Review Essay

The Post-Legal Ethics of Tariq Ramadan: Persuasion and Performance in Radical Reform: Islamic Ethics and Liberation

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Who is the real Tariq Ramadan? Whenever a question like this is posed of anyone, it is very hard to remain on the safe side of inanity. Does any minimally interesting person have a single core identity or single perfectly transparent and consistent motivational set—in short a single “self”? Nonetheless, this has been a very popular parlor game for some Western intellectuals, with a set of alarmists claiming that a close, or even “esoteric,” reading of Ramadan reveals him to be an apologist for the “Salafi reformism” of his grandfather, thus linking him to Sayyid Qutb and Yusuf al-Qaradawi.² Certain Western defenders of Ramadan take his overtures to Western societies more seriously, even if they concede that his is still a form of “fundamentalism.”

There are at least two important stories which both versions of the popular, journalistic treatment of Ramadan obscures. The first is about how Ramadan,

¹) All further page references to this book will be through embedded citations in the text.
far from being a crypto-radical or fundamentalist, was able to construct an
Islamic ethics for European citizenship almost perfectly along the lines of what
a Rawlsian or Habermasian liberal might wish for entirely from sources and
concepts provided by the classical Islamic legal tradition. Thus, even if we go
along with the “What-is-this-Ramadan-up-to-anyway?” line of inquiry, we
find that the alarmist answer simply bears no similarity to the substance of
Ramadan’s writings or entirely neglects their most important features.

The second is about how in the decade between his earliest English-language
book and his most recent, Ramadan has produced a rather stunning shift in
teology and meta-ethics. The radical pretensions of this shift are not easy to
miss—he touts them in the book’s title and on almost every subsequent page.
The shift in effect amounts to a radical displacement of Law from the center
of Islamic normative inquiry and its substitution with a much more elusive
conception of “ethics.” This displacement involves an insistence on a number
of bold and provocative uses of certain theological claims, namely that the
Qur’an and the Universe constitute two fully co-equal “Books” or even
“Revelations” and that context and “the Real” are full sources of Law. While
the concepts of “Law” and “jurisprudence” thus do not entirely disappear in
Ramadan’s most recent work, there is an unmistakable downgrading of the
status of Islamic jurisprudence in its traditional forms as the preeminent
Islamic normative discourse. There is a free intermingling of the concepts of
“Law” and “ethics,” and where he does persist in referring to “Law” as the
outcome of the critical thought he is proposing, the term has lost virtually all
precision and correspondence to what the term means in all preceding Islamic
discourses. However, he brings about this shift partially through the novel
use of a number of core concepts from classical legal theory, which he made
central in his earlier works (namely maṣlaḥa and maqāṣid al-shari‘a)—a trick
which I refer to elsewhere as using Law as a “vanishing mediator.”

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I, however, want to use this essay to look beyond even this more contextual
interpretation. Even if it is more or less accurate to say that Ramadan’s thought
is changing from one book to the next and that this latest is his most “radical”
yet, insofar as it has pushed him beyond the framework of Law into something

3) This is what I argue in “Reading Tariq Ramadan: Political Liberalism, Islam and ‘Overlapping
Consensus’,” Ethics & International Affairs, Vol. 21, No. 4 (Winter 2007): 399-413.