The Reconceptualization of the *Umma* and *Ummatic* Action in Abdullah Bin Bayyah's Discourse

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Abstract

In the post-Arab Spring period, Abdullah Bin Bayyah has emerged as one of the principal exponents of the anti-revolutionary front. Dissatisfied with the Islamist solution to the socio-political crisis in the Middle East, Bin Bayyah has called for the establishment of a new jurisprudence based on *fiqh al-wāqiʿ* (jurisprudence of

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reality), which acknowledges and accepts the dictates of modern reality. He conceived his call for renewal (*tajdīd*) as one of the best ways to restore peace and unity in Muslim societies. This article aims to shed light on those aspects of Bin Bayyah's reformist discourse that directly affect how he envisions the role and function of the *umma* in the modern context. The essay then explores the place that *ummatic* unification occupies in Bin Bayyah's discourse and the kind of Islamic politics his post-Arab Spring religious discourse entails. Particular attention is also paid to the ways Bin Bayyah theorizes the significance of religious allegiances within the modern nation-state. The essay also considers Bin Bayyah's view of the role of the Muslim *umma* in the global community, its relationship with other religions, and the wider human community when responding to global challenges.

Keywords: Arab Spring, Ummatic Action, Fiqh al-wāqiʿ, The Charter of Medina, Alliance of Virtue, Interfaith Dialogue

Abdullah Bin Bayyah is widely recognized as a prominent exponent of contemporary neo-traditionalism. Born in Mauritania in 1935, he acquired his traditional Islamic education within the intellectual circles of Mauritania. Following his legal studies in Tunisia, he entered a political career in Mauritania. Bin Bayyah occupied a number of significant posts, including Judge at the High Court of the Islamic Republic of Mauritania and Deputy Prime Minister. However, after the military coup in 1978, he withdrew from politics, devoting himself entirely to Islamic scholarship and becoming a leading authority in Islamic law. In this capacity, he assumed various religious positions, establishing himself as a noteworthy voice in contemporary Islam.[1]

In the Western academic literature, neo-traditionalism is often defined as "a denomination of Sunnism that emphasizes respect for and adherence to one of the four schools of law, the Ash'arī or Māturīdī schools of theology, and valorizes Sufism."[2] Abdullah Hamid Ali, adds to these essential features of neo-traditionalism the importance of the unbroken *sanad* (chain of transmission) and the "direct contact with

living human receptacles of knowledge."[3] However, the traditionalism of the neo-traditionalist movement, particularly that of Bin Bayyah himself, has been called in question in many academic quarters.[4] However, the settling of this issue is beyond the scope of this article. For our purposes, it is important to emphasize Bin Bayyah's clear positioning in the wake of the Arab Spring as one of the principal exponents of the anti-revolutionary front, and the role that this positioning has played in his reconceptualization of the role of the *umma* and *ummatic* action in the modern context.

Bin Bayyah's post-Arab Spring discourse represents an attempt to counter Islamists' *ummatic* politics and the ways they invoked it during the Arab Spring. Bin Bayyah contends that the post-Arab Spring period revealed a profound crisis in Islamic discourse, with Muslim scholars struggling to articulate a religious worldview that was responsive to modern needs. In Bin Bayyah's view, the post-Arab Spring rise of Islamic extremism (represented by ISIS) and the endorsement of a jurisprudence of revolution by Islamists are clear indications of the decline of Muslim thought and the contemporary Islamic discourse's inability to adapt to modern realities. To restore the unity of the *umma* and peace in Muslim societies, Bin Bayyah advocates for a new jurisprudence based on a jurisprudence of reality (*fiqh al-wāqiʿ*).[5] This approach acknowledges and accepts the dictates of modern reality, encompassing concepts such as the nation-state, citizenship, individualism, religious pluralism, tolerance, freedom, human rights, international treaties, multiculturalism, and multi-ethnicity.[6]

This article analyzes those aspects of Bin Bayyah's reformist discourse that directly affect how he envisages the role and function of the *umma* in the modern context. The article will explore the place that *ummatic* unification occupies in Bin Bayyah's discourse and the kind of Islamic politics his post-Arab Spring religious discourse entails. Particular attention will be dedicated to the ways Bin Bayyah theorizes the part that religious allegiances play within the modern nation-state and the Muslim *umma*'s role in the global community, its relationship with other religions, and the broader human community more generally as a response to global challenges. In order to shed light on these

important aspects of Bin Bayyah's discourse, the article will explore Bin Bayyah's particular views on 1) the caliphate and the Islamic status of the modern nation-state, 2) his articulation of a model of contractual citizenship centered on the Charter of Medina, 3) his theorization of religious pluralism and tolerance, as well as 4) his view on interfaith dialogue and global action based on his proposal for a New Alliance of Virtue. The exploration of these dimensions of Bin Bayyah's discourse will then allow us to better understand the nature and function he ascribes to the *umma* and *ummatic* action in his project of renewal.

The Caliphate, the Islamic State, and the Nation-State

In the context of the Arab Spring and the emergence of ISIS, Bin Bayyah dedicates significant space to the topic of the Islamic state. He acknowledges the novelty of the modern nation-state system compared to prevailing forms of government in Islamic history. However, he considers the nation-state a universal fact and an inescapable feature of modern reality. Therefore, any modern Islamic political system should be conceived within the general framework of the nation-state. For Bin Bayyah, the reality imposed by the modern nation-state, with its requirements and constraints, "necessitates a new jurisprudence that molds its concepts and answers its inquiries."[7] He assigns the task of harmonizing between the demands of modern times and the classic religious perspective on the Islamic state to *taḥqīq al-manāṭ* (the verification of the hinge).

In this context, the topic of the caliphate and its relation vis-à-vis the nation-state becomes central to Bin Bayyah's discourse on the Islamic state. Bin Bayyah argues that, in modern times, the classical idea of the caliphate, understood as a supranational political entity that unifies all Muslims under a single ruler, is irretrievable and harmful to the *umma*. Instead, he calls for a full endorsement of the nation-state model and the idea of multiple Islamic states and rulers, where each rules over a particular territory and receives complete obedience and allegiance from the people they govern. Relying on al-Juwayni and several other classical jurists, Bin Bayyah presents the caliphate as an issue pertaining

to Islamic jurisprudence and not creed. This allows him to portray most issues related to the Islamic State as open to ijtihad. In his view, most matters related to the caliphate lack certainty and are not definitive or categorical.[8]

Bin Bayyah discusses how, historically, classical jurists have allowed the appointment during the same time of more than one sultan or caliph, each ruling over their territory. This concession was the result of the expansion of Muslim territories and the practical impossibility of a unified governing authority effectively ruling over one vast Muslim territory. In this context, he quotes Ibn al-Azraq al-Gharnati al-Maliki (d. 1344) stating that, "The requirement of there being just one unified leader and no other in the same time period ceases to be binding when it becomes a practical impossibility."[9] To this end, Bin Bayyah adds that "it was part of the historical practice of the Muslims to have multiple states and rulers, and there is nothing to indicate or prove that any of them ever tried to use doctrinal justifications to unite all the various lands under a single banner."[10] For Bin Bayyah, then, the reestablishment of the caliphate as historically understood, is not a religious obligation. The caliphate, "is one possible means among others that could be replaced today by other means in order to achieve unity between nations so that they may cooperate and complement one another... there is no religious duty to pursue the establishment of a caliphate by force—even if we assume it is possible to do so."[11]

However, Bin Bayyah acknowledges that Muslim jurists have agreed "that there be an Imamate of some sort, namely, a government to manage and coordinate the affairs of the community."[12] Nonetheless, for him, "as regards the shape or form of this authority, or the nature of its powers and the extent of its mandate, or whether the office of government is hereditary or elected, there is no concrete requirement that conforms to a particular model."[13] Therefore, for Bin Bayyah, the various political forms and nature that the imamate has taken throughout Islamic history, including the caliphate, are not part of the religious obligation.[14] For him, the caliphate represents a historical institution and only one of the many forms that the imamate has taken throughout Islamic history. He grounds the necessity for an imamate not on doctrinal premises or

historical precedents but on rational and *maṣlaḥa* considerations. He presents the existence of a governing authority as a rational necessity to fulfill the higher purpose of "managing the affairs of the people and looking after their best interests."[15] For Bin Bayyah, the existence of an imamate is considered obligatory by the Shariʿa based on *maṣlaḥa*. In this *maṣlaḥa*-centric approach to the imamate, he makes recourse to ʿIzz ibn Abd al-Salam's (d. 1262) and al-Tufi's (d. 1316) approach on the topic and their emphasis on the necessity to build the rulings of the Shariʿa on the basis of reason's determination of the benefits and harms.

In contemporary Islamic thought, the invocation of Abd al-Salam's and al-Tufi's approaches to *maṣlaḥa* has been a fixed element of the Islamic modernist strategy to disassociate religion from politics by reducing the imamate, in terms of secular politics, to a system of managing the affairs of people and redistributing resources in a just way. In this manner, the imamate's doctrinal and religious elements like upholding the divine message (*iqāmat al-dīn*), facilitating stewardship of the earth, or establishing justice and prosperity for all people in conformity with the divine imperative and the Islamic system are, to a degree, divorced from the reasons that affirm the necessity of the imamate. In Bin Bayyah's discourse, the invocation of Abd al-Salam's and al-Tufi's *maṣlaḥa* approach fulfills a similar objective. It allows him to historicize the scriptural proofs or historical precedents for the caliphate, and present as Islamic any system that is built upon the principle of promoting benefit and avoiding harm. The function and role of the imamate, then, are reduced almost exclusively to utilitarian considerations of managing and coordinating the affairs of the community. Although they are not negated, nevertheless, the creedal and ideological aspects of the imamate are attenuated or considered non-essential for its necessity. In short, for Bin Bayyah, it is reason and *maṣlaḥa* considerations of harm and benefit, rather than doctrinal positions or historical claims that should be at the center of any attempt to create a working concept or model for a contemporary Islamic state that responds to the norms of the age.

What is the form and nature of the Islamic state in the modern context? What is the relation between an Islamic State's religious and

mundane dimensions? In the 1990s, Bin Bayyah's discourse on the nature of the Islamic state followed closely the discourse of many Islamist centrist (*waṣaṭī*) scholars in which the Islamic state is presented as a civil state with a religious reference.[16] In other words, a state in which the importance of Islamic values for public order is recognized, at least officially. This state portrays itself as the guardian of Islam and Islamic institutions. Its laws might not necessarily derive from the letter of Shariʿa. However, as a result of the broad scope ascribed to *maṣlaḥa* and interpretation (*taʾwīl*), they are considered in harmony with the spirit of Islamic law. The political form this Islamic state takes is judged in accordance with "the degree of what has been realized in terms of benefit, social peace, and proximity to the spirit of the Divine Law and its texts."[17] As we shall see in his later writings, Bin Bayyah's vision for the Islamic state shifts from the civil state with a religious reference paradigm towards modern forms of constitutional liberalism, where political identity is not based on religion but on shared constitutional values. Nevertheless, as Bin Bayyah states, "We believe every Muslim state, indeed every state with a majority Muslim population, to be an Islamic state."[18]

In Bin Bayyah's view, even though the caliphate remains "the ideal to which we all aspire and which best serves our religious and mundane interest," nevertheless, "given how much the conditions, time, place and situation have changed, the legitimacy of the nation states is no longer even in question." This means that "the same degree of obedience must be given to the leaders and laws of these states as was given to those Muslim states of the past."[19] Bin Bayyah conceives the nation-state as structurally compatible with Islam. He endorses it out of principle, and not as an interim necessity before the establishment of the universal Islamic state. In his view, in the modern context, the attempts to recall the historical caliphate are utopian and harmful. Bin Bayyah argues that from a *fiqh al-wāqiʿ* perspective, nowadays, the establishment of the caliphate is neither desirable nor feasible. It is undesirable because its pre-modern imperial nature does not fit well with the spirit of the age, and its reestablishment in the modern context seems utopian. It is also unfeasible because the nation-state model is not a transient development

but an inevitable and irreversible reality as well as a constitutive feature of modernity. In this regard, he states,

> *We do not mean to disparage our history—the caliphate fulfilled its function admirably in Islamic history and gave a great many wonderful things to the Muslim people—but times have changed so much that what was a benefit in the past may well have become a harm in the present.*[20]

Regarding the nation-state, he argues that,

> *The nation-state in all its shapes and forms in the Islamic world is a valid and legitimate system of government. And so long as it is built on the principle of promoting benefit and avoiding harm— the axis around which all the laws of Islam revolve—it can be considered no less legitimate than the major Muslim empires of the past.*[21]

In his discourse on the Islamic state, Bin Bayyah downplays the creedal and ideological elements that traditionally have been part of the legitimation of the caliphate or the imamate and instead conceives it mostly as a "security device" that preserves the *umma* from external threats and guarantees internal peace and stability. Although, in principle, Bin Bayyah acknowledges that Muslim political global unity is an admirable goal, especially when it is achieved voluntarily, like in the case of the UAE or the Gulf Cooperation Council (GCC).[22] However, in his discourse Muslims' global political unity remains an ideal, at least on the level of formal discourse, rather than an active principle of personal and collective moral action. The idea of Muslim unity under a unified government of some sort as a collective aspiration of the Muslim *umma* that informs their actions and moral horizons is not present in Bin Bayyah's discourse. On the contrary, he considers any contemporary active endeavor to achieve political unity under an Islamic state utopian, dangerous, and the cause of current wars and bloodshed in the Muslim world.

Bin Bayyah's portrayal of every present Muslim majority state as an Islamic state serves as a powerful discursive strategy to counter the Islamist discourse on the need to establish a caliphate or an Islamic state. In Bin Bayyah's discourse, the Islamic state is already in existence in the form of a number of independent Islamic nation-states. Hence, the Arab Spring Islamists' calls for the need to overthrow what in their view are presented as Arab authoritarian political regimes in the name of an Islamic democratic state or a possible future caliphate are misplaced and dangerous. Instead, what is required is the recognition of the validity of the present political order in the Muslim world and the suggestion of some socio-political reforms that supposedly will bring it more into line with the objectives of Shariʿa. Bin Bayyah's modernist and historicizing approach towards the caliphate serves as an instrument for opening the door to the legitimation, on religious and *fiqh al-wāqiʿ* grounds, of the present political order in the Muslim World. Ultimately, *taḥqīq al-manāṭ* and *fiqh al-wāqiʿ* are mobilized to justify the present *status quo* in the Muslim World and counter any transformative or idealist tendency that calls for the re-organization of the present political order in the Muslim World in line with the ideals of the caliphate or the Islamic state. For these reasons, Bin Bayyah's discourse on political change has been officially endorsed by the UAE and other countries of the counter-revolutionary front to religiously delegitimize the Islamist jurisprudence of revolution and subdue political dissidents.

The Charter of Medina, Islam, and Citizenship

The endorsement of the nation-state as an Islamic model of governance required Bin Bayyah to explicate the nature of the political order and social arrangements for his model of an Islamic nation-state. In this context, Bin Bayyah presents inclusive citizenship, based on a shared constitution, as the central framework for how he conceives an Islamic state's structure. He acknowledges that the notion of citizenship is a modern idea; nevertheless, he argues that modern developments have elevated citizenship to "a universally accepted norm" and "a universal

fact."[23] For Bin Bayyah, the normativity of citizenship stems from two sets of accords. The first is international, i.e., the Charter of the United Nations and its Amendments, and the second is local, i.e., national constitutions. These two accords constitute the dictates of our context and determine the form of any modern Islamic political order.[24] Bin Bayyah describes citizenship as "a link or voluntary association contracted in the context of a nation governed by the constitution."[25] In this model of state formation, it is not shared ethnicity, history, or religion that binds individuals together in a society, but rather "a constitution, shared values, and a system of laws that outline the responsibilities and rights of its citizens."[26]

To provide religious legitimation for the framework of contractual citizenship within the framework of a nation-state, Bin Bayyah presents the Charter of Medina as the perfect model for an Islamic contractual citizenship. From January 25-27, 2016, Bin Bayyah helped organize an International Conference in Marrakesh, Morocco, on "The Rights of Religious Minorities in Predominantly Muslim Majority Communities: Legal Framework, and a Call to Action." The conference was jointly sponsored by the Ministry of Endowment and Islamic Affairs of the Kingdom of Morocco and FPPMS. The result of the conference was the Marrakesh Declaration that, according to the organizers, provided the theorization of an Islamic constitutional contractual citizenship based on the Charter of Medina as a framework that guarantees the rights of religious minorities in modern Muslim societies.[27]

According to Bin Bayyah, the traditional *dhimma* system that centered on religious identities and hierarchies is at odds with modern forms of constitutional citizenship as they are manifested in modern multicultural and multi-religious societies. He presents the Charter of Medina as "an example of contractual citizenship governed by a treaty or constitution."[28] For him, the Charter of Medina represented a contractual citizenship model where various segments of society came together as equals in the name of shared principles and cooperated for the sake of the common good of society. In this way, "every segment of the society was equal to the other segments, and equity was established among them whenever possible. It thus left no place for a philosophy of subjects and

sovereign."[29] Some of the salient features that, according to Bin Bayyah, make the Charter of Medina particularly suitable for a modern Islamic form of contractual citizenship is that the Charter of Medina represents 1) a voluntary agreement reached without war; 2) it does not contain a concept of minority or majority; 3) it recognizes religious freedom and equal rights for each community regardless of their faith; 4) it paves the foundation for a multi-cultural, multi-religious society in which individual enjoy equal rights and responsibilities and consider themselves part of a single nation; 5) it establishes equal rights and responsibilities for all the segments of society; 6) the conferral of rights and duties is not based on religious allegiances or identities but by virtue of residing in the same land.[30]

Therefore, for Bin Bayyah, modern reality renders the Charter of Medina "the best model to serve as a sound basis for contractual citizenship in Muslim societies. It is the optimal model for us to choose because the values it embodies concur with those of the times."[31] He laments the fact that despite its importance, the Charter of Medina, "which affirms freedom of religion and the unity of the nation in a multi-religious domain, is scarcely studied at all, despite its huge importance."[32] In the classical Islamic normative tradition, the Charter of Medina has remained for the most part a dead letter. Classical jurists considered it as an early and typical treaty or truce between the Prophet and other religious communities. Instead, they concentrated their efforts on the study and elaboration of the *dhimma* system based on religious allegiance, *jizya*, and the subordination of non-Muslims to the Muslim state.[33] Bin Bayyah contends that this neglect of the Charter of Medina has resulted in a departure from the original and authentic Islamic paradigm of state formation that it embodies. For Bin Bayyah, the establishment and dominance of the *dhimma* system have been the result of specific historical circumstances that originated in the latter part of the life of the Prophet and were dominant throughout Islamic history, which made the state of fighting and wars between Muslims and other religious communities the norm of state political organization.[34]

The historicization of the textual foundation for the *dhimma* system allows Bin Bayyah to contest the present validity of the entire juridical

corpus of the *dhimma* system. Instead, he advocates for the Charter of Medina as the originally intended framework for the nature and structure of the Islamic state. Suddenly, the injunctions pertaining to the *dhimma* system are transformed from being among the fixed matters (*thawābit*) of the legal tradition to the changing (*mutaghayyirāt*) ones. In a departure from the prevailing order in the Islamic normative tradition, the Charter of Medina now supersedes, specifies, and updates the principles inherent in the *dhimma* system, reversing the traditional hierarchy. Naturally, Bin Bayyah justifies this hermeneutical maneuver entirely on the premise of *fiqh al-wāqiʿ* and the presumed need to adjust the Islamic vision of the state and religious minorities in accordance with modern secular and liberal discourse. According to Bin Bayyah, the exceptional state of affairs that prevailed throughout Islamic history led to the development of legal frameworks and historical practices that significantly differ from those of our current era. By contrast, the Charter of Medina embodies the originally intended state of affairs of the Lawgiver, wherein individuals enjoy equal rights and duties and are free to choose their religion. Therefore, "the contemporary cultural context provides Muslims with an ideal opportunity to put forward this charter as an authentic model for citizenship."[35]

Paradoxically, within this context, modernity is depicted as the unique historical juncture where the intended original Islamic paradigm on the state and society can finally find realization. It is modernity, with its nation-state and constitutional citizenship model that brings Islamic juridical thought out of its exceptional state of affairs. This stance towards modernity seems to be at odds with Bin Bayyah's own juridical discourse, which posits that the disruptions brought about by modernity require Islamic law to operate in an emergency or exceptional mode. Thus, he emphasizes the legal framework of necessity, *maṣlaḥa*, the objectives of the Shariʿa, *fiqh al-wāqiʿ*, and facilitation as central elements of modern juridical discourse.[36] This position also appears to diverge from the prevailing neo-traditionalist approach, commonly associated with Bin Bayyah, which views modernity as a rupture with the pristine and authentic Islamic metaphysical dimensions and a departure from the true principles of revelation.

Bin Bayyah presents his concept of Islamic inclusive citizenship as both a precursor to, and in alignment with, Habermas' theory of constitutional patriotism.[37] He asserts that Habermas' notion of constitutional patriotism is "very, very close to the traditional Islamic law because it is based on a contract."[38] Habermas formulated the idea of constitutional patriotism in postwar West Germany, suggesting that in post-secular and multicultural modern nation-states, individual and national identities should no longer be rooted in religious or quasi-sacred grounds, such as the *patria*. Instead, loyalty should be directed toward the constitution and its universal norms. In this way, in a properly disenchanted world, "Religious legitimacy is—or ought to be—abandoned alongside traditionalism and other apparently transcendent sources of authority."[39] In Habermas' constitutional patriotism, "Attachment and loyalty to the constitution thus replaces attachment to a particular national identity as a binding element and source of motivation for citizens."[40] In these post-conventional and post-national forms of identities, conventional forms of morality (religious or national) are not formally negated but are decentered and reinterpreted in light of the constitutional universal values. According to Habermas, the realization of constitutional patriotism necessitates a democratic setting, which he believes can only occur within the polity of a nation-state as the only historical political framework in which large-scale democracies have appeared and prospered in modern times. In other words, as many critics have suggested, in the post-modern context, constitutional patriotism has become a form of civil religion, "that is, broadly speaking, a form of collective self-worship in the extreme case, or at least an ideology that makes citizens venerate their constitution and their civic myths as quasi transcendent objects."[41]

In accordance with Habermas' approach, Bin Bayyah contends that an intrinsic feature of modern reality is the fact that in the modern world, loyalties to a political order "are no longer exclusively religious but have instead become complex, often associated with complex and distinct and yet intertwined factors."[42] He further asserts that Muslim citizenship "does not go back to any tribal affiliation, it doesn't go to color. Even religion, it does not go to religion."[43] According to Bin Bayyah, the classical understanding of the political system based on religious loyalty

is outdated and problematic in our current age. Nowadays, statehood is no longer derived solely from religious affiliation; instead, it is based on factors such as the constitution, shared values, and the system of laws. The role that religious allegiance once played in defining the nation (*umma*) has been replaced by citizenship, which is grounded in religious pluralism and constitutional values. As Anjum highlights in the context of Rashid Ghannoushi's similar presentation of an Islamic nation-state, in this perspective, "The *umma* is now a national, secular *umma*: the residents of the state are part of it, whereas those believers who do not live within its boundaries have no rights or politically meaningful ties."[44]

In this endorsement of citizenship in liberal terms by Bin Bayyah, religious identity is dethroned from the central place it once held in pre-modern Islam as the principal element of political legitimation and belonging. Religious loyalty assumes the new, albeit reduced and subservient, role of reinforcing national identity or nationalism.[45] In a presupposed pluralistic Islamic nation-state political order, citizenship—not religion—forms the primary source of rights and duties. Rather than being defined by faith, Bin Bayyah argues that adherence to a set of shared values based on human nature, innate natural rights, and agreed-upon rational principles (all confirmed by the Shariʿa), become the only valid framework for state formation and political identity. In this way, Bin Bayyah criticizes the Islamist call for establishing an Islamic state solely on confessional grounds as parochial and fundamentalist. Instead of serving as an essential element for rights and justice, religious identity becomes a tool in the hand of the nation-state to forge and reinforce the citizen's loyalty to its political system.

Following Habermas, Bin Bayyah presents constitutional values as universal norms shared by all humanity, open to acknowledgment and subscription by any community member or religious affiliation. While religious loyalty may hold a paramount place in individuals' personal lives, Bin Bayyah states that it cannot assert itself or claim exclusivity in the public sphere. Although not dismissed outright, in Bin Bayyah's discourse religious differences are typically viewed as detrimental to constitutional citizenship. He portrays the convergence of all religious or ideological groups in a society around a set of shared constitutional

values, represented and guaranteed by the state, as the sole valid approach for a contemporary Islamic political system.

Bin Bayyah utilizes the concept of inclusive Islamic citizenship to illustrate the legitimacy of the nation-state model for Islam. In his discourse on citizenship, the state ensures the constitutional order and upholds shared values. Through the nation-state, the disparities among religious communities constituting society are transformed into positive elements and platforms for cooperation. The nation-state ensures a secular or neutral public sphere, where various comprehensive religious doctrines present in society can contribute to the public discourse by providing insights from their ethical and scriptural teachings. In this way, a neutral public sphere becomes central to the flourishing and fulfillment of religious communities. This conceptualization resembles John Rawl's thesis on the role of religion in the public sphere.[46] In fact, Bin Bayyah identifies his own approach with Rawls. Following a concise summary of Rawls' position on the role of religion in the public sphere, Bin Bayyah asserts, "This is the methodology that we follow in the Abu Dhabi Declaration of Peace and other documents on tolerance. We translated therein the language of religion into the language of the public discourse, or the language of civil life and the law."[47] In this regard, Bin Bayyah states that one of the challenges for modern Islamic political discourse is to translate the language of religion into "the language of what Habermas calls the public space, that is, the language of civil life and law."[48]

Here Bin Bayyah seems to endorse Rawls' proviso and Habermas' reading of it. According to this perspective, reasonable comprehensive religious doctrines may present their reasoning in the public sphere "provided that in due course proper political reasons—and not reasons given solely by comprehensive doctrines—are presented that are sufficient to support whatever the comprehensive doctrines are said to support."[49] This liberal stance of the participation of religion in the public sphere assumes that religious communities "accept not only the separation of church and state but also the restrictive definition of the public use of reason."[50] As Habermas explains, "The assumption of a common human reason forms the basis of justification for a secular state that no longer

depends on religious legitimation. And this, in turn, makes the separation of state and church possible at the institutional level in the first place."[51] In his discourse on the topic, Bin Bayyah seems unaware of the many critiques leveled against the proviso, and the difficulties that it poses for the Islamic worldview by requiring that worldview to justify itself by way of appeals to secular public reason.[52]

In this way, the necessity for a religiously colored yet neutral or secular public sphere becomes a condition for inclusive citizenship. As a matter of fact, Bin Bayyah argues that secularism is characterized by a set of principal values that should be considered positively by the Islamic discourse in the modern context. Among them, he lists 1) respect for convictions; 2) neutrality towards religious beliefs; 3) the acknowledgment of individual and collective human rights and the state's protection of them; 4) the rights of disagreement, diversity, and change on matters characteristic to individuals and groups; 5) the right of appeal to courts of natural law to secure rights and place obligations on individuals.[53] Bin Bayyah asserts that these secular principles align with Islam. He takes for granted secularism's self-description of neutrality towards religion. He defends it against Muslim critics who argue that, in practice, secularism interferes in the public sphere and controls religion by continually redefining it in accordance with the aims of the secular state. Responding to this line of thought, Bin Bayyah argues that such cases constitute "a deviation from the basic meaning of secularism."[54] In his view, all groups in society should "hold on to secularism as a means of liberation that springs from personal contentment and is not subject to a single comprehensive trend that wishes to impose its particular understanding based on personal prejudices."[55] Commenting on this quote from Bin Bayyah, March aptly observed, "here we have a quite unmistakable endorsement of secularism and citizenship on liberal terms... that is asserted to be compatible with Islamic commitments."[56]

Although unacknowledged, in his presentation of the Charter of Medina as a model of constitutional citizenship in the context of a multi-religious society and a legitimation for the territorial nation-state, Bin Bayyah is heavily indebted to reformist figures like Muhammad S. El-Awa, Fahmy Huwaydi, Yusuf al-Qaradawi, and Rashid Ghannoushi.[57]

Likewise, his interpretation of the Charter of Medina suffers from the same predetermined agenda, inconsistencies, and anachronisms as that of his predecessors.[58]

Scholars have debated whether the Charter of Medina constitutes a single document or a compilation of separate documents.[59] Similar discussions have arisen regarding the composition date of the text and with whom the Charter was concluded. While some scholars date the composition to the first year of the Hijra, immediately after the Prophet's arrival in Medina and before the start of friction between the Muslims and Jews of Medina, others have suggested the second year of the Hijra as the probable date for the composition of the Charter of Medina, i.e., after the Battle of Badr and the start of the conflict between the Muslims and the Jews of Medina.[60] Based on an *isnād* analysis of the few available oral transmissions and other historical considerations on the matter, Anjum argues that the Charter of Medina was most likely put down in its written form after the Battle of Badr and probably immediately after the killing of Kaʿb ibn al-Ashraf at the beginning of the third year of the Hijra.[61] This seems to call into question Bin Bayyah's assertion that the Charter of Medina was a voluntary agreement reached without war.

Another set of similar discussions have arisen regarding the nature of the Charter of Medina. As we mentioned earlier, in contemporary Islamic thought the Charter of Medina has usually been understood as a constitution and presented as a precursor to modern forms of constitutionalism. This view contrasts sharply with the way the Charter has been understood in premodern Islam. Al-Shafiʿi contextualizes the Charter as a *dhimma* truce, akin to those established by the Prophet in the later phases of his life. The exception is that, at this early stage, other religious communities were not obligated to pay the *jizya* to Muslim authorities but were required to contribute financially and militarily to common defense (see article 24).[62] This portrayal of the Charter by al-Shafiʿi is representative of the ways it has been understood in premodern Islamic scholarship. As Emon explains, medieval scholars like Ibn Khaldun considered the Charter as examples of a *sulḥ* or *mawādaʿa,* which suggest "that they did not consider the Constitution to be anything more than a truce between the Prophet and the various tribes in Medina, whether

Arab or Jewish."[63] As Lecker explains, these two terms should be rendered as "a non-belligerency treaty for a certain period of time," or "a temporary cessation of warfare by agreement between the belligerents."[64] This view is also shared by many contemporary Western scholars.[65] Emon contends that interpreting the Charter in constitutional terms "seems to go beyond what the context of the text and its constructed historical legacy supports."[66] In his view, the fact that in contemporary Islamic thought the text of the Charter has been mostly interpreted in constitutionalist terms "have more to do with twentieth century politics in the Muslim world than with anything inherent in the text."[67]

The indication of these points is also apparent upon a cursory examination of the Charter's text itself. The first two articles of the Charter define the *umma* in terms of common faith and jihad against the enemies of Islam. Muslims are described as one *umma* to the exclusion of all others. As Anjum observes, "In this context, *umma* could only mean a community defined by belief in and support of the Prophet Muhammad's mission."[68] It is on this confessional basis that the rest of the Charter proceeds to elaborate upon Muslims' relations with other religious communities present in Medina (i.e., the Jews and the idolaters). Within the Charter of Medina, the Prophet's authority was derived from his status as the Prophet of God and the divine mission bestowed to him by God rather than from any authority granted to an appointed leader within a pluralistic political framework. The central tenet defining the Prophet's political authority was his divine mission, with the status of other religious communities contingent upon their stance vis-à-vis his claim to prophethood.

Moreover, at its core, the Medinan polity constituted a political system established and presided over by the Prophet. Its purpose was to serve as a platform for advancing his divine mission, ensuring socio-political and religious unity for his *umma* including establishing peaceful coexistence with non-Muslim religious communities in Medina. The Muslim *umma* constituted the original and normative political unity of the Medinan polity. As stated in article 16 of the Charter, other religious communities were allowed to join Muslims as clients in order to enjoy aid and parity of favor. However, these non-Muslim communities did

not participate on equal terms in the governance of Medina. They lacked the ability to negotiate the terms of the Prophet's claim to authority or the policies he devised to advance his religious mission in Medina. As Anjum observes, "The Jews and the polytheists included in the Kitāb did not elect or want him as their leader, nor could they vote him out, change his mission, or even side with their own co-religionists against him."[69] Throughout, the Prophet was involved in extensive efforts to invite the non-Muslim religious communities of Medina to Islam. The Medinan revelation reflects these missionary efforts and contains abundant criticism of the religious and political stances of the Jews, idol worshipers, or other political dissidents (i.e., the hypocrites) of Medina. The revelation warns them with consequences in both worlds for their refusal to accept the Prophet and join the Muslim *umma*. All of the above is difficult to square with the idea of a faith-independent citizenship and constitutional-based pluralistic political order.

A careful examination of the Charter of Medina reveals that, contrary to the interpretation of the Charter endorsed by Bin Bayyah and other contemporary reformists, not all religious communities enjoyed equal political rights. For instance, article 14 of the Charter stipulates that "no believer shall be killed for an unbeliever." Bin Bayyah conveniently refrains from commenting or interpreting this clause, which appears to discriminate among members of different religious communities on religious grounds. Furthermore, while the Charter of Medina portrays Muslims as one *umma* allowing them to operate as one political and religious unit against its enemies, article 20 prohibits the polytheists (*mushrik*) from conceiving of themselves as one *umma* and cooperating or expressing solidarity with their co-religionists, i.e., the Meccan polytheist. This restriction extends to the Jews of Medina, who are required to side with the Prophet and the Muslims against their co-religionists in the event of a treaty breach. As Anjum has pointed out, even the perspective that views the Charter of Medina as establishing a confederation or commonwealth system, where different *umma*s unite against common enemies (i.e., the idol worshipers of Mecca), fails to acknowledge that the Meccans were enemies of Muslims, not of the Medinan Jews or idol worshipers. The foreign policy of the Prophet was entirely dedicated to

his divine mission, and Jews or other non-Muslim communities had no say or equal rights in determining its course.[70]

The presentation of the Charter of Medina as a precursor and model of contractual citizenship based on a constitution within the framework of a nation-state requires demands, from Bin Bayyah, a great deal of anachronisms and hermeneutical maneuvers that unjustifiably stretch its text beyond its original meaning and historical setting. In its proper context, the Charter of Medina reflects an early policy of the Prophet that encapsulates, in its essence, some of the main features of the Islamic political order and the place of religious communities within it. Most of these features found their way into the final form of the revealed law, represented in the *dhimma* system. At the same time, other elements became abrogated or were further elaborated into the more robust and developed *dhimma* system. However, the key elements regarding religious minorities, which are important for Bin Bayyah's discourse, like the preference for peace over war, tolerance of the non-Muslim religious communities, respect for their freedom of religion, and the right to organize their life according to their religious principles, were also preserved in the *dhimma* system. The mature Islamic legal discourse on *ahl al-dhimma* is no less generous than that reflected in the Charter of Medina. Contrasting the Charter of Medina with the *dhimma* system and favoring the former over the latter by historicizing the rulings regarding the *ahl al-dhimma* is decidedly ahistorical. It does not do justice to the continuity of the Prophetic governance, and flies in the face of the scriptural sources and the historical circumstances of the life of the Prophet. This brings us back to al-Shafiʿi's depiction of the Charter of Medina as a truce similar to that known in the later stage of the Prophet's life, with the only exception being that non-Muslim communities were not required to pay the *jizya*. This description seems to accurately depict the historical nature of the Charter and situate it in its proper historical context. Attempts to reconcile the Charter of Medina with modern notions of constitutional citizenship or present it as a precursor to such modern conceptualizations are undeniably anachronistic.

Nevertheless, the principal difference between Bin Bayyah's interpretation of the Charter of Medina and other reformist figures that preceded

him is that Bin Bayyah does not invoke the Charter of Medina to justify a liberal democratic form of government or a national constitutional democracy. Since the 1990s, Bin Bayyah has consistently maintained a critical stance towards democracy, asserting that "democracy should not become a religion."[71] He has portrayed the central role given to the majority in democracy in hegemonic terms as "the tyranny of the majority." For Bin Bayyah, the slogan of democracy opens the door "for the evils of partisan bigotry," and the existence of a multi-party system becomes a danger to the stability of society.[72]

In the aftermath of the Arab Spring, Bin Bayyah intensified his anti-democratic stance, contending that in Muslim societies lacking common ground and a democratic tradition, "democracy will turn to be a source of constant dispute and disorder."[73] Therefore, any unqualified call for democracy in the Muslim world is "essentially a call for war."[74] Instead, Bin Bayyah presents the classic Islamic system based on consultation (*shūra*) and allegiance (*bayʿa*) as of a higher order of justice than democracy. Unlike democracy, he asserts that *shūra* is reconciliatory, non-competitive, and non-hegemonic, enabling individuals *qua* individuals to contribute to political decision-making through consultation and sincere private advice to the rulers. Bin Bayyah, however, famously couples this discourse with a strong political quietist position, where any form of dissent or public criticism towards the rulers is deemed prohibited, limiting criticism to private and non-binding sincere advice.[75]

As we saw, for Habermas, liberal democracies are constitutive elements that render possible constitutional patriotism. According to him, the latter necessitates and takes place only in a large-scale democratic setting. While Bin Bayyah formally adopts Habermas' constitutional patriotism, he simultaneously presents a discourse contradicting essential features of a democratic liberal order. Instead, he constructs his theory of inclusive citizenship based on the classical Islamic understanding of consultation and allegiance, which were integral elements of a political order where individuals were conceived as subjects not citizens. Bin Bayyah's inclusive citizenship lacks elaboration on the nature and limits of the ruler's sovereignty, adhering to the classical Islamic interpretation that grants the ruler seemingly unlimited sovereignty except

in cases of manifest disbelief. Individuals are denied the right to publicly protest, criticize, or hold rulers accountable, with their only avenue for participation in public governance being through consultation and non-binding advice to rulers.

This approach allows Bin Bayyah to argue that establishing constitutional citizenship within the framework of a non-democratic nation-state does not require a modern constitutional form of democracy. Therefore, he contends that political regimes in the Muslim World are equally or perhaps even better equipped to implement the vision of inclusive citizenship embedded in the Charter of Medina. This perspective allows him to present countries like the UAE as the embodiment of Islamic inclusive citizenship. In the context of his discussion on religious freedom and citizenship, Bin Bayyah states that "we must praise the policies of the United Arab Emirates that serve to support the foundations of positive citizenship, tolerance, and human fraternity."[76] In overly romanticized tones, he presents the reality within the UAE as that of the progressive unfolding of all the essential dimensions of inclusive citizenship as embedded in the Charter of Medina. In this context, he claims that in the UAE,

> *The reality of positive citizenship is enhanced every day through creative initiatives that improve the quality of inclusive citizenship and contribute to the advancement of the social contract between the state and its subjects and the promotion of loyalty and belonging to one's homeland. It also improves the quality of global citizenship through good governance and selfless care offered by the state to all of its residents, regardless of their background and religion.*[77]

Bin Bayyah's approach towards inclusive citizenship and his interpretation of the Charter of Medina should be understood within the anti-Islamist political context of the post-Arab Spring period. It represents his attempt to delegitimize the Islamist call for political change in the Muslim World. In his perspective, the Islamist interpretation of the Charter of Medina as a model for an Islamic constitutional democracy and their call for a change in the present authoritarian political order in Muslim societies is misguided and dangerous. According to Bin Bayyah,

the present political order in many Muslim societies is more than capable of providing all the elements of inclusive citizenship embedded in the Charter of Medina. He argues that the situation requires only internal reform, without disrupting the present political order, to better implement the essential elements of inclusive citizenship.

Moderate Islam, Religious Tolerance, and the Global Alliance of Virtues

In Bin Bayyah's post-Arab Spring writings, the discourse on global alliances, interfaith dialogue, and religious pluralism have been an important element of his stance against Islamic terrorism (i.e., ISIS) and political Islamism (i.e., the Muslim Brotherhood). During this period, Bin Bayyah has increasingly advocated for the formation of a global alliance between representatives of the Abrahamic faiths and other members of the human family as the only remedy to the current civilizational crisis. In this approach, humanity is portrayed as being on "a ship that is on the verge of being stranded."[78] Therefore, it is the duty of each member or community of the human family to work together to find solutions to the problems facing the modern world. In this context, Muslims are portrayed as one actor among others and their equal in the effort to provide the ethical principles and worldview necessary for the progress and stability of humanity. This multi-faith perspective on global action has allowed Bin Bayyah to decenter the Islamist emphasis on the necessity of Islam and the *ummatic* perspective as the only answer to the present political problems in the Muslim World and the current global civilizational crisis. The multi-faith approach under which Muslims are requested to conceive their *ummatic* global action becomes, for Bin Bayyah, a distinguished element of "moderate Islam." Therefore, any religious perspective that does not adhere to this new conceptualization and insists on approaching the *ummatic* global action solely in terms of the primacy of Islam and its worldview is considered fundamentalist and against global peace.

The multi-faith perspective on global action revolves around acknowledging and accepting the principle of religious tolerance and pluralism.

Bin Bayyah addressed this topic in the fifth and sixth Assemblies of the Abu Dhabi Forum for Peace in 2018 and 2019, respectively. On both occasions, he presented a framework speech where he elaborated his vision of a global alliance, interfaith dialogue, and religious tolerance. In these public speeches, Bin Bayyah advocates, at least formally, the full endorsement of religious tolerance and pluralism. He also emphasized the need for historically revisiting, in the name of *fiqh al-wāqiʿ*, all the classical Islamic rulings pertaining to *ahl al-dhimma* and Muslim relations with non-Muslims that do not fit the modern context. In his 2018 framework speech entitled "Alliance of Virtue: An Opportunity for Global Peace," Bin Bayyah calls for the creation of "a moral alliance between the three religions of the Abrahamic family… and by the participation of all those who love goodness and benevolence from among the members of the great human family."[79] He was the most prominent promoter of the Charter for the New Alliance of Virtue. As expected, Bin Bayyah justifies the need for this global moral alliance on *fiqh al-wāqiʿ* groundings. As we mentioned at the beginning of our essay, Bin Bayyah identifies the culture of freedom, religious pluralism, and tolerance as inherent features of modern reality. For him, nowadays, inter-religious cooperation is guided by a wholly different logic than before and is subject to international agreements and treaties.[80]

In order to establish an Islamic framework accommodating religious pluralism and fostering new interfaith cooperation, Bin Bayyah invokes the pre-Islamic Alliance of Virtue (*ḥilf al-fuḍūl*), which historically referred to the alliance where various pre-Islamic Arab tribes came together and pledged to assist and cooperate with one another to protect the weak and the oppressed against injustice, in the name of goodness and righteousness.[81] The Prophet later affirmed the validity of this historical alliance. For Bin Bayyah, a unique feature of this historical alliance is that "it was not founded on shared religious, tribal or ethnic affiliations, but rather on universal values and freedom."[82] Building on this historical precedent, Bin Bayyah advocates for the formation of a New Alliance of Virtue among members of the Abrahamic religions and people of goodwill. This alliance, contrary to being rooted in religious affiliations, should be based on shared human values such as human

dignity, freedom, justice, tolerance, peace, and solidarity. According to Bin Bayyah, the necessity for such an alliance arises from an awareness of the present civilizational failure and the existence of shared human values.[83]

Bin Bayyah argues that the modern civilizational failure has alerted people of sound intellects "to the inability of the modern civilizational model in which all of humanity is engaged to realize its hopes of prosperity and stability."[84] Thus, he proposes the establishment of a united front comprising people of faith who, united by shared aims and goals, can address contemporary issues, combat religious extremism, and resolve religious conflicts and wars. Central to Bin Bayyah's conceptualization of the New Alliance of Virtue is the idea of shared values among people of faith and the broader human community more generally, which he categorizes on three levels: the level of a single religion, Abrahamic religions, and humanity. At the level of the specific, Bin Bayyah emphasizes the value of faith as it is encapsulated in the Islamic notion of the five protected necessities — religion, life, intellect, personal property, and family — as a shared feature among Abrahamic laws and requirements.[85] On a more general level, Bin Bayyah asserts that Muslims share with the rest of humanity all the universal values innate in human nature, which form the source of innate natural rights granted to all human beings by virtue of their existence.[86] He believes that these shared values, on which the New Alliance of Virtues is based, "can guide the world and offer solutions to society's most challenging problems."[87]

The values championed by the New Alliance of Virtue include human dignity, freedom, justice, tolerance, peace, mercy, solidarity, and inclusive citizenship. Bin Bayyah identifies human dignity as the foremost and most crucial shared value, one that "transcend the vicissitudes of time, the determinants of space, and the tendencies of human beings."[88] He disassociates human dignity from any faith-based dignity. In his view, human dignity exists "prior to faith-based dignity both in conception and existence."[89] It is for this reason that, according to Bin Bayyah, "Islam places a strong emphasis regarding the holistic conception of the other on the unity of species, equality in human dignity, the search for cultivating commonalities."[90] Therefore, differentiations between humans

should not be based on purely confessional grounds but only on good-ness (*khayr*), piety and God-consciousness (*taqwa*). In support of this approach, Bin Bayyah quotes a statement from the Prophet, asserting that no Arab or white person holds precedence over a non-Arab or black person, and vice versa, "except through piety and God-consciousness." Here, Bin Bayyah divests piety and God-consciousness (*taqwa*) from the requirement of adherence to Islam and the Shariʿa. Instead, the notions of goodness and God-consciousness are stripped of their metaphysical requirements to include not only Muslims but any person (religious or not) of goodwill and virtue, "no matter how much the theological or philosophical foundations on which each side is based might differ."[91]

As we can see, in Bin Bayyah's discourse, the presumed shared values between the Abrahamic religions and humanity at large become a kind of meta-ethic or meta-religion around which the role and function of religion in the world is conceptualized. However, his discourse on the presupposed shared human values remains oddly abstract. It isolates these values from their tradition-specific understanding, and then pri-oritizes the abstract way of understanding them over the ways in which they have been understood and manifested historically in the traditions and narratives of each particular religion. Following the virtue ethics approach of MacIntyre and Hauerwas, one might then ask, "Whose Justice and Which Peace?" is Bin Bayyah intending?[92] Nonetheless, Bin Bayyah seems unaware of the virtue ethics approach, and presents current Western ethical discourse as a battle between postmodernism and the Kantian categorical imperative approach.[93] On more than one occasion, Bin Bayyah identifies Islamic ethics with the Kantian categor-ical imperative approach. For Bin Bayyah, Kant's moral absolutism is "supported by the heavenly religions."[94] However, his understanding of Kant's ethical discourse does not seem to go beyond a general and pop-ular understanding of it, and he seems to have access to Kant's thought only through secondary sources.[95]

Martino Diez correctly observes that the Charter of the New Alliance of Virtue reflects an implicit shift towards a natural law perspective, whereby the appeal to revelation is not necessary for the establish-ment of social peace and common values. On the contrary, the values in

question are established and legitimized based on natural law or innate natural rights.[96] In fact, some of the rabbis that participated in the Forum drew a parallel between the New Alliance of Virtue approach and the Noahic Covenant, which in Judaism has constituted the central paradigm of the relationship between Jews and non-Jews.[97] In this Muʿtazilite-like approach, the function of revelation consists of the confirmation of existing values that are already grounded in human nature and known outright by the intellect.

This hermeneutical shift resembles the process that gave rise to modern secular culture in Europe, where in the mid-seventeen century, amid prolonged religious wars, European thinkers formulated the idea that, in order to restore social peace, the unity of the social order should no longer be based on religious unity but rather on the universality of human nature. This marked the emergence of natural law and morality as central to maintaining social order, signaling the birth of modern secular culture. The shift from religion as the foundation of unity of the social order, to human nature implied that in order to restore social peace, religious doctrines had to be somewhat marginalized to make space for the presupposed universal and rationally accessible values grounded in innate human nature.[98]

Seeking religious validation for his multi-faith perspective on global action, Bin Bayyah refers to a well-known hadith in which the Prophet likens those upholding God's limits to individuals as sitting at the deck of a ship and stopping the people of the galley, i.e., those who trespass God's limits, from piercing a hole in the hull of the ship.[99] Bin Bayyah conceives his proposal of a New Alliance of Virtue as the "finest conceptual and procedural embodiment of the metaphor of the ship's passengers."[100] For him, this hadith shows that "humanity is now on board a single ship which is on the verge of sinking, and it is the moral obligation of people of values to restrain those who want to pierce holes in the ship."[101] The metaphor of the ship underlines the unity of human destiny, urging people of virtue to address the civilizational crisis through solidarity, cooperation, common love, and compassion. In this way, the New Alliance of Virtue can become the cause of a new beginning, "the occasion for a new start, and an opportunity for the

birth of a new human being with a new vision of the world that is based on virtue."[102]

In the Islamic tradition, there has been a consensus that in this hadith, the people in the upper deck refer to Muslims who honor God's limits (*ḥudūd*) and the necessity for the Muslim *umma* to command the right and forbid the wrong. Whereas the people in the galley represent the disbelievers or sinful Muslims who trespass God's limits.[103] However, in Bin Bayyah's interpretation, the duty of the Muslim *umma* to command the right and forbid the wrong is transformed into the generic call to humanity and people of virtue to promote good and prevent harm. The people sitting on the deck are the people of virtue (of any faith or philosophical orientation). They are all equally called upon to take action and prevent the ship from sinking. The framework that would dictate the success of this operation is the shared values that unite humanity. Islam is one actor, on par with others, in this common endeavor to find a solution to modern problems. Proposals constructed on narrow identities or confessional bases are considered insufficient, ineffective, parochial, and detrimental to global peace. This shift from a confessional religious perspective to a humanistic one constitutes one of Bin Bayyah's main discursive strategies in grounding his vision for a global Alliance of Virtue.

Bin Bayyah contends that the foundation of the New Alliance of Virtue lies in the acknowledgment and embrace of tolerance and religious pluralism. According to him, both the Marakesh Declaration (grounded on the Charter of Medina) and the New Alliance of Virtue (inspired by the *ḥilf al-fuḍūl*) offer the necessary Islamic justifications for tolerance and religious pluralism.[104] He asserts that the moral and legal obligation to embrace tolerance and religious freedom "is imposed upon us by our values and our times."[105] Bin Bayyah critiques scholars who still adhere to the traditional *dhimma* system stating that, "Sadly, many of us still live as if we were in the Middle Ages, with its social stratification and segregation, ignoring the present realities of cosmopolitan interaction and coexistence."[106] In Bin Bayyah's perspective, religious freedom and tolerance should be regarded as a religious duty in the modern context. Tolerance should carve out the conceptual space for

fostering positive religious pluralism based on shared values of common human origin and human commonalities. It is through tolerance that the negative effects of differences in beliefs can be neutralized or mitigated. According to this view, Muslims "must accept diversity as a positive manifestation of beauty in existence."[107] Here, we can notice a significant departure from the classic Islamic conceptualization of religious diversity as merely a component of the ontological or existential will of God (*al-irāda al-kawniyya*) to its recognition as a constitutive element of His deontological or normative will (*al-irāda al-sharaʿiyya*).

Numerous critical observers, particularly those with a human rights background, have lamented the fact that despite their claim both the Marrakesh Declaration and the Charter of the New Alliance of Virtue have fallen short of unequivocally and explicitly endorsing religious pluralism.[108] The same is noticeable, also, in Bin Bayyah's discourse on the topic. Despite invoking Qur'an 2:256 to argue against the compulsion of religion or belief in Islam, he notably omits any discussion of apostasy, a pivotal aspect concerning religious pluralism. In his pre-Arab Spring writings, Bin Bayyah aligns himself with the classical Islamic stance on apostasy, maintaining that "Even though the Islamic principles is that 'There is no compulsion in religion,' nevertheless apostasy from Islam is not permitted."[109] He critiqued efforts by figures like Taha Jabir al-Alwani and other reformists who revisited the classical Islamic position on apostasy.[110]

By contrast, in his post-Arab Spring writings, Bin Bayyah has remained silent on the matter of apostasy. Additionally, his discourse lacks an explicit exploration of the relationship between the state and religion in a religiously pluralistic society. Apart from a generic statement that the state needs to guarantee freedom of religion, Bin Bayyah does not address the issue of the state's neutrality towards religion as a precondition for a full endorsement of religious pluralism. Beyond declaring the need to respect every religion in the public sphere, Bin Bayyah does not explicitly advocate for the equality of all religions in the public domain — a crucial aspect of the modern understanding of religious pluralism. Furthermore, Bin Bayyah appears to blur the distinction between religious tolerance and religious pluralism in his

discourse. He relies on an expanded interpretation of classical Islamic rulings on religious tolerance, such as recognizing the rights of people of other faiths to practice, build places of worship, and be secure from persecution and insult, as evidence supporting his stance on religious pluralism.[111]

Nevertheless, Bin Bayyah argues that modern reality and *fiqh al-wāqiʿ* considerations require the broadening of the concept of tolerance beyond mere acceptance of the other towards "mutual recognition and assistance."[112] Again, it is the common destiny of humanity and other shared values that form the basis for mutual recognition. Returning to the metaphor of the ship, Bin Bayyah presents people of faith as being in the same ship, united in their journey and destination. In this way, "there is no survival for one without the survival of the other, no redemption for a nation without the redemption for the other, and no deliverance of one religion without the deliverance of all others."[113] Thus, the envisioned new social contract for the New Alliance of Virtue requires moving from the framework of shared existence (*wujūd mushtarak*), which dominated the pre-modern Islamic thought, to that of shared conscience (*wijdān mushtarak*).[114] Encapsulating the heart of his multi-faith approach towards religions' global action, Bin Bayyah states "By getting to know each other, the narrowness of the "I" is transcended into the openness of "Us". We thus move from the fragmentation of minorities and narrow identities to the unity of the whole as one community, of the great society of humanity."[115]

For Bin Bayyah, a meta-ethical and meta-religious perspective, rooted in shared values among people of faith and humanity in general, allows for the transcendence of the presupposed narrowness of the confessional identities towards the conceptualization of religions' global action as one unified body or global human community. Muslims and Islam, in this context, become one contributing factor among others and on par with them in providing solutions to modern problems. While recognizing the truth claims of each religion, any Islamic supersessionist discourse based on strictly Islamic terms is viewed negatively and considered an obstacle to global peace. In this way, the Islamist slogan "Islam is the solution"[116] seems to have been replaced by the motto "The shared values

of humanity are the solution." Any call for the application of the Shariʿa as the only base for political change and the establishment of global justice and rights is perceived as too confessional and narrow. Instead, the adherence to some common generic values, presumably shared by all the Abrahamic religions and humanity more broadly is portrayed as the only solution to modern problems and global peace. In this way, the mobilization of interfaith discourse serves as a powerful tool to counter political Islam and its call for political change in the name of Islam and the Shariʿa. The interfaith dimension is invoked to neutralize the appeal of the Islamist discourse to political change and portray it as parochial, dangerous, and a door to religious extremism.

In the aftermath of the Arab Spring's war of narratives, Bin Bayyah's discourse on religious pluralism and tolerance, coupled with his vision for a global alliance of religions against extremism, aligns with the UAE's soft power politics aimed at combating Islamism and positioning itself as a beacon of moderation in the world. Paradoxically, the present Arab regimes are framed as the guarantors and protectors of shared values and the guardians of interfaith efforts for global peace. In this context, any attempt to challenge the present status quo in the name of Islam or the Shariʿa is perceived as a threat to global social peace and humanity's efforts to fight extremism and find a solution to the modern civilizational crisis. Bin Bayyah's discourse on tolerance and religious pluralism serves as an important framework to ultimately counter the Islamist pro-revolutionary front.

In fact, Bin Bayyah's view on tolerance and moderation has been officially endorsed and utilized for soft power projection by the Muslim states of the post-Arab Spring counter-revolutionary camp to counter the pro-Arab Spring revolutionary discourse of the Islamists.[117] The rhetoric of moderation, interfaith dialogue, and religious tolerance allows the Muslim states of the counter-revolutionary camp to present themselves as the natural interlocutors of the West against political Islam, whose ideology is often conflated in the official discourse with terrorism and jihadism. In recent years, countries of the counter-revolution camp have been actively exporting worldwide the discourse on tolerance and moderation, outlined by Bin Bayyah, in the attempt to counter any other

Islamic discourse that does not align with their official position on the matter.

To conclude, Bin Bayyah fully endorses the legitimacy of the nation-state together with the essential features of modernity and rejects the present validity of the necessity for an *ummatic* global integration in the form of a supra-national Islamic political order represented by the caliphate. His discourse is anti-idealist in nature. It does not contemplate the possibility of transcending the nation-state framework and the modern liberal order in favor of a possible alternative Islamic global political vision. In this anti-utopic approach, any project of global *ummatic* integration that would result in a supra-national Islamic global government in the form of a modern caliphate is considered unfeasible and harmful. Grounding his political vision in the Charter of Medina, he advocates for a liberal, religiously pluralistic, citizenship-based constitutional order and challenging, in the name of *fiqh al-wāqiʿ*, the traditional *dhimma* system. Ultimately, he falls short in grounding, in a historically coherent and meaningful way, the main features of a national liberal constitutional order on the precedent of the Charter of Medina.

The shared values among the Abrahamic religions and humanity at large constitute the conceptual axis around which Bin Bayyah conceptualizes global Muslim action. In his multi-faith perspective, these shared values constitute a sort of meta-religious and meta-ethical perspective that allows Muslims to contribute, together and on par with other religions, to the problems that afflict the modern world. The multi-faith perspective becomes a hallmark of "moderate Islam." In this perspective, the Islamist call for re-establishing the Islamic caliphate or applying the Shariʿa in Muslim societies as the only solution to modern problems is portrayed as inadequate, insufficient, and parochial. Any *ummatic* global action that does not ground itself in an interfaith perspective toward the shared values ingrained in human nature and established by reason is considered fundamentalist and an enemy of global peace. This discursive shift from the purely Islamic framework to a multi-religious one whereby Islam becomes an equal member of a united front of religions has constituted one of Bin Bayyah's important

strategies to counter the Islamist's pro-revolutionary discourse. His post-Arab Spring discourse has been officially endorsed by the counter-revolutionary camp, in the attempt to counter and eliminate any Islamist pro-revolutionary religious discourse based on *ummatic* solidarity and global political integration in the quest for rights and justice in Muslims societies.

Endnotes

1   Among the various important positions held by Bin Bayyah over the years have been: member of the International Islamic Fiqh Academy, Jeddah; Vice President of the International Union of Muslim Scholars, Qatar and more recently President of the Forum for Promoting Peace in Muslim Societies, Abu Dhabi. For more on Bin Bayyah's biography, see https://www.peacems.com/peacemagazine/about-us/board-of-trustees/members/he-sheikh-abdullah-bin-bai/

2   Usaama al-Azami, "'Abdullāh bin Bayyah and the Arab Revolutions: Counter-revolutionary Neo-traditionalism's Ideological Struggle against Islamism," *The Muslim World* 109, (July 2019), 343.

3   Abdullah Hamid Ali, "'Neo-Traditionalism' Vs 'Traditionalism'," Accessed, October 1, 2022, https://lamppostedu.org/neo-traditionalism-vs-traditionalism-shaykh-abdullah-bin-hamid-ali.

4   See Mark Sedgwick, "The Modernity of Neo-Traditionalist Islam," in *Muslim Subjectivities in Global Modernity*, ed. Dietrich Jung and Kristine Sinclair (Leiden: Brill, 2020), 121-147 and David H. Warren, *Rivals in the Gulf: Yusuf al-Qaradawi, Abdullah Bin Bayyah, and the Qatar-UAE Contest Over the Arab Spring and the Gulf Crisis* (London and New York: Routledge, 2021).

5   Abdallah Bin Bayyah, *The Exercise of Islamic Juristic Reasoning by Ascertaining the Ratio Legis: The Jurisprudence of Contemporary and Future Contexts* (Abu Dhabi: Tabah Foundation, 2015), 2. For more on Bin Bayyah's emphasis on renewal (*tajdīd*) and its methodology see Abdullah Bin Bayyah, *The Nation State in Muslim Societies, from the Third Assembly of the Forum for Promoting Peace in Muslim Societies Abu Dhabi, 18–19 December 2016*, trans. Habib Bewley (Abu Dhabi, UAE: Forum for Promoting Peace, 2019), 9-13; *Fatāwa Fikriyya*, (Jeddah, Dār al-Andalus al-Khaḍrāʾ, 2000), 88-104; *Itharāt tajdīdiyya fī ḥuqūl al-uṣūl* (Riyād: Dār al-Ujūh & Dār al-Ta-jdīd, 2013), 12-22. For Bin Bayyah's conceptualization of renewal in Islamic legal methodology see Rezart Beka, "Maqāṣid and the Renewal of Islamic Legal Theory in ʿAbdullah Bin Bayyah's Discourse," *American Journal of Islam and Society*, No. 38, 3-4, (2022):104-145.

6   Abdullah Bin Bayyah, *The Path of Peace: A Vision for a Peaceful World. The Collective Speeches of Shaykh Abdallah Bin Bayyah* (Abu Dhabi: Abu Dhabi Forum For Peace, 2022), 154, 245.

7   Bin Bayyah, *Tanbīh al-Murājaʿ*, 181.

8   Bin Bayyah, *The Nation State*, 25-26.

9   Bin Bayyah, *The Nation State*, 28.

10   Bin Bayyah, *The Nation State*, 27.

11   Abdullah Bin Bayyah, "This is not the Path to Paradise: Response to ISIS," Abu Dhabi, September 14, 2014, accessed September 30, 2022, http://binbayyah.net/english/fatwa-response-to-isis/.

12   Bin Bayyah, *The Nation State*, 26.

13   Bin Bayyah, *The Nation State*, 21.

14   Bin Bayyah, *The Nation State*, 29.

15   Bin Bayyah, *The Nation State*, 21.

16   Bin Bayyah, *Fatāwa Fikriyya*, 17-43

17   Bin Bayyah, *The Exercise of Islamic Juristic Reasoning*, 54.

18   Bin Bayyah, *The Nation State*, 19. See also, Abdallah Bin Bayyah, *Sināʿat al-fatwā wa-fiqh al-aqalliyyāt* (Beirut: Dār al-Minhāj, 2008), 280-281.

19   Bin Bayyah, *The Nation State*, 29.

20   Bin Bayyah, *The Nation State*, 34.

21   Bin Bayyah, *The Nation State*, 35.

22   Bin Bayyah, *The Nation State*, 34

23   Bin Bayyah, *The Path*, 153 and 160, respectively.

24   Bin Bayyah, *The Path*, 153.

25   Bin Bayyah, *The Path*, 239.

26   Bin Bayyah, *The Path*, 153.

27   For more on the Marrakesh conference and the Marrakesh Declaration see, https://www.marrakeshdeclaration.org/.

28   Bin Bayyah, *The Path*, 149.

29   Bin Bayyah, *The Path*, 155.

30   For more on these elements see, Bin Bayyah, *The Path*, 148-155.

31   Bin Bayyah, *The Path, 154*

32   Bin Bayyah, *The Nation State*, 19.

33   For the relative non-importance of the Charter of Medina in the classic Islamic legal and political discourse see, Anver Emon, "Reflections on the Constitution of Medina: An Essay on Methodology and Ideology in Islamic Legal History," *UCLA Journal of Islamic and Near Eastern Law* 1, no. 1 (Fall/Winter 2001-2002): 127-129.

34   Bin Bayyah, *The Nation State*, 19.

35   Bin Bayyah, *The Nation State*, 20.

36   See, Bin Bayyah, *Ṣināʿat al-fatwā*.

37 Bin Bayyah, *The Path*, 153-154. Regarding Habermas' idea of constitutional patriotism see, Dafydd Huw Rees, "Constitutional Patriotism," in *The Cambridge Habermas Lexicon*, ed. Amy Allen and Eduardo Mendieta (Cambridge: Cambridge University Press, 2019), 66-69; Jan-Werner Müller, *Constitutional Patriotism* (Princeton and Oxford: Princeton University Press, 2007); Vito Breda, "Constitutional Patriotism," in *Handbook of Patriotism*, ed. Mitja Sardoč (Cham, Springer, 2020), 179-193; Predrag Zenović, "Constitutional patriotism in the context of Habermas's political philosophy," *Prolegomena* 20, No.1 (2021): 119-136; Jan-Werner Müller, "A general theory of constitutional patriotism," *International Journal of Constitutional Law* 6, No 1, (2008): 72–95; David Abraham, "Constitutional patriotism, citizenship, and belonging," *International Journal of Constitutional Law* 6, No. 1, (January 2008): 137–152.

38 Bin Bayyah in "A Conversation with Shaykh Abdallah Bin Bayyah," *Council on Foreign Relations*, June 4, 2015, Accessed September 30, 2022, https://www.cfr.org/event/conversation-shaykh-abdallah-bin-bayyah.

39 Müller, *Constitutional Patriotism*, 27.

40 Rees, "Constitutional Patriotism," 66.

41 Müller, *Constitutional Patriotism*, 75.

42 Bin Bayyah, *The Path*, 160.

43 Bin Bayyah in "A Conversation with Shaykh Abdallah Bin Bayyah."

44 Ovamir Anjum, "Best-laid Schemes: How the Sahifa of Medina Discourse became an Instrument of Modern Arab Authoritarianism," forthcoming article.

45 Bin Bayyah, *The Path*, 242-243; *Alliance of Virtue: An Opportunity for Global Peace* (Abu Dhabi: Forum for Promoting Peace, 2019), 16.

46 See John Rawls, *A Theory of Justice*, 2nd edition (Cambridge, Massachusetts: Belknapp Press, 1999).

47 Bin Bayyah, *The Path*, 243.

48 Bin Bayyah, *The Path*, 162, 243.

49 John Rawls, "The Idea of Public Reason Revisited," *The University of Chicago Law Review* 64 (1997): 783f. Jürgen Habermas, "Religion in the Public Sphere," *European Journal of Philosophy* 14, No. 1 (2006):1-25

50 Habermas, "Religion," 6.

51 Habermas, "Religion," 4.

52 For some of the critiques of the proviso and Rawls's response to them see, James Gordon Finlayson, "No Proviso: Habermas on Rawls, Religion and Public Reason," *European Journal of Political Theory 20, No. 3*: 443–464. For the difficulties that the liberal proviso poses for the religious worldview see, Joseph Kaminski, *Islam, Liberalism and Ontology: A Critical Re-evaluation* (London and New York: Routledge, 2021), 113-139.

53   Bin Bayyah, *Sinā῾at al-fatwā*, 305.

54   Bin Bayyah, *Sinā῾at al-fatwā*, 305.

55   Bin Bayyah, *Sinā῾at al-fatwā*, 306.

56   Andrew March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (Oxford: Oxford University Press, 2009), 231

57   For more on the conceptualization of the Charter of Medina by these reformist figures see, Muhammad S. El-Awa, *On the Political System of the Islamic State* (Indianapolis: American Trust Publications, 1980); Rashid Ghannoushi, *al-Muwāṭana: naḥwa ta'ṣīl li-mafāhīm mu῾āṣira* (Tunis: Dār al-Ṣaḥwa, 2016); Fahmy Huwaydi, *Muwātinūn la Dhimmiyyūn: Mawqi῾ Ghayr al-Muslimīn fī Mujtama῾ al-Muslimīn*, 4th ed. (Cairo: Dār al-Shurūq, 2005; Yūsuf al-Qaraḍāwī, *al-Waṭan wa-l-muwāṭana fī ḍaw al-uṣūl al-῾aqadiyya wa-l-maqāṣid al-shar῾iyya* (2010). For more on the reformist interpretation of the Charter of Medina see, Ovamir Anjum, "The 'Constitution' of Medina: Translation, Commentary, and Meaning Today," Yaqeen Institute for Islamic Research, 4 Feb 2021, https://yaqeeninstitute.org/read/paper/the-constitution-of-medina-translation-commentary-and-meaning-today and "Conjuring Sovereignty: How the "Constitution" of Medina became an Instrument of Modern Arab Authoritarianism" forthcoming article.

58   In the following analysis of the Charter of Medina we are indebted to Ovamir Anjum's "The 'Constitution' of Medina," and "Conjuring Sovereignty."

59   For a general overview of the different opinions see, Michael Lecker, *The "Constitution of Medina": Muḥammad's First Legal Document* (Princeton, New Jersey: The Darwin Press, 2004), 183-191; R. Stephen Humphreys, *Islamic History: A Framework for Inquiry*, revised edition (Princeton, New Jersey: Princeton University Press, 1991), 92-98.

60   For the various dating of the document see Lecker, *The "Constitution of Medina*," 182 and Anjum, "The "Constitution" of Medina."

61   Anjum, "The "Constitution" of Medina."

62   Muḥammad b. Idrīs al-Shāfi῾ī, *al-Umm*, 8 vols. (Beirut: Dār al-Ma῾rifa, 1990), 4:222. Quoted in Anjum "The 'Constitution' of Medina."

63   Emon, "Reflections*,"* 129.

64   Lecker, The "Constitution of Medina," 205. For a broader discussion on the meaning of these two terms, see Lecker, *ibid*, 204-205.

65   See, R. B. Serjeant, "The 'Constitution of Medina,'" *Islamic Quarterly* no. 8 (1964): 3–16; idem, "The Sunnah Jāmi῾a, Pacts with the Yathrib Jews, and the Tahrim of Yathrib: Analysis and Translation of the Documents Comprised in the So-called 'Constitution of Medina,'" *Bulletin of the School of Oriental and African Studies* 41 (1978): 1–41; Paul Lawrence Rose, "Muhammad, The Jews and the Constitution of Medina: Retrieving the historical Kernel*," Der Islam* 86, no. 1 (2011): 19

66   Emon, *"Reflections,"* 129.

67   Emon, *"Reflections,"* 133.

68   Anjum, "The 'Constitution' of Medina."

69   Anjum, "The 'Constitution' of Medina."

70   Anjum, "Conjuring Sovereignty."

71   For the appearance of this statement in Bin Bayyah's works, see Bin Bayyah, *In Pursuit of Peace: Framework Speech for the Forum for Promoting Peace in Muslim Societies: Abu Dhabi, 9-10 March, 2014*, trans. Tarek El Gawhary, (Abu Dhabi, UAE: Forum for Promoting Peace, 2014), 22; *Fatāwa*, 30; *Hiwār ḥawla ḥuqūq al-insān fī al-islām* (Riyadh, Obëikan, 2006), 92.

72   Bin Bayyah, *Ḥiwār*, 90; *Fatāwa*, 29.

73   Bin Bayyah, *Ḥiwār*, 89; *Fatāwa*, 29.

74   Bin Bayyah, *In Pursuit*, 22. In this regard, in his book *The Culture of Terrorism*, Bin Bayyah says, "A pretense of democracy in an immature and undeveloped environment could actually open the door to terrorism in its worst form." Dr. ʿAbd Allāh Bin el-Sheikh Mahfūẓ al-Bayyah, *The Culture of Terrorism: Tenets and Treatments*, Trans. Hamza Yusuf (n.p., Sandala and the Forum for Promoting Peace in Muslims Societies, 2014), 22.

75   Abdullah al-Shaykh al-Maḥfūẓ Walad Bayyah, *Khitāb al-amnī fī al-Islām wa thaqāfat al-tasāmuḥ wa al-waʾām* (Riyadh, Al-Akādīmiyya Nāyaf al-Arabiyya lī al-ʿulūm al-amniyya, 1999), 39-42; *In Pursuit*, 17, 22-23; *Tanbīh al-Marājaʿ*, 240-246.

76   Bin Bayyah, *The Path*, 241.

77   Bin Bayyah, *The Path*, 251.

78   Bin Bayyah, *The Path*, 235.

79   Shaykh Abdallah Bin Bayyah, Alliance of Virtue: An Opportunity for Global Peace (Abu Dhabi: Forum for Promoting Peace, 2019), 9.

80   Bin Bayyah, The Path 197.

81   For more on *Ḥilf al-Fuḍūl* see, Pellat, Ch., "Ḥilf al-Fuḍūl", in *Encyclopaedia of Islam*, Second Edition, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs. First published online: 2012. Consulted online on 25 April 2023 https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-2/hilf-al-fudul-SIM_2865?s.num=36&s.start=20.

82   Bin Bayyah, *The Path*, 196-197.

83   Bin Bayyah, *The New Alliance of Virtue*, 10.

84   Bin Bayyah, *The New Alliance of Virtue*, 10.

85   Bin Bayyah, *The Path*, 220.

86   Bin Bayyah, *The Path*, 220. On this level, Bin Bayyah lists the values of human dignity, freedom, justice, tolerance, peace, mercy, solidarity, and inclusive citizenship.

87   Bin Bayyah, *The Path*, 233.

88   Bin Bayyah, *The New Alliance of Virtue*, 14.

89   Bin Bayyah, *The New Alliance of Virtue*, 13.

90   Bin Bayyah, *The New Alliance of Virtue*, 13.

91   Bin Bayyah, *The Path*, 203.

92   See A. Maclntyre, *Whose Justice? Which Rationality*? (London: Duckworth, 1988); S. Hauerwas, *A Community of Character. Towards a Constructive Christian Social Ethic* (Notre Dame: University of Notre Dame Press, 1981).

93   Bin Bayyah, *Global Peace*, 16-17

94   Bin Bayyah, *Global Peace*, 17; *Alliance of Virtue*, 14.

95   The only source that Bin Bayyah quotes with regard to Kant's philosophical discourse is ʿAṯayāt Abū Al-Saʿūd, *Kant wa al-Salām al-Islamī*. See, Bin Bayyah, *In Pursuit*, 9.

96   Martin Diaz, "The Alliance of Virtue: Towards an Islamic Natural Law?", 30/03/2020.

97   Diaz, "The Alliance of Virtue." For more on the Noahide Covenant see, David Novak, *The Image of the Non-Jew in Judaism* (New York and Toronto: Edward Mellen Press, 1983). Some Jewish thinkers have compared the Noahic Covenant approach with the natural law. See, Nahum Rakover, "Law and the Noahides: Law as a Universal Value (Jerusalem: The Library of Jewish Law, 1998).

98   For a brief account of these developments, see Wolfhart Pannenberg, *Christianity in a Secularized World* (Crossroad, New York, 1989).

99   For Bin Bayyah's elaboration on the hadith and its relationship with the New Alliance of Virtue see, Bin Bayyah, *The Path*, 228-235.

100   Bin Bayyah, *The Path*, 233.

101   Bin Bayyah, *The New Alliance of Virtue*, 15.

102   Bin Bayyah, *The Path*, 234.

103   For the classic interpretation of this hadith see, Muḥammad Anwar al-Kashmīrī, *Fayḍ al-bārī sharḥ ṣaḥīḥ al-bukhārī*, ed. Aḥmad Azzu Inayah, 4th volume (Beirut: Dār al-Iḥyāʾ al-Turāth al-ʿArabī, 2000), 431-432; Shihāb al-Dīn al-Qasṭalānī, *Irshād al-sārī lī sharḥ ṣaḥīḥ al-bukhārī*, ed. Muḥammad ʿAbd al-Azīz al-Khālidī, 6th volume (Beirut: Dār al-Kutub al-ʿIlmiyya, 1996), 145-146.

104   In fact, the sixth Assembly of the Abu Dhabi Forum for Peace, in 2019, was dedicated to the topic of tolerance and religious freedom.

105   Bin Bayyah, *The Path*, 214.

106   Bin Bayyah, *The Path*, 214.

107 Bin Bayyah, *The Path*, 213.

108 Diaz, "The Alliance of Virtue,"; Ahmed Salisu Garba, "The Prospects and Problems of the Marrakesh Declaration on the Rights of Religious Minorities in Muslim Majority Communities," *The Review of Faith & International Affairs* 16, No. 4 (2018): 47-59 and Vebjørn L Horsfjord, "The Marrakesh Declaration on Rights of Religious Minorities: Opportunity or Dead End?" *Nordic Journal of Human Rights* 36, No. 2:151-166

109 Bin Bayyah, *Hiwār*, 173.

110 See, Abdullah Bin Bayyah, "Taʿlīq ʿala al-kitāb: Ishqaliyyāt al-ridda wa al-murtadīn li al-ʿalāmat Ṭāha al-ʿUlwānī", accessed May 1, 2023, https://binbayyah.net/arabic/archives/400.

111 Bin Bayyah, *The Path*, 213-214.

112 Bin Bayyah, *The Path*, 216.

113 Bin Bayyah, *The Path*, 216.

114 Bin Bayyah, *Alliance of Virtue*, 204.

115 Bin Bayyah, *The Path*, 216.

116 Islam as the solution is an important feature of the Islamist discourse. In the 1970s, al-Qaraḍāwī started the series, "The Inevitability of the Islamic Solution" (*Ḥatmiyyat al-ḥal al-Islāmī*). In this context, he wrote the book *Al-Ḥal al-Islāmī: Farīḍā wa ḍarūra* (Beirut: Mu'assasa al-Risāla, 1974)

117 For more on the use of use of tolerance and "moderate Islam" as a religious soft power by the counter-revolutionary camp, see Baycar, Hamdullah, and Mehmet Rakipoglu, "The United Arab Emirates' Religious Soft Power through Ulema and Organizations," *Religions* 13 (2022): 646; John Fahy, "The international politics of tolerance in the Persian Gulf," *Religion, State & Society* 46, No. 4 (August, 2018): 311-327; Panos Kourgiotis, "'Moderate Islam' Made in the United Arab Emirates: Public Diplomacy and the Politics of Containment" *Religions* 11, no. 1: 43. Stéphane Lacroix, "The United Arab Emirates: When Religious Tolerance Serves Political Intolerance," Site du Centre de Recherches Internationales (CERI) de Sciences Po, March 21st 2019; Last accessed, 15th September 2022; https://www.sciencespo.fr/ceri/en/content/united-arab-emirates-when-religious-tolerance-serves-political-intolerance.html.; Dhiya Boubtane, "From soft power to sharp power? The United Arab Emirates' religious policy and the promotion of a moderate Islam," Site du Centre de Recherches Internationales (CERI) de Sciences Po, Spring, 2021. Last accessed September, 21, 2022, https://www.sciencespo.fr/kuwait-program/wp-content/uploads/2021/11/sciencespo-kuwait-program-2021-boutane-dhiya.pdf.