Islamists, Muslimists and the application of modern Islamic political thought

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This paper takes a new look at the big picture of Islamic alternatives to standard modern political models, mainly from a historical perspective. It looks first at varieties of what Hamid Enayat called "modern Islamic political thought,"¹ then at patterns in the application of this thought, and then at possible explanations of those patterns, notably the importance of opportunity. As Olivier Roy put it in 1992, "Islamists have molded themselves into the framework of existing states,"² a conclusion with which the paper will agree, though for somewhat different reasons.

Islamic political thought may be defined, following Talal Asad,³ as thought about politics that draws on or addresses the Islamic discursive tradition. Islamic political thought is not exclusively Islamic. Even in its earliest days it developed in contact with the institutions of the Byzantine and Sassanian states that had been incorporated into the early Caliphate, and in dialogue with the thought of late antiquity. Modern Islamic political thought may be defined as Islamic political thought that has developed in contact with the modern nation-state and in dialogue with modern Western political thought.

Liberalism, Muslimism, and Islamism

Three broad trends in modern Islamic political thought may be identified. Firstly, there is liberalism of the sort represented by Muhamamd Abduh, Ali Abd al-Raziq, Fazlur Rahman, and Mohammed Arkoun, to list somewhat randomly a few well-known names. Secondly, there are proponents of Muslim states, notably Muhammad Iqbal and Muhammad Ali

Jinnah. Thirdly, there are proponents of Islamic states such as Abul A'la Maududi, who worked for a state based on Islam, not just a state for Muslims. Other famous names that represent this branch of modern Islamic political thought include, among Sunni Muslims, Rashid Rida, Hassan al-Banna, and Sayyid Qutb. Among Shi'i Muslims one might choose Muhammad Baqir al-Sadr, Morteza Motahhari, Ali Shariati, and of course Ruhollah Khomeini. Other names might be added, but my purpose is not a comprehensive survey.

All three of these trends reflect contact with the modern nation-state and dialogue with modern Western political thought. The visionaries of Islamic political liberalism were all well read in modern Western thought as well as in Islamic thought. The visionaries of Muslim states, who I will call "Muslimists," focused on the modern idea of the nation, of the imagined community that should in theory be coterminous with the state. Earlier Islamic political thought was concerned with Muslim rule, not with a Muslim demographic majority, and Muslims were actually a local or even overall minority in many parts of the great Muslim empires of the past. A Muslim state defined in terms of a Muslim-majority population is a modern idea. The visionaries of Islamic states, who I will call "Islamists," sometimes imagined structural models that were alternatives to standard Western models, but more usually their alternatives were ideological. This emphasis on the ideological reflects the generally ideological age in which most visionaries of the Islamic state lived. The twentieth century was everywhere a very ideological century, with the clash between Communism and Fascism before the Second World War and the clash between Communism and Capitalism, or rather Communism and Capitalist Liberalism, that came after it. Some Muslim intellectuals supported one or another of these global ideologies, while others worked to produce Islamic alternatives to them.

The Islamic state as imagined by Islamist visionaries was not actually an alternative to the standard modern state, if "state" is understood to mean the machinery of administration and power, from the school system to the security police via the central bank and the land registry, as distinct from the supreme executive authority that in theory directs the machinery of administration and power, and as distinct from the imagined national community that is in theory represented by that executive authority and served by that administrative machinery. The modern state, so defined, is understood by many Western political thinkers to be a potential problem. Rather like a nuclear reactor, it is thought, the modern state is powerful and useful when it works well and when proper shielding is in place, but even so is prone to periodic catastrophes, and proper shielding is essential. Much modern Western political thought has been devoted to ways of shielding human beings from the state, and to how to prevent catastrophes. Some Western political thought, notably anarchism, even proposes the dismantling of the state. This is not a significant trend within modern Islamic political thought, however, which generally seeks instead to use the state, not to abolish or replace it.⁴ There are exceptions—the names of Ali Bulac⁵ and Khaled Abou El Fadl⁶ come to mind—but in general modern Islamic political thought has not focused on the issue of how to limit the power of the state and shield individuals from it.

The Islamic state as imagined by visionaries such as Maududi, then, is not an alternative to the modern state, but rather an alternative to models developed by Western political thought. It was assumed by most visionaries of Islamic states that ideology mattered more than related constitutional or structural arrangements. The tendency everywhere in the twentieth century, among Communists, Fascists and Liberals as well as among Islamists, was to criticize the realities associated with the ideology that one opposed, while emphasizing the ideological system that one supported, in effect assuming that a superior

ideology would somehow produce superior realities, including superior political structures, and that deficient realities and political structures reflected inferior ideology.

It might be argued that this assumption was wrong, and that one of the biggest problems in the Muslim world, as in mid twentieth-century Europe, has been the failure to establish political structures that place effective limits on state power or on economic power. Institutions developed for this purpose by Western political thought such as constitutions and supreme courts are found in the Muslim world, but all too often do not work as intended, and serve state power rather than limit it. What is needed, it might be argued, is either the effective implementation of standard structures, or the development of alternative structures grounded in the Islamic discursive tradition that can effectively restrain state power, protect individuals from it, and prevent catastrophes. This argument, however, is somewhat beyond the scope of the present paper.

As well as the complex ideological and (sometimes) structural visions of the Islamic state developed by Islamist visionaries, there is also a simpler vision of the rule of the Sharia, included in complex visions and also imagined by many ordinary Muslims. Islamist visionaries carried out complex analyses of the problems of their times and societies, but ordinary Muslims did not need complex analysis to identify problems of oppression, injustice, corruption, and economic hardship and inequity that were very visible to all. Similarly, complex analysis was not needed to see that the alternative to injustice was justice. Justice and sharia are to some extent synonymous for the ordinary Muslim, and sharia is, in turn, to some extent synonymous with Medina at the time of the Prophet, as that is the place and time from which so much of the *sunna* derives. A simple analysis, then, places the vision of Medina opposite the problems of the present. This simple vision

of the rule of the sharia, which is not articulated in any great detail, sits alongside the complex visions that are best known to scholars and intellectuals, and may even be more important than they are.

Memories of the past play a role in both complex and simple visions. In neither case are these memories historically accurate, but popular historical memory rarely coincides with the formal history of professional historians.⁷ In terms of formal history, Medina was not really an Islamic state. It was certainly Islamic, of course, and there was a state in Medina in the sense that there was an organized political community, which is one possible definition of "state." That political community, however, lacked almost all the institutions of the modern state, or even of the medieval state. Medina was really a Muslim political community, not an Islamic state, and as Ali Bulaç has pointed out, it was initially not even a purely Muslim community. Just as Medina was Muslim but not really a state, other times and places that are popularly remembered as Islamic states may have been states, but were not really Islamic. The classic Ottoman state, for example, was Muslim-ruled more than Islamic. The sultans were Muslim, as were their ministers and commanders, but they were not always perfect examples of ideal Islamic conduct. The sharia was applied and in theory supreme, and did place some effective moral and legal limits on power, as Wael B. Hallaq has argued,⁸ but custom and regulation—*'urf* and *siyasa*—did not always comply with the sharia, and neither did the conduct of the state. The classic Ottoman state was Muslim and powerful, and was closer to a modern state than the community of Medina had been, but it was not especially Islamic.

Even though what are remembered as Islamic states were not really Islamic states, popular historical memory of them still inspires important visions. This is to be expected. Popular

historical memory generally does inspire, when it does not warn. Some Westerners like to remember classical Athens, some Indians like to remember the Rigveda, and some Americans refer to the Boston Tea Party. The point is not what Athens was really like, how reliable the account of the Rigveda is, or what really happened in Boston in 1773, but what values and aspirations are symbolized by these today. Likewise, what matters is the values and aspirations that ordinary Muslims attach to the idea of the sharia and to memories of past Islamic states. These values and aspirations are not identical with the complex ideologies developed by Muslim intellectuals, but they are not incompatible with them, and give them power. As Hallaq has also argued, history is "a resource on which [Muslims] can capitalize when facing the challenges of the modern project," just as Westerners can capitalize on memories of the Enlightenment for similar purposes.⁹ Whether or not an Islamic state as imagined today ever really existed in the past does not really matter.

Modern Islamic political thought, then, has produced liberal visions, Muslimist visions of Muslim nation-states, and complex and simple Islamist visions of Islamic states. It has not, in general, produced visions of what might be called the sharia-limited state, the possibility that Hallaq calls attention to.

Implementation and application

This paper's assessment of the implementation and application of these visions will be limited to the thirty countries with the world's largest Muslim populations that together contain 90% of the world's Muslims, shown in table 1.¹⁰ This excludes 25 smaller Muslimmajority countries from Brunei to Jordan, and very many countries where Muslims are in a minority, from Malta to Mozambique. This approach is taken partly for practical reasons, and partly to avoid the analytical distortions that can easily result from paying

disproportionate attention to interesting but small territories, such as Qatar and Gaza, that do not directly impact very many people.

Ranking	Country	Estimated 2010 Muslim population	Percentage of total population that is Muslim
1	Indonesia	204,847,000	88.1
2	Pakistan	178,097,000	96.4
3	India	177,286,000	14.6
4	Bangladesh	148,607,000	90.4
5	Egypt	80,024,000	94.7
6	Nigeria	75,728,000	47.9
7	Iran	74,819,000	99.7
8	Turkey	74,660,000	98.6
9	Algeria	34,780,000	98.2
10	Morocco	32,381,000	99.9
11	Iraq	31,108,000	98.9
12	Sudan	30,855,000	71.4
13	Afghanistan	29,047,000	99.8
14	Ethiopia	28,721,000	33.8
15	Uzbekistan	26,833,000	96.5
16	Saudi Arabia	25,493,000	97.1
17	Yemen	24,023,000	99
18	China	23,308,000	1.8
19	Syria	20,895,000	92.8
20	Malaysia	17,139,000	61.4
21	Russia	16,379,000	11.7
22	Niger	15,627,000	98.3
23	Tanzania	13,450,000	29.9
24	Senegal	12,333,000	95.9
25	Mali	12,316,000	92.4
26	Tunisia	10,349,000	99.8
27	Burkina Faso	9,600,000	58.9
28	Somalia	9,231,000	98.6
29	Kazakhstan	8,887,000	56.4
30	Azerbaijan	8,795,000	98.4
	Top 30 total	1,455,618,000	(89.89%)
	Others	163,685,000	(10.11%)
	Global total	1,619,303,000	(100.00%)

Table 1: Major Muslim countries

Modern Islamic political liberalism appears the least successful branch of modern Islamic political thought, as it is hard to find any clear examples of its implementation. Although there are no self-declared Islamic liberal states, however, there are many politically liberal Muslim intellectuals, some of whom are influential. Islamic political liberalism may be more successful than is sometimes thought.

Muslimism, in contrast, appears the most successful implementation of modern Islamic political thought. Some 327,000,000 Muslims today live in either Pakistan or Bangladesh, countries which would not exist without the vision of the Muslim nation-state as conceived of by Iqbal and Jinnah. The lives of 20% of the world's Muslim population, then, are directly impacted by this vision, or even 22% if one includes Algeria, which was after all once part of France. The implementation of Muslimism has been so successful in these cases that it is now taken for granted, and almost forgotten.

Muslimism, however, has not been universally successful. 21% of the world's Muslims live in large countries (India, Nigeria, Ethiopia, China, Russia, and Tanzania) where Muslims are a minority. In each of these countries, there is a region in which Muslims are a local majority, and that region has some sort of Muslimist secessionist movement, with one single exception.¹¹ None of these movements seem close to achieving their objectives.

The complex structural vision of the Islamic state has been far less successful than the Muslimist vision of the Muslim nation-state. Only two significant countries have actually implemented this vision, Iran and Saudi Arabia. In addition to the standard modern constitutional branches of executive, legislative and judiciary, the Islamic Republic of Iran has three Islamic bodies, the Council of Guardians, the Assembly of Experts, and the

Expediency Council. In theory, the sharia, as interpreted by the ulama represented in these Islamic bodies, limits the power of the state, just as the constitution does. In practice the system may work somewhat differently, but a complex structural vision of an Islamic state has indisputably been implemented, if imperfectly.

The Kingdom of Saudi Arabia stands alongside Iran as the second significant implementation of a complex structural alternative to standard modern political models, even though the Saudi system resulted not from the visions of intellectuals but from a process of negotiation, evolution, and compromise. Despite its monarchical form, Saudi Arabia is in practice a modern state, given the power of the state machinery and the wide scope of that machinery's activities. Non-state structures such as tribes are more important in Saudi Arabia than they are in Iran, but they are nothing like as important as they are in some other countries such as Mauritania, to which we will return. Saudi Arabia has no formal constitution giving a structural role to Islamic bodies as Iran has, but the Saudi ulama are in effect incorporated into the structures of the state through their formal control of the judiciary and their informal but powerful role in the decision-making processes of the executive branch and what is in effect the legislative function. The sharia, or at least the ulama's understanding of the sharia, does in theory place limits on the power of the state.

In addition to Iran and Saudi Arabia, three countries declare themselves "Islamic" in their official names, but have not actually implemented any complex structural vision in reality. Pakistan declares itself an Islamic republic, but in fact has only one Islamic body defined in its constitution, the Council of Islamic Ideology (*Islami nazaryati council*), and this merely advises the executive and legislative branches, so in fact it has no independent power. Pakistan has implemented the simple vision of the rule of the sharia, but has done this

within a standard modern judicial framework, and in a way that does not place any significant limit on the power of the state or of the executive.

Just as Pakistan declares itself an Islamic republic but has not actually implemented any complex structural vision of the Islamic state, neither Mauritania nor Afghanistan, both of which also declare themselves Islamic republics, can be considered implementations of this vision, as neither has a modern state in the first place. In both countries, the power of the state is limited by its own lack of resources and by non-state structures such as tribes. Sharia has effect in both Mauritania and Afghanistan, but not as a result of the implementation of any vision: standard modern legal systems never replaced sharia and *'urf* in the first place, as no state ever managed to establish its uncontested sovereignty.

Iran and Saudi Arabia, then, are the only two real examples of the implementation of a complex structural vision of the Islamic state. While 20% of Muslims live in the Muslim nation-states of Pakistan and Bangladesh, only 6% of Muslims live in the Islamic states of Iran and Saudi Arabia.

Rather more Muslims live in two large countries where the simple vision of the sharia has been implemented, Pakistan and Sudan, which introduced some sharia laws and courts within standard modern state structures, in ways that did not limit state or executive power. Other smaller territories might be added to this list.¹² Some 209,000,000 Muslims live in these countries, 13% of all Muslims. Even in countries where the simple vision of the sharia has not been implemented, what sharia-derived norms have come to play increasingly important roles in public discourse, notably with regard to personal sexual morality. Again, this does not limit state or executive power.

The implementation of alternative visions, both complex and simple, has had disappointing results. Opinion in Iran is divided, with some supporting the Islamic Republic in its current form, some calling for its reform, and some even looking for its replacement. The Iranian regime has been increasingly obliged to resort to oppression in order to maintain its position. Although in theory the sharia and ulama limit the power of the Iranian state, in practice it seems rather that a section of the ulama exercises power over the state, which is not the same thing. Conceived of as an Islamic republic, Iran has arguably developed into something that is neither truly Islamic nor truly a republic.¹³ The state of Saudi opinion is less easy to read, but there are strong indications that the Saudi regime owes the successful maintenance of its position more to oil revenues than to any other factor. To the extent that the Saudi ulama are incorporated into the state, they are in a position to use the power of the state, rather than to limit that power, and are in turn themselves sometimes used by the state for its own purposes. In the case of the implementation of simple visions, Pakistan's "hudood ordinances" are not generally considered to have remedied oppression, injustice or corruption.¹⁴ The elements of sharia found in Sudan are not widely considered to have made any significant contribution to solving the many major problems from which it suffers. Sharia-derived norms in public discourse have had some impact on personal behavior, but not on wider social problems. Sharia may symbolize justice, but rather more than a symbol, however powerful, is required to restrain modern state and economic power. The implementation of both complex and the simple visions, then, has as unsatisfactory as it has been rare.

We have looked so far at the 6% of Muslims who live in countries where complex visions of the Islamic state have been implemented, the 13% who live in countries where a simple

vision of the sharia has been partially implemented, and the 21% who live in countries where the non-Muslim majority means that an Islamic state is by definition out of the question, though there may be scope for Muslimism.

The three groups together account for 40% of the world's Muslim population. As shown in tables 2 and 3, the remaining 50% (not 60%, because 10% live in countries other than the 30 that this paper examines) live 16% in Muslim-majority countries with authoritarian regimes, and 33% in Muslim-majority countries with meaningful pluralist electoral systems, judged on the basis of answering the simple question of how the current president or other chief of the executive got there—by election, or by military force or some similar means.¹⁵ Some of these electoral systems are clearly imperfect, as in Malaysia, where UMNO is entrenched in power, or Morocco, where the palace retains very significant authority.¹⁶ Others may be unstable or with over-powerful militaries. In all these countries, however, meaningful electoral politics do exist, and repression of opposition political forces is mild or non-existent.

Country	Estimated 2010	Regime type
	Muslim population	
Egypt	80,024,000	Military
Algeria	34,780,000	Military
Afghanistan	29,047,000	Quasi-military
Uzbekistan	26,833,000	Authoritarian
Yemen	24,023,000	Military
Syria	20,895,000	Military
Mali	12,316,000	Military
Burkina Faso	9,600,000	Military
Somalia	9,231,000	Quasi-military
Kazakhstan	8,887,000	Authoritarian
Azerbaijan	8,795,000	Authoritarian
Table 2. Martin and a	264,431,000	(16.33% of total)

 Table 2: Major authoritarian regimes

Country	Estimated 2010	Last	Islamist result
	Muslim	election	
	population		
Indonesia	204,847,000	2009	4 th place. Multiple parties.
Bangladesh	148,607,000	2008	4 th place.
Turkey	74,660,000	2011	1 st place. Very "moderate."
Morocco	32,381,000	2011	1 st place. Compromise.
Iraq	31,108,000	2010	2 nd place.
Malaysia	17,139,000	2013	5 th place.
Senegal	12,333,000	2012	??
Tunisia	10,349,000	2011	1 st place.
	531,424,000	(32.8% of total)	

Table 3: Major electoral systems

In Muslim-majority countries with meaningful pluralist electoral systems Islamist visions are not implemented, but are applied: "Islamic" political parties play an active role within the electoral process, sometimes coming first in polls, sometimes sixth. These parties participate in electoral systems, whatever Islamist political theory may say about pluralism and democracy, rather as Communist parties once participated in electoral systems in European countries, whatever Communist theory may have said. Visions of Islamic states matter to them, but what matters more are immediate concerns with political opportunity structures, electoral platforms, and the views and interests of those who do or might vote for them. Ideology is anyhow often of declining importance, as it also is in non-Muslim countries: the twenty-first century has so far been less ideological than the twentieth century was. This is one basis of what is sometimes identified as "post-Islamism."

In Muslim-majority countries with authoritarian regimes, in contrast, Islamist visions cannot find expression in the electoral process, which does not exist in a meaningful way, as elections are theatrical exercises that serve only to confirm the outcomes of prior exercises of military or state power, and repression of opposition political forces is significant. In such countries, at least one major opposition group is inspired by its understanding of Islam. Some of these Islamist opposition groups are effectively oppressed by the regime, as is currently the case in Egypt, while others are using armed force against the regime, as is currently the case in Syria.

There is, then, a clear pattern in the application of the visions of alternatives generated by modern Islamic political thought. In terms of numbers of Muslims impacted by such visions, the most important vision is not Islamist but Muslimist, as 20% of Muslims live in countries where the vision of the Muslim nation-state has been implemented and 21% live in countries where Muslimism currently inspires a secessionist movement. 33% of Muslims live in countries where the chief application of Islamism is to inspire Islamic parties operating within pluralist electoral systems. This application of Islamism thus rivals Muslimism in importance. 17% of Muslims live in countries with authoritarian regimes that prevent meaningful electoral politics, in which case Islamism inspires opposition movements. 13% live in countries where a simple Islamist vision of the rule of the sharia has been implemented. Only a tiny minority, 6% of all Muslims, lives in the two countries where an Islamist vision of a complex structural alternative to standard modern political models has been implemented. In terms of numbers of countries impacted, though not in terms of population affected, the implementation of complex Islamist visions is actually rarer than the maintenance of Soviet-era authority structures as found in Uzbekistan, Kazakhstan and Azerbaijan, where the current president is either a former first secretary of the Communist Party of the relevant Soviet republic,¹⁷ or the son of the former president, who was himself formerly the chairman of the KGB in the relevant Soviet republic.¹⁸ The implementation of complex visions of an Islamic state, then, is very rare indeed.

The role of opportunity

The third and final part of this paper will look briefly at possible explanations of those patterns. For both Muslimism and Islamism, opportunity is crucial. New Muslim nation-states have only been created when a government had no overriding interest in the maintenance of territorial integrity. What are now Pakistan and Bangladesh were created in 1948 out of territory in whose integrity the British government no longer had any real interest. In 1962, Algeria was created out of territory in the integrity of which the French government had proved to have only a limited interest. Since then, no secessionist movement has implemented its vision, as the non-Muslim states in question have very clear interests in the maintenance of the integrity of their territories.

Similarly, visions of Islamic states have been implemented only where an unusual opportunity presented itself. Non-Muslim majorities and authoritarian systems have made the implementation of visions of the Islamic state impossible, with only three exceptions: Iran, where Islamists helped overthrow an authoritarian system, and Sudan and Pakistan, where the simple vision of the rule of the sharia was implemented by an authoritarian system, not despite an authoritarian system. These three cases are, however, very much the exception, not the rule. The rule is that pluralistic electoral systems provide the opportunity for Islamist electoral activity, which is found in all such systems save Senegal,¹⁹ and the opportunity for electoral activity evidently removes the incentive for significant non-electoral activity, save in Pakistan, where Islamist groups using force are found alongside Islamist political parties. Pluralistic electoral systems evidently do not provide the opportunity for the implementation of the Islamist vision. However much Islamists operating within pluralistic electoral systems might wish to replace such systems with

Islamic alternatives, as some surely do even if some do not, this has never actually happened.

Conclusion

Modern Islamic political thought has, in competition and in dialogue with modern Western political thought, produced visions of Islamic liberalism, Muslimist visions of Muslim states, and Islamist visions of Islamic states. Islamist visions of Islamic states are sometimes visions of alternatives to standard modern political structures, but are more often alternative ideological visions. They include the simple vision of sharia as justice. Liberal visions have not been implemented anywhere, but may still be important. Visions of Muslim states have been successfully implemented in Pakistan and Bangladesh to the point where they are now taken for granted. Visions of Islamic states have only been implemented very rarely, in Iran and Saudi Arabia. The simple vision of the sharia has been implemented in some countries, but not as an effective limit on power.

Most of the world's Muslims, however, live in countries where the implementation of visions of an Islamic state is not on the agenda. Sometimes this is because an authoritarian system or a non-Muslim majority makes implementation impossible. More frequently, it is because they live in countries with pluralist electoral systems.

That the visions of modern Islamic political thought are playing such a small part in the politics of most of the Muslim world does not mean that they cannot or should not play a bigger part. Electoral systems in the Muslim world are often imperfect, as has been noted, and individuals are often inadequately shielded from state power, and from other forms of power, such as the economic. Systems elsewhere are often imperfect too, however, as is

shown by such indicators as ever-decreasing voter turnout in the OECD countries, and by crises such as that which Italy endured under Silvio Berlusconi. Modern Western political thought has found some answers, but has not found all the answers, and has left plenty of questions for modern Islamic political thought.

⁹ Hallaq, *The Impossible State*, p. 13.

¹⁷ Uzbekistan and Kazakhstan.

¹ Hamid Enayat, *Modern Islamic Political Thought* (Austin: University of Texas Press, 1982).

² Olivier Roy, *The Failure of Political Islam* (Harvard: Harvard University Press, 1994), p. 194.

³ Talal Asad, "The Idea of an Anthropology of Islam," Occasional papers, Washington D.C.: Center for Contemporary Arab Studies, Georgetown, 1986.

⁴ Hizb ut-Tahrir might seem an exception, but is not. HT UK's "The Structure of the Islamic State," for example, shows a more or less standard modern structure. There is to be a Director-General of Industry, for example, heading departments for International Trade, Public Utilities & Energy, E-Commerce, and so on (p. 10). Available www.hizb.org.uk/wp-content/uploads/2010/07/Structure-of-the-Khilafah-State.pdf, accessed April 30, 2014.

⁵ Michelangelo Guida, "The New Islamists' Understanding of Democracy in Turkey: The Examples of Ali Bulaç and Hayreddin Karaman," *Turkish Studies* 11 (2010), pp. 354-57.

⁶ Khaled Abou El Fadl, "The Centrality of Shari'ah to Government and Constitutionalism in Islam," in Rainer Grote and Tilmann J. Röder (eds.), *Constitutionalism in Islamic Countries: Between Upheaval and Continuity* (New York: Oxford University press, 2012), 35-61.

⁷ Pierre Nora, "Between Memory and History: Les lieux de mémoire," *Representations* 26 (Spring 1989), p.
9.

⁸ Wael B. Hallaq, *The Impossible State: Islam, Politics and Modernity's Moral predicament* (New York: Columbia University Press, 2013), p. ix.

¹⁰ According to Pew's population statistics for 2010, which are inevitably inaccurate, but probably no worse than alternative statistics

¹¹ Tanzania has an overall Muslim minority and a region where Muslims are a majority, but no significant secessionist movement, perhaps because Zanzibar already has a significant degree of autonomy.

¹² Gaza, for example, does not formally have sharia law, but does have a Committee for the Propagation of Virtue and the Prevention of Vice that enforces Sharia norms.

¹³ Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament* (New York: Columbia University Press, 2013).

¹⁴ Instead they have complicated the prosecution of rape cases and provided new opportunities for new forms of oppression and corruption. Moeen H. Cheema, "Beyond Beliefs: Deconstructing the Dominant Narratives of the Islamization of Pakistan's Law," *American Journal of Comparative Law* 60 (2012), pp. 875-917.

¹⁵ 16% plus 33% is 49%. The difference is Niger, where an electoral system appears to be in place despite the lack of a modern state.

¹⁶ Two of these countries, Indonesia and Senegal, are judged "free" by Freedom House and a "flawed democracy" by the *Economist*—one category lower than "full democracy," achieved mostly by OECD countries. The other countries are mostly judged "partly free" and "hybrid regimes," notably Pakistan, Bangladesh, and Turkey.

¹⁸ Azerbaijan.

¹⁹ Senegal has an electoral system but no significant Islamic political party, perhaps because that role is played by the Mourides, a Sufi order of great political and economic significance.