Article

Citizenship in the Writings of a Post-Islamist Ex-Muslim Brother: The Case of Ruhayyil Gharayiba

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Abstract: The literature on post-Islamism has paid little attention to citizenship and has largely ignored how conceptual reform on this topic is supported by reinterpretations of the sharia. This article addresses this issue by focussing on the Jordanian ex-Muslim Brother Ruhayyil Gharayiba, who has been at the forefront of post-Islamist reform in his country, including with regard to citizenship. Based on an extensive reading of Gharayiba's own work in Arabic as well as multiple interviews with him, it seeks to answer the following question: to what extent and how has Gharayiba built a conceptual as well as a legal basis for his post-Islamist ideas on citizenship and what does this tell us about the development of post-Islamism in relation to Asef Bayat's writings on the subject? It shows that Gharayiba is, indeed, a post-Islamist and uses concepts on citizenship similar to those used by Egyptian post-Islamists, but goes further by also providing legal support for his views and pushing beyond the idea of a "civil state with an Islamic authority". As such, the example of Gharayiba concurs with Bayat's writings on post-Islamism, showing that continued religiosity can be combined with reform that goes beyond even that of the *wasatiyya*.

Keywords: post-Islamism; Islamism; citizenship; Muslim Brotherhood; Jordan; Ruhayyil Gharayiba; sharia

1. Introduction

One of the fears about Islamism is how non-Muslims would be treated under an Islamic state. Would the application of the sharia by Islamists[1] leave room for full religious, social and political rights for Christians, for example? The subject of the rights of non-Muslims in Islamist discourse (particularly that of the Egyptian Muslim Brother Sayyid Qutb (1906–1966)) has long been a topic of academic inquiry (Carré 2004, pp. 113–35; Ebstein 2009). In recent decades, questions about rights and duties in the Arab and Muslim contexts in general have often been dealt with through the prism of citizenship (*muwatana*) (Butenschon et al. 2000; Butenschon and Meijer 2018; March 2009; Meijer and Butenschon 2017; Meijer et al. 2021).

The question of citizenship for non-Muslims has also been dealt with in the context of Islamists and their discourse, including in the period after the so-called Arab Spring (Abu-Munshar 2012; Al-Anani 2018; Poljarevic 2021; Skovgaard-Petersen 2017; Al-Wa'i 2011, pp. 42–45). Some publications analysing the treatment of citizenship in Islamism focus on the type of Egyptian reformist Islamists often collectively labelled *wasatiyya* (centrism) or "new Islamists" (Anjum 2016; Baker 2003; Scott 2010; Warren and Gilmore 2012, 2014). Such rights-oriented Islamists have more generally—and quite apart from the issue of citizenship—been the subject of numerous studies (Gräf 2009; Kraetzschmar and Zollner 2020; Polka 2019; Rosefsky Wickham 2004; Shavit 2015; Wolf 2017). Yet, this group is quite diverse, encompassing sharia-oriented religious scholars like Muhammad al-Ghazali (1917–1996) and Yusuf al-Qaradawi (1926–2022), on the one hand, and intellectuals such as Tariq al-Bishri (1933–2021), Fahmi Huwaydi (b. 1937) and Muhammad Salim al-'Awwa (b. 1942), on the other (Anjum 2016, p. 34).

The views of the first group of Islamists with regard to citizenship for non-Muslims have been dealt with rather extensively in the literature, which broadly deals with five different topics. The first of these—the freedom of non-Muslims to practice their religion in Muslim-majority countries—is something Islamist thinkers and scholars seem to be in agreement about as a positive and necessary right (Rutherford 2006, pp. 725–26; Skovgaard-Petersen 2017, pp. 328–30; Wagemakers 2020b, pp. 203, 206–7), although they do often limit this to Jews and Christians (El Fegiery 2010, 11; Skovgaard-Petersen 2017, p. 329). There appears to be a similar consensus on the second topic, namely the desirability of good and harmonious societal relations between Muslims and Christians (Rutherford 2006, pp. 725–26; Wagemakers 2020b, p. 203). The same applies to the third topic of interest here, namely the substitution of the classical Islamic covenant of protection offered to Jews and Christians (*dhimma*) for the more inclusive, less explicitly Islamic and less hierarchical concept of citizenship for all (Wagemakers 2020b, pp. 203–5, 207–9).

Islamist scholars diverge slightly with regard to a fourth topic relevant to interreligious relations, namely proselytization. To a scholar like al-Qaradawi, this is controversial and not automatically allowed (Warren and Gilmore 2014, p. 233), while Islamist scholars like the Tunisian Rashid al-Ghannushi (b. 1941) and the Sudanese Hasan al-Turabi (1932–2016) are more tolerant in this respect (Wagemakers 2020b, p. 205). Finally, the most controversial topic of all seems to be political rights. Islamist scholars generally agree that parliamentary posts and even government seats are allowed for non-Muslims, but they—including al-Qaradawi—commonly do not allow Jews and Christians to become the head of state or the commander of the army since these are considered religious positions and, therefore, reserved for Muslims (El Fegiery 2010, pp. 11–12; Harnisch and Mecham 2009, pp. 199–200; Skovgaard-Petersen 2017, p. 238; Wagemakers 2020b, pp. 205–6, 209–10).

Unlike the treatment of non-Muslim rights and their citizenship in the writings of these Islamist scholars, the same topic has received relatively little attention in the context of post-Islamism. Indeed, several books and edited volumes dedicated entirely to post-Islamism hardly mention the concept of citizenship (Abu Rumman 2018; Bayat 2007, 2013a). Post-Islamism itself is defined by Bayat as a condition and a project. In the former sense, it is "a political and social condition where, following a phase of experimentation, the appeal, energy, and sources of legitimacy of Islamism are exhausted even among its once-ardent supporters. Islamists become aware of their discourse's anomalies and inadequacies as they attempt to institutionalize or imagine their rule. [...] Islamism becomes compelled, both by its own internal contradictions and by societal pressure, to reinvent itself." Bayat also defines post-Islamism as a project whose proponents try to "fuse religiosity and rights, faith and freedom, Islam and liberty." They emphasise "rights instead of duties, plurality in place of a singular authoritative voice, historicity rather than fixed scriptures, and the future instead of the past." Post-Islamists want to "marry Islam with individual choice and modernity". Importantly, Bayat adds that post-Islamism is "neither anti-Islamic nor un-Islamic or secular". Rather, post-Islamism "favors a civil and nonreligious state [and] it accords an active role for religion in the public sphere" (Bayat 2007, pp. 10–11; 2013b, p. 8).[2]

On citizenship, Bayat points out: "Islamists' normative and legal perspective places more emphasis on people's *obligations* than on their *rights* [italics in the original]; in this frame, people are perceived more as dutiful subjects than as rightful citizens" (Bayat 2013b, p. 5). This suggests that post-Islamists are open to the idea of "rightful" citizenship, as indeed they are. Past research has shown that Egyptian post-Islamists have conceptually moved beyond Islamism by viewing Islam more inclusively as a culture or a civilisation that all inhabitants of a Muslim-majority country share in (irrespective of their faith), rather than as an exclusive religion that only some adhere to (Baker 2003, pp. 108–9; Scott 2010, pp. 132–39; Stacher 2002, pp. 427–28). Seen this way, it becomes easier to associate the word *umma*, usually applied to the worldwide Muslim community, with the nation, which deprives it of its strictly religious and exclusively Islamic character (Anjum 2016, pp. 37–39, 40–42; Baker 2003, pp. 165–68). This, in turn, facilitates viewing Christians in Egypt first and foremost as Egyptians, rather than as non-Muslims. As such, some post-Islamists

believe Christians can become presidents of Muslim countries, too, even if this is considered unlikely (Anjum 2016, p. 44; Scott 2010, pp. 150–52).

Yet, for post-Islamists to structurally apply their revised concepts of Islam as a culture or a civilisation and of the *umma* as the nation and to translate them into full citizenship for non-Muslims, their views need to move beyond Islamist views of the sharia, too. Citizenship for non-Muslims in a Muslim-majority society, after all, goes to the heart of the Islamist project: if you establish an Islamic state governed by Islamic law, will non-Muslims be equal citizens? If so, they should also be allowed to have the largest number of seats in parliament or to become president if elections turn out that way. This, however, would probably undo the application of the sharia and the Islamic character of the state. Yet, if non-Muslims are not treated as equals to avoid such a scenario, this amounts to discrimination. Partly to solve this problem, Islamist scholars and thinkers have gradually moved away from the idea of establishing an Islamic state towards the idea of a civil state with an Islamic authority (Harnisch and Mecham 2009). Legally, this implies that it would not be the detailed rulings of the sharia that dictate the law, but Islam's broader legal principles (*qawa'id fiqhiyya*) to do greater justice to and better serve the less specific and more flexible intentions of Islamic law (*maqasid al-shari'a*) (Opwis 2017; Shaham 2020).

This latter dimension—in other words, the legal underpinnings of Islamism's reform—still gives the state a strongly Islamic character. The question of how adherents to post-Islamism have tried to move beyond this has been less researched than the trend's conceptual changes. Moreover, while a *wasati* Islamist scholar like Yusuf al-Qaradawi has received much academic attention (El-Wereny 2018; Gräf and Skovgaard-Petersen 2009; Rock-Singer 2016; Shaham 2015; Warren 2014), he and like-minded others cannot really be said to be post-Islamists because they remain too wedded to the implementation of the sharia to be labelled as such, even if they do so in a more rights-based way than earlier Islamists did. The Egyptian post-Islamist intellectuals mentioned above may well be willing to go beyond a *wasati* legal approach to citizenship, but they are precisely that: intellectuals, not scholars of the sharia.

To further gauge how post-Islamists deal with the topic of citizenship for non-Muslims (including in the legal sense), this article focusses on the Jordanian ex-Muslim Brother Ruhayyil Gharayiba. The latter has been at the forefront of post-Islamist reform in his country, including with regard to citizenship, especially in the period 2011–2017, when he was most active as a writer. More specifically, this article seeks to answer the following question: to what extent and how has Gharayiba built a conceptual as well as a legal basis for his post-Islamist ideas on citizenship and what does this tell us about the development of post-Islamism in relation to Bayat's writings on the subject? As such, it is the first publication to give a detailed account of the ideas of Ruhayyil Gharayiba, one of the most prominent thinkers the Jordanian Muslim Brotherhood has produced; secondly, it contributes to the literature on citizenship in post-Islamist thought since this has largely neglected how the reinterpretation of Islamist concepts must also be underpinned by Islamic legal reform to ensure truly full citizenship rights; and thirdly, it contributes to the literature on post-Islamism in general by underlining and doing full justice to the theoretical framework on the subject as set out by Asef Bayat.

I approach the subject of citizenship in the post-Islamist writings of Ruhayyil Gharayiba from an Islamic Studies perspective, which means that I am specifically interested in his (re)interpretation, appropriation and justification of Islamist concepts in Islamic terms and how he fits in the broader field of Islamism. Although much could be said about citizenship from, say, the perspective of Political Science, this is not my focus here. Methodologically, I have combined an extensive study of the secondary literature on citizenship in Islamist discourse as well as post-Islamism with a close reading of Gharayiba's books and articles in Arabic and personal interviews with him, also conducted in Arabic. While I started with the latter, I subsequently read his work and interviewed him again several times to clarify matters in his writings that were unclear to me or needed elucidation. These semi-structured interviews focussed precisely on the issues addressed in this article: rights,

freedoms and duties for non-Muslims, the sharia, the role of Islam on the level of the state and, of course, citizenship. As such, I was able to gain a well-rounded understanding of Gharayiba's views on the subject dealt with here.

This article continues by providing a brief overview of the history of the Jordanian Muslim Brotherhood, with a focus on ideological reform and its post-Islamist tendencies. This is followed by an analysis of Gharayiba's post-Islamist contributions, particularly regarding the conceptual and legal aspects of citizenship for non-Muslims in Muslim-majority countries. As the conclusion will point out, this article shows that Ruhayyil Gharayiba is, indeed, a post-Islamist and uses concepts on citizenship similar to those used by Egyptian post-Islamists to express this, but goes further than this and makes an original contribution by also providing legal support for his views and pushing beyond the idea of a "civil state with an Islamic authority". As such, the example of Ruhayyil Gharayiba concurs very well with Bayat's writings on post-Islamism, showing that continued religiosity can be combined with reform that goes beyond even that of the *wasatiyya*.

2. Post-Islamist Stirrings in the Jordanian Muslim Brotherhood

The Jordanian Muslim Brotherhood was founded by 'Abd al-Latif Abu Qura (d. 1967), a trader from the town of al-Salt, in 1945. The organisation, which focussed on educational, social and charitable activities but also participated in parliamentary elections through individual candidates, was officially recognised by King 'Abdallah I (r. 1921–1951) in 1946 (Abu Rumman and Abu Haniyya 2012, pp. 65–73; Boulby 1999, pp. 37–102; Gharayiba 1997, pp. 45–86). The Brotherhood also participated in and assisted Palestinian military activities against Israel from Jordanian territory until 1970, when the regime's crackdown on Palestinian militants ("Black September") ended all such actions (Gharayiba 1997, pp. 77–79; Hegghammer 2013, pp. 367–76; 2020, pp. 47–65). In general, the Brotherhood in Jordan—unlike that in countries like Egypt and Syria—can be said to have enjoyed a good relationship with the king and the regime until the 1980s, at least partly due to common interests in foreign policy, which caused both parties to take each other's side in times of trouble (Wagemakers 2021a).

2.1. Ideological Developments

In 1989, the Jordanian regime organised parliamentary elections for the first time since 1967, when it lost the West Bank—and its inhabitants, whom it considered Jordanians—to Israel in that year's June War. These elections led to a huge win for the Brotherhood and independent Islamists, who together won 34 seats out of a total of eighty (Boulby 1999, pp. 102–14, 137–43). The organisation was taken so seriously that when the Iraqi invasion of Kuwait in 1990 led to the Gulf War, several of its members were included in a government of national unity in 1991 (Boulby 1999, pp. 141–45; Milton-Edwards 1991, pp. 99–106). Although this governmental participation was short lived, the following year saw the founding of the Islamic Action Front (IAF), a political party strongly affiliated with the Muslim Brotherhood in Jordan, through which Islamists could participate in subsequent elections (Gharayiba 1997, pp. 138–49; Hamid 2013; Moaddel 2002, pp. 115–22; El-Said and Rauch 2015).

While the above may suggest that Jordan was fully on track towards greater democratisation, this was actually not the case. The elections were not organised by the regime to create greater liberalisation and democratisation, but to contain and control opposition over—among other things—cuts in subsidies and to channel and institutionalise it through parliament (Lucas 2003; Milton-Edwards 1993; Robinson 1998). Moreover, shocked by the Islamist electoral success in 1989, the regime took several measures to ensure that such an outcome would unlikely be repeated in future elections, including gerrymandering and changing the electoral law (Ryan 2002, pp. 26–28). As a result, the IAF fared less well in the elections of 1993 than the Brotherhood had in 1989, which was an important factor in causing the party to boycott the elections in 1997 (Ryan 1998), although it returned to parliament afterwards and participated in most subsequent elections (Abu Rumman 2007; Al-Budur 2011; Lust and Hourani 2011; Ryan and Schwedler 2004; Wagemakers 2020a).

Partly as a result of its structural participation in elections, academics have long considered the Jordanian Muslim Brotherhood an example of an Islamist group that has not only definitely chosen a non-violent strategy, but also enduringly engages in political integration into the system of the state of which it is part (Abu Rumman 2007, pp. 44–55; Brown 2006; Escobar Stemmann 2010; Hamid 2011, pp. 69–71; 2014; Moaddel 2002, pp. 33–36; Robinson 1997; Rosefsky Wickham 2013, pp. 204–18; Schwedler 1998, pp. 27–28, 41; Wiktorowicz 1999, 2001, pp. 93–110). This situation did not come about overnight, however. There has long been ideological diversity within the Brotherhood in Jordan about the desired nature of the state, with some arguing in favour of a caliphate and others advocating an Islamic state. Nowadays, however, the organisation seems largely in favour of the aforementioned civil state with an Islamic authority (Wagemakers 2020b, pp. 125–28, 134–41)

With regard to democracy, the Brotherhood went through a similar ideological development. Although a more open and democratic view within the organisation eventually prevailed in the 1990s, proponents of this view intensely debated this with other Brothers who disagreed, including those who favoured *shura* (consultation) over democracy or who were clearly anti-democratic and rejected the idea of the Brotherhood's participation in governments not based on Islamic law. The latter was, of course, particularly topical in the early 1990s because of the organisation's actual participation in the government of national unity, as we saw above (Gharayiba 1997, pp. 109–12; Hamid 2014, pp. 161–62; Schwedler 2006, pp. 163–64; Wagemakers 2020b, pp. 167–81).

2.2. Post-Islamist Stirrings

For some post-Islamist Jordanian Brothers, the ideological developments described above did not go far enough. The Muslim Brotherhood has always been a broad ideological group, including its Jordanian affiliate. This means that Brothers have long differed with one another over various ideological issues, such as the organisation's identity (political or missionary), its character (focussed on Jordanian or Palestinian issues), its openness (inclusive of non-Islamist interests or exclusively Islamist), its Islamist ideology (working within Jordanian parameters or focussing on establishing an Islamic state) and its attitude towards elections (participation or boycott) (Wagemakers 2020a, pp. 39–42; 2020b, pp. 116–19). These divisions have existed for a long time, but even the outcome of the contentious discussion on the religious permissibility of participating in governments of non-Islamic states did not lead to its most prominent opponent leaving the Brotherhood (Schwedler 2006, p. 164).

Divisions within the organisation became more serious when the IAF decided to boycott the elections in 1997. This decision, together with differences of opinion over the IAF's lack of independence from the Muslim Brotherhood, the group's character, its openness, its Islamist ideology and the rights it accorded to women, caused a group of more post-Islamist members to split off from the party. They, together with independent Islamists, eventually founded the Islamic Centre Party (Hizb al-Wasat al-Islami) in 2001 (Rosefsky Wickham 2013, pp. 214–18).

A series of new groups that split off from the Brotherhood or the IAF was started in the 2010s. This began with the broad, national reformist initiative called "the National Initiative for Building" (Al-Mubadara al-Wataniyya li-l-Bina'), better known as the ZamZam Initiative (after the name of the hotel where it was drawn up), in 2012. Several Brothers were involved in this initiative, who were also in close touch with a reformist trend within the Brotherhood itself. The strong response against ZamZam from the Brotherhood not only led to those Brothers involved in the initiative being dismissed from the organisation, but it also propelled the internal reformist trend to set up an alternative Muslim Brotherhood of its own in 2014 (and the original Brotherhood being banned in 2016). The ZamZam Initiative was subsequently transformed into a new political party, the National Conference Party (Hizb al-Mu'tamar al-Watani) in 2015. Moreover, a group of "wise men" who had sought to mediate between the different parties expressed their dismay over this situation

by leaving the IAF in 2015, taking hundreds of members with them. This led to the founding of the Participation and Rescue Party (Hizb al-Sharaka wa-l-Inqadh) in 2017 (Bozkurt and Ünalmış 2022, pp. 7–9; Wagemakers 2021b, pp. 7–12).

It has been remarked that some of these groups, such as the Islamic Centre Party and ZamZam, are close to the regime and can therefore not truly be seen as oppositional parties (Abu Rumman and Abu Haniyya 2012, pp. 36–37; Abu Rumman and Bunduqji 2018, p. 82; Bozkurt and Ünalmış 2022, pp. 5–7). This does not mean that such groups are simply "pro-regime", however, without having gone through genuine ideological reform. Indeed, both the Participation and Rescue Party and ZamZam have been dealt with in the context of post-Islamism (Abu Rumman and Bunduqji 2018, pp. 81–111; Bozkurt and Ünalmış 2022, pp. 9–11; Wagemakers 2022, pp. 182–89). Moreover, although the Jordanian regime is likely to have benefitted from splits in the Muslim Brotherhood, which is the main opposition group in the country, the overview of divisions within the organisation itself given above strongly suggests that the Islamists' break-up was at least partly of their own making. While the Participation and Rescue Party consists mostly of ex-members and ex-leaders of the IAF and the Muslim Brotherhood, the ZamZam Initiative includes many non-Islamists, too, and has long been led—both organisationally and ideologically—by Ruhayyil Gharayiba. While he is certainly not the only Muslim Brother involved in this initiative—indeed, he has cooperated closely with fellow Brothers Jamil Duhaysat and particularly Nabil al-Kufahi in this (Abu Rumman and Bunduqji 2018, pp. 84–86, 88)—it is Gharayiba who is the thinker and ideologue behind much of its activities. As such, his thought and activities on behalf of ZamZam have clearly taken him into a post-Islamist direction, to which we will now turn.

3. Ruhayyil Gharayiba's Post-Islamism

Ruhayyil Gharayiba was born in an East-Jordanian family in the northern town of 'Ajlun in 1957. He received both his MA and his PhD in Islamic law and published both works in the early 2010s (Gharayiba 2011, 2012). Besides his role and status as an expert on Islamic law, Gharayiba was also a long-time member of the Jordanian Muslim Brotherhood and a prominent (and founding) member of the IAF who held various senior positions in both organisations (Abu Rumman and Bunduqji 2018, p. 84). In the Brotherhood as well as the IAF, Gharayiba was always seen as a "moderate" and as a staunch proponent of internal reform within both organisations as well as with regard to the country as a whole. As such, he was one of the initiators of the idea of turning Jordan into a constitutional monarchy (Abu Rumman and Bunduqji 2018, pp. 84–86; Wagemakers 2013a, 2021b, pp. 4–7).

Gharayiba's ideological reformism is likely the reason he was made director of the Umma Centre for Studies and Research (Markaz al-Umma li-l-Dirasat wa-l-Abhath), a think tank affiliated with the Islamist movement in Jordan, in the 2010s (Wagemakers 2013a). At the same time, however, his push for internal reform—and, more specifically, his leading role in ZamZam—also led to his dismissal from the Brotherhood in 2014 (Wagemakers 2014, 2021b, pp. 7–9). After his dismissal, Gharayiba remained involved with ZamZam and he also continued writing until 2017 (specifically through his column in the prominent Jordanian daily newspaper *Al-Dustur*), after which he became the chairman of the Board of Trustees of the National Centre for Human Rights in Jordan, a position he continued to hold until late 2022 (Al-Ra'y 2022).

3.1. Gharayiba's Conceptual Post-Islamism on Citizenship

The ZamZam Initiative was a broad project with a national focus that united Jordanians from various ideological backgrounds (including non-Islamists). It therefore cannot be seen as Gharayiba's personal vehicle. Yet, Gharayiba's post-Islamist and reformist ideas, which predate ZamZam, did find their way into the initiative and, in fact, have had an important influence on its goals and views. As such—and before delving into Gharayiba's personal views—it is interesting to look at the initiative's text to see what he stands for.[3] Generally speaking, as other publications have already noted, the ZamZam Initiative presents itself

in a national—rather than an organisational or party—framework. It was also influenced by the so-called Arab Spring and especially by its demise, most specifically by the failure of the Egyptian Muslim Brotherhood to translate its electoral popularity into a sustained and durable government after 2012, when it was plagued by problems, protests and ultimately a military coup that drove the group from power in 2013 (Abu Rumman and Bunduqji 2018, pp. 87–88; Wagemakers 2020a, pp. 55–57).

Both Gharayiba's life as a long-time member of the Brotherhood who, after years of trying to reform the group from within, ultimately left its ranks, as well as the lessons he drew from the failure of the Arab revolts in the 2010s point to Bayat's aforementioned post-Islamism as a condition, in which Islamists' experiences teach them to reinvent themselves. This is confirmed by the text of the ZamZam Initiative itself. It describes the "need for renewal" (article 3.1) in Jordanian society, because of the mistakes of "the traditional political frameworks" (*al-utur al-siyasiyya al-taqlidiyya*) (article 3.3). The alternative ZamZam presents clearly shows that it is also post-Islamist as a project, stressing "moderate (*mu'tadil*) thought" derived from "tolerance (*al-tasamuh*) [...] cooperation (*al-ta'awun*) and understanding (*al-isti'ab*)" (article 2.2) and calling for political and societal participation on the basis of values such as "freedom (*al-hurriyya*), justice (*al-'adala*) and the dignity of man (*karamat al-insan*)" (articles 2.3, 6.5). The initiative also calls for "genuinely democratic contours" (*ma'alim al-dimuqratiyya al-haqiqiyya*) that should truly be implemented (article 6.4). It seeks to achieve these things through broad-based participation in politics, society and the media and presents a positive, open and inclusive discourse, rather than a negative, closed and exclusive one (article 9) (see also Abu Rumman and Bunduqji 2018, pp. 89–93; Wagemakers 2022, p. 188).

In Gharayiba's own writings, which date back further than but also continued after the founding of ZamZam, his post-Islamist condition is quite evident, too. In one of his columns, he clearly aims to go beyond Islamism and to distance himself from his previous experience as an Islamist by claiming that "political Islam" is a Western term that "is not sound (*laysa saliman*) and is not in keeping with (*la yansajimu ma'a*) the correct understanding (*al-mafhum al-sahih*) of Islam" (Gharayiba 2016c). This clearly echoes al-Ghannushi's changing discourse, which also explicitly moved from "political Islam" to "Muslim democracy" (Ghannouchi 2016). In a subsequent interview, Gharayiba states that "I believe that the era of political Islam (*marhalat al-Islam al-siyasi*) has ended" and explains: "We [in the ZamZam Initiative] want to emphasise that we have left the square (*murabba'*) of religious parties (*al-ahzab al-diniyya*) and the square of what is called political Islam, because Islam is not a party, nor is it a sect (*ta'ifa*)" ('Unayzat 2016). His desire not to associate Islam with political parties also leads him to argue in favour of separating politics from Islamic preaching (*da'wa*) and leaving the latter to societal actors (Gharayiba 2016a).

The way Gharayiba sees Islam itself also underlines his post-Islamist project. Rather than emphasising the rules and duties associated with religion, he states that Islam "came to serve [...] man for the realisation of his happiness (*tahqiq sa'adatihi*) and the completion of his dignity (*iktimal karamatihi*)". Islam should therefore not be equated with oppressing people through authority (*sulta*); in fact, authority "only came to guard [people's] freedom" (Gharayiba 2015a). Moreover, while freedom may often be associated with things that are at odds with Islamic teachings, Gharayiba states that freedom is "a higher human value (*qima insaniyya 'ulya*), a heavenly value (*qima samiyya*)" about which there is no room to negotiate. (Gharayiba 2015b).

Islam, in Gharayiba's view, is therefore not an oppressive system, but one characterised by freedom. More specifically, he states that "Islam is an expression (*'ibara*) of general principles (*qawa'id wa-mabadi' 'amma*) and a system of values (*manzumat qiyam*)". These principles and values, he states, represent "a higher authority (*marja'iyya 'ulya*) for the entire *umma* in all its ideological components (*mukawwinatiha*), layers (*shara'ihiha*) and orientations (*ittijahatiha*)" ('Unayzat 2016). Given the inclusivity of this message, it is not surprising that Gharayiba speaks highly of pluralism (*ta'addudiyya*), without which "there is no way to practise true democracy (*al-dimuqratiyya al-haqiqiyya*)" (Gharayiba 2017).

The issue of pluralism is obviously closely connected with the different religions in society and the citizenship enjoyed by non-Muslims in a Muslim-majority country like Jordan. In order to understand what Gharayiba's post-Islamist views on this issue are, we may look at his positions on the five aspects of non-Muslim rights mentioned above. Not surprisingly, given the strong agreement among Islamist scholars on this topic, Gharayiba favours freedom of religion for non-Muslims, including those who are neither Jewish nor Christian. Indeed, Gharayiba states that "all jurisprudents (*al-fuqaha'*) and scholars (*al-'ulama'*) and all Muslim thinkers (*al-mufakkirin al-Muslimin*) agree that religious freedom is a settled principle (*asl maqtu' bihi*) in Islam" (Gharayiba 2016b). He goes on to cite various passages from the Qur'an—first and foremost Q. 2: 256 ("No compulsion is there in religion")[4]—and the example of the Prophet Muhammad to prove his point (Gharayiba 2011, pp. 120–22; 2016b).

Gharayiba is equally in favour of societal relations with and rights for non-Muslims. He recounts the history of Islam as one filled with numerous examples of good relations between Muslims and Christians (Gharayiba 2014b) and states that social, economic and civil rights as well as general liberties are the same for both groups (Gharayiba 2011, pp. 122–24). More generally, Gharayiba claims that "respect for the value of man (*qimat al-insan*), the preservation of his dignity (*siyanat karamatihi*), the protection of his freedom (*himayat hurriyyatihi*) and the assurance of his rights (*daman huquqihi*)" is "the correct norm (*al-mi'yar al-sahih*) in every respect (*min kull al-wujuh*)" (Gharayiba 2013f). The only area where Muslims and Christians differ, he states, is in specifically religious issues on which believers differ, such as divorce and the consumption of alcohol (Wagemakers 2013b).

Interestingly for a post-Islamist, Gharayiba is explicitly positive about the concept of *dhimma*, but describes it in a way that does not represent a throw-back to early Islamist thinkers, but actually underlines his own post-Islamism. While he mentions its basic characteristic of providing protection for non-Muslims (Gharayiba 2011, p. 51), he also portrays it as a contract that provides Jews and Christians with rights, such as the right to own property and to be part of the abode of Islam, and guarantees their freedom (Gharayiba 2011, pp. 58–60, 62–64; 2012, pp. 65–69). Because of these qualities, Gharayiba also sees *dhimma* as a means of *da'wa*, through which non-Muslims can be attracted to Islam (Gharayiba 2011, p. 64; 2014a). He is also positive about the *jizya*, the poll tax paid by Jews and Christians under a system of *dhimma*. While this could be seen as a form of discrimination since Muslims did not have to pay this (although they paid other taxes), Gharayiba sees this in a very different—and, again, post-Islamist—light: he describes it as a means for non-Muslims to participate in society, pay their share and financially support the protection and freedom that is given to them, although he recognises that both *dhimma* and the *jizya* may frighten people (Gharayiba 2011, pp. 61–62, 132–35; 2013i).

When dealing with non-Muslim rights, Gharayiba usually discusses this in terms of citizenship, which he defines in multiple ways as somehow related to rights and duties between the state and citizens and between citizens amongst themselves (Gharayiba 2011, pp. 14–30; 2012, pp. 53–63). The contractual and legal nature of citizenship is underlined in Gharayiba's writings by his use of the word *jinsiyya*, rather than the more common *muwatana*, to indicate citizenship: "*Jinsiyya*, as we see it, is a political and legal relationship (*'alaqa siyasiyya wa-qanuniyya*) between the individual and the state. [...] As for *mawtin* (residence), it is the actual relationship (*'alaqa waqi'iyya*) between the individual and a place" (Gharayiba 2012, p. 72). One can therefore have *muwatana* because one lives in a land one considers one's own, without enjoying the rights and duties that come with *jinsiyya*. As such, Gharayiba prefers to speak in terms of the latter when discussing citizenship (Gharayiba 2015d; Wagemakers 2013b).

Regarding non-Muslim proselytisation, Gharayiba clearly goes further than the Islamist scholars mentioned above (particularly al-Qaradawi) by stating that he is not only willing to allow this, but actually sees this as a natural result of all people's freedom of expression in an Islamic society, including that of non-Muslims. Citing Q. 2: 256 again, he writes that if one accepts "no compulsion is there in religion" as one's starting point:

(. . .) then one must allow [non-Muslims] to practise their ceremonies (*sha'a'irihim*), their prayers (*salawatihim*) and their rituals (*tuqusihim*), to go to their temples (*ma'abidihim*), to congregate (*al-tajammu'*) and to gather (*al-tajamhur*) for them, and to defend them against those who disparage them (*al-difa' 'anha didda man yantaqisuha*). In fact, these are the manifestations of the freedom of expression (*mazahir hurriyyat al-ra'y*) as they relate to their religions. [. . .] If we allow non-Muslims to practise the ceremonies of their religions—which we Muslims believe to be incorrect (*bi-khat'iha*) and which in some cases may offend (*isa'a ila*) God or his prophets and his messengers, yet we still allow them—then it is all the more important (*min bab ula*) to allow them the freedom of speech to say what they believe, even if it is incompatible (*mukhalifan*) with Islam. (Gharayiba 2012, pp. 307–308)

In this context, Gharayiba sees allowing proselytisation as a duty, provided it is done calmly and through dialogue (Gharayiba 2012, p. 309).

Finally, with regard to political rights, Gharayiba—like the Islamist scholars mentioned above—believes that non-Muslims, as full citizens, should be allowed to hold seats in parliament in a Muslim society and help reach decisions in non-religious matters (Gharayiba 2012, pp. 143–44). This also means that they are allowed to vote on such issues, including on who should be the leader (Gharayiba 2011, pp. 118–19; 2012, pp. 207–8). Precisely because the leadership itself of an Islamic state or caliphate is intimately tied to protecting and upholding Islam, however, it should be seen as a religious position, which is why non-Muslims cannot fill this post themselves (Gharayiba 2011, pp. 106–13; Wagemakers 2020b, p. 118).

Gharayiba's willingness to exclude non-Muslims from the position of caliph or ruler of an Islamic state seems to signal that he still holds on to aspects of Islamism. As such, his position seems to resemble al-Qaradawi's on this point. In fact, however, he actually follows the same conceptual path with regard to citizenship as the Egyptian post-Islamists mentioned above, such as al-Bishri and Huwaydi (Baker 2003, pp. 106–10, 121–26, 165–70). This is because, like them, Gharayiba does not strive for an Islamic state (let alone a caliphate) in the Islamist sense of the word and does not view the Jordanian state through that lens. Instead, he frames Jordan in national terms, stating that:

Christians are an authentic part (*juz' asil*) of the national [Jordanian] fabric (*al-nasij al-watani*) and authentic Arabs (*'Arab usala'*). They have participated in the cultural, Arab, Islamic realisation (*al-injaz al-hadari al-'Arabi al-Islami*) [of Jordan] with their Muslim brothers. They have had a predestined and preserved role (*dawr muqaddar mahfuz*) role that one cannot ignore or disparage (*la yumkinu tajahuluhu aw al-intiqas minhu*). This is what authentic, documented history confirms. (Gharayiba 2013d)

Gharayiba further underlines this by applying the concept of "*umma*" to the Jordanian people, as the aforementioned Egyptian post-Islamists did in their case (Wagemakers 2013a). By equating *umma* with the nation, rather than the world-wide Muslim community, he can justify providing non-Muslims with all rights associated with full citizenship. In doing so, it may seem as if Gharayiba ignores or even discards the Islamic tradition that he finds so important, but this is not the case. In fact, he states that according religious minorities such rights is part of a "cultural project that emanates from the core of Islam (*samim al-Islam*)" (Gharayiba 2013h). This conceptual post-Islamism—in which concepts like *dhimma*, citizenship, Islam and *umma* are given (new) meaning and which can also be found (albeit in slightly different forms) among other reformist Islamic thinkers, primarily al-Ghannushi (Poljarevic 2021)—is confirmed by Gharayiba's post-Islamist views on the sharia, to which we will turn now.

3.2. Pushing the Boundaries of the Post-Islamist Trend on Citizenship

Gharayiba's belief that Christians may not be rulers in an Islamic state—as noted above—seems a sign that he holds on to clearly Islamist points of view. He makes this

point, however, in a study on citizenship in Islamic law. Yet, the application of Islamic law—traditionally a focal point of Islamists and, as we saw earlier, crucial to questions of equality for non-Muslims—is precisely what Gharayiba wants to move away from. In fact, he believes that there is no Islamic law—in the sense of a clear collection of rulings—that can be applied in the first place, nor should it be (Wagemakers 2013a). Having freed himself of the notion that the sharia is some sort of ready-made system that can be imposed upon people, the post-Islamist Gharayiba succeeds in pushing beyond the limits that Islamists (including *wasati* ones) adhere to with regard to Islamic law, its application by the state and its implications for citizenship. Moreover, by explicitly tackling the role of the sharia in the issue of citizenship, he also provides legal support for a conceptual position held by Egyptian post-Islamists.

Gharayiba arrives as this point in two different ways. First, he observes that Islamic legal tradition not only consists of the aforementioned *maqasid al-shari'a*, but also of general (*kulli*) and particular (*juz'i*) texts. While the latter offer specific information about individual cases, the former offer broad principles. Gharayiba proposes treating general texts as the prism through which particular texts should be viewed. As such, the former influence the way the latter are interpreted. Examples of such general texts include Q. 49: 13: "O mankind, We have created you male and female, and appointed you races and tribes (*shu'uban wa-qaba'il*), that you may know one another. Surely the noblest among you in the sight of God is the most godfearing of you. God is All-knowing, All-aware." Texts like this one, Gharayiba states, "have firmly established (*asalat*) a definitive, greater principle (*qa'ida kubra qat'iyya*) that all people are equal in nature (*sawa' fi asl al-khilqa*), equal in honour (*al-takrim*) and equal in rights and duties (*al-huquq wa-l-wajibat*)" (Gharayiba 2015c).

To Gharayiba, such verses not only establish the fundamental equality of people that should act as an interpretative frame for particular texts, but also underline that Islamic law cannot be equated with a set of easily applied rules. This is all the more so because large parts of the sharia can be changed. Gharayiba distinguishes fixed issues in Islamic law (*thawabit*), which are based on definitive texts (*nusus qat'iyya*) that scholars agree upon and which cannot be changed, from changeable ones (*mutaghayyirat*), which encompass the majority of issues. Whereas the former pertain to aspects of worship or doctrine, the latter refer to more practical questions that can be changed as time goes by and Muslims have new needs and wishes, as long as new rulings do not clash with "the spirit of Islamic law (*ruh al-shari'a*) and its general intentions (*maqasidiha al-'amma*)" (Gharayiba 1993a). Through classical jurisprudential means of interpreting Islamic law, such as choosing the best available option (*istihsan*), Muslims can reform and change the sharia in ways that make it compatible with the period they live in (Gharayiba 1993b).

Having established Gharayiba's view that the sharia is not a fixed system of rigid laws, but a collection of dynamic principles from which flexible and changeable rules can be derived, we can move on to his second point, namely that Islamic law must not be imposed on people. Citing Q. 2: 256 again, which he also sees as a general text through whose lens particular texts should be viewed, he explains this verse by stating that

> freedom precedes religion (*al-hurriyya tasbuqu l-din*), because entering the religion requires providing the absolute will (*tawfir al-irada al-mutlaqa*) based on under-standing (*al-fahm*) and satisfaction (*al-iqtina'*) and being free from compulsion and coercion (*al-ikrah wa-l-qahr*) in all its degrees (*bi-kull darajatihi*). (Gharayiba 2015e)

Because such top-down imposition of religion is out of the question for Gharayiba, an Islamic state should not be dictatorial or theocratic, but should be a civil state with an Islamic authority (Nasir 2009; Gharayiba 2013b, 2013g). He states that this is not a new idea, but one that actually goes back to early Islam, when it was based on three norms: (1) there were no clerics in such a state; (2) citizenship was available to all inhabitants of the state and "was not based on religion, ethnicity or colour"; and (3) it strengthened "the authority of the people (*sultat al-sha'b*) in choosing the ruler and holding him to account (*ikhtiyar al-hakim wa-muraqabatihi*)" (Gharayiba 2016d; see also Al-Sabil 2007; Nasir 2009).

Combining the breadth and flexibility of the sharia with the inability (and undesirability) of the state to impose it on people, who should reform and reinterpret it themselves, Gharayiba states that Islam is a "broad cultural framework (*itaran hadariyyan wasi'an*) to the entire *umma* in its various components" (Gharayiba 2013e). "Every nation (*li-kull umma wa-li-kull sha'b*) has a moral framework (*itar qimi*) [...] that is a source of legislation (*al-tashri' wa-l-taqnin*) and the authority (*marja'iyya*) for the organisation of the affairs of its life (*shu'un hayatiha*) in all its areas and its details" (Gharayiba 2013c). In Jordan, this moral framework is Islam, but Gharayiba makes clear that "we do not want to turn it into a divisive message (*khitaban tafriqiyyan aw taqsimiyyan*)". It is for this reason that he is not in favour of parties that "monopolise Islam as an idea (*fikran*), a culture (*hadaratan*) and a creed (*'aqidatan*)" and indicates that those who started ZamZam have consciously decided not to use the word "Islam" in the initiative's name (Ghabbun 2013). Indeed, as others have pointed out, the word "Islam" is hardly used in the text of the initiative at all (Abu Rumman and Bunduqji 2018, pp. 89–93; Wagemakers 2022, p. 189).

This inclusive message of Islam offers the legal underpinnings to Gharayiba's conceptually post-Islamist views on citizenship discussed earlier in this article: precisely because it is a broad cultural framework—not a set of rules that can or should be imposed upon people—a civil state with an Islamic authority is one in which society—and thus, ultimately, the *umma*—is in control. As Gharayiba writes:

> the project of building the state (*mashru' bina' al-dawla*) is the result (*thamara*) of the building of society (*bina' al-mujtama'*) and the building of society is first of all (*awwalan*) based on the good building of man (*husn bina' al-insan*), his preparation (*i'dadihi*), his upbringing (*tarbiyatihi*), his purification (*tazkiyatihi*) and his suitability (*ta'hilihi*). (Gharayiba 2013a)

Since most people in Jordan are Muslims, this will be reflected in the laws and the political system, but it also leaves open the possibility of change. In fact, Gharayiba believes a country does not derive its Islamic character from its laws, but from whether people can practise their rituals and forms of worship in safety and without compulsion (Gharayiba 2011, p. 35).

The freedom that Gharayiba thus creates for the people to decide their own fate is not just based on their ability to create new rules as they see fit, but is also a requirement for the state not to turn into an oppressive dictatorship. Precisely because Islam must never be imposed on people, the latter's consent is a necessary prerequisite for ruling the *umma* (Wagemakers 2013b). Given Gharayiba's inclusive views on the concept of *umma*—as encompassing the entire Jordanian nation, not just Muslims—this means that all Jordanians are given full citizenship rights to decide the character of the state. As such, Gharayiba even considers it unnecessary to add "with an Islamic authority", because an Islamic state is civil by definition and a civil state in a Muslim society will automatically have an Islamic authority (Wagemakers 2013a). Knowing this, it is not surprising to see that the result of Gharayiba's legal underpinnings of full and equal citizenship for the entire *umma* (including non-Muslims) ultimately not only pushes beyond the caliphate and the Islamic state, but even beyond a civil state with an Islamic authority: in the text of the ZamZam Initiative, Gharayiba and his colleagues call for a "modern civil state (*al-dawla al-madaniyya al-haditha*) that takes its moral authority (*marja'iyyatuha l-qimiyya*) from Islam" (article 6.5). This is not only in line with Gharayiba's post-Islamist reasoning of Islam as a "broad cultural framework", but—given its moral, rather than legislative, character—it also offers non-Muslim members of the Jordanian *umma* a legal framework in which they can exist as full and equal citizens.

4. Conclusions

The Jordanian ex-Muslim Brother Ruhayyil Gharayiba's views clearly show what Bayat refers to as post-Islamism as a condition: he used to be an Islamist but, through his experiences in the Jordanian Muslim Brotherhood, has moved beyond that ideologically. Similarly, he equally expresses what Bayat calls post-Islamism as a project: Gharayiba

emphasises the freedom, democracy, tolerance and pluralism that are inherent to Bayat's description of post-Islamism. Gharayiba's conceptual views on citizenship confirm this: like Egyptian post-Islamists before him, he takes an inclusive approach towards Islamic concepts and reinterprets "*umma*" as the Jordanian people, rather than (just) the Muslim community. His views of the sharia underpin his conceptual views on citizenship: unlike the aforementioned Egyptian post-Islamists, he is an expert on Islamic law and argues in detail why the sharia is not a collection of legal rulings, but a set of general principles, and that much of the sharia (particularly the practical parts) can be changed by people in accordance with the requirements of the time. Moreover, he argues that the sharia cannot and should not be imposed upon people.

All of this leads Gharayiba to conclude that Islam is a "broad cultural framework" that should act as a "moral authority" for a "modern civil state". This way, Gharayiba not only shows himself a true post-Islamist by clearly going beyond any of the categories of state used by Islamists, but—unlike the Egyptian post-Islamists mentioned—also creates the legal space for full and equal citizenship for non-Muslims. Interestingly, in proposing these views, Gharayiba has not abandoned Islam as a factor in politics (let alone in life in general), but has merely reformulated it and largely outsourced it to society. As such, he also confirms Bayat's aforementioned findings that post-Islamism is not anti-Islamic, un-Islamic or secular, but actually favours a civil and non-Islamic state, while preferring an active role for Islam in society. As such, this article has not only given a detailed analysis of one post-Islamist ex-Muslim Brother's views on citizenship and how he has pushed beyond the boundaries that others have set, but it also underlines that post-Islamism as described by Bayat is (or, at least, can be) an intellectually serious phenomenon that truly goes beyond Islamism.

Notes

[1] For the purposes of this article, I define Islamists as those Sunni Muslims who do not just see their faith as a religion of texts, rituals, customs and practices, but also as a politically and socially relevant ideology. As such, they seek to bring about peaceful political and social reform through the systems of their countries, rather than against them, because they have accepted the legitimacy of the state and the rules of the democratic game.

[2] Bayat uses slightly different words in his 2007 book than in his 2013 contribution to his own edited volume. The literal quotations as given here can be found in (Bayat 2013b).

[3] The text of the initiative was provided to me on paper by Ruhayyil Gharayiba himself. An English translation of the text of the ZamZam Initiative is provided in (Wagemakers 2022, pp. 184–88). Because the founding text of the ZamZam Initiative is difficult to find online, all quotations from the text are derived from this translation.

[4] This verse and any subsequent ones were adopted from (Arberry 1955).

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