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**AMERICAN JOURNAL  
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and interdisciplinary journal

INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT

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*Editorial*

## **The Martin Luther of Islam?: Ismail al-Faruqi's Impact on Contemporary Islamic Intellectualism**

Although I did not study under Isma'il al-Faruqi (d. 1986) directly as did scholars like John Esposito and many others, I have, nonetheless, had the pleasure of teaching and introducing my students to his person and ideas for the past decade. His former students have convened two conferences (London [2010] and Kuala Lumpur [2013]) to celebrate his intellectual contribution, from which came a book and a special issue of this journal. Could all of this be sentimental hero worship, or a life worthy of sincere celebration and emulation? Studying his intellectual publications and tracing his academic and social activities make it abundantly clear that he was unique and committed to improving the lot of Islam and Muslims.

John Esposito and John Voll narrate in their *Makers of Contemporary Islam* a brief story: "An old Christian acquaintance of al-Faruqi once commented that al-Faruqi believed that Islam was in need of reformation and, he believed, al-Faruqi aspired to be its Luther."<sup>1</sup> Even though this was a sincere assessment, Esposito and Voll speculate that al-Faruqi would have preferred the word *mujāhid*. Esposito prefers to use this term to describe al-Faruqi, as he did in his "Memoirs of a Scholar and a Mujahid."<sup>2</sup> Although al-Faruqi never referred to himself in this way, portraying him as Islam's Martin Luther does have some significance to contemporary Islam and Islamic thought.

Luther appeared on the Christian intellectual and religious scene during the 1500s, a time when Christian theology and thought were perceived as profoundly corrupt. There were indulgences, essentially "get out of purgatory free" cards, that only the rich and powerful could afford. Championed by popes and princes, this practice undermined the Christian's role of personal responsibility and Jesus' message (peace be upon him).

Church leaders sought to monopolize religious knowledge by prohibiting translations of the Bible and to stifle the pursuit of knowledge by publishing their *Index of Forbidden Books* (from 1559 to 1966, when Pope Paul VI abolished it). The church hierarchy also began teaching that following the Bible

and doing good deeds were unnecessary, for one only had to believe in Jesus. Luther was convinced that these and other positions were at loggerheads with the true content of Jesus' teachings, and thus were taking Christianity and Christians backward.

What happens to a society when intellectualism is stifled and the interpretation and practice of religion is dictated by an opportunistic religious elite? Eventually it will become backward and perhaps extinct. To challenge this status quo, Luther wrote *The Ninety-Five Theses* (1517) and translated the Bible into easily understandable German so that average Christians of his land could both read and understand it for themselves.

As regards Luther's challenge, one notes that he was more concerned with reforming the theoretical and practical dimensions of Christian thought, which eventually ushered in the Protestant Reformation. Whether he succeeded or not, one cannot deny that he left an indelible mark on its religious and intellectual history and set a new trajectory for its thought. Although some Christians may think he caused more schism, some researchers would argue that he may have saved Christianity – if not religiously, then at least intellectually. The Christian world now saw Lutherans arguing for the Bible and God's providence being equally available to all, regardless of their socioeconomic status; Calvinists articulating their belief in predestination and the work ethic; and most Protestants denouncing celibacy and extreme asceticism. Arguably, all of this is attributable to Luther's call for reform.

I cite these examples to show his role in shaping the future trajectory of Christian thought and to juxtapose it with al-Faruqi's role in contemporary Islamic thought. Given the different variables (e.g., religions, eras, the nature of the issues and circumstances that necessitated their agendas), some might argue that such a sharp comparison is unfair and perhaps irresponsible. However, I am neither praising Luther for his movement nor claiming that al-Faruqi led a similar project; rather, I am asserting their wholehearted conviction that reform was needed and that they did what they could. In fact, this may be where the assessment of al-Faruqi's Christian acquaintance gains its significance.

So what exactly did al-Faruqi do? Without analyzing Islamic civilization's history and decline, and starting from the premise that he believed "Islam needs a reformation," his reform agenda can be seen from at least two dimensions: (1) reforming Islamic thought's intellectual content and (2) reforming the religious and intellectual environments in which that thought can be shaped and molded (not excluding preparing future generations of intellectuals). Instead of recounting all of his ideas, I will focus briefly on several specific aspects and highlight the lessons that Muslims intellectuals could learn from them.



## Reforming the Intellectual Content

Although al-Faruqi's early works on Arabism (*'urūbah*) recognized the Muslim world's diverse cultures and may represent his ideas on Islamic thought, it is fair to state that among his many works, those on *tawhīd* (God's unity) were his signature contribution.<sup>3</sup> I therefore consider his *Al-Tawhid: Its Implications for Thought and Life* (IIIT: 1992) to be his blueprint for achieving his envisioned reform agenda. In general, this is clear when one compares it to those of the authors he respected: the conservative Muhammad ibn Abd al-Wahhab (d. 1792) and the modernist Muhammad Abduh (d. 1905).

Not only did he use the concept of *tawhīd* to articulate the centrality of God's oneness (which others have done as well), but he also made it relevant to the broader interpretation and wider application of contemporary Muslim experience, be it the family institution, the political order, the economic order, ethics, and aesthetics. In support of my position, I offer his discussion of *īmān*, widely accepted as meaning "belief" or "faith." In *Al-Tawhid*, al-Faruqi opines that Muslims should reject such translations, for in contemporary English these terms carry a Christian and skeptic understanding that embody the "implication of untruth, of probability, of doubt and suspicion."<sup>4</sup> Moreover, as they are valid only when considered in terms of a particular person or group, when that person or group takes a particular proposition to be true. Thus they do not mean that such a proposition is true, as is the case with *īmān*.

For theological considerations, he writes that *īmān* must be translated as "conviction" because it is "absolutely free of doubt, of probability, of guessing and uncertainty." Being derived from *amn* (security), it means that "the propositions it covers are in fact true" and that the mind has appropriated their truth. Al-Faruqi writes that in an Islamic sense, one may be a liar (*kādhīb*) or a hypocrite or a cheater (*munāfiq*) about *īmān*, but that *īmān* itself cannot be false, in the sense that "its object is non-existent or otherwise than it purports to say."<sup>5</sup> Thus such a person only deceives oneself or someone else, for he/she never had any *īmān* in the first place.

Al-Faruqi regards *īmān* not as an act, a decision, or a resolution to accept or in which to put one's trust, or as that which is not known to be true. Rather, it is something that happens to a person when the truth, the factuality of an object, strikes one and convinces him/her beyond any doubt of its truth. Thus *īmān* and *yaqīn* (certainty) are synonyms, for before acquiring *yaqīn* one may deny and question the truth. But once one acquires it, truth is established and convincing.

He argues that *īmān* is truth given to the mind. Its truths or propositions are not mysteries, stumbling blocks, unknowable and unreasonable, but critical

and rational. *Īmān* is a cognitive category, for it has to do with knowledge, with the truthfulness of its propositions. And since the nature of its propositional content is that of the first principle of logic and knowledge, of metaphysics, of ethics and aesthetics, it follows that it acts in subjects as a light that illumines everything.<sup>6</sup>

He bases this claim on his effort to distinguish *īmān* from *belief* and *faith*, to prevent Muslims from falling into the trap of skepticism that eventually overtook and reformulated much of Christian thought. Skepticism states that all ways to the truth must be empirical, confirmed by controlled experiment, or else it is doubtful and thus necessarily false. Christian faith (dogma) is an act, a decision by which a person resolves to accept as truth that which cannot be proven (wager), that which is based on subjective experience, as opposed to fact or a critical observation of reality.

One does not have to accept this interpretation, and I am not calling for emulating al-Faruqi in this regard. Rather, I would like to point out that contemporary Muslim scholars need to be creative and innovative. While they should continue to consult and admire the original sources, they must move beyond reproducing ideas and venture into the uncharted territories of Islamic intellectualism, to carry out seriously interrogative research in the hope of improving, without necessarily lambasting, existing research. Appropriately, al-Faruqi appreciates al-Ghazali's (d. 1111) thought on *īmān* and then goes beyond it.

It is true that al-Faruqi was a uniquely gifted scholar. But he should not be the only one, nor can all Muslim scholars be like him. I think everybody should realistically aspire to emulate him both as regards his zeal to reform and his penchant to deliver the "goods."

## **Reforming the Intellectual Environment**

The second dimension, that of reforming the intellectual environment, can be seen in the establishment of the international Islamic universities in Islamabad and Kuala Lumpur, the International Institute of Islamic Thought (IIIT; Herdon, VA), and various Islamic think tanks around the world. The idea of establishing higher education institutions that would integrate traditional Islamic knowledge with the broader contemporary human and social sciences has arguably been part of al-Faruqi's contribution to Islamic intellectualism.

At the above-mentioned London conference, AbdulHamid AbuSulayman, the former rector of the International Islamic University, Malaysia, paid a glowing tribute to al-Faruqi for having the vision, along with others, to create IIIT and the Muslim Students Association (MSA) in the United States. Esposito

also mentioned al-Faruqi, AbuSulayman, Jamal Barzinji, and others as the brains behind IIIT's creation. The creation of more well-funded and well-equipped think tanks to research issues that affect Muslim societies, as well as to carve out new trajectories for Islam and Muslims, must continue. For example, al-Faruqi is also credited for creating the American Academy of Religion's (AAR) Islamic Studies Group, which he chaired for over a decade.

Another part of his agenda was to train young Muslims to implement the reformation of Islam's intellectual content. To that end, he helped scores of Muslim students attend universities. Yusuf's above-mentioned book has articles by several of al-Faruqi's former students who are now noted scholars. Some of them insist that without his active involvement, they would never have been able to pursue graduate studies in the United States, for he worked to get them accepted to prominent universities and find sponsors for them.

As I call upon scholars to emulate his intellectual creativity and activism, I also allude to his zeal and sense of commitment. For all of this, celebrating al-Faruqi's legacy (as his students do) is not a form of hero worship, but a well-deserved tribute to a hardworking intellectual and sincere reformer.

## **This Issue**

We open this first issue of 2014 with Shaireen Rasheed's "Islam, Sexuality, and the 'War on Terror': Luce Irigaray's Post-Colonial Ethics of Difference." The author explores why the interests of Muslim women and Muslim gays have become the civilizing mission in the "war on terror." After explaining why the new politics of belonging is inseparable from the new politics of exclusion, she elucidates how Muslim gays are joining Muslim women, whose "liberation" has traditionally been used to justify imperialism. Rasheed concludes by relating to Irigaray's notion of an "ethics of sexual difference" in an attempt to provide the phenomenological conditions of an "alternative space" in which the Muslim, as "other," can be heard.

Hilman Latief's "Contesting Almsgiving in Post-New Order Indonesia" examines the origin and development of the ideas and practice of zakat on salary and analyzes how they affect the nature of zakat practice in contemporary Indonesia. Jakarta's attempt to mandate zakat payments via enacting zakat regulations at the provincial and district levels has stimulated new debates among indigenous Islamic scholars as to the legality, from a jurisprudential point of view, of whether this can be done to civil servants. Latief traces two discourses: (1) that zakat practice has been precisely prescribed in the Qur'an and Sunnah and thus such an "innovation" is unnecessary, and (2) that zakat belongs to that part of the Islamic ethical and economic system which is open

to reinterpretation and innovation. Such activities are indications of how almsgiving is contested in newly democratic Indonesia.

Mohd Altaf Hussain Ahangar, author of “Crime and Punishment in a Modern Muslim State: A Pragmatic Approach,” claims that some contemporary Muslims wish to live according to the laws promulgated in the Qur’an and Sunnah (the Shari‘ah) without any alteration and addition, even though this approach does not solve all existing and emerging offences. He argues, citing Muhammad Iqbal (d. 1938), that Muslims should reinterpret Islam’s foundational legal principles related to crime and punishment (viz., *ḥadd*, *qiṣāṣ*, *dīyah*, and *ta‘zīr*) in light of their own experiences and conditions.

We close with Amani Hamdan’s “Muslim Women Stereotyped: Deconstructing Common Myths,” which illustrates how global education theories and principles can be used to deconstruct and reframe these longstanding myths and misconceptions. Hamdan investigates the major themes of female circumcision, polygamy, and subordination in order to highlight the usefulness of applying global education principles.

I hope that our readers will find these papers not only thought-provoking and stimulating, but also sources of inspiration and motivation for their own research.

## Endnotes

1. John L Esposito and John O Voll, *Makers of Contemporary Islam* (Oxford and New York: Oxford University Press, 2001), 28.
2. Imtiyaz Yusuf, ed. *Islam and Knowledge: Al-Faruqi’s Concept of Religion in Islamic Thought* (London & New York: I.B. Tauris, 2012).
3. Among his many books are *Islam* (Beltsville, MD: amana publications, 1994); *Triologue of the Abrahamic Faiths* (Beltsville, MD: amana publications, 1982); *Islam and Other Faiths* (n.p.: Islamic Foundation, 2007); *Toward Islamic English* (Islamization of Knowledge, vol. 3) (Herndon, VA: IIIT, 1988); and *Meta-Religion: A Framework for Islamic Moral Theology* (n.p: Islamic Institute for Strategic Studies, 2000).
4. Isma’il Raji al-Faruqi, *Al-Tawhid: Its Implications for Thought and Life* (Herndon, VA: IIIT, 1982), 40.
5. Ibid.
6. Ibid., 42.

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# Islam, Sexuality, and the “War on Terror”: Luce Irigaray’s Post-Colonial Ethics of Difference

*Shaireen Rasheed*

## Abstract

This paper explores the reasons why, in the aftermath of 9/11, the interests of Muslim women and Muslim gays have become the civilizing mission in the “war on terror.” In critically examining how pervasive American and European notions of patriotism, liberalism, secularism, and freedom have been couched within the discourse of sexual rights, I explain why this new politics of belonging is inseparable from the new politics of exclusion. This shift has had consequences for progressive social movements. Whereas in social and cultural analysis nationalism has long been associated with male dominance, sexual control, and heteronormativity, certain articulations of feminism and lesbian/gay liberation are now intimately linked with the reinforcement of ethno-cultural boundaries within the western framework. A required allegiance to sexual liberties and rights has been employed as a technology of control and exclusion – what Joan Scott calls a “politics of sexclusion.”

This paper elucidates how Muslim gays are joining Muslim women, whose “liberation,” as postcolonial feminists have long argued, has traditionally been used to justify imperialism. I conclude by discussing bodies as a site for the materialization of power and resistance, as related to Luce Irigaray’s notion of an “ethics of sexual difference,” in an attempt to provide the phenomenological

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conditions of an “alternative space” in which the Muslim as “other” can be heard. The critical role of such a methodology is not to restore a lost historical and obliterated native, but to let her emerge in her difference. This ontology studies the varying ontic meanings of a localized phenomenon, their constitution as different realities and objectivities (i.e., as entities, occurrences, processes, events, and facts), to shift our focus from identifying the Muslim other to asking “How do we experience the Muslim other as ‘other’?”

## Introduction

The image of a veiled woman – captioned “Face of Islam” – was juxtaposed to photos of the crumbling Twin Towers of the World Trade Center. Featured in *The New York Times*’ photo essay of the year 2001, such often-repeated media images link the oppression of Muslim women to terrorist violence. They also point to gender politics in the “war on terror” and the ways gender has been manipulated to reinforce the notion of a “clash of civilizations” between Islam and the West.<sup>1</sup> In his 2006 9/11 anniversary speech, President George W. Bush said that we are fighting a war “against a radical Islam empire where women are prisoners in their own home.”<sup>2</sup>

Women’s interests have been the “civilizing mission” in this “war on terror,” and the veil continues to take center stage in this discourse. The American invasion of Afghanistan was termed “Operation Enduring Freedom,” as the fight was for the “liberation of Afghani women” whose “oppression was seen as epitomized by the veil and the burqa under the Taliban rule.”<sup>3</sup> A *Times* photo essay entitled “Kabul Unveiled” shows a woman in a traditional burqa walking through the urban streets of Kabul. Despite criticism from the Revolutionary Association of Women in Afghanistan (RAWA), which has argued that Afghan women’s rights have brought with them different disciplinary restrictions under the new regime, discourses surrounding the oppression of Muslim women have become the yardstick by which to measure the West’s secular stand on liberal rights, especially in the manifestation of rights pertaining to Muslim women’s sexuality.<sup>4</sup>

I want to clarify how the definition of liberalism within the western framework functions in a way designed to perpetuate an anti-Islam stereotype. In the sections entitled “Islamophobia and the Liberal State” and “Disciplining Sexualities,” I elucidate how Muslim gays are joining Muslim women, whose “liberation,” as postcolonial feminists have long argued, has traditionally provided the justification for imperialism. I conclude with a discussion of bodies as a site for the materialization of power and resistance, as related to Luce Iri-

garay’s notion of an “ethics of sexual difference.”<sup>5</sup> By exploring this concept, I attempt to provide the phenomenological conditions of an “alternative space” in which the Muslim as other can be heard. The critical role of such a methodology is not to restore a lost historical and obliterated native, but to let her emerge in her difference. The task of such an ontology is to study the varying ontic meanings of a localized phenomenon, their constitution as different kinds of realities and objectivities (i.e., as entities, occurrences, processes, events, and facts), so that the question concerning the objectification of the Muslim other is not “Who is the Muslim other?” but rather “How do we experience the Muslim other as ‘other’?”

To facilitate a notion of an alternative discourse, feminist scholarship and practice must continue to reinforce a split that is occurring within western discourses surrounding Muslim sexual identity. Deconstructing racist discourses, particularly those that emphasize the need to modernize traditional culture and religion, will generate a view of culture, religion, sexuality, and race as interconnected, where the Muslim identity is not a homogeneous, monolithic identity but a shifting, changing, and contradictory identity.<sup>6</sup>

## **Islamophobia and the Liberal State**

Global freedom, as defined within the context of the “war on terror,” has been defined as sexual freedom. Women’s bodies in particular have become the site of “symbolic confrontations between a re-essentialized understanding of religious and cultural difference and the force of state power, whether in their civic-republican, liberal-democratic or multicultural form.”<sup>7</sup> Recent rhetoric in the United States and Europe surrounding notions of patriotism, liberalism, secularism, and freedom have been couched within the discourse of sexual rights. Whether it is the right to manifest one’s sexual identity or to remove the veil and assert one’s right as a woman “to bare one’s arms,”<sup>8</sup> the role of Muslim agency in these discourses is circumscribed by social forces that discipline even as they liberate.

For the liberal state, these restrictions and forms of power, along with the neoliberal economy that allows global capital to accumulate centrally among an elite few, serve to subdue and further marginalize those citizens whose difference makes them threatening and for whom structural violence limits access to all kinds of resources. How, then, do we understand sexualities in Islam within a normalized western context of liberalism?

The only resolution to this tension is the way into liberal secularism. Abdulwahab al Masseri has cogently observed that

secularism is not a separation between the religion and state, as propagated in Western and Arab writing. Rather it is the removal of absolute values—epistemological and ethical—from the world such that the entire world—humanity and nature alike—becomes merely a utilitarian object to be utilized and subjugated. From this standpoint, we can see the structural similarity between the secular epistemological vision and the imperialist vision. We can also realize that imperialism is no more than the exporting of a secular and epistemological paradigm from the Western world, where it first emerged, to the rest of the world.<sup>9</sup>

Beyond an aggregate of political norms, liberalism constitutes a symbolic system that is intertwined with the world historical processes of capitalism and globalization, as well as with modernity. Within this context, the concept of the liberal bargain is oriented toward lived, localized experiences. Local discourses, especially in postcolonial situations, often use *liberalism* and *modernity* interchangeably. This promise of a better quality of life assumes a linear view of progress, a rational approach to human affairs, and a persistent blindness to ethnic tracking as part of a more general inclination to compartmentalize a complex reality.

The concept of the liberal bargain, as Amalia Sa'ar explains in her essay "Postcolonial Feminism, The Politics of Identification, and the Liberal Bargain," refers to

a particular process whereby members of disadvantaged groups become identified with the hegemonic order. Despite the hierarchical and selective character of liberal orders, quite a few members of marginalized groups stand to gain benefit from them. Many who face exclusion because of their demographic attributes (notably their ethnic or racial background, and their gender at some time enjoy some advantages, thanks to their education, occupation, or to other ascribed traits that are less stigmatized. Not coincidentally, they adopt a liberal epistemology.<sup>10</sup>

In Carl Schmitt's theory of political theology, his theory of the exception has important ramifications for the liberal state's policies concerning Islamophobia and the "war on terror." According to Schmitt, "[s]overeign is he who decides on the exception."<sup>11</sup> The exception, in the technical language of the law, implies that an emergency situation develops when liberties are suspended. But the state of exception, unlike the state of emergency, is not about the constitutional suspension of liberties and the state's assumption of extraordinary power alone; rather, it is a moment of utmost crisis when the very foundation of the political order as such is challenged. This wide-



ranging ambivalence of the “exception,” vacillating between a theory of the particular and the unique in the legal hermeneutics context on one hand, and a situation in constitutional law and state theory during which the law of liberties is suspended on the other hand, is retained and well articulated.

A state of exception refers to how the actions of the major liberal democracies are driven by a growing discriminatory executive power, which increases in order to bypass existing legislative and judicial institutions, and their ability to justify what is becoming a perpetual state of acceptance. The notion of the exception refers to the capacity of the sovereign to make decisions in terms of its political will, rather than to be constrained by normative law. Schmitt suggests that exception can be codified in the legal order and best described along the lines of a state of peril or a danger to the state.

He was, however, wrong about the inability of liberal democracy to respond to the exceptionalism of 9/11. Liberalism has responded by employing new forms of state regulations and policies. Unfortunately, the ramifications of these policies are apparent by regulating the coercive power under the guise of “values” (a new rhetoric of cultural exceptionalism), which requires a constant resort to a logic of policing the global order.

## **Disciplining Sexualities**

Individual Muslim women and gays are described as having emancipated or liberated themselves from their repressive culture by embracing the gender-progressive culture of the liberated West. Not only do they thus conform to the exceptionality of the West, but they also emerge as exceptions to the rule that most women and gays “from this culture” are, in fact, repressed. This confirms rather than contests the view that Islam is the most sexist and homophobic culture of all. It also constructs “Europe” or “the West” as safe havens for Muslim women and gays that include them, protect them from the violence of their communities, and give them opportunities to make their voices heard.<sup>12</sup> Reflecting a transformation of European identities that, in addition to democracy, now claim “women’s equality” and “gay rights” as symbols of their superior “modernity” and “civilization,” gender and sexuality are elevated to mainstream political status.

While the majority of Muslim women and queers are becoming increasingly marginalized, a handful of them have benefited from the new politics of misrepresentation. In a colonial tokenizing fashion, individuals are invited to support the hegemonic agenda with hyper-assimilationist arguments. At first sight, this seems to be a welcome recognition of a varied minority

agency. This recognition is part and becomes part of a politics of exceptionalism.<sup>13</sup> The hijab, often little more than a small piece of cloth but sometimes encompassing a full-length veil, has become a measuring stick used by the West to determine the degree of modernity and potential liberalism in Islamic countries. Those favoring its ban put forth four main arguments: (1) the veil shows the Muslim women's refusal to integrate into society in the broader sense, (2) such clothing testifies to a woman's oppression, (3) displaying religious symbols is an affront to secular societies, and (4) in public settings such as schoolrooms and courthouses, wearing a veil can intimidate pupils or juries.

The current representation of Muslim women in the public discourse is that of victims, and when they are, it is considered an exception to the rule. This then becomes the screen through which Christian European women and society are distinguished as "progressive" and "emancipated."<sup>14</sup> The anti-headscarves are one indication of the "us" and "Muslims as others" divide. Following the Federal Constitutional Court ruling in September of 2003, the main argument put forth for banning the headscarf and no other religious symbol is that it is a political symbol for the oppression of women. Thus teachers are prohibited from wearing it or any other outward religious display that expresses adherence to a specific religion or ideology. Yet the law includes an exception clause for the display of Christian-Occidental values and traditions.<sup>15</sup> The hijab has created strange alliances, because it enables various public groups to instrumentalize gender against the civic recognition of Muslims. In Germany, for example, it is depicted as a symbol of oppression or of neo-Muslims<sup>16</sup> to emancipate themselves from their parents and participate in German society. Feminists such as Alice Schwarzer, Necla Kelek, Seyran Ates, and other authors with a Turkish background cite the order to veil the female body or hair as evidence of Islam's incompatibility with German values.

Baden-Württemberg's anti-headscarf legislation, which was contained in three new sentences introduced into paragraph 38 of the state's educational law, is blatant in its discriminatory treatment of Islam: "The representation of Christian and occidental values and traditions corresponds to the educational mandate of the (regional) constitution and does not contradict the behavior required according to sentence 1." Sentence 1, in turn, states that "Teachers are not allowed ... to give external statements of a political, religious (or) ideological nature" that could endanger or disturb neutrality toward pupils and parents.<sup>17</sup> By allowing legislatures to regulate the wearing of headscarves via statute, the state failed to protect a fundamental human right. Fur-

thermore, it permitted a series of highly discriminatory legislation that singled out Islam.<sup>18</sup>

In both France and Germany, the headscarf is viewed not simply a religious item of clothing that expresses a subjective choice, but rather a symbolic political threat that requires state regulation. In this process of confrontation and negotiation between state power and Muslims who wear the headscarf, the meaning of the symbol itself is undergoing change: For all the actors involved, it is no longer an expression of Muslim humility but has become a symbol of an embattled identity and a sign of public defiance. The role of ethics is required to rethink these issues within a democratic sphere.

Jin Horitaworn, Tamsila Tauqir, and Esra Erdam’s article “Gay Imperialism: Gender and Sexuality Discourse in the ‘War on Terror’” focuses on the situation in Britain, where “Muslims” and “homophobics” are increasingly treated as interchangeable signifiers.<sup>19</sup> The central figure discussed in the article is Australian-British activist Peter Tatchell, who has successfully claimed the role of liberator of and expert on Muslim gays and lesbians; he has highlighted the problems of a single issue of politics of representation, which equates gays with Whites and ethnic minority with heterosexual. At the same time, the fact that his group – OutRage! (<http://outrage.org.uk/>) – passes as the emblem of queer and hence post-identity politics in Britain suggests that the problem of Islamophobia is not reducible to a critique of identity. The active participation of both right-wing as well as left-wing figures, feminists as well as gays, officials as well as civil powers, in the Islamophobia industry proves that racism is more closely than ever a White problem, one that crosses social and political differences.

White homosexuals assert their equality with White heterosexuals by claiming their expert status in civilizing the “homophobic migrant.” As non-Muslim queer color theorist Jasbir Puar<sup>20</sup> and White Jewish queer and trans-activist Leslie Feinberg<sup>21</sup> illustrate, this is not a German phenomenon. These two authors examine the racial politics of Tatchell and his OutRage! group. Not only does he play an important role for the British public, who treats him as one of the gay community’s main representatives, but he also has established himself as an expert on gay issues in Muslim countries as well as in Zimbabwe and Jamaica. Feinberg describes him as a key actor in the “International Day of Action against Homophobic Persecution in Iran” on June 19, 2006. Even though his call for sanctions against “Islamofascist Iran” was based on ambiguous translations from Farsi, Tatchell has nevertheless been able to expand his “internationalist” project, most recently through his organization the Peter Tatchell Human Rights Fund.

## The Ethics of Sexual Difference

I want to argue that following Irigaray, we need to continue the question of ethics if we are to undermine our social ascription of how we are defined. However, we need Michel Foucault's critique of our constitution through relations of power. While we cannot accept our collective identities as given, we also cannot assume that collective identities are always fixed and normalizing categories. Resistant identities, which are often the result of a recognition and critique of oppression, often emerge from solidarity and through relational meanings with others.

The inadequacy of the modern code morality is one point on which both Foucault and Irigaray agree, as both are critical of those modern code moralities that focus on universally applicable rights and obligation works through "normalizing production of identities," as well as through practices of interrogation and self-interrogation to determine whether one is conforming to the norm. Thus, Foucault argues that we move away from our focus on identity and into doing innovative practices. Both Foucault and Irigaray are critical of how code moralities render us passive machines that follow the rules that are given to us, produced and enforced through relations of power. Both argue for an ethics in which one does what is right because one is motivated by the desire to care for, attend to, or be true to oneself. My identity is defined by that with which I strongly identify. Foucault does not want to call this self-relation an identity, however, because for him identity is a fixed truth precluding innovation. Irigaray takes Foucault's social ethics and contextualizes it in the other. Only when we understand that our communities and identities are not only the effects of power but also our connection to others and to what matters to us can we see identities as sources of liberation. Freedom, then, is an ongoing process of finding, creating, affirming, and criticizing our identities. In other words, an ethics of the self cannot focus only on my freedom; it must focus on my relationship with others.

Most commentators regard Irigaray as primarily a thinker of subjectivity, identity, sexuality, and desire, and thus rarely consider her as a political theorist or an analyst of social and cultural life. I want to rethink her ethics of difference within her prism of an ethics of sexual difference by ultimately posing a theory of sexual difference that still has a political function and ethical relevance for feminism and post-colonial and political thought.

For Irigaray, sexual difference stipulates alterity as a precondition for the possibility of an intersubjectivity that can never be taken for granted as apparent. The finitude inscribed naturally on each person by virtue of sexual difference ensures that no subject will assume that the position of the other is

self-evident, that “he is just like me.” In her *Between East and West*,<sup>22</sup> Irigaray insists on sexual difference as the impetus for one’s ethical apprehension of the Other and moves beyond the feminine as a critical space of possibility to talk about actual breathing, stretching, orgasmic female bodies.

Searching for a different way to “constitute the mental,” she diagnoses our current epistemological condition as deficient. She critiques western culture for relying only on its intellectual abilities and not enough on its members’ bodies, specifically the cultivation of breathing. Even though at the origin of the western philosophical tradition – for Aristotle, the soul is related to the breath, to air – the link between the two has been forgotten, particularly in philosophy. The western tradition has always constructed a duality between the mind and the body, where one has always been disassociated from the other. Irigaray claims that sexual energy is often paralyzed in these dualistic and often oppositional pedagogical epistemologies. She further states:

Sexual desire as it has historically been taught to us is work of the flesh alone and not of the spirit transforming sex as an instrument of possession, of perversion, of death, instead of finding in sexual difference a spiritual path, which can lead us to love, to thought, to the divine. It is a will for possession or for power (man or woman), rather than a sort of spiritual mystery hidden in that someone. We want to possess the other as an object instead of approaching the other in order to share with him or her the energy of desire, between desiring and desirable subjects.<sup>23</sup>

Irigaray believes this paralysis of sexual energy in knowledge and techniques is problematic. For her, then, the path for realizing human identity is to be found not in the renunciation of carnal love or private chastity, but rather in a carnal sharing capable of passing beyond instinct – including at the level of procreation, appropriation, possession. This carnal sharing is also capable of going beyond the regression or disappearance of consciousness in a return to a so-called order that ignores all difference and transcendence.

Her ethics of the erotic, which focuses on the carnal union as a privileged place of individuation, redefines the sexualized body as the very site where the spiritual gets built. Here, Irigaray’s focus is on the bridge that real bodies create, not on the theoretical “elsewhere” in language that the real “feminine” once seemed to indicate so powerfully. Carnal love thus becomes a spiritual path for energy; the flesh then becomes spirit and soul thanks to the body itself, loved and respected in its difference, down to the basic level of breathing.

The transcendence that is revealed and worked out in this manner, creating thereby an ethics in the respect for each person's natural and spiritual life, is more radical than the relation to genealogy. Irigaray claims that it is in sexual difference that the split between human and divine identities can be overcome, thanks to a cultivation of energy – in particular a cultivation of breathing. She writes:

Thanks to love, including carnal love, an awakening to transcendence can take place that corresponds to the reign of the spirit as spiritual breath, as soul. A soul not localized and enclosed, as the masculine soul is, but a soul that progressively animates the whole body, changing its inert materiality or its elemental vitality into spiritual existence through a transmutation of energy.<sup>24</sup>

Carnal sharing, then, becomes an ethics, a way of relating to another. It becomes the discovery of a measure, an experience of the realization of the self in the consciousness of a limit, and of a complicity with the other to respect. Erotic love comes about within this context thanks to opening to the other as other, to his or her irreducible being, “thanks to the renunciation of being as a whole by one self. Love takes place in the opening self that is the place of welcoming the transcendence of the other.”<sup>25</sup>

For Irigaray, erotic love, when contextualized in carnal sharing, becomes a spiritual way, a way of “salvation” for solitary desire. It opens a beautiful horizon not of suppressing or exploiting the flesh, but of an artistic, even mystical progression of love, a path of absolute self-abandonment and love of oneself with a view to carry out love with the other in giving up both self and other, emotionally as well as intellectually. Sexuality no longer concerns itself with blind distortions, with nihilistic seduction, or with the reduction of more or less abstract energy; it does not claim to dominate or subjugate through a technique. Instead, it becomes abandonment to the opening of self and other toward wisdom still unknown. Thus, by reconceptualizing the erotic into a process that retains duplicity and difference, Irigaray opens the possibility of a culture that can retain difference without always seeking to encompass, overcome, and incorporate it and moving toward a grand synthesis. This inclusion of difference right at the very source of being might point to a way of how to promote peaceful, mutual renewal through the interaction of diverse influences.

If we apply Irigaray's ethics of the erotic as the very grounds for thinking the negative in sexual difference, poetic discourses can be thought of as a means to accept that the other can never be appropriated into the self. A rela-

tional philosophy contextualized within her ethics develops the ontological basis for letting an other reveal to me that his or her world situation – different and in this case conflictual – forms a locus from which to interpret reality. Being cognizant of this phenomenon on the part of current western discourses forms a central precondition of ethical recognition, namely, an ability not to absolutize any one perspective. I wish to emphasize that this relational ethics of the erotic is a critical part of feminist postcolonial politics. This suggests that the non-appropriative encounter with the “other” cannot be theorized apart from embodiment, sexuality, and pleasure.<sup>26</sup> Given that sexual difference negates any attempt to posit the particular as the universal or to consolidate it into a universal norm, it both affirms the futurity of becoming and fosters respect for “differences everywhere: differences between other races, differences between generations, and so on.”<sup>27</sup>

By relegating such differences and particularisms as race, sex, class, and ethnicity to the private sphere, liberalism supports the notion of the abstract public and the disembodied political subject as separate from the body, race, and sexuality. Yet Irigaray argues that the political diversity of women cannot be affirmed without challenging the abstraction of liberal citizenship. She also claims that the opposite solution, affirming unmediated differences, risks a degree of complicity with the traditional positioning of women in the polis as an assembly of particulars incapable of acquiring a political identity. To avoid the either/or alternatives of a liberal citizenship abstracted from all differences and their opposites as well as the affirmation of differences as unmediated particulars, I would like to consider the political significance of sexual difference within the context of the contradictory logic of radical democracy suspended between equivalence and difference.<sup>28</sup>

The inscription of the undecidable ethics of sexual difference in democratic politics prevents the totalization of politics, on the one hand, and the reification of difference on the other. As Gayatri Spivak suggests in reference to Irigaray, “to learn the agency of the caress” is “to keep unlearning agency in the literal sense and allowing space for the *etre-ecrite*, even in the pores of struggles recognizably political.”<sup>29</sup> According to Spivak, the ethical respect for the Other challenges both the fetishization of the Other and its reverse side, the “convention of taking others as a collection of selves.” For these reasons, she argues, political struggles have “to risk the intimate and inaccessible alterity of other selves.”<sup>30</sup> What is most important for politics, if we contextualize the discussion within Irigaray’s philosophy, is the contestation of binary oppositions between the abstract concept of liberal citizenship and its opposite: the reification of proliferating differences as unmediated particulars.

In the light of sexual difference, this interpretation of the “missing universality not only stresses the impossibility of its realization but, in fact, splits it into two.”<sup>31</sup> Such a negative and fractured notion of the universal at work in sexual difference negates any particularity positing itself as the universal. By exposing the impossibility of any universal’s full actualization, the political significance of sexual difference lies precisely in the fact that it underscores the radical futurity of democracy, which Irigaray associates with the defense of the impossible. As she claims in *I Love to You*, “I am therefore a political militant of the impossible, which is not to say a utopian, rather I want what is yet to be as the only possibility of a future.”<sup>32</sup> Within the horizon of the impossible, the inscriptions of sexual difference into democratic citizenship exposes a “groundless ground” of democracy and the unresolved tension between the constituted and the constituting character of history.

Sexuate rights neither naturalize sexual differences nor institute what they declare, but foreground the very limits of the institution and the full actualization of all human rights. The revision of human rights as sexuate rights stresses the fact that rights reflect merely not indeterminate subjects, but that this indeterminacy is linked with sexuality. By linking the possibility of the transformation of rights – the possibility of the “expanded reference of rights” – to the discourse of Black desires, Patricia Williams’ interpretation suggests that the term *sexuate rights* cannot refer to the recognition of sexual identity, as Irigaray sometimes seems to imply; rather, it refers to this mark of desire that motivates the struggles to redefine rights.<sup>33</sup> Irigaray’s critics worry that her political economy of sexual differences erases racial politics among women.

To redress the erasure of race in her work, it is not enough to say that sexual difference does not refer to the same type of difference because the first describes the limits of the subject’s position, whereas the second refers to the historically specific form of identification. The intersection of race and sexuality further complicates Irigaray’s concept of race. First, thinking of the negative from the double perspective of race and class allows us to negate the unquestioned presumption of whiteness in her work. Second, it allows us to reconsider the relation between the limits of identification and conflicts among women. Only this acknowledgment of the inequalities and differences among women can serve as the basis of a democratic politics of solidarity.<sup>34</sup>

## Conclusion

Unfortunately, as elucidated throughout the paper, current discourses of inclusion reinforce a notion of possession by not facilitating the proliferation of



identifications necessary to rethink and refresh identity as being more than a limitation of attitude. As a result, discourses that profess to be inclusive may actually work to create new forms of exclusivity, if the only ideologies presented are those defined within the standardized definitions of normalcy. The assurance of tolerance within this context implies intolerance by the fact that acceptance of the Other in this case presupposes the appropriation of the other into the self, thereby annihilating the other into a projection of the self.

Within this context, marginality, both as theoretical and embodied existence, becomes a source of controversy. It exists and is expressed within the very language that makes it essential and that it must oppose. Ironically, it must resist the notion of resistance. Definitions of marginality within this context are placed in resistance to issues of authority or power, where it is further reduced to “social categories as race, class, gender or sexual orientation with little or no regard for the intersection of these categories with smaller group and individual contexts.”<sup>35</sup> Consequently, one of our main purposes as “post-colonial critics” (borrowing Edward Said’s term<sup>36</sup>) becomes one of considering the inversion effected when “others” and otherness occupy a subject position in educational accounts and accounting practices. “The question then is ‘how do we talk about otherness without joining our voices to the canonical discourse but avoiding the potential pitfalls of the oppositional discourse?’”<sup>37</sup>

By refusing to submit to the otherness of the other, Irigaray maintains in her discourses of difference a space to think about difference without resorting to sameness. She seeks the conditions of possibility of any particular ethics, which Jacques Derrida has called an “ethics of ethics,”<sup>38</sup> in order to address not the transcendental conditions of ethical action, but rather those sites that rupture ethical coding and principles by pointing to that access. Her ethics of the erotic bring to light this non-appropriate relation to the other that is based on an ethics of responsibility rather than power. I negotiate between an obligation for the other and the agency, in this case of the Muslim subject. This redefinition of politics allows us to encounter ethics not outside the polis but in the midst of what Jean-François Lyotard calls the “differend.”<sup>39</sup> Transcending the dilemmas of equality vs. difference opposes the disembodied character of liberal citizenship yet puts forth a theory of sexual difference that has political function and ethical relevance for postcolonial feminists. By eroticizing ethics into a process that retains duplicity and difference, Irigaray opens the possibility of a post-colonial culture that can retain difference without always seeking to encompass, overcome, and incorporate it, thereby moving toward a grand synthesis. Acknowledging this alterity in the other allows for ethical relations to exist between self and other.

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