

CORDOBA WORKSHOPS REPORTS

Interaction of Religion and Politics in the Public Sphere Conceptual Tools for the Promotion of Peaceful Co-existence among Political Actors with Different Worldviews

Doha, 21 - 21 September 2016

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Disclaimer:

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THE CORDOBA FOUNDATION OF GENEVA

The Cordoba Foundation of Geneva (CFG) is a Swiss non-governmental non-profit organisation working on peace promotion. The CFG was established in Geneva, Switzerland, in 2002 to foster research and dialogue on peace issues, and to promote exchange between cultures and civilisations in the spirit that prevailed in 10th-century Cordoba. The Andalusian city called the “Capital of Spirit” remains an almost unique model for peaceful coexistence and for the cross-fertilisation of ideas. The CFG focuses on tensions and polarisations in all societies where Muslims live, and aims to enhance theoretical and practical conflict transformation resources in Muslim majority countries.

THE NORTH AFRICA PROGRAMME

The North Africa Programme is jointly developed by the RPC (Religion, Politics, Conflict) desk of the Swiss FDFA’s Human Security Division (HSD) and the Cordoba Foundation Geneva (CFG). The programme’s strategic field of interest is to address polarisations and tensions occurring at the intersection of religion and politics and/or involving religiously-inspired political actors across this region. The overarching vision of the NA programme is inclusive, participative and peaceful societies in North Africa. The goals of the NA program are to contribute to 1) alleviating Islamist-Secular tensions, 2) reducing the factors leading to the political exclusion of religiously inspired political actors and 3) responding to violent religious extremist discourses with alternative narratives and practices.

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EXECUTIVE SUMMARY

The interaction of religion and politics in the public sphere remains at the heart of the political transition in the MENA region five years on since a wave of uprisings swept the region. In the Framework of the North Africa Programme¹, the Cordoba Foundation of Geneva in partnership with the Religion Politics and Conflict Desk within the Human Security Desk of the Swiss FDFA took special interest in promoting constructive political participation of new faith-based political actors as well as in alleviation tensions between these actors and others with different worldviews. Thus, Islamist and secularist experts and political leaders from across the region were brought together to ponder the question of the role of religion in the public sphere as well as explore collaboration for peaceful co-existence.

The first two meetings, held in spring 2016, focused on the issue of the distinction or differentiation between religious (matters of *deen*) and worldly practices (matters of *dunya*) within the Islamic tradition. Religious rules are influenced by doctrine and can be called the domain of prescription, as these rules concern the orthopraxy (correct conduct) of religion. In the domain of the influence of religion on “life”, however, rules function in a “preventive” way: a rule forbids certain actions, but gives options for a space where non-forbidden actions are possible. This distinction also allows for an explanation of how matters of “life” - distinct from religion in the prescriptive and ritualistic sense - are nevertheless “within the realm of religion,” and not separated from it. At the same time, matters of “life” fall within a realm of flexibility, and adaptation to contexts. This life-space is a location where actions can be agreed on across different religious communities, while remaining faithful to each community. From a religious point of view, it is what can become a “common civic space”. This can be understood as the equivalent of “secularity” in a manner which is acceptable from a cultural and religious standpoint.

The objective of the in the third meeting in this series, held on 21 – 22 September 2016 in Doha, was to deepen and build on discussions of the first two workshops by revisiting existing conceptual tools to promote cooperation among actors of different worldviews. Second, experts and political leaders who attended this third workshop tested the feasibility of three potential areas for common space collaboration in in North Africa, namely Islamist-secularists tensions between Tunisian actors in regard to political violence and religion; and alleviating Moroccan Salafi and secularist Amazigh tensions, as well as violence among Islamist and leftist university students’ groups in Morocco.

The 7th C. Medina Charter and 20th C. John Rawls’ Theory of Justice and Overlapping Consensus were reviewed by experts and political actors as two conceptual tools from different worldview sources

¹ The North Africa (NA) Programme is jointly developed by the RPC (Religion, Politics, Conflict) desk of the Swiss FDFA’s Human Security Division (HSD) and the Cordoba Foundation Geneva (CFG). The NA programme’s strategic field of interest is to address polarizations and tensions occurring at the intersection of religion and politics and/or involving religiously-inspired political actors across this region. The overarching vision of the NA programme is inclusive, participative and peaceful societies in North Africa. The goals of the NA program are to contribute to 1) alleviating Islamist-Secular tensions, 2) reducing the factors leading to the political exclusion of religiously inspired political actors and 3) responding to violent religious extremist discourses with alternative narratives and practices.

with the potential of promoting the merits of cooperation for the common good of the community. A detailed analysis of the Medina Charter, from a conflict transformation perspective, showed how the architects of the Charter fractioned the conflict among Muslim and Jewish tribal leaders then and addressed their respective concerns; set and fulfilled goals in respect of power structures and interests; and offered means for arbitration and protecting rights and duties for all Muslim and non-Muslim inhabitants of Yathrib, renamed Medina (the city), after Prophet Muhammad's migration there in 621.

Rawls distinguishes between two levels of realities. The primary level is that of prescriptive rules and the secondary level about the application of those rules. Between the two levels there is a space of possibilities. Communities with different prescriptive rules in their value systems and worldviews can choose to engage in a common action with a different community, each for its own reasons. In this way, different communities can live together in a space (action reality level) while each one finding justification and motivation for doing so in its own set of prescriptive rules (rules reality level). John Rawls calls this process of joint engagement by different communities to interact in the same space overlapping consensus.

Equipped with this conceptual background participants offered the following practical peace promotion projects:

- To alleviate Moroccan Salafi-secularist Amazigh tensions for a series of mediation space sessions between Salafi figures and elites of the secularist Amazigh movement. The immediate aim would be to denounce violence (verbal and physical). Because verbal violence often translates into physical violence on university campuses in Morocco the leadership of Islamist and secularist student movements should be strongly in this institutive.
- Tunisian participants recommended organising two small workshops on the issue of political violence and religion. The first to focus on the issue of political action, religion and violence. This workshop would serve as a mediation space between Islamists, secularists, and other Tunisian stakeholders in order to alleviate tensions and safeguard the nascent political transition. The second workshop would focus on reforming religious education in Tunisia and would involve secularist and Islamist experts in order to ponder the question of reforming religious education in Zeitouna University and promoting a moderate religious discourse.

I. CONTEXT

Since March 2016, developments in the region have demonstrated the continued importance of the debate around religion and politics in the public sphere. Notably, the Ennahdha movement's Leader, Rached Ghannouchi, announced to *Le Monde*, ahead of the party's 10th congress in May 2016 that "we are leaving political Islam and entering democratic Islam. We are Muslim democrats who no longer claim to represent political Islam". Ennahdha's leadership argues that the decision to adopt functional specialisation in matters of Islamic preaching on one hand, and political action on the other is necessary for the nascent democracy in Tunisia. The movement argues that such a specialisation would better focus priorities, free assets, and deliver better results in both realms. Politicians would focus on the political activity of the party while matters of preaching and societal solidarity action would be handled by civil society.

This shift within the Ennahdha movement triggered many reactions throughout the MENA region and beyond. For Dr. Alia Alanni, expert on Tunisian Islamist movements "the separation of preaching activities from political ones is not enough, what is required is an intellectual separation (i.e. reference to law, the constitution, civil state and democracy)". Dr. Basheer Nafi, who has published extensively on moderate Islamist and Salafi movements in the region, "Unless Muslim societies find a consensual answer to the question relating to the position and role of Islam in the public sphere, the existence of the Islamic political current will continue as a socio-political and moral necessity for the life of Muslim societies and their constant search for renaissance, freedom and justice." But, for former Tunisian president Moncef Marzouki, these developments within Ennahdha herald the beginning of the decline of political Islam

in the region, in the footsteps of nationalism, pan-Arabism, and communism.

This decision can be compared with similar political developments in the region in recent years. In Morocco, the Justice and Development Party became the political arm of the Reform Movement with a clear organisational separation almost two decades ago, and this was restated during the PJD's sixth congress. In Algeria, the Muslim Brotherhood party's Movement for the Society of Peace (MSP) also separated its preaching activities handled by the Reform and Preaching Association from their political action in the mid-1990s, when the party changed its name from Movement of the Islamic Society to MSP. The same could be said about the Islamist movement in Sudan.

The debate on religion and politics in the public sphere has also been seen to resonate further afield, most recently in the debate on the so-called "Burkini ban" in certain parts of Europe, including France. The Burkini ban has revived memories of banning headscarves from schools on the grounds of protecting French secularism or *Laïcité*, although the Council of the State has invalidated the decision based on the freedom of conscience and on the fact that the burkini does not breach norms of security, public order, access to public spaces or hygiene. Besides, the Council of State has invoked its jurisprudence over the authority of local mayors in the management of this conflict.

According the *New York Times*, the burkini could be perceived by certain people in France as a threat for French identity, but for Marwan Muhammad, Executive Director of the Centre against Islamophobia in France, the burkini is "more a sign of liberation than repression" because it allows Muslim women the possibility to socialise and entry into public spaces, particularly into spaces such as beaches. For the League of Human Rights, the

secretary of the Cannes-Grasse region, Hervé Lavasse, insists that: "Laïcité guarantees to every citizen a free conscience and freedom of religious expression." On this topic, French sociologist and historian Jean Baubérot has said on *Radio Télévision Suisse* (RTS) that it is important for France to finally find a balance between freedom of conscience and freedom in the public space because *laïcité* has to facilitate and allow coexistence". Indeed, according to him, "*laïcité* could be at risk as soon as it becomes itself authoritarian or when it elevates itself as a dogma against religion."

The debate is not limited to a definition of secularism but could be extended to the broader relation between politics and religion, or the sphere of « action and violence » and the sphere of "metasymboles" or "big symbols". Indeed, over a decade ago French sociologists Alain Caillet and Marcel Gauchet engaged in an academic reflection on the question of politics and religion. Alain Caillet sees the politico-religious system as one entity, while Michel Gauchet distinguishes between religion and politics as two separate entities. According to Gauchet, politics would be derived from a triangular relation between power, conflict and, norms. For Gauchet religion is an independent and invisible entity and "only becomes intelligible at its involvement in politics".

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violence and religion; and alleviating Moroccan Salafi and secularist Amazigh tensions, as well as violence among Islamist and leftist university students' groups in Morocco.

II. THE MEDINA CHARTER

In continued effort to deepen discussion about the merits of a common space for civic engagement among actors with different world views a couple of conceptual tools and resources about different experiences were re-visited. The Medina Charter and the John Rawls Theory of Justice and Overlapping Consensus were reviewed by participants, in the light of the present dynamics in the MENA region and the West. A leader of a Salafi political group identified nine principles in the Medina Charter, which he considered as practical guidelines for political actors that are concerned with establishing a space where they could meet the Other, halfway. The Salafi leader explained that the nine principles of the Medina Charter guided his political party in reaching out to other Islamist parties, of a different affiliation, as well as to secularists, in his country. Besides, the Medina Charter's spirit laid the ground for his party's position on issues of citizenship and freedoms. The Salafi political leader explained The Medina Charter, being the first written constitution, at least in the Arab context, is a living evidence that co-existence among religions is possible and that engagement of faith-based actors in the public sphere does not mean persecution or exclusion of followers of other faiths or non-believers. Third, that there is a possibility to establish a state in Islam where rights of religious minorities are protected. Forth, justice as a value was mentioned eight times in the Charter, underscoring thereby its importance. Fifth, rights of the human being, regardless of ethnicity, or faith were guaranteed. Sixth,

tolerance among faiths was upheld in the Charter in that it was explicitly stated that aggression on followers of any faith would be considered an aggression on the state. Equality, citizenship, and establishing ethnic and religious pluralism were three additional principles in the Medina Charter according to this Salafi leader, who considers that they offer a practical resource for all actors, regardless of their affiliations and worldviews, to join efforts for the common good of the community.

Another analysis of the Medina Charter offered to participants highlighted its merits from a peace and conflict transformation perspective. A review of the seventh century text in the light of the 20th century theories of conflict transformation reveals why the Medina Charter succeeded in establishing coexistence, peace and regulating conflicts among around twenty-two Arabs and Jewish tribes, Muslims and non-Muslims, over a period of around 40 years (622-661), until the death of the fourth Caliph. Many works have been written on the Medina Charter (from an inter-faith, constitutional law, or human rights viewpoint), but very few from a conflict resolution perspective.

In *Peace and Conflict Resolution in the Medina Charter*, Yetkin Yildirim studies the process and Content of the Charter by means of Western theories of conflict transformation.² Yeldirim explains that the initiative by Prophet Muhammad to mediate among the 22

Arab and Jewish tribes of Yathrib (Renamed Medina i.e. the City afterwards) fulfils the definition by Folberg and Taylor in that the mediation was consistent with the beliefs and traditions of the Arabs and Jews at that time of submitting to arbitration by a third-party mediator.³ Besides, Muhammad Hamidullah explained in his 1975 study that Prophet Muhammad's mediation was accepted by Yathrib tribal leaders for four main reasons. First, there was a "leadership void". Second, mediation by a third-party was a common practice. Third, there was a "lack of alignment along religious lines" among tribes. And finally, because Prophet Muhammad conducted pre-talks and consulted with tribal leaders. Furthermore, an important aspect of the process of drafting the Medina Charter is that it listed rights and duties of the Muslim and non-Muslim citizens of the Medina-city-state, and most importantly, it provided means of seeking justice through law and community instead of tribal military actions.⁴

In terms of the content of the 47 articles of the Medina Charter Yildirim used techniques theorised by R. Fisher, W. Ury, Goldberg, W. Wilmot and J. Hocker in studying conflict fractioning, power structures, interests, and goals as defined the Charter. First, the Charter addressed interests and power structures of each Arab and Jewish tribe by fractioning them into 47 sections, whereby sections 1-23 address Muslims' matters and sections 24-47 address Jews' issues. Section 1 established the 1,000 inhabitants of Yathrib as one

² Yetkin Yildirim, "Peace and Conflict Resolution in the Medina Charter," in *Peace Review: A Journal of Social Justice*, 18:109-117, available at http://www.analogfeminism.net/Peace_and_Conflict_Resolution_in_the_Medina_Charter.pdf; Full text of the Medina Charter, available at: <http://www.constitution.org/cons/medina/macharter.htm>

³ Yildirim, "Peace in the Medina Charter", pp.109-110. See also Folberg, J., & A. Taylor, *Mediation: A*

Comprehensive Guide to Resolving Conflicts Without Litigation, (San Francisco: Jossey-Bass Publishers, 1984).

⁴ Muhammad Hamidullah, *The First Written Constitution in the World: An Important Document of the Time of the Holy Prophet*, (Lahore, Pakistan: Ashraf Printing Press, 1975), as quoted in Yildirim, "Peace in Medina Charter", p. 111.

community in the geographic scope of the Medina. This new sense of community of the inhabitants of Yathrib was fortified by a guarantee of the protection of law and justice, as described in sections 19, 21, 22, and 40. In the event of war sections 37 and 38 defined the shares of collective responsibility between Muslims and Jews. This mechanism reinforced the spirit of citizenship. Thus, loyalty was shifted from tribal lines to religious interests. Fisher calls this a recognition that “we can be loyal to our principles without insisting that our opponents be disloyal to theirs”.⁵

The other classic principle of mediation theorised by the Harvard School is shifting focus from positions to interests and collaboration. Wilmot and Hocker classify goals into four categories: 1) process, 2) content, 3) relational, and 4) interaction. The Medina Charter reflected process concerns were taken into consideration in that pre-talks were engaged with each Muslim, Jewish tribal leader to ensure he would feel recognised as a stakeholder and that his constituency’s concerns were satisfied in the draft document. Regarding content goals articles 4-11 ensured release of all prisoners of war. Relational goals were satisfied in the Charter by engineering interdependence among Muslim and Jews tribes. Thus, articles 13, and 25-35 of the Charter guarantee protection of Jews. In other words, Jews of Yathrib had a stake in joining the Medina Charter agreement for the protection it guarantees them. This relational goal, explicit in article 37, shifts focus from group to

interdependence of relationships, as scholars KNAPP, Putnam, and Davis argued.⁶

Managing power perceptions and structures as one of the thorniest aspects of mediations and agreement drafting, as Ury, Brett and Goldberg explain in their definition of perception of power. The Medina Charter recognised tribal structures but shifted identity marker to religion. Wilmot and Hocker classify definitions of power as: 1) distributive, 2) integrative, or 3) designated. The distributive perception of power is a zero-sum logic that underpinned the coercive attitude of Yathrib tribes before the migration of Prophet Muhammad there. The Medina Charter addressed this question by transforming zero-sum power perception into integrative one, where needs and rights are more important, and to a designated power perception, where a higher authority makes the decisions. Yildirim considers this transformative technique is reflected in article 37: “*Muslims and Jews must seek mutual advice and consultation, and loyalty is a protection against treachery.*”; and article 44 and 45: *If Jews are called to make peace and maintain it they must do so; and if they make similar demand on the Muslims, it must be carried out.*” Finally, articles 15, 17, 23 and 42 outlined the arbitration by designation of higher authority, where “*future disputes must be referred to God and Prophet Muhammad.*”⁷

Participants responded varyingly to both presentations of the Medina Charter. A Syrian Salafi explained that two factors should be taken into consideration when analysing the

⁵ Fisher quoted in Yildirim, p. 113. See also Ury, W., J.M. Brett, & S. B. Goldberg, *Getting Disputes Resolved: Designing Systems to Cut the Costs of Conflict*, (San Francisco: Jossey-Bass, Inc., 1988); Wilmot, W. W., & J. L. Hocker, *Interpersonal Conflict*, Sixth Edition, (New York: McGraw-Hill, 1988)

⁶ See Knapp, M. L., L. L. Putnam, & L. J. Davis. 1988. “Measuring Interpersonal Conflict in Organizations:

Where Do We Go From Here?”, *Management Communication Quarterly*, (1): 414-429.

⁷ Yildirim, pp. 114-115.

Charter. First, there was the factor of strength and weakness; and second, the factor of justice in the ethics and values system of each ideology. A Tunisian secularist opined that the context of the Yathrib differed from the present context in the MENA region, and that the conceptual meanings of justice and equality centuries ago differed from our understanding of the same concepts now. Besides, it was argued that the Omari Condition document restricted the scope of the Medina Charter, after the death of Prophet Muhammad. An Egyptian Salafi scholar explained that the Omari Conditions were introduced when a Jewish tribe breached the stipulations of the Medina Charter. On the periodisation and context aspect another participant noted that the UN human right charter and western democracy institutions and mechanisms refer to the works of thinkers and intellectuals from 18th and 19th century, which we are in the 21st C. Finally, a Moroccan leftist expert explain that “the Medina Charter could be considered as a founding myth in the same way as Athens democracy is a founding myth.”

An Algerian secularist political actor argued that the problem in North Africa is the elite’s breaking with own their memory and tradition of resolving issues. He cited works of Professor Mohamed Arkoun and Bourdieu on Algerian history to show how Algerian society has dealt with issues in the past. He believed that there is an instrumentalisation of differences. For example, when Amazigh rights were raised before the 1990s, they were faced with instrumentalisation of Islamism by the regime. He argued that secularism existed in North African rural society where religious affairs were handled by the Imam of the local mosque whereas

public affairs were handled by the tribal leader. This Algerian secularist opined that “elites wanted to impose western approach, but there was also an imposition of oriental (Middle Eastern) foreign approach.” For him, use of indigenous conflict resolution mechanisms would lead to peace and emancipation of North African societies, including of women.

Another Amazigh actor proposed the International Convention on the Elimination of All Forms of Racial Discrimination to enrich the discussion.⁸ He explained, “we are all victims of politics, so a public space must be created that is available for all. The question is how to manage this space so it guarantees liberty and equality for all?”

SUB-CONCLUSION

The Medina Charter was established in the first year of the Hijra in 622 CE. This document was valid until the end of Ali’s Caliphate, which means four decades later. The Charter constitutes 47 to 57 articles, depending on the structure of the version considered. It is interesting to look at the Charter through the prism of conflict transformation, as it was clearly beneficial for the population living in the city back then, which at the Hijra of the Prophet, according to the estimates, was made up of 10-15 thousand inhabitants belonging to about twenty tribes. The Charter defines the basis of a multi-tribal, multi-religious state in Medina (literally meaning The City in Arabic), which is referred as Yathrib in the text (the former name of the city, before the Hijra).

By the time of the Prophet’s arrival in Yathrib, the city was torn by several tribal conflicts (especially between the Arab Aws and Khazraj

⁸ See the International Convention on the Elimination of All Forms of Racial Discrimination, 1965,

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>

tribes), so he proposed the Charter as a tool for conflict transformation. The success factors of his initiative can be summarised as follows: First, the Arabs at that time usually preferred external third party mediators, and the Prophet, coming from Mecca, was perceived as such. Moreover, he had a good track record in mediating conflicts in Mecca, like the dispute among several tribes in the Holy City about placing the black stone of the Kaaba. Second, as the tensions were along tribal lines, the introduction of the religious dimension in the Medina Charter contributed to mitigating them (non-aligned divisions). Furthermore, the Prophet managed rapidly, during the first months of the Hijra, to identify the parties to the conflict, and consult during the drafting process of the Charter with the tribal leaders to grasp their different needs, goals and interests to be taken into consideration, and to set new common goals for the tribes. Lastly, the success of the Charter lies also in the fact that the conflict issues were identified and dealt with separately, which made it easier to solve them.

The Medina Charter is concrete proof that co-existence and positive interaction was possible within the same country (as Medina was a city-state it is referred to as a country). It succeeded in doing so by introducing a new conception of social belonging in three different layers. The first layer being the tribe recognised as a social reality; the second layer being the social belonging to religion with a set of shared values – religion is introduced to mitigate ‘tribal chauvinism’ – and thirdly the affiliation to the City (Al Medina): the concept of citizenship is introduced here to mitigate ‘religious chauvinism’. It also defined a closed geographic space in which the Charter prevails, as shown in Art.1 stating that the Charter is an agreement between the inhabitants of Yathrib, Art.39 defining Yathrib as a sanctuary for those who adhere to the

Charter, and finally Art.44 asserting that they accept to defend Yathrib in case of invasion.

More importantly, this constitution conceived a unity of all the inhabitants by defining the community of the City: The Medina Umma. Indeed, all the adherents to the Charter constitute the same Medina Umma, which embraced Muslims (a few hundred originally from Yathrib or coming from Mecca), Jews (five to seven thousand), and polytheists (five to seven thousand) living in the city. With this principle, the Charter coined the concept of City-Community, and by extension ‘State-Nation’, and set the rules regulating the city-sharing by the diverse constituent units. Hence, the Charter is often said to be the first constitution in history. The document also determines the autonomy of the Medina Umma in social, cultural and religious matters. Each constituent unit is faithful to its belief without asking the others to be unfaithful to theirs. Therefore, the tribal and the religious affiliation is subsidiary and decentralised whereas the notion of citizenship is centralised through the defence and security of the city, and the recourse to the central authority in case of conflict between the constituent units.

III. RELIGIOUS SYMBOLS IN THE WESTERN PUBLIC SPHERE

In his extensive reflection on how Europe re-emerged from its wars of religions between Catholics and Protestants, and achieved co-existence, Rawls distinguishes between two levels of realities. The primary level is that of prescriptive rules and the secondary level about the application of those rules. Between the two levels there is a space of possibilities. Communities with different prescriptive rules in their value systems and worldviews can choose to engage in a common action with a different community, each for its own reasons. In this way, different communities can live

together in a space (action reality level) while each one finding justification and motivation for doing so in its own set of prescriptive rules (rules reality level). John Rawls calls this process of joint engagement by different communities to interact in the same space as overlapping consensus. In the liberal tradition one rule (symbol) could have multiple realities (meanings or actions). This distinction between symbol and sense, which can be multiple for the same symbol, explains for example the perception and interpretation of religious symbols in the public sphere in the West (the minarets, the Islamic veil, the *burkini* debate, etc.)

A Swiss researcher of religion and politics in the public sphere presented an analysis of the political and cultural aspects underpinning the debate about the *burkini* in France and Europe in general. Three approaches could be identified as far as the handling of the religious symbols in the public sphere is concerned. First, there is what could be described as a strict secularism. For proponents of this closed or confrontational approach the display of religion in the public sphere means that religion is creeping in to take control of public affairs. Strict secularism enshrines national identity highly; and insists that for religion to be compatible with democracy it (religion) must accept insulting and criticism. Open secularism, on the other hand, is essentially preoccupied by the integration of communities, in that integration is mandatory in order to avoid tensions. This open approach allows more space for individual freedom and conscience; and demands from the state to be neutral in order for it to embody the role of a mediator. This

distinction between the two approaches mainly is apparent in Europe, and does not follow necessarily the classic right / left political division.

A third approach to secularism is that practised in Canada or the UK, where freedom is the keyword of this approach. Different religious identities are free to express themselves and practise their faiths. In this context, the *burkini* is considered as a matter of freedom of women. Citizenship and religion are compatible, unlike in France where “Muslims should be a bit less Muslim in order to be a bit more French.”

An examination of the wearing of religious symbols in the public sphere in France, the canton of Geneva and in Canada reveals different practices and explanations. In France, wearing of ostentatious religious symbols is prohibited in the name of *laïcité*. In Geneva, a teacher cannot wear religious symbols but pupils could. Here we are talking of ostensible symbols as allowed by law, which is different from ostentatious symbols. The teacher represents law and that is why he/she should be neutral. In Québec (Canada), the political party Québec Solidaire, relying on the Bouchard Taylor report,⁹ proposed a different approach to secularism. Here the professor and the pupil have the right to wear a religious sign. According to this conception of secularism, only actors with a coercive power within the state (judges, prison guards, policemen) must respect a form of neutrality. In a profoundly liberal country, even this open vision of secularism was understood as too restrictive and since 2015, the law 62 consolidates religious freedom, as even the police can display a religious sign. This brief

⁹ Bill n°62: An Act to foster adherence to State religious neutrality and, in particular, to provide a framework for religious accommodation requests in certain bodies,

<http://www.assnat.qc.ca/en/travaux-parlementaires/projets-loi/projet-loi-62-41-1.html>.

examination of the same challenge in three different geographic contexts showed three different practices in the public sphere.

IV. MOROCCO: ALLEVIATING SALAFI – SECULARIST AMAZIGH TENSIONS

One of the main recommendations of the previous two workshops is the need to institutionalise the dialogue between the secularist and the religious currents, and focus on the main elements and dimensions that help create a working space between Islamists and secularists. Such an area of joint endeavour should be strengthened through direct discussion and practical initiatives that would support the rapprochement between the two sides. It is advisable to avoid debating doctrinal issues and raising the theoretical controversial points of contention, which – despite their extreme importance – would remain inappropriate topics and would never help to constitute an entry-point for building confidence and achieving convergence around the minimum common ground between the different parties.

Alleviating Salafi – Secularist Amazigh tensions was identified by Moroccan experts and political actors as one of the priority areas to initiate a dialogue leading to a mediation space where collaboration between stakeholders could result in lesser polarization. A Moroccan leftist and human rights activist opined that tensions between Islamists and secularist Amazigh elites are the result of the Moroccan regime's manipulation of the conservative and progressive political forces in the 1960s and 1970s, when the leftist opposition current was very strong in university campuses and public space. In order to weaken the leftist influence in society, this activist argued, the regime promoted conservative Islamist ideology through education, mainstream media, and mosques. Besides, given that the elite of the

Amazigh movement defended secularism and called for enlightenment and a restoration of the Amazigh identity, the regime spread a narrative of secularism as anti-religion ideology, in an effort to weaken both the Amazigh movement and leftist opposition. The same strategy was used by the regime again in the aftermath of the 2003 Marrakech bombings, but this time against Salafi extremists. According to this leftist activist the 20 February 2011 Movement shook the lines of ideological alignment in the Moroccan polity. Unlike 2003, where it was leftists who split into those who supported the Palace in defense of modernism against so called Salafi extremism; and democrat leftist who refused that dichotomy, in 2011 it was the turn of Islamists to split into supporters of the democratic movement and those who backed the regime. The leftist activist concluded that this brief overview of shifts of alliances over the last fifty years is evidence that the Salafi /secularist Amazigh tension is not inherent in society, but rather a result of political manipulation and power struggle.

A Moroccan Amazigh activist explained that Amazighs coexisted with different religions in North Africa for centuries, because the Amazigh society is organized according a positive legislative system. Tensions with some elements of the Salafi current started when the latter took over the role Pan-Arabism and its denial of the Amazigh identity. An Algerian secularist political actor thought, however, that the Amazigh question in North Africa is a victim of the Jacobin concept of the state by the post-independence political leadership and elite. The imposition of a unified and centralized political and cultural modal of organization of a multi-ethnic society leads inevitably to identity tensions.

MOROCCO: NEXT OPERATIONAL STEPS

Looking forward in more practical ways, participants thought since the tensions in question are neither inherent in society it is possible to undertake a number of steps towards alleviating these tensions. An Amazigh activist called for a series of mediation space sessions between Salafi figures and elites of the secularist Amazigh movement. The immediate aim would be to denounce violence (verbal and physical). Because verbal violence often translates into physical violence on university campuses in Morocco the speaker recommended involving the leadership of Islamist and secularist student movements in this process. On a broader level a leftist activist argued that such tensions would be alleviated by promoting democracy; a public service of the mainstream state media; spreading human rights values including dignity, equality, and citizenship; and protecting freedom of speech and freedom of conscience; where religion could be safely criticized whereas insulting believers would be punished by law for defamation.

V. IS THE THESIS OF A SECULAR STATE AND A RELIGIOUS SOCIETY A PRACTICAL COMPROMISE?

To bridge the polarisation between Islamists and secularists some intellectuals offered a third way where the affairs of the state are governed on a secular basis whereas matters related to society respect religious affiliations. Some refer to this polity thesis: a secular state in a religious society; others call it the neutral state. Participants discussed the issue with some skepticism. One Tunisian Islamists explained that such as thesis poses the classic problem of definitions. But practically speaking and regardless of definitions, this Islamist political leader believed “the

dichotomy secular state and a Muslim society such a thesis would be bound to either pave the way to the return of the authoritarian state; or force the state to give in to the Islamic identity of society.” In the same vein, an Egyptian Salafi leader asked can lay people separate religion and politics? According to him each political system should reflect its societal reality. Secular systems in other cultures are linked to a historical context, formed in their environment. There is a need establish political systems in the MENA region that reflect society and are not unjust to any component of the society. “But today Islamists are being asked to change their approach, and this is contradictory” the Salafi leader opined. For most Islamists “Islam is a complete religion that includes political and social ways of managing public affairs,” argued a Syrian Salafi scholar.

The question of religious minorities (Muslim or Christian or Jewish, etc.) in society was raised by a Moroccan leftist expert. He argued that it is in the interest of religious minorities to defend the secular state in order to protect its interests in a society of a different religious majority. This is the case of Protestants in France and Muslims in India, to name just two. Hence, “It is in their interest that the state does not become the embodiment of the religion of the majority, and vice versa.”

The discussion then shifted to the Tunisian experience and the challenges Islamist and secularist political leadership continue to face in laying the legal and institutional foundations of Tunisia’s second republic. A Tunisian expert explained the challenges the MENA region faces in general and Tunisia in particular is to undertake a move from dialogue to common work for the public interest. This move should be underpinned by a distinction between two aspects. On one hand, there are the ideological convictions as diverse as they are; and on the other hand,

there is the necessity to confront challenges in a collective way. A prominent Islamist leader emphasised that “the period of founding the state is a period of co-existence and not of political competition or disputes.” He summed up the lessons learned by Tunisian Islamists in power several points. First, building the constitutional institutions of the state should be the priority for Islamists. Second, Islamists should rise to the challenge of development. Third, Islamists run the risk of rejection by society if they try to impose their project. Forth, traditional sources are not enough to manage the state. Fifth, there is no comprehensive political theory in Islam. There are governance ethics in Islam but no complete political theory. Islamists should finish developing their governance theory. He concluded by reiterating that his political movement is gradualist while remaining anchored in its identity. The Islamist leader emphasised that they “do not accept revisions under ideological intimidation or legal obligation, but rather on the basis of consensus.”

Responding to the lessons learned above a Tunisian secularist expert explained that “there is at present a crisis of structural doubt in Tunisia,” apparent in the rejection of diversity and difference. This structural crisis generated a challenge in dealing with violence. This in turn compounded issues of recognition of some segments of society (youth, women, diverse ideological currents, etc.). There is also the question of the legitimacy of representation: who what represents modernity, Islam, religiosity, fragile segments of society, etc. This secularist expert thought that “representation schemes cannot be managed by politics alone but rather by embracing an inter-disciplinary approach.” According to her the urgent question Tunisians face today is how to join efforts in order to tackle priorities and devise action plans.

Another Tunisian secularist emphasised the lack of trust syndrome among Tunisians at present. She thought that secularist feel that political revisions by Tunisian Islamists actors were not the product of ideological convictions but rather out of concern for political participation only. For a Moroccan Islamist political actor projects and decisions of political parties are the product of ideas and reality demands. There is the historical journey of the political party and its leadership’s awareness in each historical context. He gave the example of how the law on Islamic banking took 16 years to pass through parliaments, and the end Islamists and secularists found a compromise to call it participative banking. In Tunisia, however, Islamic banking was dropped from the new law regulating banking, for merely ideological reasons rather than governance or economic ones, a Tunisian Islamist leader explained. Another Tunisian Islamists explained that it should not be forgotten that there is “a third current of Tunisians that does not accept both Ennahdh’s compromises and the domination of secularists.”

VI. TUNISIA: HOW TO ENSURE THAT SECURITY DOES NOT THREATEN INCLUSIVITY?

Various experiences from all over the world have proven that democracy is not possible if it is established through systematic repression. Efforts should be made to raise awareness that the suppression of peaceful faith-inspired groups would undermine stability rather than achieve security. In Tunisia, the issue of how to ensure that the so-called War on Terror discourse and coercive and indiscriminate policies against Islamist actors (such as political parties, Imams, NGOs and charities, etc.), would not threaten the political transition and gains in democratic governance and inclusivity. An independent

Tunisian Islamist actor opined that the discourse of the war on terror in Tunisia did not only affect basic freedoms but also the freedom of believers to practice their faith. He thought that the security question in Tunisia is not only limited to policing but has cultural, educational, and media extensions. The impact of the war on terror narrative and policies is demonstrated, according to him, by incitement against Islamists, closure of over 200 charities, and restriction for Islamists access to mainstream media, in that they only two Islamist TV channels in Tunisia face license obstacles from the regulatory authority.

A Tunisian secularist expert of Islamist movements argued that the question the Tunisian elites face now is how to deal with the religious space and its interaction with the public sphere. She thought there is urgent need to review and question the historical function of the mosque. The constitutional role of the state as the guardian of religious spaces and practice, as defined in Article 6 of the 2014 constitution, continues to cause divergence among Tunisians, explained a Tunisian Islamist.¹⁰ Another Islamist political leader offered his party's 4-point policy recommendation during the debate on the counter-terrorism strategy law. First, that democracy has intrinsic capacity and mechanisms to protect itself. Second, that the religious sphere was not liberated after the 2011-uprising but rather nationalized. What is rather needed is an independent religious sphere under the oversight of the law and

state. Third, there is a need for a distinction between what falls under combatting terrorism on one hand; and freedom of speech on the other. Finally, this Islamist party called for a Tunisian nation strategy to counter violent extremism that should be independent from the global war on terror strategy. Commenting on the policy recommendations, another Tunisian Secularist expert noted that one should not forget that "the security institution itself is victim to its own mutilate hard memory that resists reform." She explained that there are gaps in the pedagogical training of the security forces, especially in terms of sociology, discourse analysis, anthropology, and religion. Besides, she thought "given the notorious legacy of the security apparatus there is fear from the security institution and a natural demand for guarantees,"

The other key aspect of the role of the religion in public affairs focused on the religious discourse in mosques and content of education in Qur'anic schools, or what remained of them, after the 2015 closure decrees. A leading Tunisian scholar of Islam explained that the problem in Tunisia in regard to religious violent extremism is the absence of an independent and free religious institution that regulates the religious discourse. How would you hope to offer a moderate religious discourse while you closed down the Zeitouna University under Ben Ali and Bourguiba?" he exclaimed. One of the consequences of that practice is that only 8% of preachers, according to him, have academic credentials, in Tunisia at present. In the same

¹⁰ Article 6 of Tunisian constitution: "The state is the guardian of religion. It guarantees freedom of conscience and belief, the free exercise of religious practices and the neutrality of mosques and places of worship from all partisan instrumentalisation.

The state undertakes to disseminate the values of moderation and tolerance and the protection of the sacred, and the prohibition of all violations thereof.

It undertakes equally to prohibit and fight against calls for Takfir and the incitement of violence and hatred",

See:

https://www.constituteproject.org/constitution/Tunisia_2014.pdf

vein, a Syrian Islamic jurisprudence expert explained that “the human dimension is lacking in religious education, and that the role of women as an essential component for the healthy balance of society is often overlooked”. A Moroccan human rights activist opined that reforming state schools’ education is also necessary to fashion a new citizen.

TUNISIA: NEXT OPERATIONAL STEPS

A number of focus areas were recommended by participants from across the region to tackle this issue of preserving inclusivity and stability and devising a vision for coexistence underpinned by the values of diversity, rule of law and citizenship. Among these focus areas is managing difference and diversity in mainstream media, education, and mosques. Besides, efforts should be allocated to promoting a discourse that reflects diversity within ideological and political blocs. A Gulf region conflict transformation expert advised to undertake a new type of dialogues that would involve the armed forces and political actors; or dialogues between elites and the police and civil society. These types of dialogues that are not untapped yet in the MENA region could, according to this adviser, unleash positive dynamism and move the debate from reflection to practical solutions.

Moving forward, Tunisian participants agreed to organize two small workshops the first to focus on the issue of political action, religion and violence. The workshop would serve as a mediation space between Islamists, secularists, and other Tunisian stakeholders in order to alleviate tensions and safeguard the nascent political transition. The second workshop would focus on religious education

and would involve secularist and Islamist experts in order to ponder the question of reforming religious education and promoting a moderate religious discourse.

VII. ALGERIA: EXPERIENCE OF ISLAMISTS AND SECULARISTS RAPPROCHEMENT WITHIN THE NATIONAL COORDINATION FOR LIBERTIES AND DEMOCRATIC TRANSITION (CNTLD)

The political deadlock in Algeria marked with Abdelaziz Bouteflika in power for 17 years, since 1999, and two constitution amendments to grant unlimited presidential terms (in 2008) and then limit them to two again (in 2015) has finally given incentive to Algerian Islamist and secularist political actors to narrow their ideological differences. The wave of the 2011 uprisings across the MENA region did encourage the process of rapprochement between the two ideological camps. Against this backdrop, an Algerian secularist political actor explained that, in 2013, five secularist and Islamist political parties (MSP, Ennahdha, Jil Jadid, RCD, and FJD) as well former prime minister Dr. Mohamed Benbitour engaged into a series of talks in order to join efforts and form a united opposition front to work together for a negotiated political transition with the Algerian regime.¹¹ This group of 5+1 reached out to other civil society organisations, labour unions, political parties, as well as national figures in an effort to mobilise them for the holding a national conference of the opposition. This initiative came to be known as the National Coordination for Liberties and Democratic Transition (CNTLD).

¹¹ These became known as the Group of 5+1: Islamists: Movement of Society of Peace, Ennahdha Movement, and the Justice and Development Front

(FJD). Secularists: Rally for Culture and Democracy, and Jil Jadid (new generation).

In June 2014, the CNTLD held its first public meeting considered the largest and most inclusive since the Algerian opposition dialogue, under the auspices of Sant Egidio, in Rome, in 1995. The CNTLD meeting brought together political and ideological adversaries including figures of the dissolved Islamist FIS party and the secularist opposition RCD that were at the heart of political polarisation during the brief democratic opening of 1989-1992. The significant success the meeting achieved in narrowing the gap between Algerian actors with different worldviews created a momentum that encouraged other political actors to join the CNTLD initiative. Thus, a second conference with a larger representation was held in October 2015, following which a follow-up and coordination committee was set up to draft a draft for joint political and field action by all members of the CNTLD body.

In late March 2016, the CNTLD held its second conference where more opposition actors joined the conference despite all the regimes intimidation tactics and logistical obstacles it created in order to fail the event. The Algerian secularist political leader explained that in drafting the joint reference documents by the different Islamist and secularist actors, terms and concepts proved hard to overlook. It was by agreeing to focus on common practical objectives and practical ways to achieve them that they managed to avoid their conceptual worldview divergences. One example of those was the meanings attached to protecting “*national constants*” that was replaced by respecting “all components of the nation”. Another blocking issue during the first conference talks was dealing with the past (the 1990s bloody conflict) according to truth and justice reconciliation mechanisms. Some political actors rejected that demand, but two years after and with the active participation of the families of forced disappearances and

victim of terrorism NGOs, their demands were endorsed in final document.

VIII. RELIGION AND POLITICS IN THE SYRIAN TALKS

The role and place of religion in the public sphere is at the heart of the Syrian negotiations since conflict stakeholders consented to open negotiations under the auspices of the UN. Syrian actors involved the UN talks processes explained that the shape of the state and was already an issue in Geneva I (2012) and Geneva II (2014). Tensions among Syrian talks actors started to rise with the introduction of reference to secular and democratic state in the UN draft documents of the talks. Underpinning these tensions was the rise of competition among Syrian conflict actors in displaying their ideologies in the territories under the different armed groups’ control, as well as among Syrian refugee camps in neighboring countries.

This competition on the ground was reflected in the way different ideological and ethnic groups (mainly Islamists, secularists, and Kurds) rushed to impose their worldview or ethnic group interests in the draft document. A Syrian secularist involved in the talks process explained that when the Syrian opposition finally agreed in Riyadh for the formulation “governing Syria by democratic mechanisms” to avoid divergences the democracy creates for some faith-based actors. Even this compromise, the Syrian participant explained, resulted in a small armed group to leave the Riyadh conference. Political representation of ethnic groups was also a very thorny issue in the Geneva II round. Mentioning the Kurdish component in the draft document compelled other communities such as Turkmens and Assyrians to demand recognition of their distinct identity in the documents as well.

A Syrian Islamic scholar explained that in response to these divergences an umbrella council bringing together Syrian Islamic scholars and Islamic jurisprudence organisations was set up in spring 2014 with a mission to offer a united moderate Sunni religious reference for Syrians. This Islamic council published its reflections regarding political concepts and terminology in an effort to bridge this gap. It also worked later on what this Syrian scholar called “national terminology” in order to reach out to Non-faith based Syrian components of society. Another Islamist Syrian scholar explained that the way out for Syrians from the current state of worldview tensions and identity politics and power struggles is to shift focus from the consecration of identity markers to a pluralism of programmes for the organisation of society.

NEXT STEPS FOR SYRIA

The Syrian participants explained that several dialogue attempts between Syrian Islamists, secularists, figures close to the Syrian regime have been attempted since the beginning of the Syrian crisis. The latest of these non-UN dialogue initiatives was in Madrid in 2013. One participant in that dialogue explained that three focus areas remain very important. First, how communities would interact in the transition period? Second, undertake research on co-existence reality and mechanisms before the onset of authoritarian rule in Syria, by identifying peace community leaders and reviving their role. Third, it is important to conduct a dialogue with the Alawites in Syria.