4 Risking Speech in Islam

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Introduction

Free speech and its ethics with relation to Islam are topics of intense concern – in Europe, but also in the Islamic world. The controversies and violence associated with *The Satanic Verses*, the Danish cartoons, and *Charlie Hebdo* – now including the near-fatal stabbing of Salman Rushdie in 2022 – have lent this issue a singularly intense charge, almost overwhelming the possibility of clear-headed analysis. But in Muslim-majority contexts we can also think, for example, of the debates over blasphemy charges and their political uses from Egypt to Pakistan, or the brutal repression of Muslim activists across the authoritarian world. Are Muslims uniquely sensitive to criticism? Does this constitute a challenge to free speech? Do Islamic traditions have different ideas about free speech, or no free speech at all? Or do these controversies throw into relief problems with Western liberal ideas of free speech? Are unrealistic demands being made of Muslims? How can the right to free speech for Muslims be preserved in Europe and elsewhere? Are there in fact alliances to be made between Islamic traditions and liberal ones rather than ruptures?

These are issues of pressing importance, although the high temperature around the arguments means that the right questions are not always being asked, let alone the right answers being found. We come to them obliquely, from the perspective of our own, less heated ethnographic material. This concerns the everyday life of the sharia (Islamic law, i.e., the religious rules of Islam) among a Twelver Shi'i Muslim community in the UK. Although our research focuses on attitudes towards and practice of Islamic norms, freedom of speech was immediately striking as a topic of concern. Within the community, as among Muslim communities almost everywhere, questions of theology and religious law are the subject of keen interest, and their suitable form in our contemporary world – especially in a Muslim minority context such as the

UK – a matter of keen debate. Some "traditionalist" parties find some of the more progressive or critical responses troubling, to such an extent that they attempt to police what can and cannot be said within the community. Banning preachers whose speech is deemed too challenging or divisive has become a frequent practice and is socially violent enough to have caused considerable internal controversy. How, then, to find the right balance between preserving the unity and traditions of the community on the one hand, and progressive critique on the other?

Anthropologists of Islam have considered such questions before, although they have been more inspired by events of public concern like the Danish cartoon controversy (and before that the *Satanic Verses* affair) than their own ethnographic considerations. Two of the most prominent scholars in the field, Talal Asad and Saba Mahmood, contributed to a volume (Asad et al. 2013) that sought "to challenge the presumption that critique is necessarily secular and, conversely, that secularism is by definition the condition of critique and self-criticism, distinguished from religious orthodoxy, which is regularly considered to be dogmatic" (Brown, Butler, and Mahmood 2013, vii). While Mahmood (2013) argued that Muslims were so upset by the Danish cartoons because they relate to the Prophet Muhammad in ways unfamiliar to modern Westerners – an exotic difference in "semiotic ideology" (cf. Keane 2009) – Asad's (2013) contribution characteristically focused on a genealogical critique of liberal secular presumptions, through the lens of the notion of blasphemy in particular.[1] Neither attempted an account of what "free speech" or critique might (or might not) look like in the Islamic traditions.

Asad had, however, previously written a paper in a more comparative vein that we thus prefer as our theoretical foil here, where he explicitly contrasted the liberal/Enlightenment tradition of public critical speech with an Islamic one. This is his chapter titled "The Limits of Religious Criticism in the Middle East" (Asad 1993, 200–36), which we discuss in more detail below. In brief, Asad presents an Islamic tradition that stresses the duty to provide not criticism but advice for the moral education of others in good faith, despite the possible risks, linking this to a wider interest in the cultivation of virtue, a theme which Mahmood (2005) and Charles Hirschkind (2006) have developed in ways highly influential for the anthropologies of Islam and ethics more generally. In presenting the "Western" half of his comparison, Asad follows Foucault's genealogical approach, although he does not make much of the Foucauldian theme of *parrhesia*, discussed elsewhere in this volume, despite its obvious resonances (but cf. Asad 2013, 42). Asad traces his genealogy of

1 This could equally be said of his earlier comments on the furore over the publication of Salman Rushdie's *Satanic Verses* (collected in Asad 1993).

liberal modern approaches to public criticism only as far as Kant. With regard to the cultivation of virtue more generally, however, both he and Mahmood note that Islam and the Christian West share genealogical roots in classical Greek ideas, not least those of Aristotle (Asad 2003, 250–1; 2015, 173–4, 181n33; Mahmood 2005, 137–8). And yet, Asad and Mahmood are clear that they see this virtue ethical tradition as distinct from liberal modernity, echoing the position of Alasdair MacIntyre ([1981] 2006). Islamic and liberal traditions are portrayed as fundamentally "other" to each other, just as they have been in the discussions of blasphemy and intolerance around the Danish cartoons and *The Satanic Verses* (see also Candea in this volume). No doubt there are many differences. But shared genealogical roots also mean that they have things in common. Drawing on our own ethnography, we end by suggesting some such commonalities, which may – we hope – offer possibilities for more positive forms of engagement.

Ethical and Critical Speech in Islam

For Asad (1993, 200), "the limits of public criticism in the Middle East," while undoubtedly present, are to be understood in the light of the norms of the Islamic traditions rather than the prejudices of liberal modernity.[2] The latter are, however, hegemonic in the world today. As a result, "non-Westerners who seek to understand their local histories must also inquire into Europe's past, because it is through the latter that universal history has been constructed" (200). Critique must take the form of genealogy. Asad assumes (perhaps tendentiously) that contemporary Westerners take the Enlightenment as their yardstick, and he takes Kant as a paradigmatic reference point, in particular his famous essay of 1784, "What Is Enlightenment?" Westerners see the modern Middle East as largely made up of autocratic regimes, and public criticism as alien to an Islamic state. "But how did Europeans in that era of early modernity connect public critical discourse with religion while living under an absolute ruler?" Asad asks, as Kant did in Prussia under Frederick the Great. Kant thought the enlightened ruler should have the confidence to allow free public debate while insisting on obedience as regards the enacting of his commands. Such free rational discourse would be to the improvement of the ruler's policy. Religion – a fraught topic in the wake of the Reformation's antagonisms, persecutions, and wars of religion – should not be exempt.

2 There is a tendency, which Asad does not comment on here, to identify Islam with the Middle East and vice versa. Against this, see, for example, Shahab Ahmed's (2016) attempt to shift the centre of gravity of Islamic studies towards the "Balkans-to-Bengal complex."

Asad (1993, 207–8) then turns to the modern Middle East, and Saudi Arabia in particular, and argues that although Middle Eastern societies do not practise public critique in a Kantian sense, they do have their own institutionalized forms of "reasoned criticism." In Saudi Arabia, where Islamic professional scholars (*ulama*) play a crucial role in securing the legitimacy and authority of the state, such scholars can air reasoned criticism, albeit in certain forms: again, not as criticism (*naqd*), but as "advice" (*nasiha*), most appropriately in sermons (especially those given at Friday prayers) and lessons in the new Islamic universities. Asad's examples come from the tumultuous period of the First Gulf War (1990–1), when, with the blessing of King Fahd and the Grand Mufti, American troops massed in Saudi Arabia's eastern province for the repulsion of Iraq's invasion of Kuwait. Not only was there much concern as to the propriety of the presence of so many non-Muslims, but there were also calls for more general political reform.

Nasiha constitutes a distinct form of critique. First, it should be well-intentioned. But it also "carries the sense of offering moral advice to an erring fellow Muslim," a sort of "morally corrective criticism" (Asad 1993, 214). Such pedagogical speech (or "ethical" speech, in the sense of virtuous cultivation foregrounded in the recent anthropology of ethics) can be seen as a duty in itself.[3] "This," Asad claims, "stands in sharp contrast to the Enlightenment view of criticism as a *right*, whose exercise is therefore optional" (215; emphasis in original).[4] Following one of the lectures that he takes as an example, Asad links this duty of ethical speech to wider aspects of Islamic tradition: the cultivation of virtue more generally, but also the much discussed obligation to "command the right and forbid the wrong" (*al-Amr bi al-Maruf wa'l-Nahy min al-Munkar*, an institutionalized form of which is known as *hisba*, or "accountability").[5] This latter duty is explicitly commanded in the Qur'an, which gives it particular weight:

> Let there be one community [*umma*] of you, calling to good, and commanding right and forbidding wrong; those are the prosperers. (3:104)

> And the believers, the men and the women, are protectors one of the other; they command right, and forbid wrong. (9:71)

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3 The ethics of speech more generally is a key concern in Islamic thought, with pernicious talk behind someone's back, the sin of *ghiba*, seen as especially condemnable (Asad 1993, 224).

4 Cf. Asad's (2013, 48–9) later observation that "the practice of secular criticism is now a sign of the modern, of the modern subject's relentless pursuit of truth and freedom … It has almost become a *duty*."

5 For references for the points that follow, and on "commanding right" more generally, see Michael Cook's (2000) monumental study.

Such moral interventions might take different forms, including speech, but also more direct action, as a famous saying (Hadith) attributed to the Prophet explains:

> Whoever sees a wrong and is able to put it right with his hand, let him do so; if he cannot, then with his tongue; if he cannot, then in his heart, and that is the bare minimum of faith.

In theory, "commanding right and forbidding wrong" is something that all Muslims should be doing. But in practice, as the Hadith suggests, there may be limits as to who can, or should, best do what. Here another famous saying, often attributed to the well-known early legal scholar Abu Hanifa (d. 767 CE), suggests a conventional – and hierarchical – division of labour:

> Putting things right with the hand is for the political authorities [*umara'*], with the tongue for the scholars [*ulama*], and in the heart for the common people [*'amma*].

Speaking truth to power has its dangers.[6] Islamic history is replete with examples of scholars who have suffered as a consequence, the parrhesiasts of the Islamic traditions (including Abu Hanifa himself, who died in prison). There are also, it is worth noting, less politically compromising strands of thought than that Asad describes, less shy of direct criticism, even urging open revolt against oppression where necessary. Given our own case study, we could cite the traditions of the Shi'a, who have long seen themselves as marginalized and oppressed, and where the intellectual and practical ramifications of this duty to command right and resist wrong have thus been exhaustively debated (Cook 2000, 252–301, 530–60). One recent instance of the fiercest of public criticism, a cause célèbre, casts a starker light than Asad's on politics in Saudi Arabia, whose Shi'i citizens have been harshly repressed. Sheikh Nimr al-Nimr (d. 2016) was a leading Shi'i clerical activist and advocate of political freedoms and greater rights (see Matthiesen 2013). A famously fiery speech on the death of the crown prince and interior minister Nayef in 2012 was the last straw in his long-running battle with the Saudi authorities. Hardly an attempt at kind-hearted "advice," it would cost Nimr his life: he was executed in 2016 in circumstances that brought about diplomatic and other protests worldwide.

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6 Seeing "commanding right" as entailing speaking truth to political power, as in Asad's account, has not, however, been the norm across all schools of Islamic legal thought or throughout history. In many ways it could be seen as a modern phenomenon. The Saudi context privileges one variety of approach to these themes (Cook 2000, 165–92).

> Where is Nayef's army now? … Where are his intelligence agencies? Where are his officers? Can they protect him from the Angel of Death? He will be eaten by worms and suffer the torments of Hell in his grave … Some say: "Don't talk ill of Nayef because he's dead." Are you stupid? … Don't you see that the Quran says: "On that day shall the believers rejoice"? Why shouldn't we be happy at the death of the man who imprisoned and killed our children? (Al-Nimr 2012)

If we are looking for a body of Islamic thought that could bear comparison with the liberal tradition of thought on the ethics of speech, then the rich and varied juristic literature on the duty to "command right" might indeed be a good place to start. In so doing, Asad (1993) emphasizes the differences between the Islamic traditions and Western liberal modernity. Regarding the Islamic emphasis on the general duty to make such pedagogical interventions, he observes that, to liberal eyes, such "advice" might "be regarded as a repressive technique for securing social conformity to divinely ordained norms" (233). Viewed positively, however,

> it reflects the principle that a well-regulated polity depends on its members being virtuous individuals who are partly responsible for one another's moral condition – and therefore in part on continuous moral criticism. Modern liberalism rejects this principle. The well-regulated modern polity – so it argues – depends on the provision of optimum amounts of social welfare and individual liberty, not on moral criticism. The primary critical task, according to political liberalism, is not the moral disciplining of individuals but the rational administration and care of entire populations. Morality, together with religious belief, has become essentially a personal matter for the self-determining individual – or so the liberal likes to claim. (233)

The Islamic emphasis on "calling" (*da'wa*) people to virtue thus "stand[s] in a conceptual world quite unlike that of the Enlightenment" (219; see also Mahmood 2005; Hirschkind 2006). In the Enlightenment world, or in Asad's Kantian version of it at least, reason is the foundation of morality rather than disciplined virtue. The liberal right to freedom of speech for the rational improvement of the polity contrasts with the Islamic duty to offer ethical speech for the moral improvement of one's consociates.

This contrast is important to Asad because he is a critic of the pretensions of liberal modernity and wishes to defend Muslims from the undoubted aggression and sense of diminishment they have suffered under Western hegemony. Indeed, Asad (2015) later goes so far as to suggest that *al-Amr bi al-Maruf*, in what could be seen as its "positive" dimensions at least – friendship, advice, and so on – could form part of a political alternative to the violence of the secular liberal nation state (see also Asad 2018, 158–9). That might surprise, not just because the

more "negative" aspect of "commanding right" – telling people off – seems less obviously attractive, but also because *al-Amr bi al-Maruf* has been institutionalized in much more clearly repressive ways by "Islamic states" such as Saudi Arabia and Iran in the form of "religious police."[7] Asad's comments have thus been criticized by some liberals from the region (e.g., Fahmy 2018, 182ff).

As Asad himself concedes, the contrast he draws between a liberal modern privileging of nominally universal reason and a non-liberal/non-modern emphasis on virtue is too stark. Leaving aside (for now) the intensely moralizing nature of contemporary Western public discourse, early modern European "virtue politics" have also been the subject of recent attention (Hankins 2019); Kant himself was no stranger to the significance of virtue (Louden 1986). Further, in the Islamic traditions virtue and moral discipline were never viewed in isolation from public reason; law and statecraft are deep wells of Islamic thought.[8] The pursuit of virtue comes together with, rather than instead of, that of reason. Differences with Asad aside, however, we have arrived at some key points of orientation: the relative importance of ethical speech – speech designed to shape the moral conduct of others; its relationship to reason; and its obligations, limits, and risks.

Ethical Speech in a British Muslim Community

With that in mind, we now turn to our ethnography, based on fieldwork in the UK in 2018–19 with the Twelver Shi'i Khoja, a global Muslim diaspora with roots in South Asia (Sind and Gujerat) that expanded through trade across the Indian Ocean and retains important and enduring ties to East Africa (see, for example, Akhtar 2016). The majority of the Khoja worldwide are Isma'ili, but a significant number (more than 100,000) are Twelver Shi'i, the result of a historical split in the nineteenth century driven by the newly assertive authority of the Isma'ili Agha Khan.[9] Among this diaspora, the UK Twelver Shi'i community is important, in both size and influence, and comprised of a number of autonomous local associations (*jamaats*) in various towns and cities.[10]

7 And, in different forms, in Egypt (see Agrama 2012). The role of Iran's "morality police" has been especially highlighted by the protest movement subsequent to the death of Mahsa Amini in police custody in 2022, having been arrested for allegedly not correctly covering her hair.

8 Ibn Miskawayh (d. 1030), for instance, whose rendition of Christian Arabic works of virtue ethics were formative for the subsequent development of virtue ethics in the Islamic traditions, discusses the role of sharia in society as akin to the role of the rational faculties over the lower faculties within the self (Miskawayh 1968).

9 From here on, where we refer simply to "Khoja," we mean the Twelver Shi'i Khoja.

10 Our fieldwork was conducted in the Midlands and Greater London. We prefer not to name the individual associations where we worked to preserve the anonymity of our participants.

English is the dominant vernacular, although Gujarati is widely spoken and Urdu still current as a devotional language. The Twelver Khoja are, generally speaking, relatively prosperous and highly educated, and they have become a well-respected and influential element of the global Twelver Shi'i *ecumene* (as well as within the British Muslim landscape) – not only because of their wealth but also because of their impressive level of organization and unity. In contrast with Asad's case, then, we are thinking in terms of the local politics of a small-scale and relatively homogenous minority religious community, rather than those of a nation state.

We have spent many days at local associations, attending religious services, and speaking with people. Again, our research has focused on people's understanding and practice of sharia, the religious rules of Islam, but our conversations and observations have ranged more widely. With reference to the theoretical discussion above, the sheer volume of ethical speech with which the community is presented is striking in terms of sermons and religious instruction. There is a veritable flood of talks, lessons, and discussions for youth, seniors, men, and women. Not all is within the relatively specialized field of Islamic virtue ethics (*akhlaq*) that Mahmood and Hirschkind privilege – but all could be counted as ethical in so far as it aims to make better Muslims of the audience.

This speech has its own risks and controversies. Contrary to the stereotype of religious, not least Islamic, discourse as "dogmatic" (Brown, Butler, and Mahmood 2013, vii), the many diverse traditions of thought within Islam, including the Twelver Shi'i, have always been and still are intensely debated. The upheavals of modernity, migration, and life as minorities in non-Muslim majority countries have led to intense concern – in this community as in others – as to whether and how the obligations of the sharia, or attitudes towards theology, should change in light of contemporary circumstances. Reason is central to such debates. People worry that some traditional teachings "don't make sense." There are many whose ideas in response could rightly be described as progressive.

We spoke at length with one such person, a woman whose wisdom and learning, as well as her energy and leadership, are made much use of in the community, and whose reputation and achievements as an educator are global in scope. She confessed herself impatient at best with the attitudes and teachings of some religious scholars. "I was brought up, for example, to say that even whilst you had your periods you would pray." (In contrast with the normative view, dominant among Muslims across the world, that during their periods women are in a state of ritual impurity and thus not obliged to offer the normal daily prayers, performance of which would not be accepted by God.) "My father said there's nobody, anywhere, written anywhere, that says you wouldn't." By contrast, when she had "come to the greater community … my God, it's

written in light you know, you can't sit on the prayer mat." So had she then ignored the consensus?

> Ignored it completely. That's my lifelong practice and I tell my children that. Show me a place where it's written and tell me that it's authentic and I will consider it, and nobody yet has come up with … somewhere. I mean, how can I not connect to my God for whatever times in the month and say, "Excuse me, I can't pray to you because ..." Anyway, that's just an example of the way I think.

However, this view, which is controversial, is not something that she can communicate freely in her role as a religious teacher.

> I cannot, I would not, express [it]. I speak from the pulpit. I wouldn't because I would not want to break the fabric of the society or tear it. But I will gradually introduce it for my students, with my friends, with whoever it is, I will tell them this is the way I feel.

Here she spoke of limiting herself out of concern for social harmony. It became clear that she had also come under a great deal of pressure from others to do so. The potential intensity of such pressure should not be understated.

We were discussing attitudes towards sharia with the leader of one local association when he told us of an incident that had occurred the previous year, before he became the association's president. A speaker came for a discussion circle held by a religious youth group. It was "an amazing discussion." The speaker questioned the audience's beliefs, arguing that culture had become mixed up with religion. He said that he sometimes does not cry on the day of Ashura – the peak of the mourning period for the martyrs of the Battle of Karbala, when the third Imam, Husayn, refused to give allegiance to the oppressive rule of the time, and a central pillar of the Shi'i imaginary and religious calendar. This, which speaks presumably to a sort of modernist rationalism, was seen as very controversial by some within the community. One child told his father about it, and the father, who happened to be a member of the management committee of the local association, brought it up the next day. "How dare he?" he said. This sort of discussion should be held in a seminary research-level class (*dars al-kharij*), not with children. Some members of the committee said, "Let's ban him," and, to the discomfort of others, they dug into the speaker's online social media content trying to find further justification for doing so. (It turned out that the speaker had also been performing stand-up comedy, although the issue was not so much the nature of this other form of speech, as that it had apparently been performed in the morally dubious setting of bars and clubs.)

This ready recourse to banning people from speaking is not just part of the low-level frictions of everyday community life. There are higher profile incidents as well. One, dating back to the 1990s, involved a distinguished member of the academic Islamic studies community, now based in the United States, Abdulaziz Sachedina. Professor Sachedina is a Khoja, born in East Africa, and a vibrant progressive voice. While his academic career in North America burgeoned, his sharing of his progressive views at Khoja community religious meetings became perceived as worryingly unorthodox by some within the community. A dossier of his teachings was sent to the scholarly authority whom the Khoja Twelvers take to be the most authoritative in the world, Ayatollah Ali al-Sistani, currently the leading figure in the prestigious Shi'i seminaries of Najaf, Iraq. After some deliberations and a meeting between Sachedina and Sistani, Sachedina was effectively banned from speaking within community institutions and has not done so since.[11]

A more recent affair is still very much alive and an acutely sensitive point of tension (and so citing specific names seems unwarranted). For many years now, members of the community have supported the development of local institutions of scholarly instruction, a sort of British grass-roots Shi'i seminary, independent from similar projects funded and directed by transnational networks, such as those of the Islamic Republic of Iran. This stemmed not so much from a desire for independence as from the sheer distance a non-Iranian, non-Arab, British Shi'i Muslim might need to travel – linguistically, intellectually, and socially – to gain access to the famous seminaries of Iran or Iraq, let alone their highest echelons. But, given the particular challenges of Muslim life in the UK, these local sites of scholarly instruction and research have also become a focus for progressive thought and jurisprudence. A leading and notably radical voice has become the subject of a campaign to silence him, again including an open letter to Sistani in 2019.

The letter, which is framed in general rather than particular terms, starts by stating: "We would like to submit to your Eminence that in the recent years there have appeared some people who claim to be learned, and who spread amongst our youths issues especially about the fundamental beliefs of the faith (Usool-e-Deen) and the practical branches of faith" (i.e., the rules of right conduct). After a series of examples (concerning salvation for non-Muslims, the need to change the rules of inheritance for women, etc.), they end by asking

11 For Sachedina's account of the affair (which we refer to below), see Sachedina ([1998] 2011); for that of the other side, those bringing the case to Sistani, see Rizvi (1998). Very recently (as we were finalizing this chapter), Sachedina, suffering ill health, felt the need to publish a recantation of his prior position that has revived the debate over the rights and wrongs of the affair (see Sachedina 2023).

the Ayatollah's office "to guide our youths … on how to deal with such people" (World Federation of KSIMC 2019). Unsurprisingly, the Ayatollah's reply (as translated from Arabic by the petitioners) takes a dim view of such teaching as presented, stressing precisely its role in proper ethical formation:

> The duty of the Muslim preacher (muballigh) is to invite people towards Usool-e-Deen and to spread its well established teachings as represented in the clear verses of the holy Book and the beautiful sayings of the Holy Prophet Mustafa (SA) and the Holy Guides (AS)[12] ; and to enjoin people and to guide them so they can grow in faith in God and in preparation for the day of judgement, and to strive to spiritually develop their souls and to purge them from evil traits and moral vices, and to adorn them with moral virtues and noble traits; and to better their relations and interactions with others even with those who differ with them in faith and belief.
>
> It is inappropriate for the religious preacher (muballigh) to use the mimbar [pulpit] to spread his personal opinions which create divisions and differences among the religious people. So, whoever adopts this style of teaching and lecturing, it does not behoove [*sic*] the believers (may Allah increase their honour) to be inclined towards them and to entrust them with the religious training of their children; rather it is their duty to refer to others who are reliable from among the people of knowledge, piety and righteousness. (Sistani 2019b)

With this reply, the opponents of the scholar and teacher in question (who, anecdotally, saw their intervention as an instance of "commanding right and forbidding wrong") felt that they had gotten their way, and he was prevented from speaking at religious events within community institutions. His sermons and teachings are still available on YouTube, and he still receives invitations to teach and preach around the world, albeit not within Khoja institutions. But it was nevertheless a considerable blow that has left hard feelings.

Ethical, pedagogical speech is thus a ubiquitous element of religious community life. Its importance can be attested by the readiness of some to employ socially violent forms of exclusion to police it. "Traditional" discourse is, however, under considerable pressure from the realities of life in the contemporary West – and thus from reasoned critique. What is at stake is how, where, and when such reasoned critique can be expressed. Preaching from the pulpit, the paradigmatic location of ethical speech and authority, is seen as especially sensitive.[13] (Which is, conversely, what made it a relatively secure point from

12 Mustafa, "the chosen one," is one of the names of the Prophet Muhammad. "SA" stands for *salawat Allahi 'alay-hi*, "the blessings of God be upon him," and "AS" for *'alay-him al-salam*, "upon them be peace."

13 According to the female preacher quoted above, "When you sit on the pulpit they think you know everything, which you don't."

which to issue public critique in Asad's Saudi case.) The preaching of controversial views, however sincerely delivered, might cause division as well as mislead, and some thus make a principled decision to censor themselves. Other locations, such as the learned seminary, the *hawza*, may be more suitable for the airing of radical thought.[14] Critical debate is a deeply embedded element of *hawza* culture and Islamic learning more generally (see, for example, Mottahedeh 1985), and the Twelver Shi'i legal tradition maintains a central place for the role of human reason (Bhojani 2015). But how, where, and when critical reason impinges on the life of ordinary Muslims is a distinct and somewhat fraught issue.

Comparisons

This gives us a fresh point of engagement with the somewhat awkward comparison that Asad sets up between the Islamic traditions and Western liberal modernity, as represented by Kant. The question that our ethnographic case poses as to the proper location of public critical reason is one to which Kant has an interesting and famous answer, which bears re-examination. In his essay on "What Is Enlightenment?," Kant makes a distinction between the sorts of speech appropriate in public and in private, although he has a rather unfamiliar (to liberal moderns) way of making this distinction:

> The *public* use of man's reason must always be free …; the *private use* of reason may quite often be very narrowly restricted … By the public use of one's own reason I mean that use which anyone may make of it *as a man of learning* addressing the entire *reading public*.[15] What I term the private use of reason is that which a person may make in a particular *civic* post or office with which he is entrusted. (1991, 55; emphasis in original)

His most fully fleshed out example – which Asad (1993, 203) cites at length – is, significantly for our purposes, that of the religious teacher:

> A clergyman is bound to instruct his[16] pupils and his congregation in accordance with the doctrines of the church he serves, for he is employed by it on that condition. But as a scholar, he is completely free as well as obliged to impart to the public all his carefully considered, well-intentioned thoughts on the mistaken

14 Although we should not forget the repression of scholarly voices within the seminary too.

15 A then highly restricted portion of society. Kant's model has of course been seen more widely as crucial to genealogies of the liberal public sphere (Habermas [1962] 1989).

16 Kant's gendered assumptions are relevant to our Khoja context, even if there are a good number of women preachers and teachers.

> aspects of those doctrines, and to offer suggestions for a better arrangement of religious and ecclesiastical affairs. And there is nothing in this which need trouble his conscience. For what he teaches in pursuit of his duties as an active servant of the church is presented by him as something which he is not empowered to teach at his own discretion, but which he is employed to expound in a prescribed manner and in someone else's name. (1991, 56)

And then Kant continues:

> Thus the use which someone employed as a teacher makes of his reason in the presence of his congregation is purely *private*, since a congregation, however large it is, is never any more than a domestic gathering. In view of this, he is not and cannot be free as a priest, since he is acting on a commission imposed from outside. Conversely, as a scholar addressing the real public (i.e., the world at large) through his writings, the clergyman making *public use* of his reason enjoys unlimited freedom to use his own reason and to speak in his own person. (1991, 57; emphasis in original)

This has been called a "two hats" doctrine, where an individual might play more than one role in society (Laursen 1996). Kant's particular usage looks odd in the contemporary context in so far as one might expect the opposite wording: that the clergyman speaks to their congregation in their public (or professional) capacity and shares their personal thoughts in their writing in a private one. It was unusual in Kant's time too, arguably a (subversive) recapturing of what had become a restricted, lawyer's use of "public" to refer to the state. Also subversively, Kant was effectively extending the traditional liberty of men of learning to wider circles: civil servants, soldiers, and clergymen.

The "two hats" view of the cleric's role makes more sense in a Christian context than in an Islamic one, where there is no "church" to be an "active servant" of, and where the difference between the religious specialist and the non-specialist is a matter of greater knowledge rather than ordination.[17] Admittedly, not least in Shi'i society, we can think of a distinct "turbaned" (*mu'ammam*) class of trained religious specialists, of whom a form of professionalism might certainly be expected. The various local associations of the Khoja community do indeed employ some to serve their local needs: leading prayers, providing

17 In Kant's Prussia, clergymen were also civil servants, paid by the state, just as professors like Kant were (Laursen 1996). Historically, the Imam al-Jum'a, the Muslim preacher of the Friday sermon, has itself been seen as a state appointment, as would be the case in Asad's Saudi Arabia. For this reason, the Shi'i tradition has often maintained the impermissibility of participating in Friday prayers under illegitimate rule (Newman 2001).

edifying sermons and lessons, helping people with their dilemmas. And we know of some highly talented scholars whose teachings have proved not to the taste of their community (or influential sections of it) and whose contracts have not been renewed. And yet, provision of ethical speech to the community – and the sense of a calling to do so – is not restricted to such paid employees. The voice of a non-turbaned intellectual, a "lay preacher," or simply an engaged community member, is as often heard. As we have noted, the duty to correct and improve the morality of others and of society at large is incumbent upon all Muslims. And in doing so, there is no higher (human) authority to which they are formally answerable. As Professor Sachedina said in 1998 of the attempts to bar him from speaking within the Khoja community, "there was absolutely no ground … to silence me … Islam is not Catholicism where there is no room for another interpretation or dissension in the authoritative system of the 'church.'" The Ayatollah's preferred solution was thus to ask Sachedina to bind himself, through a vow not to teach (or if he taught – as he was employed to do in the American academy – not to express his own opinion in so doing), which Sachedina felt he could not in good conscience do. "However fallibly, I have served my fellow believers in all sincerity and devotion," he wrote. While the dangers must be weighed in the balance, a scholar has a duty to share their knowledge – indeed, they are forbidden to withhold it.[18]

That said, the notion that the religious teacher's speech before the community is in some way private, or domestic, in that it is oriented towards and governed by their particular needs and institutions, and thus not wholly free, has meaning in our ethnographic setting where the sense of a bounded community within a larger multi-cultural polity is strong – and its means of social exclusion effective. And Kant's notion that there is then a distinct "learned" or "scholarly" domain, where critical reason may be exercised more freely, also resonates, although Kant's framing of this domain as "public" might be less comfortable. It proved uncomfortable for Kant too, as he famously later had to withdraw his own writings on religion at the behest of the new king, Frederick William II, and retreat on his attempted extension of the privilege of free debate beyond the academy. The Prussian Edict on Religion in 1788 guaranteed freedom of conscience "so long as [the citizen] keeps any peculiar opinion to himself and carefully guards himself from spreading it or persuading others" (quoted in Laursen 1996, 259). Kant's 1793 *Religion within the Limits of Reason Alone* was, he was forced to concede, "not at all suitable for the public" – here meaning precisely not "scholars of the faculty" (quoted in Laursen 1996, 259).

18 Several Hadiths speak of someone who conceals their knowledge having to wear "a bridle of fire" on the day of resurrection. We should mention again that Sachedina has recently renounced his earlier position (see Sachedina 2023).

For Ayatollah Sistani (2019b) too, "it is not right for the one who addresses the general public to present to them specialist issues wherein the audience has no grasp of the prerequisites of the issue as per the required academic standards."[19] Here, what has been translated as "the general public" (*'ammat al-nass*), but could equally be rendered "commoners" or "the masses," refers to a (Shi'i) Muslim public made up of non-specialists rather than the predominantly non-Muslim national and global public spheres, where other sensitivities may be more salient. (Ironically, before these latter publics, it is the progressive, "reasonable" voices that are more likely to be pushed to the fore.) It is thus not necessarily the difference between a teacher's pedagogical speech and a scholar's theoretical writings that is at stake here (the two hats), or that the pulpit is in some sense sacred (still less restricted to paid appointees). Rather, the latter is the paradigmatic point of dissemination of religious knowledge to the non-learned, who are – for Sistani – not equipped to discriminate between right and wrong teaching for themselves.[20] Every audience demands an appropriate level of discourse.

Here, the Ayatollah maintains a classical but enduring view of intellectual hierarchy from his perspective as the pre-eminent figure in one of the greatest religious colleges of the Middle East – a gulf only widened for "traditionalist" Khoja by their geographic, ethnic, and linguistic distance from the scholarly centre. But, as we have seen, far from all of today's community members are content to suspend religious reason. Laursen (1996, 258) says of Kant's distinctive notion of the public, "'Everyman a part-time man of learning' would have been a radically levelling slogan in Kant's day." It is a reality for Muslim modernity. The contemporary burghers of the British Khoja community – accountants, doctors, lawyers, businesspeople – take a keen interest in religious debate. And the seminary is no longer an exclusive domain: lectures, debates, and scholarly treatises are widely available on the internet and in translation. More than that, given the ubiquity of social media, a compartmentalization of different discursive domains – as Kant also hoped for – has become all but unsustainable. A British Muslim preacher or academic cannot realistically hope to preserve the boundary between their more scholarly interventions and their sermons to their flock, not even between what is intended for a Muslim audience and what might be scrutinized by a potentially hostile secular

19 Professional courtesy might also enjoin keeping scholarly disagreements within the seminary rather than airing them in public. Sachedina ([1998] 2011) reports that Sistani admitted he had not always agreed with his great teacher, Ayatollah Khu'i, but had refrained from saying so publicly.

20 In a separate message of advice to preachers, Sistani (2019a) likens the approach required to that of talking to "family members and children."

one. Speech itself has become radically freed – with potentially explosive consequences, as we are all now aware.

Conclusion

The bitter debates about the Danish cartoons and parallel cases have been framed by many as highlighting the difference between liberal modernity and Islam. Modern liberal ideas of "free speech" and Muslim ones may well be different, although the Danish cartoon controversy – rooted in discussions of fear, blasphemy, and insult – is not necessarily the most productive place to start in thinking about those differences. Inspired both by Asad (1993, 200–36) and our own ethnographic material, we have looked instead to the ethics of public critical reason within Muslim communities themselves. Asad, discussing politics in Saudi Arabia, stresses the moral pedagogical role of speech, as seen paradigmatically in sermons and religious lessons, and invokes the duty incumbent on all Muslims to "command right and forbid wrong." "Commanding right" is potentially risky, as in the modern idea of "speaking truth to power," with its genealogical roots in classical *parrhesia*, although Asad focuses on Kantian notions of critical public reason as his focal point of comparison. In our British Shi'i Muslim community, such ethical speech directed towards the community is also important, and thus debated. Some speakers censor themselves for fear of causing division; on occasion, some are censored by others. An earlier presumption, reflected in both Kant's discussion and Asad's Saudi case, that such tensions might be, if not resolved, at least handled through careful consideration of the register appropriate to different settings and audiences, seems radically challenged by the impossibility of compartmentalizing speech in today's digital media environment.

While whether one can say what one must is crucial – and contested – in these Muslim contexts, it is not so much that "freedom" (to speak) is the central value around which all else turns. Rather, as a member of the moral community one has a duty to share one's knowledge and to contribute morally efficacious speech. And yet, one must balance that against the dangers of doing so – to oneself, but also to others: the danger that others might be misled or corrupted, or the community divided, the polity undermined. These are ethical concerns whose understanding will not be exhausted by a comparative study of different notions of freedom (or offence for that matter). Rather, contemporary liberal "free speech" is one approach to the ethics of speech – one that shares genealogical roots with these contemporary Muslim notions of ethical speech and its dilemmas. The Muslim interest in public morality and pedagogical speech is surely not as alien to contemporary liberal society as Asad suggests. One can hardly imagine today's public sphere as one where virtue is not debated, or didacticism not attempted (not least in the university, whose "safe spaces" have

been another focus for the current burning debates). Was there not an explicit sense even that the Danish cartoonists and *Charlie Hebdo* were trying to teach Muslims a lesson? (If so, hardly a well-judged one.) Or perhaps the lesson was more one for the majority non-Muslim audience. But then it would be naive at best to imagine such an audience as neatly bounded.

It is not just that these are shared questions and themes. It is our public space that is shared. The cultural intimacy of speech has become almost impossible to maintain, just as has the distinction between different "hats" one might wear and the different audiences and registers they entail. Perhaps the moral calculus required to finesse such distinctions has become simply too complicated. The absolutism of liberal notions of the right to speak freely, and the modern imperative to be above all authentic to one's convictions, would then be one kind of response – one mirrored in, if not born of, the moral/religious impulse to say and do what one must, come what may. "Here I stand, I can do no other, so help me God," as Luther is said to have put it (cf. Asad 2013, 40n42). But another sort of response to these complexities would be to grasp that, if we are to form a moral community, we will need to get to know each other a little better.

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