# The problem of Islam and modernity in contemporary Arab Thought Hamadi Al-Redissi as a model

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**Abstract:**

This research aims to understand the relationship between Islam and Western modernity, according to the approach of Tunisian thinker Hamadi Redissi, who highlighted Islamic exceptions that hinder development and catching up with Western civilization. These exceptions included philosophical problems related to freedom of expression, capitalism, secularism, and democracy.

Redissi reaches the shocking conclusion that the Muslim mind, in its approach to political issues such as democracy, returns to the idea of integrationism, which was espoused by Islamic philosophers in the Middle Ages. The same narrative pattern is used to address issues of economics, women, freedom of artistic expression, thought, and law.

**Keywords:** Islam, modernity, Islamic exception, secularism, democracy.

### Introduction :

Since Shakib Arslan raised the question of the backwardness and progress of Muslims and contemporary Arab thought, he is still delving into the problem of ways to rise and catch up with Western modernity,and the reasons that prevent this, is the imbalance in Islam and the conflict of its moral, political and economic values with Western modernity

There are many answers, and in this research we will try to understand the crisis of Islam and Western modernity in the writings of the Tunisian thinker Hammadi radisi, and to find out the most important obstacles to integration between Islam and Western modernity and the solution put forward by this thinker. Through this research, we aim to understand the political stakes of the Muslim mind, such as democracy, licentiousness, as well as issues of law and Sharia, the issue of women, and freedom of artistic and intellectual expression. Issues related to religious fundamentalism and the causes of the weakness of civil society in Muslim societies.

### 1- in the concept of modernity :

At the beginning of the concept of modernity sparked a wide debate in western philosophy, yaqwa Hammadi Al-radisi:" modernity does not coincide from the point of view of chronology with what we call in the science of history, modern times or the modern era, that is, that stage that generally begins from the fall of Constantinople (1453) to the French Revolution in (1789). (Al-radisi, 2021, 8)

It is necessary to say about this that Western modernity begins from the Renaissance through the Enlightenment period to the nineteenth century. It is striking that the term modernism began to be launched with writers and painters, in distinguishing between ancient literature and modern literature, and on this basis Baudelaire gives this word an unexpected meaning, he says:" modernity is transitional, transient, accidental and emergency, and it is half of art, the other half is immortal and constant, Al-radisi continues:" he made modernity

something transient fluid transitional, it is the impression of the taste of the era, we are modernists Anya, but at the same time the the immortal part of beauty.'(Al-radisi, 2023, 9)

In the history of Western philosophy, especially with Walter Benjamin, we find an important meaning that confirms Baudelaire's conception. Walter Benjamin says, " when modernity witnesses the recognition of its rights, its reign is over, then it is put to the test, and after it dies we can see if it itself is capable of becoming an ancient relic. "(Al-radisi, 2023, 10)

Hammadi Al-radisi reviews the views of Michel Foucault, Kant, Fanimo and Habermas, the most prominent names who addressed the issue of modernity, but we had to stop with Foucault's questions, Who Says: 'What is going on today?' And what's going on now Foucault calls this position the ontology of the present, means the process of establishing what is happening in the present, it is about the relationship of self-criticism... A critical anthology of what we are, what we think and what we do."(Al-radisi, 2023, 12)

Through the philosophical presentation, Al-radisi is inspired by two important ideas:" modernity is the awareness of being the son of your time, to make the present the primary subject of critical examination, and that it is based from modernity at the moment of its beginning on subjectivity. (Al-radisi, 2023, 12)

It can be said that Al-radisi is in search of a connotation of modernity, but he adds:" modernity is a complex phenomenon that cannot be attributed to a single scene (lights) and to the field(thought). It's multiple, the Social Sciences don't share the same division, they define it the same way too, so there's more than one blog."(Al-radisi, 2023, 13)

So there is another concept of modernity associated with the so-called modernization, which is interested in the changes that have occurred to societies, especially attention to the nature of societies, are they individualistic, holistic and hierarchical, solidarity Tribal or civil Agricultural or industrial In the face of this conceptual adjustment of modernity in the Western cultural space, what is the place of Islam from all these details ?

**2-Islamic Exceptionalism and the challenges of Western modernity :**

In the context of the events of the eleventh of September 2011, talk about talking about Islam returned, and this with different interpretations, neo-fundamentalism, jihadist Islam, third-degree terrorism, the rule of the dead. And this, despite the multiplicity of interpretations, there are questions raised by Hammadi Al-radisi that remain constant and exceptional that anger the Islamic world, and they can be summarized as follows:

Why does Islam, which is considered the last religion, refuse to liberate politics from its dominant grip And why does this religion remain outside the wave of democratization, which has conquered the rest of the world And why is the only regime still in conflict with the West and rejecting universal values. ( Redissi,2024,9)

This conflict is usually dated with the beginning of the Crusades, but the shock of modernity began in the eyes of Al-radisi with the Napoleonic campaign on Egypt in the late eighteenth century, which awakened the Egyptian man from the sleep of the Middle Ages, and enabled him to know the scientific and military superiority of the enemies, despite the failure of the military campaign and the end of the Mamluk rule due to British intervention, and the British-Turkish agreement on the arrangement of the Egyptian House, but the eyes of Muslims opened to Western civilization.

The confrontation between Islam and the West has caused the latter to cause a disruption in the Islamic consciousness by introducing a combination of the violence of power with the promotion of knowledge, and so we are faced with three situations, alienation, self-denial, or integration.

Despite this dispersion, a new culture appears before Islam, and we mean the Japanese culture, which was able to combine tradition and modernity, and this is to the point of talking about an Islamic miracle. This means that Islam has failed in the bet that Asia succeeded in. But why is this a failure .(Redissi, 2004,30 )

Japan succeeded in entering modernity, and this despite the existence of striking similarities with Islam, such as its external closure and its discovery of the superiority of the West and the similarity of the Japanese Constitution with the Arab constitutions in sanctifying the ruler. It is true that in the Forties of the last century the Japanese elites adopted liberal values without leaving traditional values: compatibility, such as consistency, disparity

between men and women and loyalty to the group. In contrast, liberal thought in Egypt, Iraq and Syria has sunk into bureaucratic forms.

So we are facing a unique Japanese experience resulting from an incomparable transformation of its Japanese culture that was mixed with the West,and this applies to China and India, this means that there is a coexistence with Western modernity, and the question is, Can Islam coexist in the same Asian way with Western modernity

Al-radisi returns to the narrative identity of Islam to find out how to deal with the foreign heritage, especially the Greek heritage: logic specifically, the Hellenistic philosophers of Islam, who tried to build a synthesis between philosophy and prophecy. However, it should be noted that median Islam took three positions similar to the position of contemporary Islamic Thought on modernity (Westernization and integration), namely, the application and adoption of Greek logic on religious sources without retreating from the traditional images of Islamic reasoning. (Al-Ghazali's position) and the rejection of Greek logic for its inadequacy and danger to the religious tradition and its method of proof (Ibn Taymiyyah's position) and here it is necessary to warn that modern Islamic thought should be guided in adhering to classical curricula and rejecting Western sciences.

From the background of linking the present with the past, radisi believes that the conflict between modernity and Islam was resolved for many modern Muslims with Ibn Rushd in his book The chapter of the article, and here it should be warned that Ibn Rushd, the owner of the double truth who was the inspiration of the Latin rashidis, who in turn founded the idea of secularization, understood Ibn Rushd in a distorted way. According to Ibn Rushd, he is a believer, and his goal was neither to rationalize religion, nor to sanctify philosophy, nor to return philosophical truth to a subordinate position, nor to integrate philosophy into prophecy, nor to put reason in confrontation with faith." (Redissi,2004,46)

Al-Redis focuses on the idea of Muslims believing that they are a middle nation, which is the idea of selection prevailing over Islamic legal and political thought, and then the ash'ari thought, summarized that God created actions, has generally influenced the manifestations of Islamic culture. The art of politics is based on the Straight Path, Quranic interpretation is the basis of religious law, and philosophy unites revelation and reason.

This culture related to dogmatic, paved the way for the emergence of the so-called religious fundamentalism, which is considered the most important obstacles to the integration of Arab societies into Western modernity.

Fundamentalism is a universal phenomenon known to the West that played a role in the birth of the modern West against the background of what Weber called the deciphering of magic from the world, and Marcel Gaucher repeated it for the beginning of the exit from religion. So there is a break between the past and the present, but the West in its denunciation of Islamic fundamentalism uses several terms: extremism, traditionalism, Islamism, radical Islam.

In Islamic fundamentalism we can see the integration of religion into politics, in a double sense: a political unification of religion and the dissolution of religion into a political whole." (Redissi,2004,51 )

Al-Redissi distinguishes between three stages of Islamic fundamentalism, the first extends from the Renaissance or reform period to the nineteenth century, a period oscillating between jihad and Ijtihad, the second fundamentalism, which some call the Islamic Awakening, a period that witnessed armed resistance to colonialism, and then a revolution against the new rulers, and the third stage, reduced to terrorist movements, and this despite the differentiation of times and the difference in details between the three stages, there are intersections, because the third stage exists in the first and second, and the first and second stage paved the way for the third stage." (Redissi,2004,53 )

In the context of the search for Wahhabism as one of the most important fundamentalist movements, which paved the way for the emergence of Salafism, and from there the jihadist movements (al-Qaeda, ISIS), al-rudaisi talks about the Najd contract, which is that political agreement, which was made between Al-Saud and Mohammed bin Abdul Wahhab, an agreement that religiously legitimized political power.

"First of all, the Najd contract is a variant of the theological-political problem, he improvised a theocratic system, which could be the first in Sunni Islam, and so Ibn Saud turns into a universal legislator of Islam, appoints judges,

imams, governors of territories, collects Zakat and taxes, leads jihad, divides spoils, while the Sheikh educates and implements boundaries, performs prayer and monitors people's behavior," says Al-rudaisi.

The Najd contract establishes an unclassifiable system, located between the war commune and the clerical theocracy, and over time the Saud rely on the power of scholars to turn them into believers, serving the emirate, and thus tradition triumphs over renewal with time." (Redissi, 2007,317-318)

This quote gives doubt to the saying that Islam does not have a church, I mean a religious authority, and that there can be no talk of separation between politics and Islam, and that the Quran ignores the concept of politics absent from religious texts, and this is what makes Islam inferior to non-biblical societies, and higher than Christianity, which betrayed the principle of separation between time and Revelation, and this, according to Al-radisi."( Redissi,2007,318)

In contrast, there is another opinion that believes that there is a policy in Islam through Sharia that restricts the Sultan's right to do as he pleases, and this is based on what Hegel saw that the ruler in the East is domineering, and only he has free will, while Montesquieu linked tyranny and religion. At the same time, religion can be the opposite party and observer of tyranny, and this is the paradox of Najd's holding of the theological-political alliance in Islam.

The Najd contract contradicts the civil and social contract, which was founded by the philosophers of Western modernity (Hobbes, Rousseau, Locke), because the Civil Contract is constructive, not a social reality, and this is understood considering that wealth, belief, talent and social status are not initial data, but are the product of the sum of individual wills in their quest to change their situation. This social situation presupposes a just previous situation, which Rawls calls the cover of ignorance, or the natural stage in the words of Locke, Hobbes and Rousseau, but when things settle down, the law will have the function of achieving security, protecting property and Defending Freedom.

The civil contract in the West was able to overcome the theological-political impasse, while Islam had no Will and overcame this situation even in Tunisia, which defined the progress of modern political philosophy over Islamic philosophy."( Redissi,2007 ,329)

Al-rudaisi balances between the Najd contract and the Republican contract, citizenship, submission to the law, and the people's choice of its representatives, and the question arises, Does Islam recognize ethnic citizenship on two levels: the first level: the alliance between God and humans, and this idea is considered the basic background of Najd, and the second level in the fact that Islam is complementary to the rights of modern citizenship in order to focus on the idea of achieving security. (Redissi,2007,319)

In the context of making comparisons, Al-radisi believes that Najd's anti-civil contract omits religious tolerance from its political space. Thus, the goal of the Civil Contract is to ensure the passage from the natural stage to the Social stage, the transition from the historical, or natural religion to the civil religion, the opposite of the Najd contract, which can only be understood by associating it with fanaticism."( Redissi,2007,319)

**3-Islam and economic modernity:**

Why did Islam not recognize modern capitalism? Al-Radisi attempted to answer this historical question by returning to the analyses of Marxism and Weber. It may be useful to begin with the Marxist approach, which views Islam as an exceptional case that did not fit into the previous models of production that preceded capitalism, namely feudalism. Marxism attributes the absence of any possibility of transition to capitalism to a number of characteristics: the antiquity of rural societies, the autonomy of natural communities (family, tribe, classes), the rigidity of social structures, plunder through rent and war, the absence of independent cities and free trade, and the existence of a spirit of conquest allied with political despotism. (Redissi, 2004, 133)

In the context of Marxist research, Maxime Rodinson believes that the dominance of the Mamluk soldier class over the government was sufficient to prevent the transition to capitalism. Regardless of the cultural argument, which has been discussed in sociological and historical debates, Islam remains a comprehensive civilization, and the discourse community was unable to form a unified political empire or a global exchange economy. (Redissi, 2004, 138)

This is the Marxist argument, which has seen a variety of interpretations due to the considerable time gap between Marx and his 20th-century disciples. Weber, despite his similarities with Marx's thinking, differs with him in his emphasis on the existence of feudalism in Islam. However, there is a difference between Western feudalism and Islamic feudalism, which is based on the spoils obtained by Muslims through holy war, and this has been the economic history of Islam since the caliphate of Umar ibn al-Khattab. Redissi, 2004, 138).

In the case of Western feudalism, there is a system of mutual rights between the components of feudalism (princes, knights, and serfs), and loyalty prevails between these components based on the moral background of knightly honor, while Islamic spoils feudalism is based on the relationship between servant and master, on the basis of a system of promotion (profit sharing and land distribution).

Despite this negative diagnosis by Marx and Weber, the Islamic world in the modern period has experienced liberal reformist thought and a transformation in the form of the state. However, the question that replaced the first question, and was posed in another form, is: why is Islamic capitalism based on liberal economics, but its political system is authoritarian? This raises the idea of a predatory Islamic state that continues to exist as an infrastructure despite changes in the economic system.

**4-Islam and democracy:**

Addressing the duality of Islam and democracy requires understanding the issue from different angles. Is the nature of the state in the Islamic system an obstacle to democratization? Can the modern rentier state in the Islamic world be considered a continuation of the medieval fiscal state? Is democracy without secularism conceivable?

Initially, the bourgeoisie and the middle class, the bearers of modern capitalism and democracy, represented an undeniable historical event. According to Marx, there can be no bourgeoisie without democracy. On the other hand, Tocqueville considers the middle class to be the yeast of American democracy. The Islamic social exception appears to reject this social structure in that the bourgeoisie did not exist in the Islamic world. Even what we currently call the middle class remains weak or is subject to the state and unable to free itself from state authority and form a strong civil society. How can this be achieved, given that the education system is failing and incapable of instilling the values of freedom and equality? (Redissi, 2004, 151)

Talking about Islam and democracy inevitably leads us to multiple arguments: Islam is opposed to democracy, or vice versa; Islam is compatible with democracy, and therefore Islamic democracy exists. Redissi says that these arguments arise from contemporary challenges, but in reality they do not go beyond the horizon of a mediating, integrative vision (linking religion to philosophy). On this basis, if Muslims want to build a political system based on universal citizenship, they must do so. (Redissi, 2004, 187).

Redissi addresses the issue of governance in Islam by referring to the writings of Al-Tahtawi, Rashid Rida, Al-Mawdudi, and Muhammad Iqbal, but their political ideas tend toward rejecting Western political philosophy, adhering to the texts of the Qur'an, and refusing to be open to Western contributions.

Returning to the idea of democracy in the works of al-Farabi, Ibn Majah, and Ibn Rushd, Islamic philosophers viewed democracy as a chaotic system that encourages vice and, on this basis, gives rise to tyranny. More precisely, they classified democracy as a branch of the ignorant city.

Al-Redissi believes that the decline of philosophy beginning in the twelfth century left the Islamic world bereft of reason, and Islam entered the modern era definitively on the wings of a model of authority based on law. However, after democracy became a universal system, Muslims attempted to reclaim these systems, but according to the logic of the cultural paradigm, which attempts to integrate democracy into Islam, just as it seeks to integrate Greek philosophy into prophecy. Here, Al-Radeesi asks, what is the honorable way out of this theological-political impasse?

In Redissi's view, the problem in the original history of Islam is that restrictions go hand in hand to such an extent that we find the ability to proclaim Islam as the straight path (but it is excessive) in its extremism and radicalism, modern (but remains traditional, tolerant, but spreads the call, democratic and anti-secular, secular but Islamic. All these contradictory contradictions can be called the Islamic exception. (Redissi, 2004, 197).

Redissi believes that to overcome these contradictions, it is not enough to simply leave, but rather to enter into the fray of these debates and for religious institutions with a legitimate enlightenment effort to interpret the Qur'an in a Hobbesian or Spinozian manner, returning and transforming Qur'anic laws into natural laws, making the Qur'an a book of moral education rather than a miraculous book, reviewing historical tradition to take advantage of the possibilities of fundamental tolerance towards atheism, following other religions, interpreting Islamic law, purifying it of corporal punishment, and recognizing equality between men and women... In short, to arrive at a vision that makes Islam compatible with democracy, modernity, and human rights."( Redissi, 2010,10)

This idea suggests opening a discussion on Islam and secularism, and Islam's view of women, two topics that have sparked widespread debate in contemporary Arab thought.

## 5- Secularism and Islam:

In his analysis of the possibility of separating religion and state in contemporary Western thought, Al-Radisi discusses three impossibilities:

The truth is that the separation of Islam and the state is impossible for three reasons: The first impossibility relates to a fundamental aspect of Islam, namely that Islam does not recognize the official separation of religion and state, which is common in Christianity. More precisely, religious and political authority are traditionally united in one person, the caliph. However, Islam does not recognize a theocratic system, as is the case in Judaism... The difference with Judaism is that the Muslim imam (ruler) is not a priest, but an ordinary person... He respects religious restrictions and rules over his subjects, who are his equals in religion. Here, Redissi borrows Massignon's saying: "Islam is a secular religious state, without a church, and egalitarian."( Redissi, 2009, 145)

The second impossibility relates to a historical fact, namely that the separation of religion and state is an integral part of Western history, which is unique in Europe. Secularization has taken two paths, but with similar results: The first is the Protestant path, and the second is the French Enlightenment, which was violent towards the clergy, led to the elimination of religion from social life, and destroyed the authority of the Church. Thus, there are two paths to secularization: the evolutionary model in Protestantism and the revolutionary model in the French concept of a secular society, in which modern capitalism is managed economically, without religious restrictions, and governed by the rule of law. In Catholic societies, this outcome was achieved after bloody wars and unrest, while Islamic societies continued to suffer from Eastern despotism, which underwent numerous changes from Montesquieu, Hegel, Marx, and Weber. (Redissi, 2009, 146)

Finally, the third impossibility, which is social in nature, suggests a bridge between theology and history. This is evident in the fact that Islam has been dominated by the idea of patriarchy, which hinders its development into a religion of salvation. It can therefore be said that the papacy represents a social antithesis to the theocratic essence of Islam. It is also consistent with the historical tradition of Eastern despotism, which is why Gellner believed that Islam is hostile to secularism. (Redissi, 2009, 146-147)

Faced with these three impossibilities, how did modern and contemporary Arab thought deal with these three approaches? In his book The Tragedy of Modern Islam, Al-Radisi discusses the uses and synonyms of the word la'ayika. In his view, the Turk Ziad Qokalb (1876-1824) was the first to use the term in the 20th century, although the meaning was already present in the 19th century. The meaning of laïcité was frightening because it called into question the Islamic view of the world, and some people contrasted the term laïcité with the terms secularism and agnosticism. (Redissi, 2011, 70)

In this context, we can mention the debate between the Lebanese philosopher Farah Antoine (1874-1922) and the religious scholar Muhammad Abduh (1849-1905). Their dialogue focused on reason and Ibn Rushd, and the problem of faith and reason, and they reached the conclusion that faith and reason can coexist side by side in peace and harmony. (Redissi, 2011, 72)

The discussion between Muhammad Abduh and Farah Antoine extended to the relationship between tolerance and monotheism, and which religion is more tolerant, Islam or Christianity? For Muhammad Abduh, Islam is the religion of tolerance, while Farah Antoine believed that all religions are equal. While Muhammad Abdu viewed the virtue of tolerance as a social reality among Muslims, with respect for other religions in terms of allowing them to

practice their rituals, Farah Antoine stipulated a general brotherhood among free people, which presupposes the right to doubt religious texts and the right to atheism.( Redissi, 2011, 73).

The third topic concerns the separation of religion and politics. According to a modern view, Antoine Farah roots secularism within an absolute humanistic horizon, establishing the world within the framework of human self-dialogue, while Muhammad Abdu links humanism with an ideal Islam. Antoine gives five reasons why secularism is necessary: 1- Freedom of thought, which regulates the government's function of ensuring security. 2- Equality between people. 3- The duty of politics to organize worldly life, while the mission of religion is to achieve salvation on the Day of Judgment. 4- The weakness of religious government for using religion instead of achieving progress. 5- The impossibility of religious harmony among followers of the same religion, which explains the injustices that have occurred throughout the history of Islam and Christianity. Within this framework, Antoine's joy stems from French law. (Redissi, 2011, 74-79)

In a contrasting view, Imam Muhammad Abdu continued to defend a reformist conception of Islam that reclaimed elements of secularism and advocated a creative Islam that interpreted all phenomena of life rationally. Muhammad Abdu believed that government in Islam was civil, contrary to what Farah Antoine said, who equated Christianity with Islam. because Christianity did not contribute to the liberation of the West, but rather persecuted men of science and reformers.(Redissi, 2011, 75)

Subsequent developments in the 1920s (i.e., the abolition of the Islamic caliphate) by Kemal Atatürk played a role in the emergence of new theses, most notably that of Ali Abdul Razzaq (1888-1966), who wrote Islam and the Principles of Governance, emphasizing that a distinction must be made between the religious personality of the Prophet Muhammad, peace be upon him, that is, between his being a prophet and his method of governing the city, which has nothing to do with his prophethood, and that all Islamic experiences in the Middle Ages, including the caliphate system, are human creations, and therefore there is no objection to the creation of new political systems. (Redissi, 2011, 76) Of course, religious and political circles did not accept this new vision, and Ali Abdul Razzaq's voice was silenced for good.

Despite the collapse of this political form due to Western interference and the emergence of new states in the form of nation states, emirates, and kingdoms (such as the Gulf states), Redissi returns to analyzing the political discourse of Rashid Rida, who wanted to restore the caliphate system. There was a strong focus on Rashid Rida's writings in Harb al-Tahrir (The War of Liberation), which was founded in the Indian subcontinent with Taj al-Din al-Nabhani.

Al-Redissi confirms this fact, saying: ' As a term, Rashid Rida (1865-1935) wanted to reestablish the caliphate, and al-Nabhani ruled as an Islamist for this system. ISIS achieved the dream of establishing a caliphate through terror, even if the ISIS caliphate was an embodiment of an alliance of jihadists with a Sunni tribal clique and Ba'ath Party cadres. (Redissi, 2017, 113)

This historical overview of diverse political opinions confirms what Redissi stated in his first book, Politics in Islam: there is a recurring hypothesis that Islam is, in essence, both a religion and a political system, which is why timid secular theories have attempted to liberate politics from the dominance of religion. The history of political Islam will be the history of the demystification of a world that has been aborted. (Redissi, 1998, 13). Understanding modernity and Islam requires reference to two important issues that Arab and Western elites have focused on, namely the status of women and freedom of thought.

**6-The issue of women :**

In Redissi's view, there is confusion in the Islamic debate on the issue of women, and we do not know whether we can benefit from the major principles of the Qur'an, the hadiths, or the rigid jurisprudential doctrine that focused on the family and not on women, let alone the family, but rather on the subsequent effects of gender, specifically how to organize women's lives. (Redissi, 2011, 121-122)

The reformers focused their efforts on achieving equality, following the example of Western modernization, in an attempt to improve the status of women, particularly by freeing them from the veil and criticizing traditional

marriage. Here, Redissi mentions Tahar Haddad (1899-1935) and what Islamic laws meant, reinforced by the patriarchal system and male domination.

In his treatment of personal status issues (marriage, divorce, etc.), Al-Radisi believes that women in the Islamic world have made some gains in terms of optional marriage and the right to divorce under certain conditions, but some demands remain, such as marriage to non-Muslims, unequal inheritance with men, and the issue of the presence of a mahram when traveling.

In general, despite women's presence in the public sphere, their personal status remains subject to Sharia law. Women's status is inferior to that of men, and this is the price women must pay as a result of the current upheaval in values. (Redissi, 2011, 139)

Some gains have been made, opening the door to questioning the growing role of women in the public sphere. This is due to the increase in the number of educated and working women, which has earned them legal status as persons. However, the patriarchal practices prevalent in Islamic societies, which are of course based on a vast amount of religious texts, have sought to turn the issue of women into a debate centered on the hijab: is it a religious obligation, and does removing it contradict religion? Of course, Al-Radisi attempts to present a caricatured modernist view, following the example of his discussion of certain fatwas (the fatwa on breastfeeding, the ban on mixing in the Grand Mosque, etc.) to prove the shallowness of Islamic religious thought.

## 7- The question of Sharia law :

Redissi attempts to understand the reality of Sharia law, emphasizing that it covers aspects of social life despite the scarcity of legislative verses in the Quran. Given its lack of precision, it was necessary to expand the Quran with other sources, such as the Sunnah, consensus, and analogy (Redissi, 2011, 105). Redissi returns to the concept of Sharia, believing that Ibn Rushd's book distinguished between Sharia and wisdom, which was an important connection at a time when Sharia was not questioned. However, given the current debate, Sharia is no longer a matter of agreement, which is consistent with the diversity of Islam and the controversy surrounding the essence of this religion.

But why this disagreement? Because Sharia law has been divided into two parts: strict Sharia law and soft Sharia law. Of course, there is harmony between them: between the sacred and the mundane, the moral and the changing, between strict, harsh, and extreme Sharia law and soft Sharia law, known for its simplicity and revisions. Redissi, ). With historical development, around the middle of the 19th century, unprecedented principles were announced (security of persons and property, equality before the law, taxation, and military service). resulting in the abolition of the jizya tax and slavery. Even supporters of Sharia law would feel ridiculous if they demanded the application of rules relating to hunting, dogs, or racehorses. Modern artists have stripped religious duties, which formed the backbone of the law, of their content, says Redissi. (Redissi, 2011, 117)

## 8 - Freedom of expression in the Islamic world :

The issue of caricatures sparked intellectual debate in the West, as Muslims' reactions surprised Westerners with their wave of anger. Is this because blasphemy does not exist in Islamic heritage? The punishment for insulting religious symbols in Islamic law is unanimous among all schools of jurisprudence, which are replete with books on Islamic jurisprudence, and which stipulate that anyone who insults God and His Messenger, whether Muslim or non-Muslim, shall be put to death, even if they repent. This is a matter of controversy for anyone who insults the Prophet of Islam. (Redissi, 2013, 17)

On this basis, the existence of punishments is conclusive evidence that there are people who have committed this act as a means of expressing their opinions contrary to the consensus of the majority. Despite the development of laws and the emergence of satirical journalism in the Islamic world, positive law has remained unchanged, punishing anyone who dares to insult and defame religion. In a historical reading of pictorial art in Islam, Redissi asserts that there is no doctrine hostile to depicting people, especially the Prophet Muhammad, peace be upon him, despite the issuance of a decree prohibiting this in the contemporary period. (Redissi, 2023, 24)

There is controversy surrounding the prohibition of artistic representations of people, plants, or animals, which reflects Islamic aesthetics' focus on decoration, as revealed by artistic expressions in mosques and shrines. But does Islam prohibit all depictions or representations of people, asks Al-Radisi? Archaeological discoveries put an end to these disputes after the discovery of an architectural complex east of Amman in Jordan containing images of animals and representations of Umayyad princes and naked women. These images date back to the beginning of the eighth century, i.e., before the emergence of the collections of prophetic hadiths, which addressed the issue of depiction. (Redissi, 2023, 26)

The twelfth century witnessed an important turning point with the introduction of illustrations into geography, astronomy, and medicine books for pedagogical purposes. However, Islamic scholars based their arguments on hadiths and Quranic verses that prohibit the depiction of animals, even though Islam rejects idolatry (the worship of idols). The interpreters of the Qur'an who prohibited depictions based their readings of the Qur'anic texts on biblical influences that reject anthropomorphism, despite the existence of verses that permit depiction and creation. Did not the jinn create statues and shrines for Solomon? Did not Jesus create by the command of God? Therefore, there are images that depict creatures and objects.

According to Hood Juston, Islam carries within it a tone hostile to icons, due to a certain morality that is opposed to idol worship. However, Hood Juston is very moderate. The reaction to imagery or fear of images is not limited to one generation at a particular moment in time, but is rooted in time, in a doctrine recognized by jurists (such as al-Nawawi), exegetes (such as al-Qurtubi), and hadith collectors (such as al-Asqalani). all of whom worked between the 12th and 15th centuries, at around the same time that the punishment for apostasy was codified, and developed a doctrine criminalizing figurative representation for future generations to adopt.( Redissi, 2023, 30)

The repercussions of this prohibition extended to cinema, with a ban on the representation of the Prophet Muhammad, peace be upon him, and his companions who were promised paradise, as well as the prophets. Of course, this ban was approved by the fatwa councils of Sunni Islamic countries, with the exception of the Shiites. If this is the case with freedom of artistic expression, what about freedom of thought in Islam?

Freedom of thought is usually linked to religious interpretations, which are based on a literal reading of the text or on interpretations linked to the objectives of Islamic law.  For this reason, there are two meanings of freedom, or two specific doctrines of freedom, and two legal systems that are contradictory and intricately intertwined in a way that cannot be resolved. (Islamic law and positive law). However, freedom is not just an idea, and law is not a material standard. Freedom and law are the subject of conflict between social actors who disagree on the wording and content of the standards of behavior that pronounce the legal rule and regulate its wording. This applies to the charge of heresy brought against the Egyptian thinker Nasir Hamid Abu Zayd (1943-2010). This thinker was accused of apostasy on the grounds that he denied the Book of God. In short, the judge could not find any positive laws to try this thinker, so he referred the case to the Hisba, an institution of traditional Islam with a moral and political character. One of its tasks is to monitor the public moral order.

Redissi says: "The case of Abu Zayd is a typical example of the stakes involved in religious freedom. Positive law applied itself to itself and even suspended itself when it stipulated that Sharia law should be used as the basis for enacting laws."( Redissi, 2011, 117)

## 9   - Critical commentary :

Hammadi al-Redissi's writings are aimed at Western readers, as evidenced by the titles of his books: The Islamic Exception, The Tragedy of Modern Islam, and The Najd Contract. His writings are characterized by meticulous analysis and the use of philosophical, historical, and sociological references. For this reason, his works can be classified as political philosophy, political science, sociology, and Islamic history, even though he is a writer on Islamic studies, a political commentator, and a social critic.

In his intellectual works, Al-Redissi raises many issues related to the arguments of the Muslim mind (legal, political, and social), but he champions the theses of Arab modernity, and it is noticeable that he repeats the theses of Orientalists. Al-Radeesi champions the arguments that see the problem as lying in the history of Islam and the existence of rigid social, religious, and philosophical structures that prevent progress and catching up with Western modernity.

Al-Redissi is criticized for presenting Western modernity as a leading model in economics, politics, and law, but he overlooks the setbacks of Western modernity. For example, he sees only the French model in the idea of the separation of religion and state, and in women's rights, he overlooks the negative attitude towards women in modern Western philosophy and focuses on Islamic social beliefs that are unjust to women, believing that they are the basis for assessing the human rights situation of women in the Islamic world.

On the issue of democracy, Al-Redissi refers us to the position of medieval Muslim philosophers on democracy, which is an illogical reference, to justify the contemporary Muslim mind's rejection of Western democracy, which evolved from a form of collective rule (mob rule) rejected by Greek philosophers to a selective democracy in which voting was restricted to a limited class, and finally to universal suffrage.

**Conclusion :**

Hammadi Redissi's ideas echo the works of Shibli al-Shamili, Farah Antoun, and Taha Hussein, who called for integration into Western civilization. The works of this Tunisian thinker represented a victory for the theses of the aforementioned thinkers.

Redissi raised profound questions that deserve consideration, as they are akin to self-flagellation of Islam, but it can be said that his views were radical in relation to the historical Islamic legacy.

Al-Redissi's arguments focus on the existence of Islamic exceptions in legal, political, economic, and social systems. We must not forget the obstacles of patriarchal authoritarianism and religious extremism, which remain fundamental barriers to Islamic societies entering the Western modern world.

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