, and set its sights on one objective: the conquest and exercise of political power. Having opted for radical Islam as its base, there was no need for it to elaborate a new platform. This Sunni movement gradually spread throughout the entire Arab-Muslim world, thanks largely to its discretion and to the massive funding it was able to attract and manage in the early years. *Ennahda* is part of this larger movement.

Once the Muslim Brotherhood had adopted the Islamist Protocol and declared itself the sole ideological, financial, and logistic vehicle of Islamism – as demonstrated by its members' involvement in fighting the Soviet Union in Afghanistan from December 1979 to February 1989 – they could claim a monopoly on political Islam.

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For a certain period, the Islamist landscape was split between two groups, both espousing the agenda of the Islamist Protocol. The first, the Muslim Brotherhood, gives precedence to the concept of moderate jihad, adapted to contemporary realities. The second, Al Qaeda, implacably opposed to the Brotherhood and calling them manipulative traitors, abides by the hardcore concept of jihad, and aims at nothing short of liberating the land of Islam. This means "from Granada to Kashgar," in the words of Ayman Al Zawahiri, who was among the early founders of Al Qaeda along with Abdullah Yusuf Azzam and Osama bin Laden, in August 1988.

For their part, the Muslim Brotherhood took this rivalry very seriously and launched a campaign against Al Qaeda in order to reaffirm its own preeminent status. This ideological infighting turned bloody in August 2009 when Hamas, which has ties to the Brotherhood, brutally assassinated members of a Salafist group called the Soldiers of the Partisans of God, thereby reaffirming Hamas control over Gaza. The war would continue between these sworn enemies, but since the rise of global jihad, Al Qaeda style, it would appear that the Muslim Brotherhood has regained its leadership position to the detriment of the die-hard extremists, only to take a new turn for the worse with the emergence of the so called *Daesh* or the Islamic State of Iraq and the Levant (ISIL).

Sharia and the Caliphate: A Ready-Made Universal Solution

The Islamist Protocol is a legacy of the Egyptian Muslim Brotherhood's philosophy that eventually won over almost all other Islamist tendencies. The discipline and constancy of this group is remarkable. Let us take a recent example: the scandal touched off by the anti-Semitic remarks made by recently deposed Egyptian President Muhammad Morsi, revealed in a video dating back to 2010. The words, the text, and even the order of appearance of the insults are identical to those of a more recent sermon by a Tunisian imam that was broadcasted live on television in 2012. This sermon was picked up and used by other imams in Algeria, Saudi Arabia, and various other preachers on religious TV stations.

The Islamic Protocol rests upon two unshakable pillars: the application of Sharia law as the sole source of legislation, and the adoption of the caliphate as a political system based on a system of cooptation, completely unrelated to popular vote.

Sharia law, based on the Koran and the Sunna, is the set of rules meant to govern all aspects of a Muslim's private life, as well as public and community affairs. It is a complex body of codes and conventions resulting from the compilation of thousands of treatises over a period of several centuries on different branches of law, with reference to the holy book, the Koran. The power of the Sharia derives from its source, Revelation, which explains why Islamists intend to apply its rules to the exclusion of any others, whether principal or complementary. Thus, positive law, by definition human-derived, represents a violation of Islamic principles in the eyes of purists, for it would subject Muslim society to innovation, which they say is contrary to Islamic principles. For some, such man-made laws would constitute a veritable substitution of the divine prerogative and power to legislate.

Reformers, on the other hand, feel that the act of codifying laws in no way violates the letter of Islam, to the extent that the larger principles still conform to society's Islamic vocation and to the spirit of the religion. Where Islamists see in Sharia a compact code, valid for everyone, everywhere and for all time, modernists remind us of an important point. Although these rules offered harmonious solutions at the time of Revelation within the socio-economic and political conditions of the era, it is only reasonable to assume that, while remaining faithful to the divine message, laws must adapt to contemporary times. A failure to do so, they affirm, would lead to contradictions unworthy of the spirit of Islam.

The issue of slavery is a good case in point. It is clearly mentioned and permissible in the Koran. The overwhelming majority of Muslim societies – even the most

traditionalist ones – agree today that the practice of slavery must be abandoned, qualifying it as inhumane and contrary to universally recognized laws and standards of behavior. In the 7th century, the Koranic rule, in keeping with practices at the time of the Revelation, had authorized and codified slavery. But society has evolved, thanks to acts of interpretation and adaptation to the historical evolution of criteria and winning of certain rights, and change became inevitable. "Why were they able to make this leap where slavery was concerned, but not for polygamy and corporal punishment?" asks Mohamed Charfi, former Minister of Education of Tunisia between 1989 and 1994. Indeed, why should we not apply the same reasoning that abolished slavery to also abolish corporal punishment and injustices regarding freedom of conscience or women's rights? How are human laws to make sense if they do not adapt to their time, to the specificity of a historical context and to the concrete demands of a given society? This is not to say that Sharia is to be dismissed out of hand. It implies, rather, that its true value, divine by definition, be reinforced by its flexibility when it comes to the earthly matters of human believers of all times, for as long as God wills it, whether for centuries, millennia or mere days.

Reforming and adapting, conservatives fear, would spell the end to Sharia. For modernists, the legal arsenal must be adapted to Muslims' down-to-earth, daily lives without betraying the divine message, but rather by consolidating it.

No modern society is administered by Sharia law, and every time this noble concept is used, unfortunate associations spring to mind, in both the West and in Muslim countries, usually having to do with corporal punishment, female submission, and brutality. How have we arrived at such a low point? First of all, this is because the only known applications of Sharia have either been caricatures, or have been motivated by a spirit of revenge or conquest of territory. In fact, it is practically impossible to apply Sharia to the letter. Hassan al-Hudaybi himself, head of the Muslim Brotherhood at the time of Egyptian President Gamal Abdel Nasser, was unable to contest this. In a now famous speech, Nasser quoted a conversation he had with Al-Hudaybi, in which the latter asked him to oblige all Egyptian women to wear the veil in public. Nasser countered: "Sir, you have a daughter in medical school and she doesn't wear a veil. Why don't you oblige her to do so? (…) If you can't manage to get this one woman to veil, even when she is your own daughter, how do you expect me to get ten million Egyptian women to veil?" One of the other participants in the conversation added: "Let him wear the veil himself!"

Sooner or later, the Islamists will be compelled to deal with reality, which means that they will have to reform Sharia, however reluctant they might be, and start making concessions. By making exceptions to rules, the rules eventually disappear and

are replaced by others. This is where the first President of Tunisia, Habib Bourguiba, excelled. He was able to remain in the Muslim context while translating the spirit of Sharia into the modern world, without perverting or undermining the spirit of the law, and especially without falling back into archaic clichés or caricatures of Islamic law. Not everyone is capable of such a balancing act.

The second pillar of the Islamist Protocol is the caliphate, or Islamic State. While Islamists insist that the caliphate is the will of God, experts in the faith claim that the notion of the Islamic State is no-where in the Koran, nor in the life of the prophet Muhammad (*saw*), but rather in the political practices that characterized the centuries following the prophet's

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death. The only case of a contemporary Islamic State is Iran: the Constitution of December 1980 "confirms that all political and juridical institutions are under the aegis of the Supreme Guide, elected by an assembly of eighty-six religious figures, themselves elected by eight members of the Assembly of Experts." In general, the personality of a "guide," such as then-Iranian Supreme Leader Ayatollah Ruhollah Khomeini, Secretary General of the Popular Congress Party of Sudan Hassan al-Turabi, or *Ennahda*'s Rached Ghannouchi, then structures the "junction between the religious and the political," consecrated (in the Iranian case) by the concept of religious oversight through jurist consultation, or *velâyate faqih*.

The caliphate involves a mode of governance by cooptation, and is therefore by definition anti-democratic, for it replaces the ballot box with a non-elected supreme religious group. The Muslim Brotherhood, including its Tunisian iteration *Ennahda*, considers it their objective to establish the caliphate someday as mode of gover-nance. Ghannouchi acknowledged as much in a recent appearance on Egyptian television, and Hamadi Jebali, then about to become provisional Prime Minister, declared before a group of constituents during his victory speech in his hometown of Sousse: "Brothers, you are living a historical moment, a divine moment, a turning point in civilization in a new State, in a sixth caliphate, *incha'allah*." He then added, for the benefit of some militant Palestinian Islamists invited for the occasion: "the liberation of Tunisia will lead, *incha'allah*, to the liberation of Al-Qods."

At the root of the "ready-made" solution and the Islamist Protocol lie a principle of formidable complexity: political Islam can only be *holistic*, not in the inclusive sense, but rather exclusive and monolithic. When the simplistic Islamist Protocol is

applied to a domain as complex and shifting as politics, there is a serious structural risk involved. It easily becomes totalitarian and absolutist. Faced with people's diverse aspirations, especially in societies undergoing change, given the urgency of needs and the relativity of practices, this monolithic vision is simply inefficient.

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Seen as prerequisite conditions for the faith to flourish, Sharia and the caliphate also represent the surest way for Islamists to secure power indefinitely. Pluralism would, by definition, be un-Islamic and sully the social project as defined by the Koran. When Iran's Supreme Leader Khomeini organized a referendum on 30 and 31 March 1979, the question of political system was not even at issue: it would be an Islamic Republic. As a final precaution, voting was held in the open, rather than with secret ballots. In the fervor of 1979, the Iranian people voted 98 percent in favor of the Islamic Republic.

Statements made by Muslim Brotherhood affiliates only serve to prove how inconsistent this mode of political discourse is with any democratic project. This holistic distortion leads to three basic consequences of the political model. The first is anti-pluralism, as mentioned above. The second is a blurring of lines among the various powers, which results in, among other outcomes, the surrender of the media into Islamist hands. And the third is the substitution of the components of the nation-state by a faith-based system. The structure of the nation-state that Tunisia, Egypt, Algeria, Morocco, and other Arab-Muslim communities have devised since their independence is necessarily threatened by this protocol, since the binding forces of identity – territory, language, culture, religion, common history, common social project, common collective conscience – will all be replaced by a single Islamic affinity.

All the points agreed upon as defining the nation-state are now up for debate. Even a country's geographical footprint is no longer defined in terms of borders (however "colonial" these borders might seem to some); the notion of belonging, of citizenship within a nation, is starting to shift; even diplomacy is changing its criteria. An *Ennahda* official recently declared that "no straying from the righteous path" – the Islamist path, of course – will be tolerated by our Egyptian brothers – again, Islamist

brothers – who will, if need be, come to the rescue of a Tunisia under "threat." And need I further mention, given the current vision of the nation-state in the eyes of the Islamists, the fate of the national flag, which has been repeatedly torn down, burnt, trod upon, and replaced by the black banner of Islamist conquest?

Shuttling Between the Here and Now, and the Great Beyond

Muslims are supposed to pray five times a day. In their relation to God, believers are in constant contact with their Creator. They are given over to God, testify to their faith, and draw energy from prayer to better accomplish their earthly duties. For those who live this experience, this relationship with the *great beyond* is a moment of paralleled intensity. The personal relation is

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unique. A basic tenet of Islam is the individual dimension of religion. On Judgment Day, the believers stand alone and are judged on their deeds. The community dimension is, of course, inherent to religion, since humans are social animals by definition. But the relation to God is fundamentally private. This leads inevitably to the question of how Islam relates to social organization, law, and politics.

Various schools and doctrines advocate everything from absolute separation between Church and State to complete fusion, and all the shades in the middle. The point here is not to locate Islam's position on that spectrum. Rather, taking a practical stance in light of the current context, we ask: how can a state operate while claiming on the one hand to uphold democratic principles, and on the other, running its government on Islamist "software," so to speak? The public good and religious matters are on two completely different wavelengths. Why should these two worlds be kept separate? In brief: simply in order to avoid the inappropriate shuttling between the two.

Despite what Islamists might claim, separating Church and State does not imply the betrayal of Koranic precepts. It was shown earlier that the Islamic State does not proceed from Islam, but rather from a caricature of Islam, a politically motivated distortion. Administering the public interest is, by definition, a human enterprise, so that any suggestion of "divine inspiration" in its workings delegitimizes the process.

This constant reference to heaven and hell is best explained by the paucity of political discourse inside the Islamist Protocol. Though it is commonplace that people place

their trust in God in difficult situations, a government with any self-respect must not take lightly the decision to break diplomatic ties with a country at war, especially one ruled by a dictator, and where a number of Tunisian nationals are resident.

Would it not make more sense to offer a credible economic alternative to tourism instead of announcing that "unimagined sources of revenue" would be forthcoming to alleviate the problems caused by the sudden disappearance of an entire sector of the economy? Can a serious political party declare that the heavenly abode is just around the corner for those who vote this party into office? Are parties not supposed to build their platforms on concrete issues such as unemployment, development, and social welfare?

Concluding Remarks

In Western societies, the various manners in which Islam as a religion and its manifestations are accommodated in the ever evolving debate of the separation of Church and State, reveal a clear wedge drawn between an "Anglo-Saxon" (chiefly American) approach and a "Continental" (chiefly French approach).

Anglo-Saxon political thinking posits that the government should curtail its inter-vention into the public's private affairs. In contrast, the Continental approach seems to accept the government's more active role in upholding secular values, especially in the face of religious manifestations such as wearing the Islamic headscarf.

Secularism is a clear concept, albeit with moving borders, that has been guiding the relationship of Church and State in the West. While it can be applied to all religions, including Islam, the exclusive nature of the Islamist ideology is such that the two concepts are incompatible.

Under these circumstances, and in the absence of the very concept of "State" in the traditional Western meaning, a new way of thinking should apply to the dynamics of Muslim minority populations in Western societies. This new thinking requires a lucid approach to balancing freedom of religion and expression with values en-trenched in the Western political *corpus*.

Such an undertaking must also involve Muslim segments of each population and their leaders, and extend beyond sterile political debates into educational and cul-tural platforms. Absent such programs, the Islamist Protocol will continue to shape the emergence of a sub-society with an aim to fight off and ultimately annihilate the very religion to which it belongs.