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EDITORIAL

Editorial Note

The four articles, two review essays, various book reviews, and obituary contained in this issue all revolve around contestations of Islamic authority. Notably, two of these articles are drawn from the AJIS symposium on *Maqāṣid* whose first set of essays were featured in the previous issue (38:3-4) dedicated to the topic.

In the first article, "Agents of Grace," Ali Altaf Mian develops a sophisticated and nuanced reading of "intentionality" in the work of the moral theologian al-Ghazali. Mian reads the latter's work to disclose ethical action as a site of contingency and ambivalence, indeed of the subject's "non-sovereignty." He contributes this theorization of intentionality as a constructive critique of accounts of ethical agency in the anthropology of Islam.

In the second article, "No Scholars in the West," Emily Goshey carefully unpacks the ostensible paradox by which Western Salafis who studied in the Muslim world are not seen as "scholars" by the very communities they lead. What then comprises religious authority and scholarship within these models of knowledge transmission? Goshey tracks the dynamics of scholarship and community leadership based on fieldwork with African American Salafi affiliate communities in Philadelphia.

In the third article, "*Maqāṣidi* Models for an 'Islamic' Medical Ethics," Aasim Padela presents a typology of *maqāṣid*-based approaches to medical ethics. Whether requiring a field-based redefinition, a conceptual extension, or a text-based postulation of the classical *maqāṣid* theory, however, Padela shows that these frameworks remain woefully

underdeveloped to offer appropriate and sufficient guidance for pressing bedside cases.

In the fourth article, "Developing an Ethic of Justice," Thahir Jamal Kiliyamannil offers a creative rereading of new Muslim movements in South India. Rather than relying on old typologies about political Islam or secularized activists, he considers the Solidarity Youth Movement to articulate an Islamic ethic of justice inspired by Abul A'la Maududi. This case study shows not only how the *maqāṣid* framework may inform discourses well beyond the domains of legal practice, but also how this specific articulation of political justice is based in the praxis of the Indian Muslim minority.

These four articles and the remaining elements of the issue foreground contemporary contestations of Islamic authority. Read together, they also offer a set of terms for thinking productively about its contours, limits, affordances, and possibilities.

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ARTICLES

Agents of Grace: Ethical Agency between Ghazālī and the Anthropology of Islam

ALI ALTAF MIAN

Abstract

This article contributes to theorizations of ethical agency in the anthropology of Islam by turning to the medieval moral theologian Abū Ḥāmid al-Ghazālī (1058-1111). Building on Talal Asad's engagement with Ghazālī, this article closely reads the latter's writing on intentionality, which amply illuminates his theory of

ethical agency. Ghazālī neither elaborates an idealist theory of ethical agency nor posits an ethical subject whose practices are "directed at making certain kinds of behaviors unconscious or nondeliberative" (Saba Mahmood, *Politics of Piety*, 139). Rather, he articulates ethical agency as a site of contingency and ambivalence, as action involves not only knowledge, resolution/will, and bodily capacity but also divine grace. Grace, this article argues, is a cipher for the non-sovereignty of the ethical subject, since for Ghazālī agency is split between the subject's discursive and material capacities (knowledge, resolution, and bodily strength) and a certain metamorphic spontaneity/enablement that is experienced as a gift of the Other (grace). By turning to Ghazālī, then, this article encourages serious engagement with the concept of grace for understanding ethical agency in the anthropology of Islam.

"[The pious ancestors] knew that intention is not what a person pronounces with his tongue when he utters, 'I intend.' Rather, *it is the springing forth in the heart of the flowing stream of openings from God*, [a springing forth] that sometimes happens easily and sometimes with difficulty."

—Ḥujjat-ul-Islām Abū Ḥāmid al-Ghazālī

Introduction

Talal Asad's recent work allows us to rethink the cultivation of ethical and aesthetic sensibilities pursued within discursive traditions.[1] His fresh focus on "the sensible body" attempts to bridge the gap between an analytic that listens to *forms of language* and one attuned to *forms of life*. Asad has thus expanded his earlier, extremely influential idea of Islam as a discursive tradition but has also demonstrated his capacity to listen to the anthropological scholarship that took his ideas as points of departure. What the idea of Islam as a discursive tradition now implies—in terms of methodology for students and scholars of Islam in multiple disciplinary contexts—is "to focus on the ways language

directs, justifies, and permeates the senses of the living body through the repeated performance of virtuous action, thought, and feeling (what [the eleventh-century Muslim theologian] Ghazālī called 'exercising the soul')."[2] Note how this articulation of discursive tradition can be—in fact, should be—read as Asad's subtle response to the reception history of this analytical category in the anthropology of Islam, including in Saba Mahmood's widely cited and debated *Politics of Piety*.[3]

In *Secular Translations*, Asad delicately offers a set of correctives to Mahmood's theorization of ethical agency vis-à-vis Aristotle and Foucault. Let me briefly mention two inter-related illustrations. Recall that Mahmood reads her ethnography, based on her mid-1990s field-work on "an urban women's mosque movement that is a part of the larger Islamic Revival in Cairo, Egypt," in light of poststructuralist ideas to demonstrate that the "desire for freedom from social conventions is not an innate desire."[4] While this argument promotes her political critique of secular liberalism, Mahmood pursues this line of reasoning without discussing what innateness means in her interlocutors' *forms of life* and how it is articulated in their *forms of language*. Asad, therefore, notes the misfit between the poststructuralist critique of the subject and Islamic theories of the self concerning the question of innate desire and potentialities.[5] Second, Mahmood uses Foucault's ideas to theorize the micropolitical implications of her interlocutors' ethical practices.[6] Asad questions the utility of Foucault when he speaks of the latter's "individualistic formulations." Foucault's aesthetic approach to "technologies of the self" does not resonate, at least for Asad, with a tradition of thought and practice that approaches ethical formation in a communal, inter-generational context.[7] It seems to me, then, that Asad's recent reformulation of discursive tradition offers a corrective to certain theoretical presuppositions that have gained citational purchase in the so-called ethical turn in the anthropology of Islam.[8]

Yet, in another sense, Asad's reformulation of discursive tradition only partially addresses certain salient critiques. For Samuli Schielke, Asad and Mahmood (as well as Charles Hirschkind) examine "the practice of morality and religion primarily from the perspective of coherence."[9] The multiple and ambivalent ways in which people relate

to religious ideals and practices, institutions and personages, are contingent on several factors (from their personal histories to socio-economic opportunities). Hence, scholars, argues Schielke, "must find a way to account for views that are neither clearly nor consistently in line with any grand ideology, and lives that are full of ambivalence—not only between moral and amoral aims, but also between different, at times mutually hostile, moral aims."[10] Otherwise, we run the risk of putting forth, in the words of Benjamin F. Soares and René Otayek, "totalizing notions of the cultivation of virtue."[11] A more rigorous study of lived virtue ethics requires paying close attention to "struggle, ambivalence, incoherence, and failure" as noteworthy aspects of "everyday religiosity."[12] Such important critiques emphasize the diversity of ethical projects that might be integral to tradition as an assemblage of language and life; in fact, these critiques question the very idea of belonging—or, projective identification, in the language of psychoanalysis—to tradition as such.[13] Let me briefly discuss how *Secular Translations* engages with these critiques.

Asad acknowledges how failure functions in moral language/life: "failure threatens the virtuous formation of the soul at every moment."[14] He also distinguishes "discursive tradition" from "religion"—his rigorous understanding of the former resists the reification, and hence the totalization, implied in the latter. Moreover, he does not think that tradition as an assemblage of language and life has any necessary connection with "the absence [or presence] of secular freedom." Finally, Asad recognizes the need to consider multiple forms of belonging to the tradition.[15] His revised idea of Islam as a discursive tradition "signals an attempt to engage with the multiple temporalities of those who aspire to a shared inheritance—as well as those who reject it."[16] At the same time, Asad does not go as far as provincializing his privileged themes in this tradition, such as the "the concern with 'essence'." While he distinguishes the latter term from "authenticity," he nonetheless privileges the contestation over "essence" as a major node of signification that facilitates the internal diversification of the discursive tradition.[17] We could thus say that Asad does not *adequately* incorporate into his nuanced theory of "the sensible body" ideas such as contingency and ambivalence, to mention only

two conceptual supplements needed to discuss ethical practices without reifying ethical agency. Thus, Asad's reformulations offer much-needed correctives, but also continue to theorize ethical agency in programmatic, hence problematic, ways.

This article extends the scope of Asad's insightful engagement with the medieval Muslim theologian Abū Ḥāmid al-Ghazālī (1058-1111). I take Ghazālī as a theorist of psychic life and closely read his writing on intentionality to highlight the significance of contingency and ambivalence in everyday ethical action.[18] Ghazālī approaches ethical agency—that is, the capacity to transform self and society by means of ethical practices—as an open site of signification. Human action, for him, involves four prerequisites: knowledge, resolution/will, bodily capacity, and the grace of God. I argue that grace for Ghazālī is a cipher for the ambivalence and contingency that haunt self-moralizing regimes. I further contend that Ghazālī's ideas on action and agency problematize how Mahmood approaches agency. Ghazālī allows us to acknowledge the gaps and fissures that remain between *forms of language* and *forms of life*, which is to say that traditions do not *totally* map onto bodies. By being attuned to action as textuality as well as the play of grace in ethical agency, Ghazālī cautions us against the analytical, and by extension the political, aspirations of totalizing theorizations of agency.

Now, a brief description of what follows. The first section builds on Asad's idea that prophetic traditions (ḥadīth texts) translate the transcendental authority of divine scripture (the Qur'ān). I thus read two ḥadīth texts on intention (*niyya*) to elaborate its conceptual and practical contours in Muslim thought and practice. This section also draws attention to the anthropological resourcefulness of ḥadīth texts by underscoring what I call "ethnographic illustrations." The following three sections systematically discuss Ghazālī's insightful writing on intention, his theory of human action, and his ideas about ethical agency. The penultimate section begins by summarizing the previous three sections, before moving onto a compassionate yet critical assessment of Mahmood's widely influential views on ethical agency. I draw on Ghazālī to question some of her assumptions about how ethical agency works in the Islamic tradition. The conclusion further clarifies my argument but also stresses the need

to take seriously resources in the Islamic tradition that might allow us to enrich what counts as "theory."

Intentions and Actions

Asad famously wrote in his 1986 classic essay, *The Idea of an Anthropology of Islam*, "If one wants to write an anthropology of Islam one should begin, as Muslims do, from the concept of a discursive tradition that includes and relates itself to the founding texts of the Qur'an and the Hadith."[19] In his reformulated version of this concept decades later, Qur'ān and Ḥadīth continue to serve as linchpins of the discursive tradition, but Asad now illuminates how transcendental authority is translated into bodily practice, into ethical and aesthetic sensibilities. The translation of a divine *form of language* into a human *form of life* is, in part, mediated by ḥadīth texts:

> Translation in the Islamic tradition does not occur directly from divinity to the believer's body; it occurs from traditional representations of the Prophet's life—that is, accounts of his sayings and actions transmitted down the years by a chain of named individuals beginning with his companions. Together with the words of the revealed Qur'an, these textual accounts are a major Islamic source that has been translated from the Arabic into the local languages of Muslims in various parts of the world—and thence into behavior patterns regulated and taught by Islamic tradition. The ultimate authority of these accounts resides in the Qur'an, which repeatedly commands the faithful to follow the Prophet, and it is the Prophet who sets up the paradigm of prayer in which verses of the Qur'an are recited together with repeated bodily movements expressing submission and reverence toward God.[20]

Note that these remarks belong to a broader discussion wherein Asad formidably challenges the misguided idea that the Islamic doctrine of Qur'ānic inimitability necessarily implies the nontranslatability of scriptural discourse into local contexts of lived religion.

Yet Asad does not explore the ethnographic imagination contained in ḥadīth texts, and whether this imagination might complicate programmatic theories of ethical agency. I would like to pursue here precisely this line of inquiry by engaging in a mode of close reading that resembles ethnography as attunement to the play between *forms of language* and *forms of life* and as an ethic of the encounter. This is to say that my mode of reading ḥadīth texts is also an opportunity for me to imagine, and to think about, what it means to be interpellated into a subject position by an ethical discourse that retains its soteriological significance as it mediates transcendental authority.

"Actions are indeed [evaluated] according to intentions" are the initial words of a text known as "the ḥadīth of intention" (*ḥadīth an-niyya*).[21] This textual fragment is one of the most widely discussed ḥadīth texts on the subject of intentionality in the Islamic tradition. For the early Muslim jurist Muḥammad b. Idrīs al-Shāfiʿī (767-820), this ḥadīth "contains one-third of knowledge (*ʿilm*)."[22] Thus, what Islamic theological, legal, and Sufi texts have said on intention, a concept that intimately informs debates on the interplay between psychic life and social realities, might be seen as commentarial notes on this foundational ḥadīth.[23] The key ethical principle here is that intention is the evaluative criterion for the moral status of an action, a view that encourages believers to meditate on the motives that infuse their bodily movements (including the affective movements of that vital organ, the heart).

When writing in a Sufi register, Muslim religious thinkers interiorize intention (*niyya*) by seeing it as an action of the heart. For them, intention is the embodied soul's attentive search for goodness, beauty, and sincerity within intersecting spheres of relationality. Sometimes, the same authors approach *niyya* in a jurisprudential register, and adopt an empirical approach to illuminate the practical implications of intention in acts of worship, social relations, commercial transactions, and criminal acts. These two registers in fact flesh out the psycho-social investments of a unified ethical tradition, especially given that some of the most renowned Sufi authors who have addressed the subject were also steeped in jurisprudence and normative ethics. The significance of intention as a portal into understanding the interface between exteriority

and interiority becomes quite clear when we examine its finessed treatment in the analytical hands of Sufi-inspired moral theologians such as Abū Ḥāmid al-Ghazālī (1058-1111). In his "Book of Intention, Sincerity, and Truthfulness," Ghazālī theorizes *niyya* as a bridge concept between the inner and the outer, one that has profound ethical significance for Muslims in their everyday lives (the next three sections flesh out Ghazālī's writing on *niyya*).

The remainder of "the ḥadīth of intention" offers what I call an "ethnographic illustration," which encourages listeners and readers to appreciate the practical implications of the ethical principle at hand. "Rooted in living communities," explains historian of religion Anna L. Peterson, religious ethics "emerge from practical experiences, and are meant to be practiced."[24] Thus, the full version of the above report alludes to a practical, even political, context: "Actions are indeed [evaluated] according to intentions, and in fact what belongs to a man is what he intends. So, whosoever migrates toward God and His Messenger, let it be known that his migration is for God and His Messenger. So, whosoever migrates to pursue the world or to marry a woman, let it be known that his migration is for what he migrates towards." This ethnographic illustration emphasizes that only a migration pursued for God's sake, and in imitation of the Prophet, has soteriological significance and merits reward. The Ḥadīth literature is replete with ethnographic elaborations that specify the meaning of an ethical principle by imagining it as being practiced in a particular place by a particular person (hence provincializing a universal ethical principle by recourse to singularity). These ethnographic elaborations are also pedagogically effective insofar as they stoke ethical imagination and encourage listeners and readers to reflect on their own practices. Thus, this particular ethnographic illustration might provoke the following question: What motivates my actions and whose pleasure do I seek?

Let me briefly comment on the particular "world" of the ḥadīth of intention. If the Prophet Muḥammad uttered these or similar words, he most likely did so after the *hijra* (the migration to Medina). Recall that many believers had already reached Medina when the Prophet arrived there in 622 CE. Others migrated afterwards. The act of migration was

not easy, since it demanded radical unbelonging, abandoning one's property and lifelong attachments to home. An act of pure fidelity, migration demonstrated one's commitment to the faith community. Yet, there was the question of motive: What about the believer who migrates not to express his fidelity to the community, but for the sake of a prospective marriage partner or to pursue a lucrative opportunity? In a context where different believers might have had conflicting, or simply multiple, motives to migrate, the Prophet might have wished to distinguish those who had migrated "towards God and the Prophet" from those who had migrated to pursue their worldly interests. Ḥadīth commentators mention that the Prophet might have had in mind a particular man who had migrated to Medina for the sake of marrying a woman by the name of Umm Qays.[25] This man in turn was called "the migrant of Umm Qays" (*muhājir Umm Qays*).

Let us contrast the case of the migrant of Umm Qays with another ethnographic illustration. Recall the ḥadīth about those believers who did not join the Prophet Muḥammad during the Tabūk expedition in 630 CE due to poverty or physical disability. Imagine the following scene: The Prophet is sitting with some companions in Tabūk, hundreds of miles north of Medina, and wistfully recalls those friends and acquaintances who were absent from the expedition due to valid excuses. He shares with the believers sitting around him the thought crossing his mind: "There are many people left behind in Medina who have been with us all along. They were with us in every valley we crossed, every path [tactic] we deployed to trouble the unbelievers. They have a share in what we have spent and [will be rewarded for] the hunger we have felt." The statement confuses some of his companions, prompting them to ask: How can those who failed to join the expedition and stayed behind in Medina also be present here in Tabūk, hundreds of miles away? The Prophet informs them that he is thinking otherwise: "They are held back due to valid excuses, but they are with us by virtue of their good intention."[26] This anecdote serves to underscore the value of virtual formations in Islamic ethics, such as good intentions of the heart.

The two ḥadīth texts I have discussed in this section emphasize the centrality of interiority and the primacy of intention over action. In this

way, these reports corroborate another ḥadīth according to which "the intention of a believer is better than his action."[27] I shall revisit and discuss in detail this report in a following section on Ghazālī's theorization of ethical agency. To return to Asad, what we see in these two ethnographic illustrations are the exact ways in which prophetic discourse *translates* transcendental authority. Thus, the ḥadīth of intention might be seen as, and in fact has been read as, *translating* the Qur'ānic words: "So call on God with sincere devotion" (40:14). I have therefore attempted in this section to attend to what Asad asks us to consider, namely how *forms of language*, such as transcendental discourse, have come to mean something practical in *forms of life.*

Let me underscore that the two illustrations of *niyya* examined above concern political acts, involving unbelonging and mobility. This context is significant since one of the original meanings of the word, *niyya*, is "the direction in which one travels."[28] One could thus say, "this caravan intends Yemen," by observing the direction in which the caravan is proceeding. In other words, Yemen motivates this caravan as its goal or *telos*. And to say, "this caravan desires Yemen," means the same thing, since the people of this caravan desire to reach Yemen. In fact, it is the latter valence—intention as desire—that animates Ghazālī's insightful writing on the subject.

The Thirty-Seventh Book of the *Iḥyā'*

In the thirty-seventh book of his monumental work, *Iḥyā' 'ulūm al-dīn* (*Resuscitation of the Sciences of Religion*), Ghazālī elaborates *niyya* and two related terms, namely sincerity (*ikhlāṣ*) and truthfulness (*ṣidq*). This book follows his exposition of "love, longing, intimacy, and contentment" and precedes his discussion of "contemplation and self-examination." He commences his elaboration of *niyya* by noting that our felicity—in this immanent world (*al-dunyā*) and in a future scene of transcendence called in Islamic theological discourse "the hereafter" (*al-ākhira*)—is contingent on knowledge (*'ilm*) and devotional practice (*'ibāda*). Yet, knowledge and action must be accompanied by sincerity (*ikhlāṣ*). Ghazālī approaches *niyya* under five subheadings: the virtues of good intention, its reality,

how intention is superior to action, the relationship between action and intention, and the difference between intention and choice.

Ghazālī draws the reader's attention to the virtuousness of *niyya* by citing Qur'ānic verses, ḥadīth texts, and aphorisms of early Muslim luminaries. In this citation-heavy section, he does not comment at length on any single quotation; rather, the section seeks to establish the scriptural and traditional significance of the topic under discussion. For example, he cites the Qur'ānic injunction addressing the Prophet Muḥammad (and by extension each listener): "And do not cast aside those who call upon their Lord, morning and evening, desiring His countenance" (6:52). This verse lends support to the idea I mentioned above that in Ghazālī's discussion intention and desire assume semantic neighborliness, if not connotative equivalence. The ḥadīths and sayings (*al-āthār*) he cites highlight different valences of *niyya*. For instance, according to a report, "God sees neither your faces nor your riches; but what God sees are your hearts and your actions."[29] Ghazālī explains, "God sees what is inside, in hearts, since this is the place where intentions belong."[30] Yet he readily acknowledges that the inside manifests in material existence, and so he draws the reader's attention to the following report: "Whosoever fragrances himself for God will find himself on the Day of Resurrection smelling more beautiful than musk. But whosoever fragrances himself for anyone other than God will find himself smelling more disgusting than carrion."[31] What is being conveyed here is not some essentialist interiorization of intention, but rather how our ordinary life *translates* our desires (the objects that motivate us).

To appreciate Ghazālī's treatment of *niyya*, it is important to briefly examine how Sufi authors before him had broached the topic. In his *Al-Ri'āya li-ḥuqūq Allāh*, a text that was "composed in the form of counsels given to a disciple in response to questions on his part,"[32] the mystical theologian al-Ḥārith al-Muḥāsibī (d. 857) defines *niyya* as "the resolution on the part of the believer to align his action to an idea from among ideas. Hence, when he determines that he will perform *this* particular action for *this* particular idea, then such a resolution is called *niyya*, be it for God's sake or for another's."[33] Al-Muḥāsibī further emphasizes introspection and examining one's motives:

The heart's corruption results from abandoning the act of examining one's soul (*al-muḥāsabat li'l-nafs*) and being deceived by high hopes (*al-ightirār bi-ṭūl al-amal*). Thus, if you want to reform your heart then pause to examine your intention and every fleeting thought, accept what is for God and abandon what is for anyone besides Him, and seek [God's] assistance against high hopes by consistently remembering death.[34]

We shall see below that Ghazālī retains the link between action and what al-Muḥāsibī calls idea (that is, between *ʿamal* and *maʿnā*, the latter also meaning, "mental content").[35] However, instead of *maʿnā* Ghazālī opts for a more psychologically-laden word, namely, *gharaḍ* (aim or purpose). To return to al-Muḥāsibī: "intention thus covers two meanings: the resolution to do a particular action and doing something while desiring a particular meaning [object of thought]."[36] The Egyptian scholar Muḥammad ʿAbdullāh Drāz (1894-1959) characterizes these two valences as the moral and the psychological. The former pertains to the *what*, the latter to the *why* of an action. This is to say that Drāz distinguishes form and motive by using the terms intention and inclination.[37] He explains that "the moral act is found in desire's movement from the ideal to the actual—or, for that matter, from *bāṭin* to *ẓāhir,* or from thought to practice."[38] Ghazālī's account of intention, as I discuss below, fleshes out how the inner and the outer are mutually constitutive domains of subjectivity, even if the inner is ultimately more significant than the outer from his soteriological vantage.

We should note, however, that Ghazālī, unlike Drāz, does not endorse any functionalist division between "intention" and "inclination," since the former belongs to a threshold space between the moral and the psychological (see discussion below of *niyya* as an "intermediate attribute" of the soul). The fact that a single human being's actions can be at once good and evil according to a normative moral spectrum means that hearts have the capacity to long for competing objects. Desire is the force that splits the subject (I return to this below when I discuss Ghazālī's ideas on "multiple motives").

Let me mention another source of inspiration for Ghazālī, namely, Abū Ṭālib al-Makkī (d. 996), whose *Qūt al-qulūb* furnishes Ghazālī with

many of the sages' aphorisms that decorate the pages of the *Iḥyā'*.[39] Al-Makkī takes a holistic approach to the centrality of *niyya* in everyday ethics: intention/desire pervades not only formal devotional rituals but also "eating, drinking, attire, sleeping, and marital relations, since these are all actions for which one shall be questioned [by God]. If one performs these actions for God's pleasure, then they increase his tally of good works. However, if one undertakes these actions in pursuit of lust or for the sake of another's pleasure, then they end up amplifying the tally of evil deeds. This is [the meaning of the Prophet's words] for every man is what he intends."[40] Al-Makkī additionally says that *niyya* is ultimately a gift of God and that a single action can contain many intentions, and in this way a single action becomes a source of plentiful merit. Such merit, however, is not only contingent on grace but also the doer's knowledge of and assent to the revealed norms.[41] I read what al-Makkī is saying here in light of Asad's views: prophetic traditions and believers' bodily behavior *translate* not only transcendental discourse but also divine grace. Ghazālī elaborates this point more fully in his treatment of *niyya*.

Ghazālī on *Niyya*

Ghazālī's discussion of *niyya* is simultaneously systematic and elusive, an approach demanded by the subject matter at hand: "*niyya* is a secret known only to God."[42] Ghazālī alerts his readers that he uses the following three terms interchangeably: intention (*niyya*), desire (*irāda*), and resolution (*qaṣd*). These terms, in turn, are connected to knowledge (the tree/thought) and action (the fruit/extension). Action, he explains, is an extension of thought that can be expressed in the form of bodily motion or voluntary rest (thought, for him, does not express itself through one's involuntary motion or rest, which he sees as expressions of instinct rather than thought—and we shall return to the idea of instinct disrupting the conscientious subject).

The next point Ghazālī develops is that knowledge/thought is not the only foundation or prerequisite of action. Rather, action requires both desire (*irāda*) and physical capacity (*qudra*). He defines *irāda* as

"the movement of the heart towards what it sees as agreeable to the aim, whether in the present or in the future."[43] In order to underscore this definition's broader implications, he drives home the point that the human organism is predisposed to pursue what it perceives as beneficial and to ward off what it sees as harmful. In other words, we are attracted to those objects that yield us pleasure and we detest those things that cause us pain. The basis of our judgment concerning sources of benefit/pleasure and harm/pain is the knowledge we acquire from both our external and internal senses. Throughout one's life, the knowledge one acquires keeps on modifying one's perception of the beneficial and harmful. To put it otherwise, our knowledge of good and evil is contingent on our experience. For example, knowing the effectiveness of a bitter medicinal syrup allows one to become agreeable to, and ultimately desirous of, drinking something that opposes one's disposition. Ghazālī's point is that while human nature is predisposed to certain objects, acquired knowledge, such as the knowledge of God's norms, can ultimately transform disposition.[44]

For Ghazālī, the knowledge of good and evil is at once rational and revealed, albeit the ultimate standard or criterion remains revelation (that is, the law of the divine Other, or, heteronomy). Let me engage in an act of auto-theory to imagine what this *might* look like in a situated form of life. Suppose I take myself as both an addressee of the divine norms and an agent of critical thinking (which are, of course, overlapping subject positions). I encounter the prospect of extra-marital sexual pleasure, an encounter that also brings to mind all the rational reasons and revealed norms that censure this form of pleasure. At some psychic-cum-cognitive level, I have been convinced by both reason and revelation that illicit sexual pleasure is harmful or might lead to harm (here or hereafter). Yet my knowledge of harm itself is not enough to check my behavior. I therefore have to activate my inner resolution and bodily capacity to shun what I perceive as harming my secular and soteriological wellbeing. My initial, pre-meditated longing for sexual pleasure is what Ghazālī calls "the motivating aim" (*al-gharaḍ al-bā'ith*), which only becomes "the intended object" (*al-maqṣad al-manwā*) once my knowledge, resolution, and bodily capacity are collectively willing to transform aim

into object (note that this often happens subconsciously and sometimes unconsciously). Thus, Ghazālī should not be misconstrued here to mean that longing for an aim is the same as intending an object.

Ghazālī further complicates things by claiming that it is not the thing per se, but rather our perception of the thing, that informs the aim. What brings together knowledge, resolution, and bodily capacity to transform aim into object is a certain heartfelt movement. It is this movement of the heart that Ghazālī calls "intention" or *niyya*.[45] Ghazālī interchangeably attributes this movement to the heart *and* the soul/spirit. He writes, "intention is the soul's springing forth, direction, and inclination towards what it perceives as its purpose [intended object], in this life or in the hereafter."[46] The word I have translated as "springing forth" is *inbi'āth*, which can also be understood, according to Ibn al-Manẓūr, as *indifā'*, meaning plunging into something spontaneously. *Inbi'āth* also implies the doing of an action with haste; for example, to say, "he outpoured himself in the errand" (*inba'atha fi's-sayr*) implies that "he rushed" (*asra'u*) in running an errand.[47] "The springing forth of the soul"—*inbi'āth al-nafs*, which one might even translate as the flow of the inner onto the outer—is a beautiful phrase that captures the organic way in which *niyya* mediates the *ẓāhir* and the *bāṭin* (we shall return to the word *inbi'āth* when discussing grace). This word also affirms my speculation above that the conjoining of knowledge, resolution, and bodily capacity, in the service of transforming aim into object, happens subconsciously or even unconsciously. At any rate, this philological detour allows us to appreciate how *niyya* is a modality of a dynamic, not static self.

Ghazālī refers to the idea of *niyya* as taking place in-between *ẓāhir* and *bāṭin* when he calls it an "intermediate attribute" (*al-ṣifat al-mutawassiṭa*) of the soul.[48] *Niyya* thus *translates*, in an Asadian idiom, between two forms of subjectivity: *ẓāhir* (the empirical self) and *bāṭin* (the inner self). It is at this point that Ghazālī revises his definition of action, which he now defines as: "the rousing of bodily capacity to move the physical limbs in the service of desire (*irāda*)."[49] To summarize what we have covered thus far, recall that action requires three prerequisites: knowledge, desire/resolution (*irāda* and *qaṣd*), and bodily capacity. (We will see below how the grace of God is the final prerequisite of action.)

Ghazālī then addresses the question: What about actions driven by multiple motives?

Ghazālī's offers a concise but complex account of "multiple motives."[50] He understand how a single action is often located in multiple vectors of discursive formations, desires, relationships, and social practices. He theorizes the relationship between action and motive as unfolding on four paths. The first involves "pure intention" (*al-niyyat al-khāliṣa*); here Ghazālī's example is the man who runs when he encounters a wild beast. In this scenario, the action of running is infused by a single motive: survival! At other times, one acts in response to two or more *strong* motives, what Ghazālī calls "the accompaniment of motives." Take the case of someone who provides financial assistance to a poor relative because of a *strong* urge to help the needy and a *strong* desire to show kindness to kinsfolk. The Ḥadīth literature encourages both forms of charity and links them with salvation and reward in the hereafter. The third modality of motive is when two or more *weak* motives come together to prompt action (this Ghazālī calls "the partnership of motives"). In such a case, a single motive does not prompt action; however, two weak motives partner together in the realization of an action. Finally, there is the presence of a strong and a weak motive. For Ghazālī, "there is no virtuous deed that does not possess multiple intentions. Yet, these [multiple intentions] become manifest in the believer's heart only when he makes the hard effort to seek the good. He has to embark upon and reflect the good. This [attention to one's motives] makes actions pure and good deeds manifold."[51] The purpose of this typology is to emphasize that one must deliberate how strong and weak desires/motives undergird one's actions. All this to say that the relation between *forms of language* and *forms of life*, insofar as intention elucidates this relation, are complex and prone to contingency, defying totalizing theorizations of ethical agency.

Ethical Agency as Textuality

Ghazālī further theorizes the relationship between action and intention by recourse to three themes: the superiority of intention over action, the jurisprudence of intention, and finally, the difference between intention and choice (*ikhtiyār*). This section discusses each theme successively.

Ghazālī uses the ḥadīth, "the believer's intention is nobler than his action," to highlight the dynamic connection between action and intention. He first explains that this ḥadīth does not imply the superiority of intention over action in general, since action broadly conceived always already encompasses "actions of the heart," such as contemplation. Nor does this ḥadīth imply that *niyya* is superior to action because of its temporal longevity as compared to the temporary duration of most human actions. Rather, *niyya* is superior, he argues, because "the heart's actions are undoubtedly nobler than the body's movements." Of the actions of the heart, nothing is nobler than *niyya*, since it is "the general inclination and desire of the heart towards what is good."[52] Here, as elsewhere in the *Resuscitation*, Ghazālī identifies interiority as the core locus of ethical excellence. Yet, he does not want his readers to think that bodily action is redundant or inconsequential. He thus discusses at length the precise relationship between intention and action and the exact sense in which the Prophet might have preferred the former to the latter.

Ghazālī explains that only a person familiar with the objectives and particular practices of the divine norms can grasp the wisdom behind the Prophet's saying, "a believer's intention is nobler than his action." He shares with his readers a taste of this wisdom by means of an analogy: "When a person claims that bread is superior to fruit, what he means is that it is superior due to its capacity to nourish the body in relation to fruit." The sound judgment that determines which foods are better for the body's health belongs to the one who has intricate knowledge of the human body. The contemplative practices that nourish the heart and train this bodily organ to apprehend God, such as *niyya*, are therefore nobler than the bodily practices that merely express one's desire. Ghazālī is fully aware of the erotic nature of the contemplative practices. He goes as far as suggesting that the heart's true happiness is the pleasure it can derive from beholding God's countenance. The ultimate encounter with the divine coincides with death itself: "No one will have the pleasure of meeting God except the one who dies loving God—as a knower of God. The only path to know God is that of loving Him and the only way to become intimate with God is to remember Him (*dhikr*). Understand, then, that intimacy [with God] is realized by means of constant remembrance

(*dhikr*) and knowledge [of God comes about] by means of contemplation (*fikr*)."[53]

Note how carefully Ghazālī theorizes the relationship between affect and ritual. He connects the feeling of divine intimacy to the physical practice of moving one's tongue in God's remembrance (*dhikr*), and joins the mystical insight *dhikr* produces to an inner practice of the heart, namely, contemplation (*fikr*). Esoteric as well as exoteric—inner and outer—actions produce qualities of love and intimacy in the soul. Both types of actions are necessary as the believer has to train both the external senses (audition, touch, sight, smell, and taste) and the internal senses (including common sense, imagination, and the rational faculty).[54] Thus, Ghazālī's two examples—namely, *dhikr* and *fikr*—are well-chosen, since they underscore the necessity of both inner and outer practices.[55] The mysterious meaning of the ḥadīth, "a believer's intention is nobler than his action," thus becomes disclosed once a practitioner grasps that it is the heart that is one's instrument with which one apprehends, remembers, and loves God. In this framework, the ultimate objective of piety is the movement towards communion with the divine.

The second theme Ghazālī uses to theorize the relationship between intention and action concerns jurisprudence and normative rituals. He acknowledges that from the vantage of everyday life, what we do with our bodies covers a dizzying array of experiences and practices, including deeds and sayings, rest and motion, thought and recollection, and in short, all actions that pursue the desirable and shun the undesirable. However, from the vantage of normative jurisprudence, all human action might be divided into three types: acts of devotion (*ṭāʿāt*), acts of disobedience (*maʿāṣī*), and permitted or neutral acts (*mubāḥāt*). Ghazālī first tackles the second type, explaining that the ḥadīth, "Actions are indeed [evaluated] according to intentions," does not apply to acts of disobedience. Of course, evil deeds contain their own intentions, but Ghazālī's point is that a good intention does not change the moral status of an evil action. The act of stealing money, for example, does not become a virtuous act if the thief intends to feed the poor. Similar is the case of someone who furnishes a "highway robber with a sword, a horse, and other provisions, and then says, 'My intention was to express my

generosity and to imitate the beautiful attributes of God. I therefore sup-
plied him this sword and this horse so he might fight in the path of God'."
The numerous ḥadīths that promise reward to the person who equips
soldiers with swords and horses do not apply here. Ghazālī thus says,
"the jurists are unanimous that this is forbidden, even though generosity
is a virtue most dear to God."[56]

Moving on to "acts of devotion," Ghazālī explains, that they must be
motivated by a desire to please God. Thus, longing for the divine is both a
prerequisite for the soundness of an action and a means of increasing its
merit and reward. He reminds his readers that the desire to attract atten-
tion towards oneself by means of a good deed is called ostentation (riyāʾ),
which is forbidden and turns good deeds into causes of punishment and
debasement in God's sight. Lastly, he points out that the permissible acts
can be transformed into virtuous deeds and acts of devotion if they are
done to please God and to follow the Prophet's normative example (sunna).

Ghazālī offers an extended example to underscore how niyya serves
to deepen and expand the scope of everyday practices of piety. While
this ethnographic illustration is not unique to Ghazālī (it appears in
Abū Ṭālib al-Makkī's Qūt al-qulūb), his sophisticated expository style is
certainly unprecedented. Let me take some translational liberty to flesh
out Ghazālī's ethnographic illustration. Imagine a woman who wants
to be pious by going to the mosque to offer her afternoon prayer (ṣalāt
al-ʿaṣr). The same woman then intends that another objective of her
visiting the mosque is greeting fellow Muslims (a virtuous act discussed
in Ḥadīth literature). While at the mosque, she remembers her sick uncle
and raises her hands in an act of supplication to pray for his health (recall
that this woman has now performed three good deeds!). Finally, she exits
the mosque in such a way as to make sure that her right foot is the last
foot to exit sacred space, and by doing so she is blessed yet again with
another good deed (as exiting the mosque in this manner is to imitate
the Prophet and all such acts of imitation merit divine pleasure, since
the Prophet is God's beloved). In fact, this woman can intend many more
virtuous deeds while visiting the mosque.

Note how this ethnographic illustration fleshes out the idea of
multiple motives and the simultaneous focus on God as one's object

of devotion, the Prophet as one's object of imitation, and relationships with human beings as objects of communal belonging. Actions are thus playful and ambivalent sites of signification—what Jacques Derrida calls textuality.[57] Note also how this ethnographic illustration imagines an ethical subject who constantly considers how to multiply the moral and ethical scope of an action. In practice, this implies thinking about the dialectic of the inner and the outer in daily life, which involves, of course to different degrees, a disruption of mindless habituation. Thus, deliberation and introspection, which allow one to constantly attend to one's motives/desires/intentions, are key elements in the formation and practice of pious selves. In fact, we could say that the repetition of devotional practices in the Islamic tradition presupposes the need to constantly refine one's intention due to the "disjunction between will and body."[58] Repetition, here, is therefore not the same as automatism, but rather "repetition-with-difference."

By means of contemplation and introspection, what appears to be a single act at first glance—visiting the mosque to partake in the congregational prayer—turns out to be a network of related motives and actions. When the woman frequenting the mosque thinks about her action, and certain other actions related to mosques in the Ḥadīth literature, she might ask herself: How can I change my single *niyya* for prayer into a double *niyya* by also intending to use my time at the mosque to engage in reflective isolation (*i'tikāf*), or a triple *niyya*, by further intending to save myself from reprehensible actions that I might have done if I was in the market instead of the mosque? To engage in this kind of moral attentiveness both deepens the action at hand but also opens up possibilities for continuous reflection and deliberation.[59]

Finally, Ghazālī turns his attention to the difference between *niyya* and "choice" (*ikhtiyār*). His purpose in this final section of Book 37 of the *Iḥyā'* is to explain how *niyya* does not amount to *ikhtiyār*. The former is connected to one's inclination and desire, while the latter is an exercise of the rational faculty. He says, "When there is no inclination, one cannot contrive or acquire it by means of pure will."[60] Imagine the case of a person who is overly satiated after consuming a grand meal at his favorite restaurant. He eats so much of a delicious entrée that he reaches the

threshold where the same object switches from being a source of pleasure to one of unpleasure. Once he crosses this threshold, he can no longer tolerate looking at or smelling this entrée. He now comes to lack the biological factor or innate drive that had undergirded his desire for that entrée. In this case, this overly satiated person's mere words, "I desire to consume this entrée and am inclined towards it," would not be enough to reactivate the immanent drive. Here, I have *translated* Ghazālī's example to convey his message: desire is a function of psychosomatic disposition and not the volitional self. At the same time, this does not imply that the volitional self has no relation to disposition; rather, it means that a gap always remains between desire and volition, even when the subject engages in practices that seek to transform instinct and disposition.[61]

Ghazālī's broader point is that while one cannot use will power to completely control and/or change the nature of the drives, one can nonetheless transform one's disposition by a humbler process that he calls "the cultivation of the means of desire."[62] This interpretive move enables Ghazālī to question both the autonomy of the will and the determinism of the drive. In other words, humans cannot align their disposition to social norms by means of their will power alone. They lack a will powerful enough to transform nature itself. For Ghazālī, our basic instincts are beyond the jurisdiction of resolution and reason. What lies in the capacity of the ethical self, however, is the performance of those practices that slowly shape disposition and steer human nature towards embodying the normative order.

Yet, sometimes the ethical practices fail to transform disposition, bringing the ethical agent face-to-face with his, her, or their limitations and non-mastery. This is a crucial point to grasp about ethical agency. While practices need to be performed regularly, so that one becomes inclined to adhere to one's normative ideals, the ultimate metamorphosis of ethical subjectivity is beyond one's control. This means that while mindful repetitive ethical action can often transform disposition, this transformation is never an absolute event. Ghazālī is fully aware of how we can easily slip back into fulfilling more instinctual demands and desires that are indifferent to the normative order.

This is where divine grace enters the picture in Ghazālī's discussion: "[The pious ancestors] knew that intention is not what a person

pronounces with his tongue when he utters, 'I intend.' Rather, *it is the springing forth in the heart of the flowing stream of openings from God*, [a springing forth] that sometimes happens easily and sometimes with difficulty."[63] Recall from our discussion above that "springing forth" (*inbiʿāth*) implies spontaneity. Ghazālī is talking about an affective rigor that moves the heart to action, a sudden flood of feeling that inundates the heart like a frozen spring that gushes out water in melting temperatures. Grace changes temperament and warms up the heart to action.

This description of God's enabling grace resonates with the Sufi dialectic of consolation and desolation (*basṭ* and *qabḍ*, respectively). Thus, sometimes knowledge, resolution/will, and bodily capacity are there, but a virtuous action is not realized because one lacks the final ingredient, namely, an experience of enablement that acts as a metamorphic force. Recall that ethical agency is enmeshed in ambivalence toward right and wrong and is shaped by cognitive-cum-corporeal limitations and moral failures. The idea of grace further highlights the contingency of ethical agency. Because grace is the gift of the Other and not a function of an autonomous self, ethical agency remains a contingent project. Ethical agency, for Ghazālī, is an open site of signification and experience, since it involves interactions between knowledge, resolution/will, bodily capacity, and finally but importantly, the grace of God.

Ghazālī's Intentional Subject and the Anthropology of Islam

Let me now summarize Ghazālī's systematic exposition of intentionality, which is also an elaboration of his theory of ethical agency. The most basic unit of this theory is action, which he defines as intentional motion or rest. Action is thus an extension of thought and is contrasted to nonvolitional motion or rest, which are extensions of instinct. Ghazālī does not support the idea that we are creators of our actions as an exercise of our free will; nor does he forward the notion that human beings are automatons whose actions are already determined by their natures (instincts and drives) or by an external sovereign. The former view would negate the presence of God, the latter would dissolve moral responsibility altogether (hence questioning the very idea of the normative order). He

thus rejects all monocausal understandings of human action. Rather, he affirms the view that action is contingent on four factors: knowledge, resolution, bodily capacity, and divine grace. Intention, for him, is the "intermediate attribute" of the soul that conjoins the first three factors, preparing the heart to receive the gift of grace, which is experienced as sudden inspiration and spontaneous enablement. This theory of action allows us to appreciate how agency is embodied in contingent ways, relational frameworks, and is open to both failure and ambivalence. This theory of ethical agency also resists the dominant view of agency in the anthropology of Islam, namely, Saba Mahmood's writing on the topic in her influential *Politics of Piety*.

Mahmood's book has generated wide-ranging debate and discussion, within and beyond the anthropology of Islam, about the question of gender and Islam, the limits of Enlightenment humanism and secularity, and ethical agency and the political dimensions of pious practices. Mahmood critiques the universalist assumptions about human nature, agency, and politics that undergird secular-liberal governance and its attendant modes of sociality and subjectivity. She particularly questions the moral convictions and epistemological certainties of secular-liberal feminists and exposes the ethico-political dangers involved in the desire to transform the "sensibilities and commitments of women whose lives contrast with feminism's emancipatory visions."[64] *Politics of Piety* encourages the anthropologist (but also the general Anglophone reader) to ask of herself: "Do my political visions ever run up against the responsibility that I incur for the destruction of life forms so that 'unenlightened' women may be taught to live more freely? Do I even fully comprehend the forms of life that I want so passionately to remake? Would an intimate knowledge of lifeworlds distinct from mine ever lead me to question my own certainty about what I prescribe as a superior way of life for others?"[65] To ask oneself these questions is to engage in reflective practices that importantly displace and parochialize "secular-liberal understandings of agency, body, and authority."[66] The recurrence of "life" in the above litany of questions—*life forms*, *forms of life*, and *lifeworlds*—is hardly arbitrary. Mahmood's ethico-political intervention centers on recognizing her interlocutors' lives as meaningful projects of world-making.

Her attunement to alterity here might be seen as a springing forth of grace, since these questions open the self to the Other.

Mahmood draws on her mid-1990s fieldwork among women of the mosque movement in Cairo, Egypt. Mahmood's focus is on their ethical practices, which she reads as micropolitical modalities for embodying agency "beyond the confines of the binary model of enacting and subverting norms."[67] She resists *translating* her interlocutors' life-worlds into the terms of a liberationist feminist grammar, an analytic that would have undermined the heterogeneity and specificity of her interlocutors' particular ethical practices and experiences of selfhood.

I find compelling Mahmood's call to experiment with modes of analysis that pay attention to "the morphology of moral actions" for observing alternative practices and spaces of world-making that are otherwise depoliticized by secularist conceptions of society and polity. This methodological move encourages us to avoid seeing "religion" in epiphenomenal terms in postcolonial studies, feminist scholarship, and area studies disciplines (such as Middle Eastern studies). Mahmood's book certainly raises a set of compelling questions and asks several fields of academic study to rethink their assumptions about agency, freedom, and resistance, the diversity of ethical striving, the subject of political participation, and the need for critical self-reflexivity.

A creative and nimble engagement with the ethical philosophies of Aristotle and Foucault enables Mahmood to contrast her interlocutors' ethical practices to the liberal subject that is presupposed in secular feminism. Ethics in the Aristotelian-Foucauldian framework neither assumes the inner conviction of a duty-bound autonomous self nor the calculated pursuit of pleasure on the part of a free-floating neoliberal self. The mosque movement's women embody a performative virtue ethics that is rooted in the practice of devotional rituals elaborated within the Islamic tradition. There is no "true inner self" that precedes the practice; rather, a sustained bodily engagement with these rituals generates practitioners' sense of self and informs how they inhabit socio-political norms and exercise their agency. When performed consistently, these ethical practices shape the women's capacities so that the doing of virtuous deeds becomes a "nondeliberative aspect of one's disposition."[68] The point of

cultivating a habitus—an acquired disposition based on "human indus-
try, assiduous practice, and discipline"—is precisely to free the self from
always requiring "revelatory experience or natural temperament" to
motivate virtuous behavior.[69] Mahmood says, "The appeal of this notion
to Christian and Muslim theologians is not hard to understand given its
emphasis on human activity and deliberation, rather than divine grace
or divine will, as determinants of moral conduct."[70]

Mahmood calls on us to become attuned to "the morphology of moral
actions," that is, the particular rules and techniques involved in a practice,
the substance (body, heart, feelings, and so on) that it seeks to shape
and transform, the forms of ethical reasoning that undergird it, and the
discursive tradition from which it derives its historical force. As men-
tioned above, here she privileges two ethicists: Aristotle and Foucault.
The legacy of Aristotle, she explains, "continues to live within the con-
temporary da'wa movement in Egypt," as is evident "in the frequent
invocation of Abu Hamid al-Ghazali's spiritual exercises and techniques
of moral cultivation, found in popular instruction booklets on how to
become pious, and often referred to in ordinary conversations within
the da'wa circles."[71] While Mahmood does not document citations and
the circulation of the medieval theologian's ideas among her interloc-
utors, Ghazālī serves for her as the bridge between Aristotle and her
ethnographic site.

Mahmood thus justifies her deployment of Aristotle due to the cita-
tional presence of Ghazālī in the contemporary Islamic Revival in Egypt.
Here, Mahmood problematically assumes Ghazālī to be more or less a site
for the reproduction of Aristotelian ethics. While the Greek tradition was
important for Ghazālī, recent scholarship has demonstrated the original-
ity with which he reinterpreted Greek philosophy as well as its reception
by earlier Muslim philosophers such as Farabi and Avicenna.[72] Ghazālī, I
argue, is not merely a bridge between Aristotle and contemporary ethical
practices in the Islamic Revival. Rather, contemporary Muslim practices of
ethics assume a broad genealogical base and reflect important differences
from Aristotelian (and Foucauldian) ethics. For example, Aristotle and
Foucault are not open to grace, while Ghazālī certainly is (as I demon-
strated above). This raises the question: What happens to Mahmood's

theorization of ethical agency if we treat Ghazālī as a theorist of ethical agency in his own right? My question, put otherwise, is: How can we enrich our understanding of ethical agency in the contemporary Islamic Revival by approaching our interlocutors as agents of grace?

Before I proceed further with my critique of Mahmood, let me remind readers that what I offer below in fact builds on her argument about listening closely to "the morphology of moral actions." I begin my critique of Mahmood's theorization of ethical agency with the theme of desire (before addressing intentionality and grace). Mahmood justly questions the universality of desiring freedom (as defined in the secular-liberal tradition). The liberal universalization of the desire for freedom presupposes a constant tension between the autonomous individual and social structure/political authority. Here, Mahmood urges us to consider the case of her interlocutors: how they inhabit norms and assert agency in traditionally patriarchal religious spaces. Mahmood thus points to a practice of agency that presupposes neither the universalized desire for freedom nor the actualization of agency through resistance. Yet, the very tradition in which the women of the mosque movement practice their agency serves as their scene of subjectivation. Here, desire works differently, contends Mahmood. For her, the logic of her interlocutors' practices teaches us that the desire for prayer, for instance, is not innate but the product of repeated bodily action.[73]

The idea that all desires, including the desire for God, are products of a performative ethics is problematic, to say the least. This view ironically reproduces the very autonomy Mahmood so fiercely opposes. We saw above that Ghazālī is careful here; he neither affirms a completely free agent nor a totally passive ethical subject. Rather, he alludes to the play of ethical agency through the trope of grace. My point here is not that we must be true to Ghazālī; rather, the point is that Mahmood does not explore how her interlocutors approach the question of desire and its innateness and transformation. Moreover, she forecloses a productive engagement with this critique by insisting that to ask of her interlocutors such questions is somehow "to underwrite all over again the narrative of the sovereign subject as the author of 'her voice' and 'her-story'."[74] This is, for me at least, the least persuasive part of her otherwise important

intervention, since here Mahmood reinforces the sovereignty of the anthropologist, who becomes the arbiter of when someone's "her-story" matters and when it does not. It also contradicts Mahmood's own call for greater attention to the specificity of her interlocutors' discursive logics and the morphology of their moral actions.

Let me now consider how Mahmood treats the notion of intentionality. She vacillates between affirming the constant need for intentional "work" that one must do to shape one's habitus to become virtuous, on the one hand, and highlighting that the "goal" of her interlocutors' repeated actions is to make "consciousness redundant to the practices of these virtues," on the other hand.[75] Put differently, Mahmood's appreciation of her interlocutors' ongoing monitoring of their intentions runs counter to her insistence that their repeated ritual observances are aimed at producing an "unconscious or nondeliberative" mode of action.[76] It seems to me that Mahmood's interlocutors often center "intention" in their practices, but she is at pains to undermine their invocation of intentions, since intentionality is one of the foundations of the autonomous subject. However, I have demonstrated above that if we read Ghazālī closely, intentionality cannot be collapsed into autonomy.

The conceptual equivocations in Mahmood's theorization of ethical agency also relate to her neglect of the concept of grace in Islamic thought. She seems to think that Aristotelian ethical ideas appealed to "Christian and Muslim theologians" because he furnished them with a theory of "moral conduct" that did not presuppose "divine grace or divine will."[77] To the contrary, many Muslim theologians, such as Ghazālī, articulated a theory of moral conduct that does presuppose "divine grace or divine will." The key methodological problem that generates such distortions is Mahmood's neglect of available theoretical resources internal to Islam as a discursive tradition.

Ghazālī's ideas on desire, intentionality, and grace, which I have attempted to *translate* above, enable us to attend to the specificity of the Islamic discursive tradition. He articulates ethical agency as a site of play, contingency, and ambivalence, since it involves not only knowledge, resolution, and bodily capacity but also divine grace. Grace, I argue, is a cipher for the non-sovereignty of the ethical subject, since for Ghazālī

agency is split between the subject's discursive and material capacities (knowledge, resolution, and bodily strength) and a certain metamorphic spontaneity/enablement that is experienced as a gift of the Other (grace). Grace, put otherwise, underscores the relational context of ethical agency and an openness to alterity. Ghazālī's theoretical framework, I contend, might help us to deepen our understanding of ethical cultivation and world-making in the contemporary Islamic Revival.

Conclusion

My readings of the "ethnographic elaborations" found in ḥadīth texts and Ghazālī's *Resuscitation* have highlighted a robust theoretical framework for understanding agency in the Islamic tradition. I have demonstrated that action for Ghazālī is akin to what Derrida calls textuality, a scene of signification that is informed by several sources of contingency and ambivalence: knowledge, resolution, bodily capacity, and finally, but importantly, grace, that is, the enabling presence of the Other. In this way, Ghazālī offers us a dynamic moral theological discourse that posits a self that can always lapse, a self that is forgetful, and therefore remains in constant need of both personal recollection/effort and repeated encounters with the Other.

Ghazālī understands the human self as volatile but always already open to transformation. In other words, while scriptural sources say that the true nature of the self is its forgetfulness and ignorance, both scriptural sources and Muslim theologians have in fact identified in ethical deliberation, which activates the power of grace, a provisional antidote to forgetfulness and ignorance. In this way, Ghazālī's focus on grace does not collapse into fatalism.[78] Rather, he is immensely relevant for contemporary discussions of agency since he underscores relationality and contingency, and critiques monocausal understandings of action. In other words, the play of knowledge, resolution, bodily capacity, and the grace of God complexify the idea and practice of ethics. Thus, Ghazālī's moral theology posits *a form of life* that is open to multiple *forms of language*, such as Greek philosophy, scriptural sources, and Sufi discourse (among others).

To conclude, let me acknowledge that the specter of a certain decon-structive psychoanalysis has informed my above reading of Ghazālī. Yet, what I have documented and analyzed in this article also reflects close engagement with Ghazālī's *Resuscitation* and the capaciousness of his thinking about ethical agency. I have written this article to ask a trans-disciplinary question, from a scholar of Islam based in religious studies to scholars of Islam, and religion more broadly, based in (cultural) anthropology. That question is: Can we take on board a serious engage-ment with Ghazālī's complicated theory of ethical agency, and what might it mean to pursue fieldwork among agents of grace? I *intend* myself in this "we," since my thinking about method has benefited immensely from the gifts given to students and scholars of Islam by anthropologists of religion such as Asad and Mahmood.

Endnotes

1   See the following three texts: Talal Asad, "Thinking about Tradition, Religion, and Politics in Egypt Today," *Critical Inquiry* 42, no. 1 (2015):166-214; Talal Asad, *Secular Translations: Nation-State, Modern Self, and Calculative Reason* (New York: Columbia University Press, 2018); "Thinking about Religion through Wittgenstein." *Critical Times* 3, no. 3 (2020): 403-442. To rehearse the various nuances in Asad's approach to tradition between the mid-1980s and more recent publications is beyond the scope of this article. For a nuanced, meta-analytical engagement with his anthropological thinking, see Basit Kareem Iqbal, "Thinking about Method: A Conversation with Talal Asad." *Qui Parle: Critical Humanities and Social Sciences* 26, no. 1 (2017):195-218.

2   Asad, *Secular Translations*, 92.

3   Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton: Princeton University Press, 2005).

4   Mahmood, *Politics of Piety*, 4; Mahmood, *Politics of Piety*, 152.

5   He does this by engaging with Ghazālī's definition of *nafs* or soul as "a set of divinely implanted potentialities and tendencies within which there are continuous tensions but always containing the possibility of awareness of what one is in the fullest sense" (Asad, *Secular Translations*, 71).

6   Mahmood, *Politics of Piety*, 122.

7   Asad thus writes: "Michel Foucault and others have famously written about the 'care of the self,' but in contrast to individualistic formulations of that process, my emphasis here is on how the self gradually learns to develop its abilities from within a tradition that presupposes generational collaboration in the preservation, teaching, and exercise of practical knowledge that is rooted in a vision of the good life" (*Secular Translations*, 74.).

8   *Secular Translations* also elaborates self-correctives; a case in point being Asad's complication of what he had said earlier concerning the link between agency and intentionality in *Formations of the Secular* (in the chapter titled, "Thinking about Agency and Pain"). In the latter, Asad assumed a rather reductive view of intentionality, often attributing it to liberal autonomy. However, *Secular Translations* demonstrates the need for renewed engagement with intention in Islamic thought and practice. To that end, Asad engages briefly with Ghazālī's views on intention. My discussion of intention below is in part inspired by Asad, but note that I have offered a different, more textually grounded, take on the theme of intention in Ghazālī's thought. Let me mention here why I remain somewhat skeptical of Asad's treatment of intentionality. He points out how knowledge and "will or intention" shapes our "practical orientation to an object" and makes a problematic claim when he says that "the agent's causal energy," or the idea of his, her, or their will as the *origin* of action, paves the way "toward secularity" (*Secular Translations*, 72). He

further locates this turn toward secularity in Descartes and the seventeenth century (*Secular Translations*, 88). As I demonstrate below, for Ghazālī human actions are shaped not only by knowledge and resolution (what Asad calls will) but are also contingent on bodily capacities and the grace of God. As opposed to the sovereign notion of will that appealed to philosophical liberalism, Ghazālī is able to resist a monocausal theory of action while equally emphasizing the agent's causal energy and the relational context in which actions are performed (including the relation to God through grace). Asad's view that the transition from *inclination* to *origin* is an ingredient in the making of modern secularity is therefore reductive, if not outrightly dubious, since the idea of human beings as origins of their own actions is one of the key questions debated in the contentious conversations on secondary causality among classical Islamic philosophers and theologians, and thus can hardly be seen as modern or originating in the seventeenth century. For a discussion of this with special reference to Ghazālī, see Frank Griffel, *Al-Ghazālī's Philosophical Theology* (Oxford: Oxford University Press, 2009), 128-146.

9   Samuli Schielke, "Being Good in Ramadan: Ambivalence, Fragmentation, and the Moral Self in the Lives of Young Egyptians," *Journal of the Royal Anthropological Institute* (2009):S24-S40, at S25.

10   Schielke, "Being Good in Ramadan," S25-S26.

11   Benjamin F. Soares and René Otayek, "Introduction: Islam and Muslim Politics in Africa," in *Islam and Muslim Politics in Africa*, eds. Benjamin F. Soares and René Otayek (New York: Palgrave MacMillan, 2007):1-24, at 18.

12   Filippo Osella and Benjamin F. Soares, "Islam, Politics, and Anthropology," in *Islam, Politics, and Anthropology*, 11.

13   Ranjana Khanna's wide-ranging work on unbelonging has touched what I am thinking here. See, for example, Khanna, "Touching, Unbelonging, and the Absence of Affect." *Feminist Theory* 13, no. 2 (2012):213-232.

14   Asad, *Secular Translations*, 73.

15   Asad, *Secular Translations*, 92. Already in his 2015 *Critical Inquiry* piece, Asad had said: "Tradition is singular as well as plural. For subjects there are not only continuities but also exits and entries. Tradition accommodates mistakes as well as betrayal; it is not by accident that *tradition* and *treason* have a common etymology" ("Thinking about Tradition, Religion, and Politics in Egypt Today," 169).

16   Asad, *Secular Translations*, 92.

17   Asad writes: "A living tradition is not merely capable of containing conflict and disagreement; the search for what is essential itself provokes argument. A concern with "essence" is therefore not quite the same as a concern with authenticity" (*Secular Translations*, 95).

18   I am here, as elsewhere, indebted to Stefania Pandolfo's *Knot of the Soul*, which models for me how to take Ghazālī and other Muslim thinkers as serious theorists

of psychic life. See Stefania Pandolfo, *Knot of the Soul: Madness, Psychoanalysis, Islam* (Chicago: University of Chicago Press, 2018). For how I approach Pandolfo's broader recasting of psychoanalysis and Islam, see Ali Altaf Mian, "The Play of the Qur'anic Trace: Engaging Stefania Pandolfo's *Knot of the Soul*," *Qui Parle: Critical Humanities and Social Sciences* 28, no. 1 (June 2019):189-210.

19   Asad, "The Idea of an Anthropology of Islam," 14.

20   Asad, *Secular Translations*, 66-67.

21   Abū ʿAbd Allāh Muḥammad b. Ismāʿīl al-Bukhārī, *Al-Ǧāmiʿ al-Ṣaḥīḥ bi-ḥāshiyat al-muḥaddith Aḥmad ʿAlī al-Sahāranfūrī*, ed. Taqī al-Dīn al-Nadawī, 15 vols (Beirut: Dār al-Bashāʾir al-Islāmiyya, 2011), 1:180-181. This ḥadīth, which is the first report recorded by Bukhārī in his *Ṣaḥīḥ*, appears with slight modifications in six additional "books" of this collection. Here, I cite the opening version, but have used italics to indicate a phrase that is included in many other versions in and beyond Bukhārī's *Ṣaḥīḥ*. For an insightful analysis of this report, see Ignazio de Francesco, "Il Lato Oscuro Delle Azioni: La Dottrina Della *Niyya* Nello Sviluppo Dell'Etica Islamica," *Islamochristiana* 39 (2013):45-69.

22   Jalāl al-Dīn al-Suyūṭī, *Muntahā al-āmāl fī sharḥ ḥadīth innamā al-aʿmāl*, ed. Muṣṭafā ʿAbd al-Qādir ʿAṭā (Beirut: Dār al-Kutub al-ʿIlmiyya, 1986), 43.

23   I discuss the rich commentarial tradition on this ḥadīth in a book chapter titled "The Ḥadīth of Intention and Islamic Ethics" (forthcoming).

24   Anna L. Peterson, *Works Righteousness: Material Practice in Ethical Theory* (Oxford: Oxford University Press, 2020), 5.

25   Aḥmad b. ʿAlī b. Ḥajar al-ʿAsqalānī, *Fatḥ al-bārī bi-sharḥ Ṣaḥīḥ al-Imām Abī Abdillāh Muḥammad b. Ismāʿīl al-Bukhārī*, ed. ʿAbd al-ʿAzīz b. ʿAbd Allāh b. Bāz, 13 vols. (Cairo: Al-Maktabat al-Salafiyya, 1969), 1:10; Suyūṭī, *Muntahā al-āmāl*, 37-38.

26   Abū Ḥāmid al-Ghazālī, *Iḥyāʾ ʿulūm al-dīn*, eds. ʿAlī Muḥammad Muṣṭafā et al., 6 vols. (Damascus: Dār al-Fayḥāʾ), 6:132.

27   Ghazālī, *Iḥyāʾ*, 6:140.

28   Jamāl al-Dīn b. al-Manẓūr, *Lisān al-ʿarab* (Beirut: Dār Ṣādir, 1984), 15:347-348.

29   Ghazālī, *Iḥyāʾ*, 6:131. For this report, see Muslim, *Ṣaḥīḥ*, *Kitāb al-birr wa'l-ṣila wa'l-adab, bāb taḥrīm ẓulm al-muslim...*" It is ḥadīth # 2564.

30   Ghazālī, *Iḥyāʾ*, 6:131.

31   Ghazālī, *Iḥyāʾ*, 6:135-136.

32   Margaret Smith, *An Early Mystic of Baghdad: A Study of the Life and Teaching of Ḥārith b. Asad al-Muḥāsibī A.D. 781-A.D. 857* (London: The Sheldon Press, 1935), 44.

33   Al-Ḥārith al-Muḥāsibī, *Al-Riʿāya li ḥuqūq Allāh* (Beirut: Dār al-Kutub al-ʿIlmiyya, n.d.), 246. On al-Muḥāsibī, see Smith, *An Early Mystic of Baghdad*; Gavin Picken, *Spiritual Purification in Islam: The Life and Works of al-Muḥāsibī* (London and New York: Routledge, 2011). Picken describes *Al-Riʿāya* as "essentially a book concerning

sincerity to God, cleansing the heart, purification of the soul and a life of complete moral, ethical and behavioural perfection" (*Spiritual Purification in Islam*, 69). Regarding this text, Margaret Smith writes: "This is al-Muḥāsibī's great treatise on the interior life, which reveals a profound knowledge of human nature and its weaknesses, while in the means which he suggests for combating these weaknesses and for attaining to the single-hearted service of God, he shews also the discerning wisdom and inspired insight of a true spiritual director and shepherd of souls" (*An Early Mystic of Baghdad*, 45). See also ʿAbd al-Ḥalīm Maḥmūd, *Al-Moḥâsibî: Un mystique musulman religieux et moraliste* (Paris: P. Geuthner, 1940); ʿAbd al-Ḥalīm Maḥmūd, *Ustādh al-sāʾirīn al-Ḥārith b. Asad al-Muḥāsibī* (Cairo: Dār al-Kutub al-Ḥadīthah, 1973); Şahin Filiz, "The Founder of the Muḥāsabah School of Sufism: Al-Ḥārith Ibn Asad Al-Muḥāsibī," *Islamic Studies* 45, no. 1 (2006): 59-81.

34 Cited in Picken, *Spiritual Purification in Islam*, 202. Translation revised.

35 The intellectual historian Key has recently demonstrated that the word "meaning" does not fully capture the Arabic term *maʿnā* (*Language Between God and the Poets: Maʿnā in the Eleventh Century* [Oakland, CA: University of California Press, 2018]). He proposes that we view this latter term as signifying "mental content." In his eleventh-century Arabic sources spanning the work of lexicographers, logicians, theologians, and literary critics, *maʿnā* was wedded to *ḥaqīqa* (accuracy) in two important ways. First, *maʿnā* implied an accurate correspondence between mind and language, as if words mirrored mental images. Second, *maʿnā* implied an accurate correspondence between mind and reality, as if the mind mirrored the external world but also the essences of things. By wedding *maʿnā* to these two meanings of "accuracy," Key's sources established the validity of such a thing as pre-linguistic meaning or "mental content." It was this picture of language that Wittgenstein questioned most forcefully by suggesting that language does not reflect some pre-linguistic given, but is an ordinary phenomenon.

36 al-Muḥāsibī, *Al-Riʿāya*, 246.

37 For Drāz, "the moral good, in general, is neither encompassed by an internal reality nor by a bodily manifestation, but it consists of communication between the two" (see Muḥammad ʿAbd Allāh Drāz, *Dustūr al-akhlāq fī'l-Qurʾān*, trans. into Arabic from French by ʿAbd al-Ṣabūr Shāhīn [Kuwait: Dār al-Buḥūth al-ʿIlmiyyah, 1972], 446, translation mine). For the original French, see Mohamed Abdallah Draz, *La morale du Koran* (Paris: Presses Universitaires de France, 1951). For the English translation of this landmark study, see M.A. Draz, *The Moral World of the Qurʾan*, trans. Danielle Robinson and Rebecca Masterton (London: I.B. Tauris, 2008).

38 Drāz, *Dustūr al-akhlāq fī'l-Qurʾān*, 448.

39 On Abū Ṭālib al-Makkī's influence on Ghazālī, see Kojiro Nakamura, "Makki and Ghazali on Mystical Practices," *Orient* 20 (1984):83-91.

40 Abū Ṭālib al-Makkī, *Qūt al-qulūb*, ed. Maḥmūd Ibrāhīm Muḥammad al-Riḍwānī, 3 vols. (Cairo: Maktabat Dār al-Turāth, 2001), 3:1342.

41 al-Makkī, *Qūt al-qulūb*, 3:1343.

42 Ghazālī, *Iḥyāʼ*, 6:140.

43 Ghazālī, *Iḥyāʼ*, 6:137.

44 Ghazālī, *Iḥyāʼ*, 6:137-138. Let me note in passing that this same insight was developed more fully in colonial India by Mawlānā Ashraf ʿAlī Thānavī (1863-1943).

45 Ghazālī, *Iḥyāʼ*, 6:138.

46 Ghazālī, *Iḥyāʼ*, 6:155.

47 Ibn al-Manẓūr, *Lisān al-ʿarab*, 2:117.

48 Ghazālī, *Iḥyāʼ*, 6:138.

49 Ghazālī, *Iḥyāʼ*, 6:138.

50 Ghazālī, *Iḥyāʼ ʿulūm al-dīn*, 6:138-139.

51 Ghazālī, *Iḥyāʼ ʿulūm al-dīn*, 6:150.

52 Ghazālī, *Iḥyāʼ*, 6:142.

53 Ghazālī, *Iḥyāʼ*, 6:141. Alexander Treiger sheds further light on this point: "There is no doubt that al-Ghazālī's understanding of felicity is indebted to the Arabic philosophical tradition, where the term 'felicity' refers specifically to the bliss in the afterlife (*al-saʿāda al-quṣwā*, ultimately going back to the Greek εὐδαιμονία), and knowledge of God is regarded as the *telos* of human life and the prerequisite to the attainment of that bliss" (*Inspired Knowledge in Islamic Thought: Al-Ghazālī's Theory of Mystical Cognition and its Avicennan Foundation* [London: Routledge, 2012], 47). Ghazālī's invocation of "meeting God" in a discussion of sincere intentions is supported by the Qurʼanic verse, "Say: 'I am only a mortal, the like of you; it is revealed to me that your God is One God. So let him, who hopes for the encounter with his Lord, act righteously, and not associate anyone with his Lord's service'" (18:110).

54 Ghazālī, *Iḥyāʼ*, 6:137. Cf. Jules Janssens, "Al-Ghazzali and His Use of Avicennan Texts," in *Problems in Arabic Philosophy*, ed. Miklós Maróth (Budapest, 2003), esp. 37-49; Frank Griffel, "Al-Ġazālī's Concept of Prophecy: The Introduction of Avicenna Psychology into Ašʿarite Theology," *Arabic Sciences and Philosophy* 14 (2004):101-144, esp. 129-130.

55 The following saying attributed to a son of ʿAbdullāh b. Masʿūd also emphasizes how the interplay among *fikr* and *dhikr* transforms interiority: "Glad tidings belong to the one who purifies his devotions and supplications to God, and does not let what his eyes behold preoccupy his heart, and does not let what his ears hear become a cause for forgetting the remembrance of God, and does not let [the wealth] given to others sadden his soul" (Ibn Abī'd-dunyā, *Al-Ikhlāṣ wa'n-niyya*, ed. Iyād Khālid aṭ-Ṭabāʿa [Damascus: Dār al-Bashāʼir, 1992], 36).

56 Ghazālī, *Iḥyāʼ*, 6:146.

57 Derrida's conceptualization of "textuality" is not a valorization of play qua play (or, ambivalence qua ambivalence). Rather, his point is that texts at once *intend* meanings and exceed their intentions, and one is always already thinking in form when

trying to subvert genre or when aspiring to realize a transcendental opening. See Jacques Derrida, *Acts of Literature*, ed. Derek Attridge (London: Routledge, 1992).

58   I am grateful to Basit Kareem Iqbal for this point.

59   This introspective practice can be seen as another type of migration, one that involves the traversal of psychical instead of physical distance.

60   Ghazālī, *Iḥyāʾ*, 6:155.

61   Again, let me note in passing that this same insight was developed more fully in colonial India by Mawlānā Thānavī.

62   Ghazālī, *Iḥyāʾ*, 6:155.

63   Ghazālī, *Iḥyāʾ*, 6:157. The Arabic original for what I have italicized in the translation is: *inbiʿāth-ul-qalbi yajrī majrāʾl-futūḥi min allāhi-taʿālā*. By framing how God enables human actions through the expression, "the flow of openings from God," Ghazālī maintains his ambiguity around secondary causality, an ambiguity that also characterized his teacher al-Juwaynī's ideas on this issue. See Griffel, *Al-Ghazālī's Philosophical Theology*, 128.

64   Mahmood, *Politics of Piety*, 197.

65   Mahmood, *Politics of Piety*, 197-198.

66   Mahmood, *Politics of Piety*, 191.

67   Mahmood, *Politics of Piety,* 29.

68   Mahmood, *Politics of Piety*, 137.

69   Mahmood, *Politics of Piety*, 137.

70   Mahmood, *Politics of Piety*, 137.

71   Mahmood, *Politics of Piety*, 137.

72   Ebrahim Moosa, *Ghazālī and the Poetics of Imagination* (Chapel Hill, NC: University of North Carolina Press, 2005); Griffel, *Al-Ghazālī's Philosophical Theology*; Treiger, *Inspired Knowledge in Islamic Thought.*

73   Mahmood, *Politics of Piety*, 126.

74   Mahmood, *Politics of Piety*, 154.

75   Mahmood, *Politics of Piety*, 139.

76   Mahmood, *Politics of Piety*, 139.

77   Mahmood, *Politics of Piety*, 137.

78   For an argument that has some resonance to this point, see Amira Mittermaier, "Dreams from Elsewhere: Muslim Subjectivities Beyond the Trope of Self-cultivation," *Journal of the Royal Anthropological Institute* 18, no. 2 (June 2012): 247-265. However, I have emphasized in this article a different conceptualization of intentionality than what is presupposed in Mittermaier's account. My thanks to Basit Kareem Iqbal for this reference.

No Scholars in the West:
Salafi Networks of Knowledge
from Saudi Arabia to Philadelphia

E M I L Y   G O S H E Y

Abstract

Seeking knowledge from scholars is an imperative for Salafis. But
what does that mean for Salafis in the West who deny that there
are any scholars among them? Since the 1960s, Western Muslims
have been taking advantage of the scholarships available for
Islamic studies programs in Saudi Arabia. A steady stream of
students has gone, studied with leading Salafi scholars in the
heart of the Muslim world, and returned home to promulgate
Salafi teachings and lead their communities. Why do none of
these former students count as scholars? If they are not scholars,

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then what is the nature of their role as local leaders? To answer these questions, this study looks closely at the predominantly African American Salafi affiliate community in Philadelphia. The arguments here contribute to a growing body of literature on global Salafism and specifically studies of so-called Madkhalī communities tied to the Islamic University of Medina. Primary fieldwork from 2010 to 2013 and interviews as recent as 2021 inform the conclusion that this community's pattern of knowledge transmission perpetuates and even celebrates the continual reliance of Philadelphia's Salafis on scholars abroad.

Introduction

"For indeed there [are] no scholars in the West."

—Hassan Abdi, recorded lecture, 2012

When the imam of one of America's largest and most influential Salafi mosques stated that there are no scholars in the West, his audience would not have been surprised. Abdi was stating not just his own opinion but a position that has been an identity marker for his community since at least the turn of the millennium.[1] In the recording, Abdi passes through this statement quickly on his way to a larger point about the danger of aggrandizing one's level of knowledge.[2] It would be easy to miss that brief statement and the great implications it carries for these Western Salafis.

Seeking knowledge is a religious imperative that Salafis approach with the utmost caution. One of the most critical steps of the process is choosing the right scholars to follow. Distinguishing between religious scholars and scholars in the academic sense, Salafis would not challenge the title of a scholar as it applies to a physics professor, but they fervently protect it in the sense of an Islamic religious scholar.

The Qur'an itself commands the believers to "ask the people of knowledge"[3] when they need answers, but the long history of scholarly disagreement in Islam has complicated that seemingly straightforward command and advances in communication technologies have only

widened the array of scholarly opinions available. With so much confusion about the truth, to find a legitimate scholar is to find a safe path to the pure Islamic teachings. But if one must seek knowledge from the scholars, what does that mean for the Salafis in the West who recognize no scholars among them?

In the 1960s, Western Muslims began taking advantage of scholarships available for study at the Islamic University of Medina in Saudi Arabia. Since then, a steady stream of students has gone, studied with leading Salafi scholars, and come home to promulgate Salafi teachings. Why do none of those former students count as scholars? If they are not scholars, then what is the nature of their leadership role within their communities?

To answer these questions, this study looks closely at the predominantly African American Salafi community in Philadelphia. The arguments here contribute to growing bodies of literature on African American Muslims and on global Salafis. Relying on primary fieldwork from 2010 to 2013 and interviews as recent as 2020, I argue that this community's pattern of knowledge transmission perpetuates and even celebrates the continual reliance of Philadelphia's Salafis on scholars abroad.

After an explanation of the methodology and sources used, a brief historical overview gives a contextual frame. Next follows an exploration of the premodern and modern aspects of contemporary knowledge transmission among Salafis, emphasizing the continual renewal of local leaders' legitimacy through their ongoing relationships with senior scholars abroad. The final section unpacks the controversial discourse around the need for locally resident scholars.

Methodology and Sources

The growing body of scholarship on African American Muslim communities has seen excellent contributions in recent years. The works of Sherman Jackson,[4] Richard B. Turner,[5] Patrick D. Bowen,[6] Amina McCloud,[7] and Edward E. Curtis[8] among others have added layers of thoughtful analysis to the scholarly community's understanding of the

long-standing and diverse roles that Islam has played in the Black com-
munity. These authors have largely situated their arguments within the
context of an unfolding narrative of Black religion. This interpretive
choice illumines how certain racial dynamics and identity formations
recur across time and space, constituting a cultural, intellectual, and
spiritual heritage common among groups with otherwise divergent
approaches to belief and practice.

This study, while relying upon that crucial work, focuses instead
on the position of a particular African American Muslim group with
respect to a global Islamic movement, Salafism. Here, we examine how
a predominantly Black community understands the place of its learned
members in the international networks of Islamic knowledge exchange.

It was through participant observation research among African
American Muslim communities in Philadelphia that I noticed the
Salafis' unique relationship to Saudi scholars. Starting with interviews
and mosque visits in January 2010, I eventually decided to focus on the
Salafi community specifically. Virtually all of my contacts, regardless of
their opinions on Salafism, agreed that it was the most rapidly growing
Muslim group in the city.

Once I began seeking out Salafis, I found them everywhere: security
guards at the University of Pennsylvania, employees at the grocery store,
neighbors, men selling scented oils at the train station, and countless
strangers walking by in distinctive Salafi garb. If I spent a single day in
West Philadelphia without passing women wearing all-black from head
to toe and men with untrimmed beards and full-length shirts (thobes),
I cannot remember it. Many of the people I approached were willing
to speak with me, and in some cases offered to accompany me to one
of the several Salafi mosques around the city for a Friday sermon or a
lecture event.

The ethnographic work ended when I left Philadelphia in May 2013,
but the friendships and conversations persisted. Notes from occasional
phone interviews and email updates peppered over the subsequent years
slowly filled a folder in my laptop for some time in the future when I
would be able to revisit the project more formally. The time finally came
in early 2020 when a new contact offered to introduce me by phone to

several key individuals that I had never spoken with before. A flurry of interviews with both old and new contacts who are on the ground in Philadelphia now has helped to patch some of the gaps in my own ethnographic work, and has alerted me to things that have changed since my time in the city. Fortunately, the Salafi community's habits of streaming lectures, sermons, and classes online as well as its highly active social media accounts have enabled me to confirm and, in some cases, to question the assessment of those with whom I have spoken in recent months. This Salafi community has long had an active online presence, but in the era of the Covid-19 crisis, I was able to access virtually all the resources that those on the ground could access themselves.

When citing sources for Salafi religious positions, I have intentionally cited resources that are less formal and more accessible to the community. For instance, instead of citing the published books of Salafi scholars, I have preferred to cite YouTube videos that contain English translations of their recorded lectures. This is an intentional decision to highlight the sources that would be most accessible to Philadelphia's Salafis themselves. The point here is not to evaluate the formal scholarly production of the individuals in question, but rather to demonstrate how certain opinions influence the community in Philadelphia. Therefore, I have drawn from the resources freely available to the community through YouTube, Twitter, blogs, mosque websites, and other electronic media.

Salafis in Philadelphia

Philadelphia had been a stronghold for Black nationalism since the days of Marcus Garvey's United Negro Improvement Association (UNIA), which gained members in the city after Garvey began speaking in churches in the summer of 1919.[9] Although UNIA was never an Islamic organization, Garvey expressed sympathy for Muslims and contributed to the spread of "Islamophilic symbolism" throughout UNIA's vast networks.[10] Patrick Bowen has thoroughly documented how subsequent movements capitalized on both those networks and the receptivity of urban African Americans to Black Nationalism and Islamic religious identity. The most famous groups to do so were the Moorish Science

Temple of America (MSTA) and the Nation of Islam (NOI). The MSTA and NOI as well as Ahmadiyya proselytizers taught that Islam was the original and authentic religion of Black peoples, and it is unsurprising that all three developed thriving branches in Philadelphia.[11]

Most Muslims would consider the beliefs and practices of the MSTA, the NOI, and the Ahmadiyya to be heterodox, but teachings closer to the global Sunni mainstream also attracted African Americans from at least the 1930s.[12] Addeynu Allahe-Universal Arabic Association (AAUAA) opened a Philadelphia branch in 1942, and one of the converts it attracted was Nafea Muhaimin, founder of Masjid Quba, which his sons still run to this day at the intersection of 47th Street and Lancaster Avenue.[13] For a long time, Sunni movements were marginal compared to their Black nationalist counterparts. Everything changed on February 25, 1975, when Elijah Muhammad, the Nation of Islam's leader, passed away. His son and successor, W.D. Mohammed, began to gradually transition his community into Sunnism and the Nation largely collapsed.[14]

The crisis that ensued after the fall of the NOI prompted many African American Muslim converts to seek new sources of Islamic knowledge. Likewise, the influx of immigrant Muslims after the 1965 removal of racial quotas for immigration led to greater exposure to Islamic practices from historically Muslim nations in Asia and Africa.[15] At the same time, Saudi Arabia was eagerly seeking applicants from around the world to come and study at its recently founded Islamic University of Medina (IUM) (est. 1961).[16] The availability of full scholarships for Muslim men to study in the cradle of Islam during a time of heightened interest in religious knowledge led to a stream of African Americans travelling to the Kingdom for study at the preeminent stronghold of global Salafism. Those students began to bring Salafism home with them, and it quickly gained a foothold in Philadelphia. The fact that IUM was and is an all-male university has meant that despite the crucial role they play in their communities, women have largely remained on the margins of networks of knowledge transmission between Saudi scholars and the local community.[17]

Salafism remains a contested term in both academic and Islamic circles, but a few words here will clarify the way in which I use the term

in the argument at hand. Henri Lauzière has argued that to be a Salafi has historically meant to ascribe to neo-Hanbali theology as espoused by Ibn Taymiyyah (d. 1328).[18] This theological definition is necessary but insufficient to articulate what people in Philadelphia mean when they identify as Salafis. For them, Salafism is not just a creed but a methodology, *manhaj*, encompassing all aspects of life.[19] Quintan Wiktorowicz's division of Salafis into purists, politicos, and jihadists called attention to real differences in *manhaj* among communities that espouse Salafi theology in the general neo-Hanbali sense.[20] While useful for taxonomy, a perhaps unintended side effect of these categories is that they reinforce the idea that differences in *manhaj* are somehow divorced from and secondary to purity of creed. Salafis in Philadelphia categorically refuse to consider either jihadists or politicos/activists as Salafis. Furthermore, they rightfully emphasize the real dangers of collapsing the differences between themselves and violent radicals.[21] Therefore, in keeping with the use of the community itself, I will use "Salafi" only in reference to apolitical "purists."

When it comes to self-identification, many individuals and groups that academics and analysts identify as Salafi would not use the label for themselves. This is understandable, since opinions on the advisability of explicit affiliation with "Salafiyya" vary across groups with otherwise similar beliefs and practices.[22] Here, however, the group I am considering explicitly calls itself Salafi and responds swiftly to claimants to Salafism who contradict what they consider to be its essential components.

Scholars have labeled Salafis in Philadelphia and like-minded communities around the globe as "Madkhalīs."[23] This derogatory term, flatly rejected by those whom it should describe, implies that their distinguishing characteristic is affiliation with Saudi scholar Rabīʿ al-Madkhalī. I do not wish to downplay al-Madkhalī's unique position of influence, nor do I deny that the term, however problematic, describes a meaningfully distinct group. However, we must acknowledge that al-Madkhalī is not the primary reference point for the people who should count as "Madkhalīs". If we examine the books that Philadelphia's Salafis use in their study circles, the rulings they share on social media, or the opinions they mention during lectures, other contemporary scholars such as

Ṣāliḥ ibn Fawzān al-Fawzān and ʿUbayd ibn ʿAbd Allāh al-Jābirī appear as frequently or more frequently than al-Madkhalī. Furthermore, the idea that al-Madkhalī holds the final say on issues of boundary policing is complicated by the fact that al-Madkhalī himself has felt it necessary to secure the support of other senior scholars before publishing controversial refutations.[24] While the term "Madkhalī" may carry some value for the purposes of taxonomy, I find its misleading implications and its distastefulness to these Salafis themselves convincing enough reasons to leave it aside.

I will instead speak of global Salafi communities like those in Philadelphia as "Salafi affiliates" to emphasize their distinctive patterns of concern with explicit affiliation and statements of loyalty. Seeing Salafism as something of a protected label, they worry that false claimants present real harm to the community. One can imagine the dangers that would ensue if unsafe food products could claim US Food and Drug Administration approval with impunity. Consumers could expose themselves to dangers they are unequipped to detect or respond to. From a similar logic, Salafi affiliates insist on exposing misleading claimants to Salafism lest the seeds of impermissible political activism or extremist violence take root. They feel that they protect the community by publicly dissociating from individuals with deviant views and affiliations. Others have interpreted this behavior differently, as we will see below.

Salafi affiliates in Philadelphia take pride in the purity of their form of Islam, one that relies upon the Qur'an, the prophetic Sunna, and the understanding of the Qur'an and Sunna that the Pious Predecessors (the Salaf) articulated. Other key markers include rejection of speculative theology, ʿilm al-kalām; highly conservative approaches to social issues including gender roles; and distinctive attire. Additional elements of their methodology most relevant for this study include the obligation to continually seek knowledge and reliance upon a certain set of Saudi-based scholars for that knowledge. The Philadelphia Salafi affiliate community is one of a growing number of international Salafi communities intimately linked to the Islamic University of Medina.[25]

The few sources that exist on the history of Salafism in America primarily tell a story of steady growth throughout the 1980s, rapid

expansion in the 1990s, and sharp decline in the early 2000s. Focused on urban centers throughout New York, New Jersey, and Pennsylvania, Umar Lee's account of the history as he lived it[26] and Shadee Elmasry's research on Salafism's beginnings[27] are valuable contributions to the literature, but they share the same limitation. Both Lee and Elmasry interpreted the collapse of a Salafi stronghold in East Orange, New Jersey to signal the decline of Salafism in America altogether. They have argued that a cult-like obsession with purifying the ranks irreparably damaged the national Salafi community and its organizations, including the Qur'an and Sunnah Society (QSS). Instead of protecting the community from corrupt beliefs, Lee experienced the insistence on boycotting "deviants" as an inquisition. Alexander Meleagrou-Hitchens went so far as to conclude:

> While the quietist Salafi movement and the communities it spawned still exist today, it never recovered from the acrimony and splits that came to define QSS and its leaders. Among observers and the few scholars who have studied this topic, many consider it to be largely irrelevant.[28]

Without undermining Lee's interpretation or Elmasry's description of the events of the late 1990s and early 2000s, I disagree that a state of decline or irrelevance has persisted. After the turbulence in East Orange, Philadelphia's Germantown Masjid quickly rose as the region's new Salafi hub. Masjid As-Sunnah An-Nabawiyyah, known to all as the Germantown Masjid, was not always Salafi. Its establishment predated the great expansion of Salafism in the late 1990s, but when Salafis took control of the administration in 1998, it became Philadelphia's first major Salafi affiliate mosque and remains the largest by a significant margin.

Leaders at the Germantown Masjid estimate that their mosque attracts somewhere between 800 and 1200 worshipers on any given week.[29] Although I have yet to find reliable statistics for mosque attendance in Philadelphia, by the estimates of interviewees and from my personal experience this is likely the largest regular crowd at any mosque in the city.[30] Philadelphia's Salafi affiliate mosques have years of experience

broadcasting sermons and classes online for the benefit of those who are unable to attend in person, and were therefore able to quickly adapt when the Covid-19 crisis required all activities to move to internet platforms. Ramadan 2020 live lessons regularly saw 1500 devices tuning in, each of which could represent an individual or an entire family. As for holy days and special celebrations, the numbers are even larger. The Eid prayer of 2019 took place in Chalmers Park, which the administration had reserved for the occasion. Video footage pans over a truly enormous crowd, one that the community estimates reached well over ten thousand. Although less reliable as an indicator of local influence, the Germantown Masjid's Twitter page currently has over thirty thousand followers.[31]

With decades of history; thousands of followers; a full-time school; and the myriad centers, bookstores, restaurants, and small business in the area run by and for Salafis, the reality is that Salafi affiliates are not an isolated, cult-like group facing imminent decline, nor is Salafism a passing trend. Rather, it is an enduring movement with roots that grow deeper every day. Over the past twenty years, Philadelphia's Salafi affiliates have seen mosque openings and expansions, not closures.[32] Decline does not appear on the horizon.

Salafis Seeking Knowledge: Turning to the (Senior) Scholars

Intensive study sessions at the Germantown Masjid always attracted a crowd, especially when the events featured a senior scholar from Saudi Arabia speaking directly with the community. At the appointed time, instructors would wrap up their own lessons and the speakers would begin to broadcast a man's voice speaking in rapid Arabic, crackling from the combined distortion of the phone and the speaker itself. From time to time the voice would pause, allowing our instructor to translate what he had said into English. Before and after, women sitting around me would comment to one another, their voices filled with awe and gratitude, about how fortunate we were to be taking knowledge from the scholars themselves.

The general Islamic imperative to seek knowledge transcends sectarian lines, but Salafis approach this obligation with special fervor. First and foremost, this means regular study of Islamic source texts, the

Qur'an and the Prophetic Sunna. Beyond that, Salafism requires that its adherents achieve *the* understanding of those texts that the Salaf, the Pious Predecessors, espoused. The methodology for determining the understanding of the Salaf on any given issue of theology, jurisprudence, or ritual practice is complex and requires proficiency in Arabic as well as familiarity with a broad array of texts. Just as crucially, it requires study under the tutelage of recognized scholars who alone can guide a student on his or her journey toward the truth.[33]

Salafi affiliates look to a contemporary pool of senior scholars, *kibār al-ʿulamāʾ*, as the top religious authorities of our times. That pool is a small group of men who necessarily agree on major questions of belief and practice. They may disagree over whether the face veil is obligatory or simply recommended, but their creed is one. These globally renowned individuals are almost invariably tied to the official Saudi religious establishment in one way or another, most frequently as professors or graduates of the Islamic University of Medina (est. 1961).

At the turn of the 21st century, that select group of senior scholars lost several of its most illustrious members: Muḥammad Nāṣir al-Dīn al-Albānī (1914-1999), ʿAbd al-ʿAzīz ibn Bāz (1910-1999), Muḥammad ibn Ṣāliḥ al-ʿUthaymīn (1925-2001), and Muqbil ibn Hādī al-Wādiʿī (1933-2001). Their opinions remain extremely influential among Salafis worldwide, and the Salafis in Philadelphia are by no means unique in their reverence for them and their works.

As for these deceased scholars' colleagues and collaborators, many are still active, and some have risen to prominence in the twenty-first century. Some of the most renowned among Philadelphia's Salafis are: Rabīʿ ibn Hādī al-Madkhalī, Sāliḥ ibn Fawzān al-Fawzān, ʿAbd al-Muḥsin al-ʿAbbād, and ʿUbayd ibn ʿAbd Allāh al-Jābirī. Of these scholars, al-Fawzān is the one who can most closely compare to al-ʿUthaymīn and Ibn Bāz with respect to domestic and global influence. He has been a member of Saudi Arabia's leading organization of religious leaders, the Council of Senior Scholars, since its establishment in 1971. He served on that council in the company of Ibn Bāz and al-ʿUthaymīn. As for al-Madkhalī, al-ʿAbbād, and al-Jābirī, their influence is undeniably significant, though not as broad as that of al-Fawzān. None serve as members of the Council, meaning that legally

they cannot issue public fatwas in Saudi Arabia.[34] Their opinions hold less weight within Saudi Arabia than among Salafi affiliates in European and American cities where their students lead local mosques. Despite the controversy that surrounds them, they are undeniably important in the constellation of global Salafi scholars. In particular, Rabīʿ al-Madkhalī has had tremendous influence in Philadelphia. His ongoing relationships with local leaders and his personal involvement in issues of local importance have enhanced his impact in regions around the world.[35]

These senior scholars constitute Salafism's global elite. But what about those who are simply scholars? Salafis do distinguish between senior and non-senior scholars, but they hold extremely high standards for qualification such that no one in the West would qualify even as a non-senior scholar. In Arabic, the term ʿālim can be used generally to encompass a range of learned people who may or may not qualify for more technical titles such as muftī, faqīh, or mujtahid. For this community, however, the definition of a scholar is someone who serves as a "reference point for the whole of the Muslim nation."[36] Understanding this helps to clarify what Hassan Abdi, the current imam of the Germantown Masjid, meant when he said that there are no scholars in the West. He did not mean that there are no learned Muslims, but that no one in the West is an international reference point for all (Salafi affiliate) Muslims.

Beyond Salafi affiliate communities, it is not controversial to state that there are scholars in the West. Major American Muslim organizations such as the Islamic Society of North America (ISNA) and the Assembly of Muslim Jurists of America (AMJA) unreservedly recognize many US-based scholars. Salafi affiliate perceptions of scholars and scholarship are markedly different from other Western Muslim groups, even those with similar theological outlooks. As for how and why this perspective on scholarship has taken hold among Philadelphia's Salafis, we must first consider how patterns of knowledge transmission have changed over time.

How to Seek Knowledge

For Salafis, the question of *how* one acquires knowledge is essential. It is usually impossible to be an autodidact scholar in Salafi communities.[37]

Leaders encourage the individual study of important texts, but clarify that the *'ulamā'* are the true source of knowledge. Imam Hassan Abdi of the Germantown Masjid once delivered a lecture explaining this point with reference to a statement of al-Fawzān:

> You have to seek knowledge. At the same time, how do we go about seeking knowledge? It's not just about opening a book…or… opening up and looking on google, because you don't know what you are going to come across. That is not the *ṭarīqa* [way] that you seek knowledge. Al-Shaykh al-Fawzān said a person must seek knowledge. He must gain understanding in the religion, and he must take knowledge from the scholars…Sole reliance on books, no. Rather, he must take knowledge from its people.[38]

Salafi affiliates share this important aspect of their epistemology with the vast majority of modern and pre-modern Islamic traditions. The authentic transmission of knowledge takes place through an *isnād*, a chain linking the scholars to their teachers, to the teachers of their teachers, and to all of the individuals through whom the knowledge has passed, all the way back to the original source. The original source may be the Prophet himself, one of his companions, or a scholar who authored an important work. To read or even memorize the works of al-Madkhalī independently is not the same as being his student. One must sit with the scholars as they teach, hearing their voices, asking them questions, studying key texts under their tutelage.

In his book on Islamic education in Medieval Cairo, Jonathan Berkey argued, "The personal connection—the educational role model relying not simply on close study of a text, but on intensive, personal interaction with a shaykh—has always been central to Islamic education…"[39] When personal relationships are the crucial factor, institutions remain secondary in the process of knowledge transmission. The *madrasa* (school) of the premodern Islamic world did offer advantages to those who affiliated more formally, such as salaries for scholars and stipends and living quarters for students. Nevertheless, even after the proliferation of *madrasa*s, scholars continued to teach in a variety of non-*madrasa* spaces including

mosques and private homes. For aspiring students of knowledge, the ʿulamāʾ were remarkably accessible. Berkey has noted:

> Islamic higher education, in late medieval Egypt as in other periods, rested entirely on the character of the relationship a student maintained with his teachers, and not on the reputation of any institution…nothing like a degree system formally attached to particular institutions of learning was ever established…the inner dynamic of Islamic educational traditions, which had their origins in the earliest decades of the accumulation and transmission of Muslim learning, triumphed over the temporary attempt to channel instruction into particular institutions.[40]

This "inner dynamic" that depends upon relationships persists in contemporary Salafi practices of seeking and transmitting knowledge. Despite IUM's prominence, leading scholars who teach within its walls also lead informal study circles and teach lessons in mosques outside of the university setting. Virtually any determined individual who can get to Saudi Arabia can study with leading scholars without formal enrollment. The remarkable accessibility of knowledge in the contemporary Salafi context parallels premodern dynamics throughout the Islamic world. Even students who have graduated from IUM emphasize the benefit of attending scholars' lessons outside of the formal university context.[41]

The institutional structure and the granting of degrees, of course, have evolved. In premodern times, when there were no degrees as such, students would collect ijāzas. An ijāza from a scholar certified that the student had studied a particular text with him (or, occasionally, her) and qualified that student to teach the text. Unlike a degree, which affirms one's fulfilment of requirements related both to the granting institution and to the field of specialization, ijāzas affirmed the personal relationship between a scholar and a student and the satisfactory completion of a specific text.

Today, IUM does grant formal degrees in accordance with the Western university model, but its status as perhaps the most important Salafi educational institution in modern history is really about its

scholars. Those scholars affirm that receiving a degree from IUM, or any other institution, cannot alone attest to the soundness of a person's knowledge. Ibn Bāz, who served as the president of IUM before becoming the Grand Mufti of Saudi Arabia, once stated, "Many people are lax in this affair. So, they become judges and teachers and they do not know the Salafi creed... They become doctors (PhD) and they are oblivious as it relates to matters of creed."[42] Likewise al-Fawzān has stated, "Not all who got diplomas, graduated from colleges, memorized hadiths and verses and read books are *fuqahāʾ*... There are many who read but the *fuqahāʾ* are few."[43]

Ongoing Relationships

The principle is clear, but shouldn't there naturally be a large overlap between graduates of the Islamic University of Medina and those of sound knowledge? Why repeatedly de-emphasize the importance of degrees? Perhaps one reason is the rather frequent souring of the relationships between scholars and IUM graduates.

A number of IUM graduates who have had varying degrees of influence in Philadelphia's Salafi community including Abu Muslimah (BA), Tahir Wyatt (BA, MA, PhD), Shadeed Muhammad (BA), and Mufti Muhammad Munir (BA, MA), have all had public fallouts with scholars based in Saudi Arabia.[44] Beyond Philadelphia, some of the most famous IUM graduates worldwide such as Bilal Philips and Yasir Qadhi have also fallen out of the good graces of the Saudi elite.[45] Although all of these individuals spent years studying with the right scholars, Philadelphia's Salafi affiliate community regards none of them as trustworthy sources of knowledge.[46] They do not lecture, teach, or even pray in mosques like the Germantown Masjid. Instead, they lead prayers, teach lessons, and serve on administrative bodies of organizations beyond the Salafi affiliate networks. Receiving scholarships from IUM, completing undergraduate and postgraduate degrees, and even studying in close contact with senior scholars could not preserve their credibility once the relationships fell apart.

What is clear from the example of these graduates is the extent to which credibility rests upon not only a personal relationship, but the continual

approval of those scholars. Presumably this could not have been the case for premodern Muslim communities. In the premodern world, students who travelled long distances to study with leading scholars in Cairo, Damascus, or the Hijaz would have had little means for ongoing communication with those scholars after returning to their home regions. Many would have traveled, studied, built relationships, received a number of *ijāza*s, and then returned home to serve as scholars themselves, transmitting the knowledge they gained from their instructors abroad. There may have been some exchanges of letters and some news would have travelled back and forth with new waves of students, but the scholars would have been largely unable to scrutinize the behavior, the statements, and the decisions of their former pupils once the period of direct instruction had ended.

From the 1990s up until the past few years, the senior scholars were just a phone call or a WhatsApp message away.[47] Regular communication prompted those scholars to constantly evaluate the decisions and opinions of local leaders. Opportunities for disagreement to arise increased exponentially.

As for those local Salafi leaders who have maintained positive relationships with senior scholars, they hold a range of degrees, with some holding no degrees at all. Anwar Wright, a close collaborator of Hassan Abdi and a teacher at the Germantown Masjid holds a BA from the College of Hadith at IUM. Jameel Finch graduated with a BA from Umm al-Qura in Mecca. Hassan Abdi holds a Master of Pharmacy, but no degrees in Islamic Studies. Never having enrolled at IUM, he studied for four years at Muqbil al-Wādiʿī's center in Yemen and eventually spent approximately six months attending study circles and lessons in Medina.[48] His is an excellent example of how one can become close to senior scholars outside of the formal university context. Other influential Salafi leaders in Philadelphia such as Dawood Adib spent some time at IUM, but never graduated. Abū Muḥammad al-Maghribī, who served as the imam of Masjid Rahmah in Newark, New Jersey, never enrolled in a formal study program with scholars at all. Al-Maghribī does, however, have a strong personal relationship with al-Madkhalī, who has praised him on several occasions. The late Abu Uways, who was the imam of Masjid Rahmah before al-Maghribi, had studied at IUM but did

not complete a degree. In addition to their individual qualifications, religious, charismatic, or otherwise, personal connections to senior scholars helped these individuals become influential among Salafi affiliates in Philadelphia and in closely related communities in New Jersey even without degrees from Islamic universities.

A degree can only guarantee one's potential. With a degree, one has demonstrated the ability to master certain concepts, memorize certain facts, and perform certain tasks. It cannot, however, ensure that the degree holder will uphold Salafi values or teach the pure, unadulterated truth. The logic that drives notions of legitimacy for Salafi affiliates is that affirmation from senior scholars renowned globally for their dedication to the Salafi methodology is a far stronger indication that an individual is operating on the straight path. For the Salafi affiliate community, then, a recent statement of praise from al-Madkhalī matters in a way that a PhD, even a PhD from the Islamic University in Medina, never could. Likewise, if a scholar finds compelling evidence for condemnation or warning, his statement to that effect can nullify the value of whatever formal qualifications one may have accrued.

Local Leadership: Shaykh, not Scholar

Knowing that Salafi affiliates restrict the label of scholar to "reference point[s] for the whole of the Muslim nation," it is not entirely surprising that even those who have studied with senior scholars for years *and* maintain good relationships with them are still not considered scholars within their communities. Despite the waves of Western students traveling to Medina on IUM scholarships since the 1960s, the scholars that matter in the Philadelphia context have not recognized a single Western graduate as having achieved that rank.

The cycle of knowledge transmission for Westerners remains incomplete for the time being. The scholars transmit knowledge to their students, but none of those students have yet become scholars. Instead, they maintain a status in-between that of scholar and lay believer, that of the shaykh. During my time in Philadelphia from 2010-2013, Salafis were not even using the term 'shaykh' for local leaders, calling them simply

"students of knowledge" as long as they were studying with a recognized scholar. It was in subsequent years that Salafis began to accept the term "shaykh" for the most learned local leaders.

Among American Salafis, 'shaykh' is a loose term which one may use for a teacher who possesses some knowledge regardless of his status as a scholar. Maktabah Ibn Uthaymeen, a well-regarded Salafi affiliate website that has been active since 2006, recently shared a document explaining why the term shaykh is an appropriate title for local Salafi leaders. In it, the following points appear:

1   A Shaykh is someone recognized in a particular land for their Islamic knowledge

2   Our teachers are graduates of the Islamic University or have studied with the scholars of this era

3   Some have been teaching for decades, and are grandparents

4   Many of our teachers are referred to as Shaykhs by the senior scholars of this time…

5   Various lands have their Mashayikh, and this title is not only applied to a particular race…

6   Calling someone a Shaykh does not equate to being a scholar, who is a reference point for the whole of the Muslim nation.

7   Alhamdu lillah our teachers continue to connect us to the elder scholars like Sh Fawzān, Sh Rabī, Sh Abdul Muhsin, Sh Abdul Aziz Āl [al-]Shaykh, Sh Ubaid, Sh Ali Nasir and others…[49]

Physical distance, language barriers, time constraints, and an abundance of other obstacles make it impossible for most Salafis outside of Saudi Arabia to study directly at the feet of those they view as the leading religious authorities. Likewise, we have seen that simply studying books independently cannot make someone a scholar for Salafi affiliates. This does not mean, however, that Western Salafi affiliates are doomed to failure in their obligation to seek knowledge. Instead, those individuals among them who have studied abroad can teach their communities and serve as a continual connection between the local believers and those senior scholars. Who better to communicate the opinions and explain the

proofs of the scholars than those who have spent years in their presence? The job of local leaders is to continually connect their communities to the scholars abroad, not to become scholars in their own right.

The chain of knowledge transmission remains incomplete. Under ideal circumstances, those who study with scholars eventually become scholars themselves, and can then return home to raise up a new generation of scholars in their own localities. Thus far, no Western Salafi affiliates have gained recognition as scholars, and so new seekers of knowledge must still seek knowledge from the scholars abroad. The local shaykhs serve as bridges to those scholars, but not as people of knowledge in their own right.

The Pushback: Need for Local Scholars?

Is this obstacle temporary, or somehow unsurmountable? The need of local communities for their own scholars is a subject of much controversy among former students of IUM. Because Salafi affiliates do not recognize any *ʿulamāʾ* currently living in the West, there is no option of turning to local scholars now. They acknowledge that the presence of local scholars would theoretically benefit the community, but argue that no local leaders meet the standards for true scholarship. The local shaykhs can handle a range of everyday issues for their constituents, and when required, senior scholars can give appropriate fatwas to any Muslim in the world, because the religiously permissible and impermissible are the same in any place.[50]

Therefore, the issue of having local scholars is not one of immediate urgency for Salafi affiliates. In the past, Muslims necessarily relied on the most knowledgeable person available to give advice and issue rulings. Today, why turn to the most learned person in your neighborhood when more qualified scholars are accessible?

The IUM graduate who most famously and emphatically contradicts this stance is Yasir Qadhi, who no longer considers himself a Salafi. He spent nine years in Saudi Arabia, graduating with a BA and MA. Upon returning to the United States, he completed a PhD in theology at Yale University and gained a tremendous following. With over 450,000 subscribers to his YouTube channel and over 570,000 followers on Twitter,

his statements and sermons are highly influential. A key collaborator of AlMaghrib Institute since its foundation in 2001, he has repeatedly stressed the need for Western communities to rely upon scholars living in their own regions. Qadhi disagrees with both the assertion that there are no scholars in the West and the idea that scholars abroad can adequately evaluate local contexts. Qadhi explained his position in a lecture at East London Mosque:

> The scholars are the inheritors of the prophets, and anybody who disparages scholars disparages Islam…However…ask scholars who are aware of your situation. That is very different than saying don't ask scholars. Ask *ʿulamāʾ* who understand your needs, your dynamics…Ibn al-Qayyim himself said that half of fiqh is understanding the context of the fatwa…yes, there are differences in the minutiae of fiqh from culture to culture and land to land…I'm not saying the haram and halal changes. I'm saying the finer details change.[51]

In Philadelphia, Tahir Wyatt has also challenged the constant reliance of Western Muslim communities on senior scholars abroad, wondering if there is "a degree of self-hate" involved in the refusal to recognize local scholars. While he and Qadhi disagree on other issues, their views on the need for local scholarship are similar. As the first Western Muslim to have received a PhD from IUM, as well as the first Westerner approved by Saudi administration to teach in the Prophet's own masjid in Medina, Wyatt is uniquely positioned to comment on this question.[52]

> Every other country has their own scholars. They may not be on the level of the scholars here [in Saudi Arabia] who have dedicated their entire lives to the study of Islam, but if you go to Nigeria, there are scholars. If you go to Senegal, there are scholars…and so on and so forth…We have gotten to the point that we can't even recognize our own scholarship—that there may, perhaps, be people in the United States of America who can answer a large amount of the questions that we have.[53]

What is important here is not only the difference in perspective on whether or not there are Muslims in the West who qualify as scholars, but the evaluation of the current situation and goals for the future. For Yasir Qadhi, a large part of his personal project is to help to raise up a cadre of qualified scholars trained in both the Islamic sciences and Western academic methods who can serve their local communities. Tahir Wyatt emphasizes that not only do Western *ʿulamāʾ* already exist, but that reliance upon local *ʿulamāʾ* is the natural and ideal way for any Muslim community across the world to operate.

As for the senior Saudi scholars and their local collaborators in Philadelphia, they often indicate that global reliance upon Saudi-based scholars is natural. Anwar Wright has stated that it is unsurprising that the majority of senior scholars today are in Saudi Arabia, the land blessed with revelation. He further explained that part of the reason for the lack of Western scholars is simply practical. Many of the Westerners who go to study abroad are converts. Islamic education begins later in their lives. By the time they get to Medina, they still have to spend two or three years just to master Arabic. Still, he emphasized:

> It's not that a person from the West cannot reach that level, perhaps they can, no one has ever denied that…There are people who are learned, who have gained a great amount of knowledge, but as for being *ʿulamāʾ*, being people who are referred to in matters of crisis that concern the whole of the umma, we have no one like that. That's why we refer to those senior scholars.[54]

For the Salafi affiliates, then, there is no pressing need for scholars in the West as long as Muslims can access senior scholars abroad for the issues of importance. They hold that what the communities need most is a continual connection to the scholars through learned individuals who have ongoing personal relationships with them.

The Result: Mutually-Reinforcing Authenticity

The Saudi-based scholars and the local leaders in Philadelphia are training local shaykhs and students of knowledge to help advance the

community's access to authentic Islamic teachings. They disagree with graduates like Tahir Wyatt and Yasir Qadhi about what constitutes a scholar, but they recognize the crucial role that local human resources play in the healthy functioning of communities and in proselytization. The Islamic University of Medina itself was founded on the premise that training a cadre of international representatives would best enable Salafism to thrive abroad. There was no parallel campaign of similar size or scope to send Saudi *'ulamā'* to settle abroad and set up Salafi mosques. Those behind the establishment of IUM recognized the potency of empowering Muslims from all over the world to champion the call to Salafism in their own regions.[55]

The fact that local shaykhs do not consider themselves scholars in no way translates to a lack of agency. Both senior scholars and local shaykhs perpetuate this culture of knowledge transmission that increases the standing of all parties.

The scholar's reputation grows when international students come to study with him, just as it grows when those students return home and call their communities to follow that scholar's opinions. Crucially, the students are able to translate the scholar's opinions into linguistically fluent and culturally relevant versions for audiences in their regions of origin, a feat the scholar could never achieve on his own. As for the student, his (or occasionally her) primary qualification for leading and teaching back at home is precisely the experience of having sat at the feet of authorities abroad. The more that local constituents value those scholars, the more they value their shaykhs' having studied with them.

It is this process of mutually-reinforcing authenticity that enables teachers and students to both transmit knowledge and to construct scholarly lineages and reputations. The local leaders call their followers to turn toward a select set of scholars for guidance, and those scholars in turn recommend that the believers place their trust in the local leaders.

In Philadelphia, a qualified Salafi leader must belong to one of these lineages. The absence of a personal relationship with at least one senior scholar would mean a lack of direct access to authentic knowledge. He who cannot access the knowledge cannot share it with others. It is logical, then, that when we examine the content of local Salafi leaders'

sermons, their published material, and their social media postings, we immediately notice the high frequency of citations. Often, their works are essentially compilations of the opinions of senior scholars.[56]

Imam Hassan Abdi, who leads the Germantown Masjid, has direct connections to both al-Wādiʿī and al-Madkhalī. Born in Cardiff, Wales, Abdi's mixed heritage includes Irish, Somali and Yemeni ancestry. His Somali paternal grandfather is the reason that most call him Hassan al-Somali. After one year at Kings College London, he left to pursue Arabic and Islamic studies at al-Wādiʿī's center in Yemen from 1997 to 2001. Later, he spent six months of informal study in Medina with scholars including Rabīʿ al-Madkhalī. Beyond the lessons in jurisprudence, creed, hadith, etc. that he completed with them, these scholars' approval of him *as a person*, as an individual of sound faith, made him a candidate for leadership. When he married a woman from Philadelphia in 2002, he soon began teaching courses on occasion in Philadelphia's Salafi circles, and became the Imam of the Germantown Masjid around 2015.

When Abdi and his colleague, Abu Muhammad al-Maghribi, organized a seminar on the foundations of the Sunna, al-Madkhalī addressed these words of encouragement to the community:

> It has reached me from those beloved to me that Shaykh Abu Muhammad and Shaykh Hassan Somali—may Allah grant them success—will establish a seminar based on the Book of Allah, the Sunnah of the Messenger of Allah and the methodology of the righteous Salaf. May Allah bless you...I thank these two shaykhs who are establishing this beneficial—by the Will of Allah—seminar...[57]

Saudi scholars re-affirm their approval of select former students as trusted sources of knowledge, and their former students thereby retain their standing as the local shaykhs of their home regions. These local shaykhs then further bolster the weight of these scholars by using their platform to promote a culture of continual reliance upon them.

During the beginning of the Covid-19 crisis, Muslims around the world were asking whether one should perform the Friday congregational

prayer at home while mosques remained closed. Hassan Abdi released a two-page statement explaining the impermissibility of praying the *jumʿa* prayer at home. This document cites "position[s] of the senior scholars," specifically Saudi Arabia's Permanent Committee for Scholarly Research and Iftāʾ, the elite sub-group of the Council of Senior Scholars led by the nation's Grand Mufti, ʿAbd al-ʿAzīz Āl al-Shaykh.[58]

This format repeats itself in countless Salafi publications that aim to communicate the appropriate Islamic stance on a given issue. In the wake of the brutal killing of George Floyd and the subsequent protests, Salafis in Philadelphia have released a stream of statements, articles, and sermons on racism. Abdi has contributed to that stream, as has his close colleague Anwar Wright, a Philadelphia native. In a recent paper, "Islam's Position on Oppression, Racism, and Police Brutality," Wright marshals the words of al-ʿUthaymīn, Ibn Bāz, al-Fawzān, and others to speak directly to the issues most immediately relevant in the lives of African Americans in Philadelphia. He emphasizes, "Safety and blessings are in adherence to what the senior scholars have said in these very important issues."[59]

The ultimate sources of knowledge are the Qurʾan and the Sunna, but individual Salafis inevitably falter in their struggle to understand those source texts. It is necessary to turn toward the scholars for guidance. The Salafi affiliate leadership in Philadelphia serves as a constant, living connection between those senior scholars abroad and their local congregations. They relay the opinions of those scholars, translating them into English, summarizing them as necessary, and crafting culturally relevant messages that address the realities their constituents face.

Conclusion

Seeking knowledge is one crucial aspect of a pious life for Salafis in Philadelphia. Since the 1960s, scholarships for study in Saudi Arabia, especially at the Islamic University of Medina, have enabled growing numbers of African Americans to study in the Kingdom, and then return home to promulgate the Salafi creed.

In keeping with premodern patterns of knowledge transmission in the Islamic world, contemporary Salafi affiliates value personal connections

to recognized scholars above all else. It is by sitting at the feet of the scholars, studying texts with them, and receiving their endorsement that one gains recognition. Independent study is not enough. Modern Islamic universities in Saudi Arabia grant degrees, but those degrees hold far less weight than scholars' affirmation of an individual's merit. For this reason, Salafi leaders in Philadelphia may or may not possess degrees, but they can invariably claim relationships to scholars abroad.

However, an element of this pattern of knowledge transmission is undeniably modern. In the past, it was impractical if not impossible to rely on scholars living far away. When they came back, those who studied abroad had to become the scholars for their home regions. Now, advances in communication technology allow Salafis in Philadelphia to instantly reach Saudi scholars for guidance. This has facilitated the development of a system of knowledge transmission whereby local leaders in Philadelphia serve not as scholars in their own right, but as bridges connecting their communities to the scholars abroad.

Depending on who you ask, this is either a tremendous blessing or a crippling problem. For those who feel that reliance upon local scholars is natural for Muslim communities, this system tragically prevents recognition of the scholarship of its own people and instead relies on individuals abroad who—whatever their scholarly credentials—are out of touch with the local reality. The Salafi affiliates themselves celebrate and insist upon this ongoing reliance on scholars abroad because it guarantees the purity of the knowledge reaching them. If a local leader strays from the pure teachings of Salafism in word or in action, news will reach the scholars and they will advise him. If necessary, the scholars will revoke their endorsement. The scholars' ongoing scrutiny of those who once sat with them is either a mechanism ensuring religious authenticity or a blow to community stability and self-reliance. Regardless, what is clear is that Salafis in Philadelphia recognize no local scholars and see no immediate need to have them.

Finally, lest one assume that these local leaders do not exercise agency in this process, both the scholars abroad and the local leaders actively sustain this system which reinforces the authenticity of all involved. Saudi-based scholars gain authority and international influence when

lay believers in Philadelphia rely upon their opinions and rulings. Local leaders are essential agents in this process, assuring their audiences that these particular scholars and their methodologies are legitimate. The local leaders in turn gain authenticity when the scholars endorse them as knowledgeable and reliable individuals. This system of mutually-reinforcing authenticity sustains the process of knowledge-seeking for Salafi affiliates in Philadelphia today.

Endnotes

1   Umar Lee has spoken of the importance that this position held in his memoir, "The Rise and Fall of the 'Salafi Dawah' in the US." The initial series of blog posts have since been removed from www.umarlee.com, but the text was released in book form on Amazon. com as *The Rise and Fall of the Salafi Dawah in America: a memoir by Umar Lee*, 2014, https://www.amazon.com/Rise-Fall-Salafi-Dawah-America-ebook/dp/B00I1AEYL2.

2   DawahSalafiyyah, "Everybody Wants To Be A Shaykh In The West – Hasaan as Somaalee." YouTube, April 17, 2012. https://www.youtube.com/watch?v=1ZC9ay-qCdbQ&feature=emb_title, accessed November 25, 2020.

3   Qur'an 16:43.

4   Sherman A. Jackson, *Islam and the Blackamerican: Looking Toward the Third Resurrection* (Oxford University Press, 2005); *Islam and the Problem of Black Suffering* (Oxford University Press, 2009).

5   Richard Brent Turner, *Islam in the African-American Experience* (Indiana University Press, 2003).

6   Patrick D. Bowen, *A History of Conversion to Islam in the United States, Volume 2: The African American Islamic Renaissance, 1920-1975* (Brill, 2017).

7   Aminah Beverly McCloud, *African American Islam* (Routledge, 2014).

8   Edward E. Curtis IV, *Islam in Black America: Identity, Liberation, and Difference in African-American Islamic Thought* (SUNY Press, 2012).

9   Bowen, *A History of Conversion*, 86.

10   Ibid., 97.

11   Ibid., 223, 224, 333-5.

12   McCloud, *African American Islam*, 21-24.

13   Susan Frith, "Music Lessons," *The Pennsylvania Gazette*, Nov/Dec 2006, https://www.upenn.edu/gazette/1106/feature1.html. Accessed June 19, 2021.

14   The Nation of Islam has survived as an independent organization under the leadership of Louis Farrakhan, but never regained the prominence it held under Elijah Muhammad. As for the majority that remained loyal to WD Mohammed, their transition into Sunnism has been a complex process of re-interpreting both their own history and their relationship to historical Islam. Jackson, *Islam and the Blackamerican*, 49-50.

15   Ibid., 3-6.

16   For a history of IUM, see Michael Farquhar, *Circuits of Faith: Migration, Education, and the Wahhabi Mission* (Stanford University Press, 2016).

17   Some women have, however, gone abroad and completed Islamic studies degrees. One woman based in Philadelphia completed her studies with her husband in Saudi Arabia.

18 Henri Lauzière, *The Making of Salafism: Islamic Reform in the Twentieth Century* (Columbia University Press, 2015).

19 Danny Salgado, Jr. has written in greater detail about the differences between Salafism as a creed, a *daʿwah*, and a *manhaj* and their significance in the African American context. "The Formative Years of *al-Daʿwa al-Salafiyya* among African Americans (1975-2006) and the Ongoing Quest for Authenticity," MA thesis, Hartford Seminary, April 2020.

20 Quintan Wiktorowicz, "Anatomy of the Salafi Movement," *Studies in Conflict & Terrorism* 29, no. 3 (2006): 207-239.

21 Anabel Inge has also spoken about this concern among Salafis in the UK: *The Making of a Salafi Muslim Woman: Paths to Conversion* (Oxford University Press, 2017), 10-11. Likewise, experts on American policy are perpetually concerned with the question of whether or not purist Salafis are at risk of radicalization. See Alexander Meleagrou-Hitchens, "Salafism in America: History, Evolution, Radicalization" (The George Washington University, 2018), https://extremism.gwu.edu/sites/g/files/zax-dzs2191/f/Salafism%20in%20America.pdf.

22 Meleagrou-Hitchens, for instance, acknowledges this in his study, "Salafism in America," 16, 32, 54-55.

23 For examples of documents that discuss "Madkhalis", see Zoltan Pall, "Kuwaiti Salafism and its Growing Influence in the Levant," *Carnegie Endowment for International Peace*, May 7, 2014; Alexander Meleagrou-Hitchens, "Salafism in America," https://carnegieendowment.org/2014/05/07/kuwaiti-salafism-and-its-growing-influence-in-levant-pub-55520, accessed December 14, 2020; Frederic Wehrey and Anouar Boukhars, *Salafism in the Maghreb: Politics, Piety, and Militancy* (Oxford University Press, 2019).

24 Roel Meijer, "Politicising *al-Jarḥ wa-l-Taʿdīl*: Rabīʿ b. Hādī al-Madkhalī and the Transnational Battle for Religious Authority," in *The Transmission and Dynamics of the Textual Sources of Islam: Essays in Honour of Harald Motzki*, ed. Nicolet Boekhoff-van der Voort, Kees Versteegh & Joas Wagemakers (Brill, 2011), 380-381.

25 For more information on the role of the Islamic University in the establishment of international Salafi communities, see Roel Meijer, *Global Salafism: Islam's New Religious Movement* (Oxford University Press, 2013). For information about the connections between British Salafis and IUM, see Inge, *The Making of a Salafi Muslim Woman*, 27-37, 111-115, 230.

26 Umar Lee, "The Rise and Fall of the 'Salafi Dawah' in the US."

27 Shadee Elmasry, "The Salafis in America: The Rise, Decline and Prospects for a Sunni Muslim Movement among African-Americans," *Journal of Muslim Minority Affairs* 30, no. 2 (2010): 217-236.

28 Meleagrou-Hitchens, "Salafism in America," 56.

29 Maleka Fruean, "Germantown Neighbors: Imam Hassan Abdi and the Germantown Masjid," *Germantown Info Hub*, April 9, 2019; accessed November 22, 2020.

30   There are mosques with larger buildings that can accommodate more worshippers, but the Germantown Masjid is the only one that filled to overflow on every occasion that I visited it.

31   @GtownMasjid, accessed June 7, 2022, https://twitter.com/GtownMasjid.

32   The Germantown Masjid, for instance, purchased additional properties in its immediate vicinity in 2017, 2018, and 2019. Masjid Bin Baz, closely affiliated with the Germantown Masjid, opened its doors in South Philadelphia in 2013.

33   Meijer, "Politicising *al-Ǧarḥ wa-l-Taʿdīl*," 378.

34   The Royal Decree that established this limitation in 2010 applies only to public fatwas, and in no way prevents these scholars from privately issuing advice or opinions to individuals. "Saudi King Limits Clerics Allowed to Issue Fatwas: King Abdullah Bids to Organize Religious Edicts," *Al Arabiya*, August 12, 2010, https://www.alarabiya.net/articles/2010/08/12/116450.html; accessed November 24, 2020.

35   Meijer, "Politicising *al-Ǧarḥ wa-l-Taʿdīl*," 377-382.

36   During an interview, a Salafi leader sent me a link to a blog post entitled, "Why do we refer to our teacher as Shaykh," which he identified as a useful pronouncement on titles for local leaders. In the nine-point explanation, the sixth point explicitly clarifies that, unlike a shaykh, a scholar is "a reference point for the whole of the Muslim nation." Maktabah Ibn Uthaymeen, June 7, 2020, https://maktabahuthaymeen.wordpress.com/category/benefits/page/2/. Accessed November 24, 2020.

37   There is some scholarly disagreement on this point. Emad Hamdeh has described Salafis as 'anti-clericalist'. See his article "Shaykh Google as *Ḥāfiẓ al-ʿAṣr*: The Internet, Traditional ʿUlamāʾ, and Self Learning," *American Journal of Islam and Society* 37, nos. 1-2 (2020): 70, 83. However, I agree with Roel Meijer, who describes Saudi establishment Salafism as fundamentally committed to the idea that the scholars alone possess and can pass on true knowledge of the texts. Meijer, "Politicising *al-Ǧarḥ wa-l-Taʿdīl*," 378.

38   TROID, "Knowledge Is To Be Taken from the ʿUlamāʾ Not from the Ignorant Ones," YouTube, April 27, 2016, https://www.youtube.com/watch?time_continue=4&v=5b-hosZaKgv0&feature=emb_title; accessed November 29, 2020.

39   Jonathan Berkey. *The Transmission of Knowledge in Medieval Cairo: A Social History of Islamic Education* (Princeton University Press, 1992), 21.

40   Ibid., 22.

41   Interview with Anwar Wright, May 26, 2020.

42   A Twitter page managed in the name of Ibn Bāz posted this quotation, which was then translated and shared by Hikmah Publications, run by Imam Hassan Abdi of the Germantown Masjid. See June 12, 2020. 6:08 PM. https://twitter.com/hikmahpubs/status/1271459399949836288.

43   *Fuqahāʾ* (s. *faqīh*) indicates those jurists qualified to pronounce on questions of Islamic law. This quotation was taken from a recording of a lecture from al-Fawzān:

SalafiDawahNZ. "Not Everyone Who Graduates From An Islamic University Is A Scholar." YouTube, August 26, 2012. https://www.youtube.com/watch?v=HK-WEdH-MKc4; accessed August 2, 2020.

44   Not all of these individuals are originally from Philadelphia. Abu Muslimah and Shadeed Muhamad are from New Jersey. All of them, however, have either served as imams in Philadelphia or were influential in Salafi circles in Philadelphia at one time.

45   For more information on Bilal Philips and the reasons behind his disagreements with certain Saudi scholars such as ʿUbayd al-Jābirī, see Abu Khadeejah, "Errors in Usool of Bilal Philips," posted 11 July 2002, accessed September 5, 2021. http://www.salafitalk.net/st/viewmessages.cfm?Forum=6&Topic=562. Yasir Qadhi himself outlines his disagreements with Rabīʿ al-Madkhalī and the methodology that he represents in his article "On Salafi Islam," *MuslimMatters.org*, published 22 April 2014. https://muslimmatters.org/2014/04/22/on-salafi-islam-dr-yasir-qadhi/.

46   Although lay believers sometimes indicate that they do not personally have a problem with these individuals, the official position of the Salafi affiliate mosques and their leaders stands in clear rejection of these individuals as deviant in religious matters.

47   This was true for many years, and this article documents the trends of ongoing communication that persisted until the second half of the 2010s. However, interviewees have affirmed that most recently, at the end of the 2010s and in the early 2020s, actual direct contact with senior scholars is on the decline. With Rabīʿ al-Madkhalī in his nineties and other senior scholars increasingly busy or elderly, there is less open communication with former students in Philadelphia.

48   Interview with Hassan Abdi, May 15, 2020.

49   "Why do we refer to our teacher as Shaykh," Maktabah Ibn Uthaymeen.

50   Al-Fawzān expressed this opinion in a response to a question about Yasir Qadhi: TROID, "Yasir Qadhi: Do Not Outsource Scholarship – Insource It! Shaykh Fawzaan Answers," YouTube, January 25, 2014, https://www.youtube.com/watch?v=SV_kh8e-Hskw; accessed August 4, 2020.

51   Yasir Qadhi, "Separating from the Scholars of Islam? ~ Dr. Yasir Qadhi," YouTube, March 27, 2014. https://www.youtube.com/watch?v=sHzk_GXVMhU; accessed August 4, 2020.

52   Numerous interviewees confirmed this information, although I have not seen explicit documentation.

53   Ali Dawah, "WHO DECIDES WHOS A SCHOLAR? SH TAHIR WYATT," YouTube, August 9, 2017, https://www.youtube.com/watch?v=73sP582ZS-U; accessed November 25, 2020.

54   Interview with Anwar Wright, May 27, 2020.

55   Farquhar, *Circuits of Faith*, 50-65.

56   Muhammad Qasim Zaman has noted a related trend at Islamic universities in Saudi Arabia, where "numerous mater's theses and Ph.D. dissertations take the form of annotated editions of medieval collections of hadith and works of law." "Epilogue: Competing Conceptions of Religious Education," in *Schooling Islam: The Culture and Politics of Modern Muslim Education*, edited by Robert W. Hefner and Muhammad Qasim Zaman (Princeton University Press, 2007), 257-58. For modern Salafis, the point is to communicate pieces of knowledge validated by the reputations of those who first articulated them, not to engage in personal interpretation.

57   "Word of Encouragement Allamah Rabi Ibn Hadi – Usool Sunnah 2018," Germantown Masjid, December 25, 2018, https://germantownmasjid.com/word-of-encourage-ment-allamah-rabi-ibn-hadi-usool-sunnah-2018/; accessed November 28, 2020.

58   Hassan Abdi, "It Is Not Allowed to Perform the Jum'ah Prayer at Home: Coronavirus 2020," Germantown Masjid, March 26, 2020, https://twitter.com/GtownMasjid/status/1243222616309223426; accessed November 25, 2020.

59   Anwar Wright, "Islam's Position on Oppression, Racism, and Police Brutality," Germantown Masjid, June 7, 2020, https://twitter.com/GtownMasjid/status/1270044740675932160; accessed November 25, 2020, p. 12.

Maqāṣidī Models for an "Islamic" Medical Ethics: Problem-Solving or Confusing at the Bedside?

AASIM I. PADELA

Abstract

The *maqāṣid al-sharīʿah* are championed as tools to address contemporary societal issues. Indeed, it is argued that *maqāṣid*-based solutions to present-day economic, political, and cultural challenges authentically bridge the moral vision of Islam with modernity. Advocates also stress that *maqāṣidī* models overcome shortcomings within *fiqh*-based strategies by bypassing their over-reliance on scriptural and legal hermeneutics, their dated views on social life, and their analytic focus on individual

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action. Herein I critically analyze efforts to bring *maqāṣidī* thinking to the clinical bedside. Specifically, I describe how leading thinkers such as Profs. Gamal Eldin Attia, Tariq Ramadan, Omar Hasan Kasule, and others build *maqāṣid* frameworks for medical ethics by expanding upon Imam Abū Ishāq al-Shāṭibī's *maqāṣid al-sharīʿah* theory. I categorize these varied approaches into three types (field-based redefinition, conceptual extension, and text-based postulation) and detail how each sets up a specific method of medical ethics deliberation. Moving from the theoretical to the practical, I use a test case, a 19-weeks pregnant "brain dead" Muslim woman, to ascertain the goals of care and the respective moral responsibilities of her husband and the treating Muslim clinician using the three models. Next, I discuss the merits and pitfalls of each proposed solution and comment on how these match up with extant *fiqh*. To close the paper, I comment on the place of *maqāṣidī* thinking in Muslim engagement with contemporary biomedicine, contending that such frameworks are presently too under-developed for medical ethics deliberation at the bedside. Indeed, without further elaboration from theorists, appeal to the *maqāṣid* in medical ethics deliberation may provide clinicians, patients, and other stakeholders with ambiguous, incomplete, impractical, or otherwise problematic answers.

Introduction

As biotechnological advancements increase humankind's ability to rejuvenate human bodies, healthcare stakeholders look to bioethicists, religious leaders, and policy analysts for guidance about the right ordering of biomedicine. Indeed as biomedical capabilities grow, clinicians, patients, and policy-makers grapple with questions about whether and how we ought to apply novel technologies and therapeutics at the bedside. As the religion of approximately a quarter of the world's population,[1] Islamic perspectives on these pressing bioethical issues are increasingly sought by Muslim stakeholders; in turn, religious leaders,

clinicians, and academicians strive to delineate what the intellectual tradition can offer to bioethics discourses.[2]

Recent years have witnessed an ever-increasing number of conferences and symposia, journal articles, special volumes, and press articles related to Islamic bioethics.[3] Despite these efforts, however, the content and contours of the field remain obscure. Questions about the grounding for Islamic content and the reasoning exercises that must be undertaken to deliver bioethical guidance remain unsettled. End-users are thus left with impractical and partial guidance.[4]

Given this general state of affairs, several Muslim thinkers advocate approaches to Islamic ethics based on the higher objectives of Islamic law, the *maqāṣid al-sharīʿah.* Different rationales for why frameworks built upon the *maqāṣid al-sharīʿah* may better furnish Islamic medical ethics guidelines than *fiqh* (Islamic jurisprudence) and *adab* (virtue ethics)-based models are advanced.[5] For one, it is argued that *maqāṣid al-sharīʿah* frameworks better account for changing societal conditions and new scientific knowledge than traditional methods of deriving Islamic law.[6] Said more plainly, advocates contend that because the theoretical concepts and applied constructs of *maqāṣid al-sharīʿah* are intimately linked to rational proofs, they better accommodate social and natural scientific data than the scripture-heavy reasoning methods of *fiqh.* Secondly, when decoupled from scriptural hermeneutics and advanced legal reasoning methods, *maqāṣid*-based ethical frameworks are more useful for practical decision-making by individuals on the ground. Moreover, this feature makes the *maqāṣid* particularly amenable to interfaith dialogue and public deliberation. Finally, the notion that *maqāṣid*-based frameworks represent the broader "spirit" of the Islamic revelation and, as such, are more appropriate grounds than legal injunctions and constructs for developing field-specific moral philosophies and ethical frameworks is also advanced.[7] Consequently, *maqāṣid al-sharīʿah* frameworks are seen as both close to the human mind and to the Divine intent, and thus a firm foundation upon which to build out an Islamic bioethical theory.

While quite a few scholars are using *maqāṣid al-sharīʿah* frameworks for medical ethics deliberation,[8] little attention has been paid to

analyzing these varied models. This paper fills this scholarly lacuna by critically examining operationalizations of *maqāṣid* for clinical medical ethics. I will begin by describing leading contemporary *maqāṣid* theories and how these theories are applied to medical ethics. Next, I will use a hypothetical case involving a Muslim woman declared "brain dead"[9] at 19 weeks gestation to compare the ethical guidance based on each of these approaches while also commenting on the commensurability of each solution with established *fiqh*. I will close the paper with a general reflection on the merits and pitfalls of *maqāṣid*-based engagement with contemporary biomedicine.

The *Maqāṣid al-sharīʿah*

Before delving into the intersection of *maqāṣid* and medical ethics, a general conceptual overview of the *maqāṣid al-sharīʿah* is warranted. Moreover, since leading Muslim thinkers tackle questions of medical ethics using frameworks built upon the *maqāṣid al-sharīʿah* theory of Abū Ishāq al-Shāṭibī (d. 790 AH/1388 CE), a 14th-century Sunni legal theorist and Malikī jurist, his model warrants a brief introduction as well.

What are the Maqāṣid al-Sharīʿah?

The term *maqāṣid al-sharīʿah*, commonly translated as the higher objectives of Islamic law, refers to the purposes and intents of the Lawgiver in legislating. Islamic legists hold that God, in general, legislates to procure benefit and forestall harm from humankind in this world and the hereafter.[10] Thus, every Islamic ruling reflects specific human interests, and protecting those interests is the Lawgiver's intent. Based on this relationship between Islamic law, divine intents, and human interests, legists seek to discern the rationale behind injunctions in the Qur'an and Sunnah. Some theorists assert that Islamic law has a core set of higher objectives around which deliberative and legislative frameworks can be built. These core objectives are termed the *maqāṣid al-sharīʿah,* and the theoretical frameworks of the *maqāṣid al-sharīʿah* discern how core human interests are advanced or threatened in a given situation.

As referenced above, the premise that there are rationales behind scriptural commands is central to Islamic ethico-legal theory because it allows for extending revelatory norms to cover situations not directly addressed by scripture. For example, the traditional method of deriving Islamic legal norms, *uṣūl al-fiqh*, terms the process of identifying the *ratio legis* as *ta'līl*, and legists utilize, in variable fashion, analogical reasoning, *qiyās*, to extend scripture and precedent-based rulings to new matters.[11] *Maqāṣid al-sharī'ah* theorists extend this idea to promote universal overarching rationales (higher objectives) that undergird the totality of Islamic law. Illustratively, the father-figure of the science of *maqāṣid al-sharī'ah,* Abū Ishāq al-Shāṭibī, identified five essential, *ḍarūrī,* higher objectives: the preservation of religion (*dīn*), human life (*nafs*), progeny (*naṣl*), material wealth (*māl*), and intellect (*'aql*).[12]

Once identified, a catalog of higher objectives may be used in various ways. *Maqāṣid* models can be used as an adjunct to traditional *uṣūl al-fiqh.* For example, Islamic scholars may derive several rulings based on *uṣūl al-fiqh* methods and subsequently prioritize among these based on the extent to which one or another preserves the *maqāṣid* better. *Maqāṣid al-sharī'ah* models can also complement *uṣūl al-fiqh* by serving as grounds for Islamic laws where scripture is silent.[13] Taking this approach a step further, and with considerable controversy, the *maqāṣid al-sharī'ah* may be used independently as the primary grounds for Islamic ethico-legal rulings. Each of these strategies continues to be developed and debated by Islamic scholars. As will be seen below, those scholars engaging bioethical issues using the *maqāṣid* typically use it as an independent source of morality.

Core aspects of al-Shāṭibī's Maqāṣid al-Sharī'ah *theory*

Over the centuries, many scholars have articulated theories of the *maqāṣid al-sharī'ah.* Abū Ishāq al-Shāṭibī, a 14th-century scholar of Malikī law, is often credited with being the first to develop a comprehensive legal theory of the *maqāṣid,* and his model continues to inform all subsequent expositions. He arrived at the core overarching *maqāṣid*

via an inductive reading of the Qur'an and Sunnah. He notes that "such an indicative reading, since it looks to the overall, inner spirit of the Law rather than just its outward details or particulars, cannot be carried out on the basis of single text of piece of evidence, rather it requires the marshalling of numerous texts which embody a variety of objectives and which, when added one to another, yield a single conclusion upon which they all agree."[14] Resultantly, al-Shāṭibī's classifies three types of *maqāṣid*—*ḍarūrī*, *ḥājī*, and *taḥsīnī* (essential, necessary, and enhancing, respectively)—in descending order of importance. Conceptually, the *ḍarūrī* or essential *maqāṣid* "seek to establish interests of the *dīn* [literally religion but connotes the hereafter in this usage], and the *dunya* [refers to the world but in this case means this life]...their absence leads to corruption and trials as well as loss of life," and also leads to "loss of success and blessings" in the hereafter.[15] The *ḥājī* or necessary *maqāṣid* bring facility to, and remove obstacles from, human life. The *taḥsīnī* or enhancing objectives, on the other hand, represent acquiring good manners and avoiding ill ones such that human behaviors are perfected.[16] The relationship between the three categories is one where the *ḥājī* supplement the *ḍarūrī*, while the *taḥsīnī* complement the *ḥājī*. Furthermore, while trying to secure the objectives, a hierarchal order is to be maintained such that the *ḍarūrī* must not be comprised while securing the *ḥājī* or *taḥsīnī*.

To illustrate this hierarchy, let us consider the provision of food as a moral obligation that issues forth from the *ḍarūrī* objective of preserving life. Consequently, a *ḥājī* objective might be ensuring food is nutritiously balanced, and a *taḥsīnī* objective might be to assure that food is presented and eaten with decorum. When the food is scarce, concerns about the nutritious value of foodstuffs and table etiquette do not supersede the moral obligation to ward off starvation through sustenance.

Al-Shāṭibī further identifies five essential *maqāṣid*: the preservation of religion (*dīn*), human life (*nafs)*, progeny (*naṣl*), material wealth (*māl*), and intellect (*'aql*). He notes that *ḥājī* and *taḥsīnī maqāṣid* must be identified either by scriptural inference or by independent reasoning and are always contextual. He circumscribes the ambit for human reason to specify *maqāṣid* to cases where there is no scriptural evidence

to substantiate or negate the human interest in question. Notably, these secondary objectives are valid so long as they strengthen, reinforce, and support the overarching essential *maqāṣid*.[17] Al-Shāṭibī considers such ratiocination to cohere with the methodological device of *maṣlaḥa mursala*. He states, "(when the Lawgiver is silent) we have recourse to an examination of the different meanings of *maṣāliḥ* (human interests). Anything in which we discover an interest, acting upon *maṣāliḥ mursala*, we accept, and anything in which we find an injury, again acting on the *maṣāliḥ*, we reject."[18]

Before discussing contemporary *maqāṣid* frameworks and their relevance to medical ethics, a few more remarks regarding al-Shāṭibī's hierarchical schema are necessary. First, it is important to note that while the five essentials are an interdependent unit, al-Shāṭibī judges the interest of religion to be the most important moral value. He asserts that if religion is not preserved, then the "affairs of the next world cannot survive," and the ultimate purpose of creation is thwarted.[19] He does, however, acknowledge that if human life is lost, then there is no moral subject, and if reason is missing, religious belief will become non-existent. Similarly, if the capacity for progeny is totally lost, then the survival of life is at-risk, and without preservation of material wealth, "life cannot be maintained."[20] Consequently, the preservation of material wealth and the capacity for progeny serve the preservation of life. In contrast, the preservation of the intellect and of life are subordinate to the ultimate interest: religion. After the *maqṣid* of preservation of religion, al-Shāṭibī holds that the preservation of life is the most important *maqṣid*.[21] Concerning the order of priority among the preservation of progeny (*naṣl*), material wealth (*māl*), and intellect (*ʿaql*), it is unclear whether al-Shāṭibī maintained a consistent hierarchy.[22]

Maqāṣid Frameworks and their Engagement with Medical Ethics

As Muslim thinkers develop *maqāṣid al-sharīʿah* frameworks, the unsettled state of Islamic medical ethics has made it a particularly ripe site to test out various deliberative models. Indeed, there is a small but growing

literature at the interface of medical ethics and *maqāṣid al-sharīʿah*,[23] and medical ethics training programs in the Muslim world have begun to incorporate teaching on the *maqāṣid*.[24] In what follows, I describe three different ways in which al-Shāṭibī's theoretical model has been expanded for use in medical ethics deliberation.[25] Notably, scholars' approaches to reformulating al-Shāṭibī's model were not made with biomedicine as the dialectical partner. Instead, the theorists' underlying motivation was to address design broadly applicable *maqāṣid al-sharīʿah* frameworks. Accordingly, the approaches and techniques I describe below are general attempts to build out *maqāṣid* theories.[26]

Approach 1: Field-based Redefinition

This approach circumscribes itself within al-Shāṭibī's framework and reimagines the five *ḍarūrī maqāṣid* in light of contemporary health-care. Prof. Omar Hasan Kasule, a medical scientist and bioethicist, is the leading proponent of this approach, stating that the traditional five essential *maqāṣid* provide an all-encompassing "Islamic theory of [medical] ethics."[27] Consequently, "for a medical issue to be considered ethical it must fulfill or not violate one of more of the five purposes (*maqāṣid*)."[28] In this way, the five essential *maqāṣid* function as meta-level principles undergirding an Islamic medical ethics theory.

To specify the objectives of preservation of religion (*dīn*), life (*nafs),* progeny (*naṣl*), wealth (*māl*), and intellect (*ʿaql),* surface-level theorization is undertaken to redefine these human interests. The human interests come to be grounded in biomedical understandings, and medical treatment's moral purview becomes promoting these interests as far as possible. Subsequently, the medical ethics model built upon field-based redefinition transforms health into the ultimate human interest and refashions *maqāṣid* into hierarchical ethical principles servicing health.

Accordingly, the concept of *dīn* comes to represent worship, *ʿibadāh*, in a broad sense incorporating both prayer and good deeds.[29] Healthcare is envisaged to preserve this interest by "protecting and promoting good health so that the worshipper will have the energy" to pray and perform meritorious deeds.[30] Similarly, treating mental disorders assists in

preserving *dīn* (in this theory, worship) because "balanced mental health" is integral to prayer and creedal affirmation.[31] Human life, *nafs*, is seen as a self-explanatory interest preserved by preventing and treating disease, ensuring proper body nutrition, and applying therapies that maintain a high quality of life. The human interest of progeny is correlated with procreative capacity. Consequently, healthcare must protect this value by treating infertility and "making sure that children are well-cared for so that they grow into healthy adults who can bear children."[32] The human interest of intellect is reformulated as mental health, and medical care preserves this interest by treating physical illnesses that contribute to mental stress, psychoses, and drug addiction. Finally, wealth is redefined as societal wealth, and healthcare assists citizens to be financially productive by helping to maintain sound bodies and minds.[33]

While the "protection of life is the primary purpose of medicine," this model holds that healthcare intersects with all five essential interests.[34] Accordingly, a hierarchical order among the interests is maintained such that the preservation of religion (worship) takes precedence over all other interests, the preservation of human life comes second, and the preservation of progeny (procreative capacity), (societal) wealth, and mind (mental health) follow in that order.[35] According to its proponents, this hierarchy "allows for the resolution of conflicting interests," as higher-order interests are privileged over lower-order ones during the medical ethics deliberation.[36] Kasule terms this type of moral reasoning *ijtihād maqāṣidī* and popularizes the approach in medical school curricula around the Muslim world.[37]

Several other Muslim thinkers align with Kasule's approach. Shaikh Mohd Saifuddeen, a scholar in the history and philosophy of science, also advocates *field-based redefinition* and its associated medical ethics deliberation model. Along with other colleagues, he writes that al-Shāṭibī's essential human interests must be "reinterpreted…in accordance with contemporary contexts" by considering contemporary harms and benefits within society and of healthcare technologies.[38] While he agrees with much of Kasule's reconstructions of human interests, he refashions the interest of wealth (*māl*) as property, including intellectual property. Furthermore, he holds that the preservation of intellect ranks above

the preservation of progeny and property,[39] and protecting human life takes precedence over preserving religion.[40] Somewhat confusingly, he also states that should a biotechnological application put any of the five essential interests at risk, it should be deemed impermissible from an Islamic standpoint, suggesting that the five interests are not hierarchical but should instead be considered be treated as a group.[41] Abul Fadl Mohsin Ebrahim, an Islamic studies expert trained both in seminary and university settings and a thought leader in Islamic medical jurisprudence, also finds value in Kasule's approach. For example, he states that the preservation of *nafs* includes protection of health, and agrees with expanding *ʿaql* to include mental health.[42] Bouhedda Ghalia, another Islamic studies expert, takes a similar approach transforming the preservation of *nafs* into the protection of the human body.[43] Dr. Musa Mohd Nordin, a clinician and executive leader in the Federation of Islamic Medical Associations, also follows Kasule's approach by refashioning all the essential interests in light of healthcare.[44]

A few examples will aid the reader in understanding how this framework is applied to medical ethics. For instance, in the case where one spouse has AIDS, it is judged permissible for the spouses to separate in order "to prevent the spread of infection" because the preservation of life (*nafs*) is of higher priority than preserving procreative capacity (the refashioned construct of *naṣl*).[45] At the same time, permanent sterilization is prohibited because it contradicts the preservation of procreative capacity, and using reproductive cloning violates the preservation of religion, for it disturbs God's natural order.[46] Concerning cosmetic surgery, it is considered valid "if carried out for beautification in order to find a marriage partner" because it coheres with the duty to preserve *naṣl*. Yet, if the surgery is too "expensive," the preservation of wealth is at-risk.[47] Such reasoning exercises are complementary to Beauchamp and Childress' four principal approach to medical ethics deliberation in Saifuddeen's view[48] and to *uṣūl al-fiqh* according to Ebrahim.[49]

As an expanded version of the aforementioned deliberative model, Saifuddeen and his colleagues, Abdul Halim Ibrahim and Noor Naemah Abdul Rahman, also advocate another process. They propose that three aspects of any bioethical issue must be examined, the intent behind using

a certain therapy or technology, the particulars of the specific technology or technique utilized, and the end goal sought. These dimensions must be analyzed by considering how they impact the essential, necessary, or enhancing aspects of the five human interests. For a technology or therapeutic to be permissible, it must advance the essential aspect of these human interests; otherwise, if it violates "any one of these interests… (it is) classified as unethical and should not be permissible (Islamically)".[50] Somewhat confusingly, however, they note that if a technology presents a conflict between the essential interests where one is advantaged and another is not, the tension should be resolved by recourse to Islamic legal maxims (*qawā'id*).[51]

In summary, *field-based redefinition* considers the human interests/values of religion (*dīn*), life (*nafs*), progeny (*naṣl*), wealth (*māl*), and intellect ('*aql*) in light of biomedicine. As a framework for medical ethics deliberation, the essential *maqāṣid* are envisaged as hierarchical principles. Accordingly, moral obligations and ethical practices are determined by evaluating how the proposed course of action advantages or disadvantages each human interest *qua* principle. According to some theorists, none of the essential interests can be violated for an action to be judged permitted and ethical; others suggest that the moral agent must justify departures from any of the principles by demonstrating that a higher-order principle is preserved. This practical, albeit elementary, distillation of the *maqāṣid* theory into a medical ethics framework is taught widely in the Muslim world.[52]

Approach 2: Conceptual Extension

These approaches involve a greater degree of departure from al-Shāṭibī's theory.[53] In contrast to field-based redefinition, where the human interests are redefined, conceptual extension involves revising other concepts within al-Shāṭibī's theory, incorporating new *maqāṣid,* and utilizing a different rubric for ethical deliberation. Theorists adopting this approach certainly reformulate al-Shāṭibī's essential *maqāṣid* but do much more than that in order to incorporate contemporary science into their theoretical models and practical frameworks. Professors Gamal

Eldin Attia, Tariq Ramadan, Jasser Auda, and Shaykh Yusuf al-Qaradawi belong to this camp.[54] Herein I will describe Gamal Eldin Attia's and Tariq Ramadan's approaches, as both directly apply their frameworks to medical ethics.

Gamal Eldin Attia is an Islamic legal theorist who *conceptually extends* al-Shāṭibi's theory to better incorporate the human, social and physical sciences and a community/societal focus. He does so by (i) amending the concepts of *ḍarurī, ḥajī,* and *taḥsīnī,* and (ii) identifying new *maqāṣid* and reorganizing them within different domains. Recall that al-Shāṭibi considered there to be essential, necessary, and enhancing objectives to Islamic law. Attia extends this notion to assert that there are essential, necessary, and enhancing means (*wasā'il*) by which a particular objective is attained. Consequently, essential means represent those actions and policies required to minimally achieve the *maqṣid* in question. For example, he considers the provision of food to be core to the higher objective of preserving life. When one obtains just enough food to stay alive, the essential threshold of what is demanded by the preservation of life is met. The provision of a balanced and appetizing diet represents the necessary benchmark. It removes hardship and facilitates life, while elegant food presentation and refined table etiquette fall under the category of enhancements as they beautify and perfect the means (e.g., food provision) by which the preservation of life takes place.[55]

As part of this revision, Attia advocates using scientific data to determine the means for achieving the *maqāṣid.* When a particular means brings about significant benefit or removes great harm that means is classified as an essential one. Minor benefits or removal of minor harms through policy or action place that action or policy into the enhancing category, while the necessary means fall between the essential and the enhancing means.[56] This rubric enables Attia's theory to allow actions and policies to change from one category to another based on context and in light of empirical, social scientific, and other data. Having attached the concepts of essential, necessary, and enhancing to means, he discards the idea that they apply to the *maqāṣid* themselves.

Attia then sets about identifying new *maqāṣid.* He considers the present epoch to be a "legislative vacuum" where rapid developments

in human society, knowledge, and technology necessitate the use of human reason to discern new objectives.[57] When building out ethical frameworks, Attia advocates generating specific field-related *maqāsid* and determining the best means to achieve them based on an understanding of the "divine laws of creation" and "definitive facts which have been identified by science" so that the ethical theory is "inclusive of all normative and objective elements" pertinent to the field.[58] Recall that al-Shāṭibī argued that secondary objectives of Islamic law could be discerned by recourse to ratiocination and science; Attia extends this idea by arguing that the primary, i.e., essential, objectives can be identified in the same way.

Hence Attia *conceptually extends* his *maqāsid* model by laying out 24 essential objectives across four domains: (i) the individual, (ii) the family, (iii) the Muslim community, and (iv) the level of general humanity. Detailing all of Attia's *maqāṣid* is beyond the scope of this paper, yet describing those at the individual level, however, will facilitate our forthcoming discussion of medical ethics. Consequently, at the level of the individual, there are five essential *maqāṣid*: the preservation of human life, consideration for the mind, the preservation of personal piety, the preservation of honor, and the preservation of material wealth. While these *maqāṣid* resemble al-Shāṭibī's, in contrast to field-based redefinition, the essential interests are not only redefined; they are reformulated by extending the human interest to include other ideas.

Accordingly, contemporary views about "what is referred to in the law as the right to life…[and] the sanctity of the body" is added to the objective of preserving human life.[59] He further details that the essential means for preserving human life involve (i) protecting the body, (ii) maintaining life, and (iii) protecting against mortal harms. Consideration of the mind expands beyond the traditional view of preserving human intellect to require developing intellectual capacities and utilizing the mind in "intellectual acts of worship."[60] Developing the mind also requires delivering scientific education, building academies, and otherwise nourishing and equipping the rational faculties of individuals. Attia refashions the preservation of religion into the preservation of personal piety, with its essential means including strengthening religious

doctrines, performing the obligatory acts of worship, and focusing on moral formation. The preservation of honor refers to "anything related to human dignity," one's reputation, and the "sanctity of one's private life."[61] The necessary means to secure this interest include preventing people from committing slander and making false accusations through penal injunctions. The preservation of material wealth is accomplished through financial laws and penalties for theft. Additionally, Attia reformulates the preservation of progeny (*naṣl*) into the preservation of the human species along with other family-level objectives.

Attia also revises al-Shāṭibi's hierarchy by suggesting that the preservation of material wealth should be given the lowest priority with the preservation of "family lineage [or progeny], honor, and human reason" occupying a space above material wealth but below the preservation of human life.[62] He also appears to disagree with ranking the preservation of religion above the preservation of human life, because religious life is contingent upon being alive.

Commenting on how his model applies to healthcare, Attia argues that seeking and providing certain types of healthcare are moral duties. These ethical obligations emerge from the *maqṣid* of preserving life. Hence treating infectious diseases and radiation exposure is obligatory because they are "mortal dangers" that can eliminate human life universally.[63] Similarly, physical integrity is central to the preservation of life, and there is an ethical obligation to build trauma systems and hospitals. With respect to reproductive health, Attia considers abortion and hysterectomy to be prohibited because they contravene the *maqṣid* of preserving the human species.

Following this pattern, Tariq Ramadan, a leading Islamic ethicist, also *conceptually extends* al-Shāṭibī's model. His revision also involves redefining and identifying new, human interests and specifying different levels at which they operate. Like Attia, he finds al-Shāṭibī's *maqāṣid* focused on individuals and lacks attention to natural and social scientific data. He argues that an understanding of human interests, e.g., religion, life, etc., "should be developed not only in the light of scriptural sources but also of contemporary knowledge and related ethical requirements."[64] Ramadan builds a theoretical model that integrates scriptural knowledge

with the human sciences, yielding a "theoretical and practical outline of an applied contemporary [Islamic] ethics."[65] Therefore his extension involves identifying new higher objectives "on the basis of the two Books [revelation and nature]" and by "taking into account the evolution of our knowledge in the two fields of study (text sciences and the sciences of the universe)."[66]

Ramadan's framework operates at three levels: the inner being, the individual and small groups, and society. In this way, his and Attia's models are alike. However, Ramadan innovates by placing a few governing *maqāṣid* upstream to these levels noting that they operate "even before getting down to the specification of human action."[67] In his view, there are two overarching objectives from which all Islamic laws, policies, and ethics issue forth are (i) "the protection of *dīn*" by which he means "a conception of life and death" according to Islamic theology, and the protection of "*al-maṣlaḥa*" which he defines as "the common good and interest of humankind and the universe." Underneath these are three core ethical values "respecting and protecting life (*hayāh*), nature (*khalq*), and peace (*salām*)."[68] These three objectives are the "pillars" and "*a priori* goals" for Islamic moral frameworks. He next enumerates a final superstratum of values that reside below these three objectives but precede *maqāṣid* at the individual, group, and societal levels. These are "promoting and protecting dignity (of humankind, living species and nature), welfare knowledge, creativity, autonomy, development, equality, freedom, justice, fraternity, love, solidarity, and diversity."[69] Detailing Ramadan's conceptions of each of these values is challenging, for he admits that scholars of Islam and of the natural and social sciences are needed to elaborate on these concepts and to integrate the religious and secular sciences in doing so. Both camps of experts must also determine how the *maqāṣid* can be achieved and when they are at risk.[70] Nonetheless, he utilizes his work-in-progress model to generate medical ethics rulings.

In his view, preserving the highest-order objectives of "the Islamic conception of life and death [which is his revised formulation of the preservation of religion *dīn*] and of people's common good and interest (*al-maṣlahāh*)" are the overarching ethical mandates of an Islamic

bioethical framework.[71] These objectives are transformed into the primary end-goals of healthcare from which second-order ethical duties emerge. The second-order *maqāṣid* are the preservation of life, of personal integrity, and of human dignity. He holds that these *maqāṣid* must be understood through an integrative reading of scripture and the health sciences. As an illustration, he addresses the ethics of end-of-life healthcare. With respect to whether it is ethical for a physician to assist a patient in ending their life, he judges it forbidden because assisted suicide contradicts the highest-order objective: an Islamic understanding of life and death; and it also contravenes the objective of preserving life. According to him, an Islamic understanding of life and death entails accepting that God decrees an individual's moment of death, and one should not take action to hasten it. This understanding also requires patients and physicians recognize that illness may serve a spiritually purifying function. At the same time, he holds that physicians are morally obligated to provide palliative care because it coheres with the *maqṣid* of preserving human dignity. He also states that the preservation of dignity demands that patients and their families are free to choose "being kept alive mechanically," "to use all curative means available," or to "accept the decree of fate" when near the end of life.[72] This example illustrates how moral duties in healthcare emerge from trying to achieve and not contravene the objectives.

In summary, the *conceptual extension* approach redefines the human interests contained within al-Shāṭibī's essential *maqāṣid* by drawing on contemporary social and scientific understandings. Also, it incorporates new *maqāṣid* that align with scriptural sources as well as social and natural scientific data. The medical ethics framework that emerges from this approach is quasi-deontological, as moral obligations are derived by setting the *maqāṣid* as end-goals for healthcare delivery which must be maximized.

Approach 3: Text-Based Postulation

The *text-based postulation* method for further developing al-Shāṭibī's theory involves explicating the visions of human and societal flourishing

embedded within al-Shāṭibī essential *maqāṣid*. This vision of life represents the base conditions demanded by Islamic morality. Means (policies and actions) to achieve this vision are identified by drawing upon natural and social scientific data. Building upon these basic thresholds for human existence, secondary *maqāṣid* are determined via inductive readings of scripture or by recourse to human reasoning about reality. Accordingly, the necessary and enhancing objectives add additional ethical obligations propelling human life from an essentialist (minimal) level to a flourishing one. Notably, the text in text-based postulation refers to al-Shāṭibī's model as the basis upon which one asserts a moral vision for society.[73]

This approach differs from field-based redefinition and conceptual extension in that the human interests identified by al-Shāṭibi are left as he defined them (based on an inductive reading of scripture), and it differs from conceptual extension in that new *maqāṣid* that become part of the framework are subordinate to the essential ones identified by al-Shāṭibi. In terms of prioritization of interests, al-Shāṭibī's hierarchy is maintained. At the same time, the approach allows for knowledge from the human, social, and natural sciences to specify how the *maqāṣid* are accomplished. The ethical frameworks that emerge remain almost entirely consistent with al-Shāṭibi's theory. Glimpses of this approach are seen within the writings of several scholars, but a complete exposition remains to be undertaken.[74]

The *text-based postulation* strategy provides insight into what should be the ends of healthcare and sets up ethical assessments based on these postulated end goals. For example, let us examine moral duties that emerge from the higher objective of preserving life. Al-Shāṭibī sets out several ways to actualize *ḥifẓ an-nafs*. First, procreation, which is the means by which life is produced, requires legitimation; procreation cannot be universally outlawed. Second, preserving life equates to maintaining life, and providing food and drink and educating oneself and their progeny about lethal foodstuffs become part of the *maqṣid*. The third ethical obligation is to provide clothing and shelter, ensuring human survival from natural threats.[75] Finally, the preservation of life entails criminalizing the taking of life.[76] Should these essential/minimal/base aspects of human health be protected, the corresponding state of living

would result in the individual being minimally nourished and clothed, having their procreative capacity intact, and residing in a dwelling that offers protection from inclement weather. With this vision as an end goal, healthcare stakeholders would be morally obligated to furnish this base level of "comfort" to humanity.[77] Current social and empirical knowledge will determine the actions and policies that bring about this minimalistic level of human living. Similarly, in the realm of healthcare, it would appear that reproductive health is central to al-Shāṭibī's theory, for if humankind lost the capacity to procreate, then life in a universal sense would be at risk. Thus healthcare systems, and by extension physicians, are ethically responsible for assisting patients in maintaining their reproductive capacities.

Testing the Utility of *Maqāṣid al-sharīʿah*-based Islamic Medical Ethics

In order to critically examine the merits and shortcomings of the three models mentioned above for medical ethics deliberation, I will use the case of a pregnant woman declared "brain dead" at 19 weeks gestation. Our two ethical questions are as follows: (i) what are the overall goals of care for such a patient, and relatedly (ii) what are the ethical duties of surrogate decision-makers, specifically the attending physician and the husband, towards her healthcare. Before proceeding further, a few medical and religious understandings need to be stated. First, brain death is a misnomer and a highly controversial clinical state from the perspective of Islamic law. Islamic jurists generally hold differing views as to what the state represents; some consider the state of being sufficient for declaring legal death in Islam, others believe it is a state of dying or unstable life, and a third group considers a brain dead individual to be accorded the same status as a living person.[78] However, it is beyond dispute that a brain-dead patient can gestate an embryo and undergo labor when provided with appropriate medical care.[79] Furthermore, the limits of fetal viability vary between 22 and 26 weeks of gestation. In other words, different hospital systems and states set the minimum age of fetal viability differently based on their capacities for neonatal intensive

care. Data suggests a rule of thumb that approximately 25% of births at 23 weeks, 50% at 24 weeks, and 75% at 25 weeks of gestation will survive to hospital discharge in modern hospital systems.[80] From a religious standpoint, 19 weeks gestation is beyond the posited timing of the ensoulment of the fetus, which occurs at 120 days or 40 days of fetal age based on the prevailing views.[81] Hence, the fetus is not yet clinically viable but has a quasi-independent moral status as a human being within the tradition.

Field-based redefinition models result in a principle-based approach to medical ethics deliberation, where moral goals related to preserving religion, life, progeny, wealth, and intellect, are all redefined with respect to healthcare understandings of these terms. Taking Kasule's exposition as an exemplar, these interests are transformed into worship, life, procreative capacity, societal wealth, and mental health. A principle-based approach would require determining which of these objectives are furthered by a specific act and, if some goals are furthered and others violated, assessing whether higher-order goals are preserved. A lawful act would preserve all, or at a minimum, the higher-order interests. Working through the case, the highest objective of preserving capacity for worship is not possible for the mother, given that a brain death diagnosis represents the inability to restore an individual to a conscious state using available medical therapies. Thus, the necessary cognitive status to pray and perform meritorious works is unattainable. With respect to the preservation of life, the analysis hinges on whether the state of brain death is analogized to a dead, dying, or living state. If the state is not considered to be a legally, metaphysically, nor physiologically dead state, then the preservation of life would be attained by keeping the patient on life-sustaining technology.[82] With respect to the objective of maintaining procreative ability, should the patient be kept on life support and eventually deliver a live child, then this goal is furthered. The preservation of mental health is not relevant in our case because the patient will not regain a conscious state. Finally, concerning preserving societal wealth, the costs of intensive care for such a patient are incredibly high, e.g., thousands of dollars a day, and maintaining life support would drain the financial resources of both the family and other responsible parties. Thus, for the mother, the preservation of life

and procreative capacity is furthered by maintaining life support, while the preservation of societal wealth is disadvantaged. Given that the preservation of life and procreative capacity have higher priority than the preservation of societal wealth, the framework would suggest that the end goal of medical treatment should be to maintain the patient on life support as long as possible and until fetal viability at a minimum. If the mother were considered a dead person, the analysis would be similar, because the preservation of procreative capacity would be furthered by maintaining her on life support until the fetus is delivered. Additional support for such courses of action is found by analyzing the scenario from the fetus' standpoint. Indeed, the preservation of life becomes possible by maintaining life support on the pregnant mother until the fetus is viable to deliver. The fetus' future capacity for worship, procreation, and intellection are all similarly advantaged, given that life is instrumental to these interests. Again, societal wealth would be threatened, but given its lower priority, the ethical end goal would be to maintain life support until fetal viability.

With respect to the ethical duties of the treating physician and the husband who serves as the surrogate decision-maker, they must work towards meeting the goals of care outlined above. The physician (and his/her team) are morally responsible for maintaining life support technologies as well as medical treatments that can sustain the mother's physiological functions of life and gestational functions. Additionally, they must apply therapies that will assist the fetal organs in maturing such that it is viable for delivery. Once the fetus is delivered at the appropriate gestational age, the duty to care for the mother may or may not continue depending on whether she is considered a living or dead person. The husband is similarly charged, as his ethical duty to both his wife and potential child is to protect their lives as far as possible.

The *conceptual extension* models lead to medical ethics deliberation that involves setting the new *maqāṣid* as end-goals for healthcare. Recall that both Attia and Ramadan desire social and natural scientific knowledge to be integrated into the conceptualizations of human interests and how they are preserved. As such, biomedical knowledge should, theoretically, inform the ethical objectives proceeding from the human

interests and how they can be best accomplished. Attia considers the preservation of human life to be the most important ethical imperative and designates it to include a right to life and preserving bodily sanctity. In our scenario, setting this as the end goal of healthcare would suggest that the mother's life and the sanctity of her body should be maintained as far as possible.[83] Among the other essential human interests and accompanying objectives, namely consideration of the mind, personal piety, honor, and material wealth, the only one that applies in our scenario is material wealth. Preserving human life in our scenario would entail sacrificing material wealth; however, given that human life is more important than wealth, preservation of life would be maximized. However, the challenge is that components within the objective of preserving life are at odds. If one believes that the brain dead patient is alive, then maximizing her right to life requires violating her bodily sanctity by supporting her breathing via invasive mechanical ventilation, disrupting the integrity of the body with catheters that collect urine, tubes that provide nourishment through the alimentary canal, and intravenous tubing that provides medications and fluids as needed. Clinical science and biomedical research would support these medical interventions as necessary to maintain bodily functions in a brain-dead state. Thus, Attia's model would declare these to be necessary means backed by scientific data. Considering the perspective of the fetus, a similar conflict arises. As an ensouled being, the fetus also has a right to life, and its life should be preserved. However, to preserve its life, the bodily sanctity of the mother must be violated, for she would need to be maintained on maximal life support and be given medications for the fetus to be successfully gestated and delivered. Overall, given that one aspect of the end goal conflicts with another, setting the preservation of human life and its components of a right to life and bodily sanctity as the overarching end goal for healthcare does not provide clear insight into the ethical course of action in this scenario. One possible solution would be to declare the mother dead and accept the violation of the sanctity of a dead body to maximize the fetus's right to life. Alternatively, one could consider the physiological functions of a brain-dead patient to be sufficient markers of human life and preserve her life at the cost of her

bodily sanctity. The most prudent course of action may be to maintain the pregnant woman's life and accept the many clinical interventions and accompanying costs required to do so. In this way, part of the objective is met, and both she and the fetus's life is protected. At the same time, ethical deliberation over the meaning of brain death appears necessary, and Attia's theory would defer to social and natural science in this realm. Unfortunately, controversies abound since death is a social construct that brings together purposes, criteria, and behaviors, and the ontological reality of death cannot be resolved from social and natural scientific data.[84] It follows from the preceding analysis that the ethical duties of the treating physician and the husband would be to maintain life support.

Prof. Ramadan reconceptualizes the objective of preserving religion (*dīn*) into preserving an Islamic conception of life and death. Alongside this objective is seeking the common good and interests of humankind which he links to the Islamic legal construct of *maṣlaḥa*. These over-arching *maqāṣid* are supported by numerous ethical duties related to promoting life, nature, and peace. Taking this framework as a starting point for analysis, we run into similar troubles in setting the end goals for healthcare in our hypothetical case. What is an "Islamic" conception of life and death? And how is it to be maximized? Ramadan would seek answers from scripture and science here, but both domains of knowledge lead to ambiguous answers. From a scriptural perspective, while a metaphysical definition of death as the departure of the human soul from the body can be gleaned, the physical markers of such are not definitive. Both classical and contemporary Islamic theologians debate the reality of the soul and how its functions are manifested bodily.[85] They also debate when ensoulment of the human body occurs based on different readings of the scriptural sources.[86] And with respect to the signs of death in the body, scholars assert that the signs noted in legal manuals are either based on custom or based on the testimony of experts; in other words, they are not scripturally grounded. Indeed, this view allowed for accepting neurological criteria for death as sufficient markers for legal death in Islam.[87] Hence concerning a scripturally-grounded conception of life and death as it relates to ensoulment and bodily manifestations, one cannot claim there to be uniformity or a singular view. Ramadan

may seek answers from natural theology and biomedical science, but these cannot offer much insight into our scenario. Again the brain-dead patient is "betwixt and between" traditional notions of life and death and challenges religious and biomedical constructs on both ends.[88] A clear end goal for healthcare that protects Islamic conceptions of life and death is out of reach.

Looking to the other overarching objective of promoting human-kind's common good and interest does not suggest a clear end goal either. Does society benefit from, or is it harmed by, maintaining a pregnant brain dead woman on life support? Arguments could be made either way, as there is undoubtedly a fiscal cost to bear for such maintenance, yet the addition of a citizen to society can yield fiscal benefit. Economic analysis may suggest maintaining the patient until fetal viability and then withdrawing life support. But there are social costs of doing so; how would families feel when their loved one's life is reduced to that of an incubator? How would clinicians and nurses feel when asked to apply maximal life support to what the law would suggest is a corpse? Hence, this other overarching objective does not provide a clear answer either. Accordingly, the physician and husband's ethical duties remain unclear.

Moving to *text-based postulation*, medical ethics deliberation here would require explication of a moral vision for healthcare based on al-Shāṭibī's essential *maqāṣid.* This vision would be supported by secondary objectives and means identified by science. As detailed above, al-Shāṭibī's *ḥifẓ an-nafs* sets up a vision of health that is minimalistic. The base level of human health it sets as an ethical requirement is one where an individual is minimally-nourished and clothed, has his/her procreative capacity intact, and resides in a dwelling that offers protection from inclement weather. With this vision as an end goal, Islamic medical ethics stakeholders would be morally obligated to develop healthcare systems that address these social and physical determinants of health.[89] In our case scenario, this base level of living can be attained for the mother in the hospital, provided we consider her to be alive. Intravenous and/or alimentary nutrition can be provided, the patient can be clothed, and hospitals are structurally intact enough to protect her from inclement weather. Beyond this, based on biomedical knowledge, other moral

duties that help preserve her life may be added. For example, providing supportive care to maintain the patient free of infections, grooming, and other measures would be considered secondary moral duties that complement and support life preservation. If she were judged to be a dead person, the fetus's perspective may be considered. Preservation of its life demands a similar state of living as the mother, and it can only be achieved by maintaining the mother on maximal life support. Accordingly, the physician and husband's ethical duties are to maintain life support and ancillary treatments for the mother (and thereby fetus).

Shortcomings of the *Maqāṣid*-based Medical Ethics Frameworks

While all three frameworks provide solutions, they also contain theoretical and practical ethics gaps. In terms of answers, similar ethical answers can be gleaned. Each method of medical ethics reasoning suggests that the mother should be kept on maximal life support, and this action would be entailed by the various configurations of the *maqṣid* of preserving life. At the same time, this action would assist in the preservation of the fetus's life, whose right to life is also covered by the same objective. The field-based redefinition models suggest that the costs associated with this course of action disadvantage the lower priority objective of preserving societal wealth yet further the preservation of the procreative capacity of the mother. Overall, the action is justified and morally obliged.

Attia's conceptual extension model combines moral duties to preserve bodily sanctity with the preservation of life, and the suggested course of action creates opposing tugs within this singular end-goal for healthcare. Yet the course of action appears to be justified. On the other hand, Ramadan's model is ambiguous about the end goals. The text-based postulation model also sanctions the proposed course of action as it fulfills the minimal vision of health obligated by the *maqsid*. The preservation of progeny is also advantaged. In short, these *maqāṣid*-based versions for medical ethics deliberation would require healthcare stakeholders to do all they can to maintain the mother's life.

From a practical standpoint, none of the proposed frameworks, nor their undergirding theories, provide insight into the limits of this

obligation. While al-Shatibi's theory considers the preservation of religion to be of higher priority than the preservation of life, that notion provides no practical guidance to the text-based postulation model employed to address the case scenario. Illustratively, should the mother's life be considered of lesser value than others because she cannot perform acts of salvific nature given no capacity for consciousness and volition? Is the potential life of the fetus prioritized over the pregnant mother because it holds the potential for future religious practice while the mother does not? Ramadan refashions the preservation of religion into duties to preserve Islamic conceptions of life and death, but as mentioned above, there is little conceptual clarity about what this entails. The other models obligate the preservation of life seemingly at all costs. Real-world application would introduce many different constraints to such a moral obligation. In addition to fiscal constraints, many localities, including Muslim jurisdictions, consider brain death to be a legally dead state despite the many clinical and ethical controversies it entails.[90] Muslims trying to live out an Islamic ethical vision based on these *maqāṣid* would have to either find legal recourses to maintain the patient on life support or accept their inability to live out Islamic ideals due to political constraints. Additionally, the human costs of such maintenance are not accounted for. Social scientific research finds that individuals suffer considerable emotional stress when loved ones are in the intensive care unit and that long-term support of individuals without hope for meaningful recovery can lead to familial discord and disruption of caregiver's life plans.[91] My point here is not that withdrawal of life support is the most ethical course of action, just that medical ethics deliberation based on the *maqāṣid* is posited to better account for empirical and social scientific data. In our scenario, it is not clear how these data are to be incorporated. From a practical standpoint, the *maqāṣid*-based medical ethics frameworks appear to have real shortcomings.

When compared to extant *fiqhī* rulings, other gaps appear. None of the frameworks address the thorny issue of brain death by detailing a conception of human life or describing a human life that is worth living. Islamic jurists have debated the acceptability of neurological criteria for death declaration in Islam for decades.[92] While proponents and

detractors exist, there is a zone of near consensus and an operative plurality on the issue. Several international Islamic juridical councils have judged it legally permissible to withdraw life support when brain death is declared, basing their views on deference to medical authorities, on legitimating the scientific rationale for death declaration, or on classical rulings that consider medical care to be non-obligatory.[93] Even scholars that do not hold brain death to meet the legal standards of death in Islam permit condone withdrawing life support when such a state is reached, though they suggest that death should be declared when the heart stops irreversibly.[94] Hence the near-consensus view is that life support can be withdrawn. However, scholars may differ on what the underlying Islamic grounds for such action are and whether death can be declared based on neurological criteria. The *maqāṣid*-based medical ethics models would contradict these *fiqh*-based rulings.[95] Or, at a minimum, the *maqāṣid*-based analyses suggest that the general ruling is not applicable, given the added dimension of pregnancy. Similarly, *maqāṣid*-derived notions of preserving life at all costs seem to counter the ethical notions embedded within the four Sunni schools of the non-obligatory nature of medical treatment except for when the treatment is assuredly life-saving for the patient.[96]

Limits on medical treatment are also introduced, based on scriptural notions of human dignity. Every clinical therapy disturbs the *ḥurma* (inviolability) and *karāma* (sanctity) of the human body. Hence jurists argue that these violations are only to be accepted when treatment efficacy is high, e.g., surgery for appendicitis, and when a positive outcome is expected. However, when there are no viable "good" outcomes, these violations should constrain clinical interventions. Given the interminable march of a patient diagnosed as brain dead towards cardiopulmonary collapse and there being no possibility for recovery to a consciousness state, one may argue that the disruption of *ḥurma* and *karāma* tilt the equation towards the withdrawal of life support.[97] The *maqāṣid* models appear not to account for such concerns. Even when notions of bodily sanctity and human dignity are incorporated within frameworks, these human interests are subordinated.[98] Even if the patient is judged to be a dead human, the preservation of progeny supports maintaining life

support despite threats to human sanctity and inviolability. This idea of instrumentalizing the mother's life to facilitate the fetus's has no legal precedent. Indeed, the dead body can be violated to achieve justice by retrieving lost property, for example, and a nearly dead pregnant woman can be dissected to save the fetus.[99] However, our case involves using the mother's body as an incubator for several weeks, thus tolerating the violation of bodily sanctity of a dead or nearly dead woman. Although proponents argue that *maqāṣid*-based models for ethico-legal deliberation reflect the spirit of the law, the ways in which the aforementioned medical ethics models are seemingly misaligned with extant rulings call for caution. Opting for *maqāṣid*-based reasoning to the exclusion of *fiqh* methods in Islamic medical ethics deliberation may be ill-advised.

Proceeding upward from practical ethics concerns, methodological issues also generate problems. A field-based redefinition approach transforms health into the ultimate human interest and refashions *maqāṣid* into hierarchical ethical principles servicing health. This approach can fall prey to relativism. Since the interests—religion (*dīn*), life (*nafs*), progeny (*naṣl*), wealth (*māl*), and intellect (*'aql*)—are defined according to common understandings, these interests can be defined variably by different cultures, have multiple different configurations within and across societies, and may change from epoch to epoch. This sort of relativism undermines the argument that the *maqāṣid* frameworks speak to universal moral norms. Indeed, Beauchamp and Childress's widely-utilized four-principle medical ethics model is critiqued for much the same reason.[100] Assuredly human interpretation of principles introduces plasticity that can help the framework adapt to different times and contexts. Yet, by removing the scriptural anchor that bounded the definitions of religion, life, progeny, wealth, and intellect, the concepts become susceptible to widespread variability and may be redefined almost at a whim. Illustratively, traditional views conceive of the human interest of *māl* as personal physical property. However, Kasule redefines the essential interest of *māl* as societal wealth, and Saifuddeen includes intellectual property in his vision for this human interest. With scholars and practitioners defining the interest differently based on field-specific understandings, a cohesive and uniform Islamic moral vision for society

seems impossible. Moreover, the posited "Islamic" nature of the bioethical theory becomes somewhat suspect when the human interests and the ethical duties that surround them are no longer rooted in revelation.

Additionally, although the proposed hierarchy is supposed to address conflicts between principles, the hypothetical case brings up an issue endemic to al-Shāṭibī's theory. In his view, the interest of religion ranks above life, and therefore moral duties to preserve religion supersede obligations related to preserving life. The posited field-specific redefinition frameworks revise this hierarchy while introducing ethical conflict. For example, in our case, the physician's moral obligation is to continue to apply advanced technology to maintain the patient's life, even in a severely compromised neurological state where worship is not possible and financial costs are high. In this scenario, preserving religion is not possible while preservation of societal wealth is threatened, yet it appears the moral duty to preserve life supersedes all other concerns. Even if the patient is judged to be dead, preserving the procreative capacity of the mother and/or the preservation of the fetus's life may demand maintaining life support. The theorists elaborate no limits. A framework without constraints on maximizing principles is not only impractical, but it also misses acknowledging the actual limitations on human actions.

Finally, there are some unresolved issues pertaining to the *maqāṣid* model itself. The theorists do not appear to consider necessary and enhancing objectives of Islamic law. They neither enumerate them nor identify a role for such secondary objectives within their version of Islamic medical ethics. In al-Shātibī's theory, these secondary objectives support the essential objectives and allow the framework to evolve based on knowledge from contemporary natural and social sciences. Given the conspicuous absence of these subsidiary objectives, one wonders how such medical ethics frameworks would stand the test of time to adjudicate matters that lie outside of the five essential *maqāṣid*. Moreover, it is unclear how the model would advance the social and political conditions to support meeting the essential objectives.

The *conceptual extension* approach identifies new means to achieve the classical essential *maqāṣid* by drawing upon contemporary knowledge and identifies new *maqāṣid* based on scripture and science. This

version of a medical ethics framework sets moral duties cohering with these *maqāṣid*. The principal challenge for such a framework is understanding the Lawgiver's intent, and thereby ascertaining the normative order of things. Ramadan ascribes normative value to nature such that it stands alongside scripture as the foundation for objectives and, thereby, moral duties. Attia values natural and social scientific understandings. For medical ethics deliberation, the challenge is harmonizing these multiple understandings to define the normative body and its natural telos. For example, if one were to look to nature to understand the value of reproductive organs, one may suggest that they are present for procreative purposes. At the same time, the Qur'an relates that God makes some individuals infertile. How would one determine an Islamic bioethical perspective on fertility treatment by simply looking at these sources for moral guidance? Some may term infertility a disease that obligates remedy, while others may consider the lack of offspring to require acceptance of divine decree. Would an Islamic healthcare system be obligated to research and fund therapies that restore function to a patient's reproductive organs? Similarly, the issue of brain death exemplifies biomedical understandings and data may not yield the desired result. Instead, a normative fallacy appears: biology and science may describe reality and generate facts but the values ascribed to these must come from elsewhere. Previously scriptural hermeneutics would be utilized to discern values. However, the conceptual extension approaches do not detail how to do so. These theories do not describe the parameters under which scientific facts inform the conceptualization of human interests. In other words, since reality and scripture both inform our understanding of the human interests to be preserved and the means to achieve such preservation, is there a privileging of one over the other?

A medical ethics schema based on text-based postulation is also not without problems. The strength of the model is also its weakness. The schema remains wedded to al-Shāṭibi's conceptual definitions of the essential human interests, which are based on his inductive reading of scripture. This fixation is particularly problematic when considering the evolution of human knowledge and societies since the 14th century, when al-Shaṭibī was designing his *maqāṣid* theory. In this way, a redefinition of

the essential *maqāṣid* is precluded, and the theory is not easily adapted to advancements in human knowledge and capacities. In a related fashion, the approach precludes a reordering of *maqāṣid,* as there appears to be no route by which a rationally advanced necessary *maqṣid* can transform into an essential one based on context. To illustrate this challenge, consider medicine's ability to intervene in disease. Today, such technical capabilities are vastly greater than in the 14th century, when al-Shaṭibī determined the moral duties surrounding the preservation of life. How would one update the model to reflect this? Contemporary scholars may suggest that the provision of healthcare, *a la* Attia, is part and parcel of the essential *maqāṣid* of preserving life because human existence depends on being free of fatal diseases. While text-based postulation might consider such provision to be a necessary means of preserving life, it will not be judged to be an essential one, and therefore it is not morally obligated unless there is a clear indication that the life, universally, is threatened if such an action is not taken. Hence this medical ethics framework does not easily allow for broadening the essential *maqāṣid* and thus limits its flexibility across time and space.

The practical ethics challenges, conceptual ambiguities, and other shortcomings of the *maqāṣid*-based medical ethics frameworks may be explained by their works-in-progress nature. Muslim thinkers concede that their *maqaṣīd* theories and ethical frameworks will require further development as they come to be applied in various disciplines and fields. Nonetheless, it is vital to highlight the challenges these attempts face to spur future clarifications and revisions.

Future Directions: The Intersection of *Maqāṣid*, Medical Ethics, and Biomedicine

Maqāṣid-based medical ethics models are increasingly introduced into Islamic bioethical discourses, mainly for reasons of pragmatism and posited utility. Advocates champion these tools as delivering the spirit of Islamic morality without the burden of requiring specialist knowledge of *fiqh* and scriptural hermeneutics to make moral judgments. The tools are also advocated as being weighed down by historical social constructs.

Consequently, *maqāṣid* models are set as instruments for rebalancing Islamic bioethical discourses by centering them around healthcare practitioners instead of jurists and by rooting them in the reasoning exercises of healthcare stakeholders in the contemporary era rather than being anchored to *fatāwā* and outdated societal configurations. While the models may furnish ethical concepts rooted in the Islamic moral tradition, the frameworks appear replete with conceptual, methodological, and practical shortcomings.

Beyond this, using *maqāṣid al-sharīʿah* theories and frameworks to adjudicate ethical duties and propose treatment plans at the bedside may be inappropriate because of what they represent. The *maqāṣid* are human interests that the Lawgiver legislates on the basis of, and as such they aid legists in discerning *fiqh*. Classical theorists sought to complement *fiqhī* methods and reorient rulings developed by expert legists by introducing the theories of *maqāṣid al-sharīʿah*. By supplanting *fiqh* and scholars of *fiqh,* contemporary thinkers have replaced the time-tested reasoning exercises and sophisticated ethico-legal concepts of *fiqh* with ones that are much less honed and cogent.

Instead, more appropriate usage of the *maqāṣid* would be to treat them as ethical end-goals that should be maximized by social systems, including legal ones. Both classical theorists and contemporary thinkers agree that *fiqh* exercises have become too focused on the permissibility of singular acts and that legists sometimes use strained logic to resolve the concerns of individual Muslims. Both groups argue that a broader vision of the Lawgiver's interest in legislating for the benefit of humankind is needed to refocus the generation of *fiqh* and *fatāwa*. Instead of using the *maqāṣid* for building frameworks for medical ethics deliberation and determining the ethics of an act, they should be utilized as a check to determine which rulings best serve the ethical end-goals of Islam. Said another way, *maqāṣid*-based analyses could provide a quasi-sorting or controlling function by helping decision-makers select the best course of action among the various courses of action deemed to be permissible by *fiqh.*

As an aside, another argument for *maqāṣid*-based medical ethics frameworks is based on the idea that Muslim clinicians need a working

knowledge of Islamic morality to live out Islamic ideals in medical prac-tice; they need to be 'inoculated' against acting according to secular visions of medical ethics. Therefore, *maqāṣid*-based frameworks are better suited for quick uptake and easy understanding. Unfortunately, the lack of constraints and balancing mechanisms within *maqāṣid*-based ethical frameworks, and their conceptual ambiguity, make them poor substitutes for more secular medical ethics systems that draw on robust principle and virtue-based theories. In my view, the Islamic legal tra-dition already contains a genre of pithy and robust ethical concepts, the *qawā'id al-fiqhiyya*, that can be quickly understood by non-legal specialists and serve as foundations for ethical thinking. Moreover, this genre also has built-in balancing and constraining tools, *ḍawābit*, which would help prevent clinicians from utilizing the ethico-legal maxims inappropriately. As such, this genre is much more suited for Islamic medical ethics training.

Certainly, *maqaṣīdī* approaches can help tie different strands of Islamic ethical reflection together to furnish a comprehensive and com-pelling Islamic bioethical theory. While Islamic law focuses on the moral significance of acts, Islamic virtue ethics aims at the moral formation of the agent. I contend that *maqāṣid*-based ethical frameworks delineate end goals and bring holism to the field, when used appropriately. Since the *maqāṣid* reflect the divine intents which involve protecting human interests, *maqāṣidī* bioethical frameworks provide insight into what the Lawgiver intends for humanity to work towards; they can describe a vision of human flourishing that humankind should aim for. Indeed, the three disciplines would cover act-morality, agent-morality, and end-goal morality. Metaphorically, the *maqāṣid* would clarify the destination to be reached, *fiqh* would map out the multiple ways of getting there, and teaching Islamic virtues would assure that one has enough fortitude to undertake the journey. Obviously, for the *maqāṣid* to illuminate the moral goals, they must be unambiguous, robustly conceptualized, and closely connected to scripture.

Finally, Muslim thinkers advocating for *maqāṣidī* thinking in med-icine have focused on inserting these frameworks into medical ethics. They hope that by reforming ethical deliberation, modern healthcare

delivery will move closer to being aligned with Islamic morality. Indeed, contemporary healthcare is delivered as part of a cultural system containing ontological, epistemic, ethical, and social frameworks. The idea of gaining a toehold within the ethical realm and then moving outward to systematically reform the healthcare system is laudable. Yet, starting with ethics may be too downstream of a starting point, for the way in which modern medicine is set up within society prefigures certain types of ethical concerns and leads to specific conflicts among its various stakeholders. Injecting Islamic moral values to resolve a conflict at the bedside between two available courses of action does not necessarily open up different courses of action. Said another way, Islamic moral frameworks may help clinicians and patients determine which of the *available* courses of action are more in line with the tradition, but reforming medical ethics deliberation at the bedside may not introduce *new* courses of action nor *change* the available options.

Controversies over brain death exemplify this notion. Because most of society values human consciousness as a marker of personhood, it is largely acceptable to consider the loss of consciousness as the death of an individual. Furthermore, because healthcare payors more highly compensate chronic disease management and high technology solutions than disease prevention modalities, diseases like high blood pressure and diabetes run rampant and lead to kidney failure, which demands solutions such as organ donation and transplant. Consequently, brain death becomes a much more valuable construct because it allows for organ donation and transplantation, which save the lives of individuals stricken with vital organ failure. This social structure leads to questions about the meaning of death, conflicts between families and clinicians over decisional authority to donate organs, and whether religious exemptions or conscience claims can be advanced to consider individuals meeting neurological criteria for death as still alive. Advocating for the sustaining of life support for a patient declared brain dead because that is more aligned with Islamic morality does not appear to be the logical starting point by which to address the cultural, ontological, social, legal, and epistemic frameworks that support the notion that brain death is the death of the human being, nor addresses the larger healthcare purposes,

e.g., organ donation, that the entity is needed to facilitate. A project to "Islamicize" biomedicine, by which I mean aligning biomedicine with the Islamic moral tradition, does not require advancing a "missionary bioethics" based on the *maqāṣid* frameworks.[101] Instead, developing a constructive critique of contemporary healthcare by evaluating whether the ways in which healthcare is instantiated within society serves the human interests legitimated by the *maqāṣid* might be a better starting point for reformation.

Endnotes

1   Pew Research Center, "Mapping the Global Muslim Population," Mapping the Global Muslim Population, October 7, 2009, https://www.pewforum.org/2009/10/07/mapping-the-global-muslim-population/.

2   The term bioethics has many different definitions, but is a broad field of study that encompasses the ethical, social, and legal issues that arise in the life sciences and biomedicine. Bioethics discourses thus occur within many different settings including the hospital, the home, on public media and within legislative bodies. As a field bioethics is expansive and can be considered to contain several subfields including clinical medical ethics (or medical ethics for short) which focuses on issues arising at the level of the patient, family, and doctor during the course of healthcare decision-making. The focus of this paper will be on medical ethics as the realm of application for frameworks based on the higher objectives of Islamic law. See also Yacoub Ahmed, Abdassamad Clarke, and Abdel Aziz, *The Fiqh of Medicine: Responses in Islamic Jurisprudence to Development in Medical Science* (London: Ta-Ha, 2001); Abdulaziz Abdulhussein Sachedina, *Islamic Biomedical Ethics: Principles and Application* (New York: Oxford University Press, 2009); Mohammed Ali Al-Bar and Hassan Chamsi-Pasha, *Contemporary Bioethics* (Cham: Springer International Publishing, 2015); Alireza Bagheri and Khalid Abdulla Al-Ali, *Islamic Bioethics: Current Issues and Challenges* (London: World Scientific Publishing Europe Ltd., 2018); Aasim I. Padela, and Ebrahim Moosa, *Medicine and Shariah: A Dialogue in Islamic Bioethics* (Notre Dame: University of Notre Dame Press, 2020).

3   Morgan Clarke, Thomas Eich, and Jenny Schreiber, "The Social Politics of Islamic Bioethics," *Die Welt Des Islams* 55, no. 3–4 (November 2015): 265–77; Aasim I. Padela, "Islamic Bioethics: Between Sacred Law, Lived Experiences, and State Authority," *Theoretical Medicine and Bioethics* 34, no. 2 (April 2013): 65–80; Mohammed Ghaly, "Islamic Bioethics: The Inevitable Interplay of 'Texts' and 'Contexts': Editorial," *Bioethics* 28, no. 2 (February 2014): ii–v; Alireza Bagheri, "Islamic Bioethics," *Asian Bioethics Review* 3, no. 4 (2011): 313–15.

4   Aasim I. Padela, Hasan Shanawani, and Ahsan Arozullah, "Medical Experts & Islamic Scholars Deliberating over Brain Death: Gaps in the Applied Islamic Bioethics Discourse," *The Muslim World* 101, no. 1 (2011): 53–72; Aasim I. Padela, Ahsan Arozullah, and Ebrahim Moosa, "Brain Death in Islamic Ethico-Legal Deliberation: Challenges for Applied Islamic Bioethics," *Bioethics* 27, no. 3 (March 2013): 132–39; Aasim I. Padela, "Public Health Measures & Individualized Decision-Making: The Confluence of the H1N1 Vaccine and Islamic Bioethics," *Human Vaccines* 6, no. 9 (September 2010): 12015.

5   Omar Hasan Kasule, "Biomedical Ethics: An Islamic Formulation," *Journal of the Islamic Medical Association of North America* 42, no. 1 (April 2010).

6   Gamal Eldin Attia, *Towards Realization of the Higher Intents of Islamic Law: Maqasid al-Shari`ah: A Functional Approach* (Herndon, VA: International Institute of Islamic Thought, 2007); Jasser Auda, *Maqasid al-Shari`ah: A Beginner's Guide* (London: International Institute of Islamic Thought, 2008).

7   Mohammad Hashim Kamali, *Maqasid al-Shariah, Ijtihad and Civilisational Renewal*, Occasional Papers 20 (London: International Institute of Islamic Thought, 2012); Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach* (Washington D.C.: International Institute of Islamic Thought, 2008).

8   This paper focuses on the intersection of *maqāṣid* with medical or clinical ethics decisions, rather than the larger field of bioethics.

9   Brain death is a misnomer and highly confusing entity. It is not total brain failure from a physiological sense, nor do criteria for assessing brain death require testing all parts of the brain. It is more appropriately thought of a prognostic entity than a diagnostic one. For the purposes of this paper I use the term to represent the clinical state of a human being that corresponds to meeting the neurological criteria for death in a legal jurisdiction. It is important to recognize these criteria may vary from country to country.

10 Imran Ahsan Khan Nyazee, *Theories of Islamic Law* (Islamabad: Islamic Research Institute, 2005); Ibrahim ibn Musa al-Shatibi, *The Reconciliation of the Fundamentals of Islamic Law*, translated by Imran Ahsan Khan Nyazee (Reading, UK: Garnet Publications, 2011).

11 Imran Ahsan Khan Nyazee, *Islamic Jurisprudence: Usul al-Fiqh* (Islamabad: Islamic Research Institute, 2000); Subhi Ragab al-Mahmasani, *Falsafat Al-Tashri Fi al-Islam = the Philosophy of Jurisprudence in Islam*, trans. Farhat Jacob Ziadeh (Leiden: Brill, 1961); Kamali, *Principles of Islamic Jurisprudence.*

12 Ahmad al-Raysuni, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law*, translated by Nancy N. Roberts, abridged by Alison Lake (Herndon, VA: International Institute of Islamic Thought, 2013).

13 Tariq Ramadan, *Radical Reform: Islamic Ethics and Liberation* (Oxford: Oxford University Press, 2009); Auda, *Maqasid al-shari`ah*; al-Raysuni, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law.*

14 Al-Raysuni, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law*, 284.

15 Shatibi, *The Reconciliation of the Fundamentals of Islamic Law*, 9.

16 Ibid., 10.

17 Al-Raysuni, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law.*

18 Shatibi, *The Reconciliation of the Fundamentals of Islamic Law*, 319.

19 Ibid., 14.

20   Ibid.

21   Attia, *Towards Realization of the Higher Intents of Islamic Law.*

22   Ibid.; al-Raysuni, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law.*

23   Abul Fadl Mohsin Ebrahim, "Vaccination in the Context of Al-Maqasid al-Shari`ah : Objectives of Divine Law and Islamic Medical Jurisprudence," *Arabian Journal of Business and Management Review (Oman Chapter)* 3, no. 9 (May 2014): 44–52; Shaikh Mohd Saifuddeen et al., "Maqasid al-shariah as a Complementary Framework to Conventional Bioethics," *Science and Engineering Ethics* 20, no. 2 (June 2014): 317–27; Omar Hasan Kasule, "Analysis of the Medical Decisions of the International Fiqh Academy from the Perspectives of the Maqasid Al Shari'at and Qawa'id Al Fiqh," *Integrated Medical Education Resources* (blog), 2015, https://omarkasule-tib.blog-spot.com/2015/06/150309p-analysis-of-medical-decisions.html; Omar Hasan Kasule, "Understanding Basic Principles of Maqasid Al Shari'at for Healthcare Workers," *Integrated Medical Education Resources* (blog), 2009, https://omarkasule-tib.blog-spot.com/2011/07/091018p-understanding-basic-principles.html; Omar Hasan Kasule, "Islamic Medical Ethics with Special Reference to Maqasid al Shari'at," 2007, http://ihcmalaysia.my/index.php/list-of-publications/38-maqasid-syariah; Omar Hasan Kasule, "The Application of Maqasid Al Shari'at in Medical Practice," *Integrated Medical Education Resources* (blog), 2006, https://omarkasule-tib.blogspot.com/2011/05/0609p-application-of-maqasid-al-shariat.html; Bouhedda Ghalia et al., "Medical Ethics in the Light of Maqāṣid al-sharīʿah: A Case Study of Medical Confidentiality," *Intellectual Discourse* 26, no. 1 (June 12, 2018): 133–60; Abdul Halim Ibrahim et al., "Tri-Parent Baby Technology and Preservation of Lineage: An Analysis from the Perspective of Maqasid al-shari'ah Based Islamic Bioethics," *Science and Engineering Ethics* 25, no. 1 (February 2019): 129–42; Abdul Halim Ibrahim, Noor Naemah Abdul Rahman, and Shaikh Mohd Saifuddeen, "Maqasid al-shariah as a Complementary Framework for Conventional Bioethics: Application in Malaysian Assisted Reproductive Technology (ART) Fatwa," *Science and Engineering Ethics* 24, no. 5 (October 2018): 1493–1502.

24   I am aware of such teaching occurring in medical schools throughout Malaysia and more recently in Saudi Arabia.

25   Although there is reference to the *maqāṣid* in many medically-oriented fatāwa, most often reference to the *maqāṣid* is made in order to buttress fiqh-based ethical determinations. Moreover, given the genre, such writings are short and do not provide details on the deliberative frameworks using *maqāṣid.* As such I restricted my sources of study to the extant Islamic bioethics literature in English which provide the space for greater elaboration and represent attempts by Muslim scholars to engage contemporary medical ethics stakeholders.

26   At the same time, since the focus of my study was on scholarly writings that address medical ethics from a *maqāṣidi* perspective the sources I used may not represent

each theoretical model fully. A fuller study is needed to comprehensively review how scholars have built upon al-Shāṭibī's work to furnish newer models of the *maqāṣid al-sharīʿah.*

27   Kasule, "Biomedical Ethics," 39.

28   Ibid.

29   Siti Hafsyah Idris, Abu Bakar Abdul Majeed, and Lee Wei Chang, "Beyond Halal: Maqasid al-Shari'ah to Assess Bioethical Issues Arising from Genetically Modified Crops," *Science and Engineering Ethics* 26, no. 3 (June 2020): 1463–76.

30   Kasule, "Integrated Medical Education Resources."

31   Ibid.

32   Ibid.

33   Ibid.

34   Ibid.

35   Ibid.; Kasule, "Biomedical Ethics"; Saifuddeen et al., "Maqasid al-Shariah as a Complementary Framework to Conventional Bioethics"; Kasule, "Integrated Medical Education Resources."

36   Saifuddeen et al., "Maqasid al-Shariah as a Complementary Framework to Conventional Bioethics," 324.

37   Kasule, "Biomedical Ethics."

38   Abdul Halim Ibrahim et al., "Maqasid al-Shariah Based Islamic Bioethics: A Comprehensive Approach," *Journal of Bioethical Inquiry* 16, no. 3 (September 2019): 333–45.

39   Saifuddeen et al., "Maqasid al-shariah as a Complementary Framework to Conventional Bioethics."

40   Ibrahim et al., "Maqasid al-Shariah Based Islamic Bioethics."

41   Saifuddeen et al., "Maqasid al-Shariah as a Complementary Framework to Conventional Bioethics"; Ibrahim, Rahman, and Saifuddeen, "Maqasid al-Shariah as a Complementary Framework for Conventional Bioethics."

42   Ebrahim, "Vaccination in the Context of Al-Maqasid al-Shari`ah."

43   Ghalia et al., "Medical Ethics in the Light of Maqāṣid al-Sharīʿah."

44   M.M. Nordin, "Immunisation from the Perspective of Maqasid Shariah," *Bangladesh Journal of Medical Science* 15, no. 2 (n.d.): 151–53.

45   Kasule, "Integrated Medical Education Resources," 3.

46   Saifuddeen et al., "Maqasid al-Shariah as a Complementary Framework to Conventional Bioethics"; Kasule, "Integrated Medical Education Resources."

47   Omar Hasan Kasule, "Islamic Medical Ethics with Special Reference to Maqasid al Shari'at," 2007, http://ihcmalaysia.my/index.php/list-of-publications/38-maqasid-syariah.

48 Saifuddeen et al., "Maqasid al-Shariah as a Complementary Framework to Conventional Bioethics."

49 Ebrahim, "Vaccination in the Context of Al-Maqasid al-Shari`ah."

50 Ibrahim, Rahman, and Saifuddeen, "Maqasid al-shariah as a Complementary Framework for Conventional Bioethics," 1496.

51 Ibid.; Ibrahim et al., "Maqasid al-shariah Based Islamic Bioethics"; Ibrahim et al., "Tri-Parent Baby Technology and Preservation of Lineage."

52 Ghaiath Hussein, "What Can Ethics Learn from Islamic Legislation? An Islamic Approach to Moral Analysis Based on the Purposes of Islamic Legislation (Maqsid al-Shariya'a)."

53 Attia, *Towards Realization of the Higher Intents of Islamic Law.*

54 Auda, *Maqasid al-shariah as Philosophy of Islamic Law*; Ramadan, *Radical Reform*; Attia, *Towards Realization of the Higher Intents of Islamic Law*; Y. al-Qaradawi, "Medicine Containing Alcohol for Preservation Purposes.," Halal Industry Development Corporation, accessed 2020, http://www.hdcglobal.com/publisher/ pid/219ab653-c702-49b4-8598-ebb11c060596/container//contentId/f7f596a7-b417- 4e7d-bdb2-06df1441629e; Yusuf Al-Qaradawi, *The Lawful and the Prohibited in Islam* (Kuala Lumpur: Islamic Book Trust, 2013).

55 Attia, *Towards Realization of the Higher Intents of Islamic Law*, 2007.

56 Ibid.

57 Ibid., 11.

58 Ibid., 195.

59 Ibid., 119

60 Ibid.

61 Ibid., 122.

62 Ibid., 32.

63 Ibid.

64 Ramadan, *Radical Reform*, 142.

65 Ibid., 136.

66 Ibid., 136.

67 Ibid., 138.

68 Ibid., 136.

69 Ibid., 139.

70 Tariq Ramadan, "The Challenges and Future of Applied Islamic Ethics Discourse: A Radical Reform?," *Theoretical Medicine and Bioethics* 34, no. 2 (April 2013): 105–15.

71 Ramadan, *Radical Reform*, 159.

72 Ibid., 176.

73 It is critically important to recognize that al-Shaṭibī's theory is connected to scripture. He uses induction to derive the essential human interests; thus his theory is based on scriptural texts. However this model does not go directly to those scriptural texts.

74 Ebrahim, "Vaccination in the Context of Al-Maqasid al-Shari`ah"; Kamali, *Maqasid al-Shariah, Ijtihad and Civilisational Renewal*; Aasim I. Padela, "The Essential Dimensions of Health According to the Maqasid al-shariʿah Frameworks of Abu Ishaq al-Shatibi and Jamal-al-Din-ʿAtiyah," *IIUM Medical Journal Malaysia* 17, no. 1 (July 2018).

75 Al-Raysuni, *Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law*.

76 Nyazee, *Theories of Islamic Law*.

77 Padela, "The Essential Dimensions of Health According to the Maqasid al-Shariʿah Frameworks of Abu Ishaq al-Shatibi and Jamal-al-Din-ʿAtiyah."

78 Aasim I. Padela, "The Perspectives of Islamic Jurists on the Brain Death as Legal Death in Islam," *Journal of Religion and Health* 55, no. 4 (August 2016): 1215–17; Padela, Arozullah, and Moosa, "Brain Death in Islamic Ethico-Legal Deliberation"; Padela, Shanawani, and Arozullah, "Medical Experts & Islamic Scholars Deliberating over Brain Death"; Johannes Grundmann, "Shari`ah, Brain Death, and Organ Transplantation: The Context and Effect of Two Islamic Legal Decisions in the Near and Middle East," *American Journal of Islam and Society* 22, no. 4 (October 1, 2005): 1–25; Birgit Krawietz, "Brain Death and Islamic Traditions: Shifting Borders of Life?," in *Islamic Ethics of Life: Abortion, War, and Euthanasia*, ed. Jonathan E Brockopp (Columbia, SC: University of South Carolina Press, 2003), 194–213; Andrew C. Miller, Amna Ziad-Miller, and Elamin M. Elamin, "Brain Death and Islam," *Chest* 146, no. 4 (October 2014): 1092–1101.

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80 American College of Obstetricians and Gynecologists, "Periviable Birth," 2019, https://www.acog.org/en/clinical/clinical-guidance/obstetric-care-consensus/articles/2017/10/periviable-birth.

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Developing an Ethic of Justice: Maududi and the Solidarity Youth Movement

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Abstract

New Muslim movements in South India, such as the Solidarity Youth movement, re-formulated Muslim priorities towards human rights, democracy, development, environmental activism, and minorities. I read Solidarity Youth Movement as proposing an ethic of Islam's conception of justice, while also drawing inspiration from the influential Islamist Abul A'la Maududi. Focusing on jurisprudential debates, I look at the ways in which

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Maududi's intervention informs the praxis of Solidarity Youth Movement. This paper seeks the possibility of examining their activism as an instance of juristic deliberation, linked to the revival of *maqāṣid al-sharī'ah* in the latter part of the twentieth century. I suggest a reading of their *maqāṣid* approach, born out of praxis in a Muslim minority context, as potentially informing the development of *fiqh al-aqalliyah.*

Introduction

Muslim political mobilization in India has undergone significant changes in the last three to four decades. Muslims found themselves subject to a new discourse on religion, minorities, and rights, questioning the contours of a secular democracy. In south India, it has led to the formation of new Muslim movements like Popular Front of India, People's Democratic Party, and Solidarity Youth Movement. As their names, slogans, and patterns of mobilization suggest, these movements articulate Muslim concerns in a constitutional language of rights.[1] They developed concerted moves with other marginalized groups like Dalits and Adivasis to challenge the majoritarian Hindutva mobilization. These movements offered new ways of understanding and prioritizing the questions of community, caste, minorities, human rights, environmental activism, and gender justice. Recasting Islam as a pursuit of rights and defiance[2] and taking up the language of civil rights, they sought public recognition. Most scholars identified this new revival as a threat to secularism,[3] while others specified it as an entry of democratization and politics of citizenship.[4] This new revival of Muslim movements has been influenced by similar changes in the other parts of the Muslim world since the 1970s, which has been recognized as the second phase of Islamism after the Iranian revolution.[5] Other scholars have characterized these revivalist tendencies as post-Islamism,[6] civil Islam,[7] Islamist democracy,[8] secularizers,[9] public Islam,[10] and new Islamists.[11] As there are striking similarities between these mobilizations and that under discussion in India, these categorizations remain useful but inadequate at many levels.

The new movements are influenced not only by sociopolitical changes, but also by claims of 'Islamic legitimacy,' facilitated through jurisprudential reasoning. As Muslims always tend to fall back on 'Islamic legitimacy,' the new movements had to correlate their articulations based on principles in Islamic law. The translation of an Islamic principle into a regional and modern context through 'jurisprudential mediation' has always been complex, despite universal resemblances at many levels. Halim Rane expounds on the jurisprudential aspects of the second phase of Islamist movements as espousing a *maqāṣid* approach, which is seeking Islam's higher objectives. "These parties are Islamic in orientation and identity but regard democracy, economic prosperity, good governance, human rights, and pluralism as Islamic objectives, rather than the implementation of *sharīʿah* law or creating an Islamic state in the modern, conventional sense."[12] Going by these definitional characteristics, the new movements in South India could be effectively considered as espousing a *maqāṣid* approach. However, Rane's analysis is largely concerned with minimizing the tension between Islam and the West, through an accommodationist approach. On the other hand, as I will show in the remaining part of the paper, the new movements in South India are not envisaging an accommodationist approach, but a confrontationist approach based on an ethic of justice.

A critical study of these movements demonstrates that the meanings produced through *fiqh* are internal to Muslims yet refer to something outside. They engage with the modern categories of politics, secularism, nation, state, constitution, rationality, and progress. As a prominent scholar who engaged with these modern categories, Maududi has been an influential presence in the new movements. Maududi employed jurisprudential reasoning, through a creative belaboring with tradition and modernity, to claim 'Islamic legitimacy,' and at times a 'legitimate authority.' I read *Jamate Islami*'s youth wing, Solidarity Youth Movement's (henceforth Solidarity) articulations as a continuation of Maududi's Islamic activism. Thus we can place Maududi as a precursor to the recent changes in the Muslim movements in general and Solidarity in particular. In this way, I intend to bring Maududi into contemporary discussions around *maqāṣid*, and to introduce some of the unattended regional jurisprudential

developments into the modern academic engagements on Islamic law. The purpose of the paper is not to establish any direct equivalence between Maududi and Muslim movements, but to make a modest claim about the influence of Maududi's thought in enhancing the *maqāṣid* approaches. Divided into four sections, the first section of the paper, taking cues from Wael Hallaq, will examine the legitimacy of movements as legal actors. The following sections will embark on an attempt to discern the jurisprudential engagements of Maududi and his influential presence in Solidarity's invocation of *maqāṣid*. The last section will explore the possibilities of developing the jurisprudence of minorities, specific to the Indian context, as exercised by juristic actors like Solidarity.

Movements as Legal Actors

Before moving to the contribution of the movements to Islamic juris-prudence, it is imperative to establish the legitimacy of movements as actors in jurisprudential developments. Hallaq argues that, since the 1970s, "there are four major actors on the legal scene... namely, the state, the "secular" modernists, the ulama and the Islamists."[13] Though Hallaq recognizes Islamists as influential and pervasive juristic actors, he claims that there is a rupture of continuity in the traditional juristic process and authority. Traditionally, it has been the task of a *mujtahid* or *faqih* to read the sources of the Islamic legal system in a spatio-tem-poral context and to give guidance to the existing Muslim community. Hallaq negates the possibility of having *maqāṣid* universals with any genuine Islamic meaning and content in the modern context, as they are conceptually disharmonious with modernity's conditions. His primary contention is against dependence on an alternate hermeneutics instead of "an individualistic, socially-embedded, Arabicate-driven *ijtihad*."[14] Thus, for Hallaq, even the reviving of *maqāṣid* will either undergo a process of codification or a readjustment into a profoundly new legal ecology due to the inescapability of the modern state and its legal power. In such a context, the hermeneutic engagement with text will be shaped by the state to envision a 'good citizen,' to the extent that *maqāṣid* will lose its Islamic character.[15]

While many of the criticisms by Hallaq are significant here, especially the loss of an Arabicate hermeneutics and the problems with enacting the modern 'good citizen,' it would be an overstatement to relegate the evocation of *maqāṣid* as exclusively embedded in modernity's predicaments. Though referred to as a most systemic thinker of modern Islam,[16] and influential Islamist, Maududi has categorically criticized any tendencies that force Muslims to demonstrate the conformity of Islam with modern values as coming from an inferiority complex of Muslims.[17] For him, this emphasis on conformity arises from the lack of systematic study of Islamic political order in relation to the place and nature of democracy, social justice, and equality. Maududi stresses the importance of knowledge of Arabic and opines that "it is the history of *fiqh* which reveals the evolution of Islamic Law."[18] Thus, alongside *uṣūl al-fiqh* (sources/basis of Islamic jurisprudence), the history of jurisprudence acquires prime importance in Maududi's curricula for producing Muslim jurists. This would complicate, if not contradict, Hallaq's argument that the Islamists have "shed the mantle of traditional juristic and hermeneutical authority."[19] Attention to the history of *fiqh* corresponds to the acceptance of the legitimacy and authority of preceding jurisprudential engagements in Islamic law.

As Hallaq rightly proposes, with modern conditions there have been numerous changes in the locus of nature of *faqīh* and *mujtahid*. Hallaq's argument about de-individualization is centered on the critique of *fiqh* becoming a codified system under the modern nation-state. Such a predicament might well hold value, as his analysis is mainly centered on the Islamist revival in Egypt, Pakistan, Indonesia, and Iran, which are Muslim countries and have the potential to evolve into an Islamic state. In India, codification is driven through the introduction of personal laws, earlier by the colonial government and later by the Indian nation-state. As the new Muslim movements like Solidarity do not hold the power to change the personal law or engage in the process of codification, their attempts to revive *maqāṣid* are potentially moving outside the codified system, questioning the modern-secular order, and bringing the question of religion into the public rather than limiting it to the private. In other words, instead of recasting *sharī'a* into code-like forms, the revival of *maqāṣid*

by these movements would, in effect, contribute to reclaiming the moral community. What Hallaq misses is the de-individualized, yet non-state approaches to the interpretation of Islamic law. For instance, Taha Jabir Alalwani proposes a collective enterprise where scholars from different disciplines come together to address political, economic, educational, philosophical, or ethical questions.[20] This would presume the possibility of having 'collective *ijtihad.*' Consequently, it assumes a collective nature of *fiqh* which is not necessarily statist. The collective nature, by default, is not leading to a codification as there is no political authority to impose the rules. Thus, following Hallaq and Alalwani, we can rightly assume that movements like Solidarity, through their collective nature, are legitimate actors of Islamic jurisprudence in the contemporary period.

Once we recognize the legitimacy of the movements as juristic actors, what follows is to discern their influence and to take stock of their actual contribution. As a Muslim legal predicament,[21] the new movements locate their activism within the larger corpus of Islamic tradition. For instance, Solidarity has claimed a direct continuity from the prophetic tradition, passed through *mujaddids*. The preface to their Constitution reads: "after the prophets, *mujaddids* and different wise people emerged at different epochs in history, to revive and lead human beings to the straight path. Islamic movements are a continuity of this tradition."[22] Solidarity, thus, makes a claim on the authority to lead the community. In other words, it affirms the nature of contemporary Islamic movements as that of *mujaddids* and the "heirs of the prophets."[23] Another article by the leader of *Jamat-e Islami* justifies the activism of Solidarity, claiming it is a prophetic tradition to be among the people, to find solutions to their problems, and to fight against injustice.[24] Interestingly, the article is titled "prophet is in the streets," indicating that Solidarity locates its Islamic legitimacy as a continuity of prophetic tradition. Claims of continuity, of tradition, are advanced as a claim of authority.

This produces a question of authority within the community while, on the other hand, requires juristic legitimacy for all their activities. According to Rane, the *maqāṣid* approach enables the organizations to maintain Islamic legitimacy during their transformation.[25] Likewise, Solidarity's articulations significantly point to the influence of *maqāṣid*

universals in their policy and programs. The major areas of activism taken up by Solidarity are human rights, displacement of marginalized communities, and environmental protection. These engagements were not the principal priorities of the earlier Islamist movement, though not entirely absent. For Solidarity, existence, justice, and development are mutually inclusive, developed through *tawḥīd*, *khilāfah*, *iṣlāḥ*, and *ist'imār*. While *tawḥīd* and *khilāfa* give a philosophical location of human beings in the larger ecosystem, *iṣlāḥ* and *ist'imār* prescribe the code of conduct to not destroy but preserve the ecosystem:[26] to produce a sound nexus between living beings and natural order. Through Islam's interpretative resources, Solidarity articulates protection of the environment and establishing justice as the responsibility of *khalīfa*, the human being.[27] Maududi's idea of *khalīfa* (vicegerent), who is supposed to enlighten this world with the divine vision, is instructive in developing this paradigm. Thus, neither humans nor the environment, but human beings as divine vicegerents, are at the center of the human action, which points to the larger world order that is governed by the divine.

However, in my proposition, Solidarity's approach to *maqāṣid* is not a replication of what Rane has seen in the cases of Turkey's Justice and Development Party (AKP), Malaysia's People's Justice Party (PKR), Indonesia's Prosperous Justice Party (PKS), Morocco's Justice and Development Party (PJD), Tunisia's An-Nahda Party, or Egypt's Freedom and Justice Party (FJP). Rane approaches *maqāṣid* as an instrumental and utilitarian effort to resolve the tension between West and the Muslim world and thus between the secularists and Islamists. It is achieved, according to Rane, through maintaining Islamic legitimacy without explicitly referring to the "Islamic" label. In the case of Solidarity, even though the so-called "Islamic" label has been kept at bay, they haven't given up the confrontationist approach. By confrontationist approach, I mean, most of their activities are oriented at questioning the state's narratives, whether it is on development, democracy, or human rights. Rane elaborates *maqāṣid* approaches that emphasize Islam's compatibility with modern values of "democracy, human rights, gender equality, pluralism and peaceful coexistence with non-Muslims."[28] But Solidarity's attempt is to claim a legitimate space within the Indian civil society

through democratic measures. Here, democracy is understood not as a system in itself but rather, following Maududi, a concession by the state.[29] *Jamat-e Islami*'s experience of being banned during the emergency in 1975 and the demolition of Babri Masjid in 1992 emphasizes the fact that democracy is indeed a concession which is at the arbitrary discretion of the state. Following such an understanding, for the new juristic actors like Solidarity, democracy is instrumental while the *maqāṣid* approach is not merely instrumental, but an aim in itself.

To appreciate these nuances, the next section will take a look at the influence of Maududi's ideas in Solidarity's contemporary discourse. I outline Maududi's jurisprudential engagements as crucial in opening multiple avenues for contemporary Muslim movements.

Maududi: Jurisprudence of a Political Philosopher

Maududi's significant contributions to the development of Islamic law and jurisprudence are largely unacknowledged due to two reasons. Firstly, Maududi is said to lack formal madrasa training.[30] Secondly, an excessive emphasis on the sociopolitical context that influenced Maududi has led to an overly political reading of Maududi's ideas. Maududi's exegesis of the Qur'an is understood as a sociopolitical reading disguised as *fiqhi*,[31] and he is said to have not left any systematic work in theology, as his writings are more practical than theoretical.[32] Some critics of Maududi, as Irfan Ahmad noted, evaluate Maududi as lacking proper universalism and argued that *maqāṣid* is a medium to pursue universalism. They claim that Maududi viewed the Islamic state without considering conditions of time and space, and cited Caliph Umar's abrogation of the ruling of cutting off a thief's hand during a severe drought as an instance of being attentive to such context.[33] A careful reading of Maududi shows not only that he was attentive to the *maqāṣid* universals, but he has also cited the same case of Caliph Umar for emphasizing the importance of context and *sharī'a*'s comprehensive nature. To describe the possibilities and limits of human legislation, Maududi elaborately refers to Imam Shatibi's proposals in *al-I'tisām*. It has to be noted that Imam Shatibi is the most referred scholar, after Imam Shafi'i, for laying the foundation

for *maqāṣid sharīʿa*. This clearly points to Maududi's awareness about the higher objectives of *sharīʿa*.

Maududi claims that the silence of *sharīʿa* in certain human affairs is not a symptom of Islamic law's futility; rather, it affirms the human agency to legislate. He has upheld the process of *ijtihād* (independent reasoning) as an enduring principle of Islam, making the legal system dynamic, for an effective rendering of *sharīʿa* in a given time and place.[34] This has effectively made Maududi's ideas more influential.[35] However, for Maududi, new legislations have to be "in conformity with the ultimate objective of Islam" and should be "capable of meeting the real needs of the people."[36] While *maṣlaḥa mursala* are "those experiences which have been left to our own choice and nothing has been prescribed either way", *istiḥsān* is "a concept of equity, wherein although a certain commandment is arrived at through analogy (*qiyās*)…, the expediency is given preference over the apparent inference through analogy."[37] For achieving this standard, Maududi was critical of any layman doing interpretation of Islamic law, while being equally critical of the priesthood. He took a moderate path between traditional and liberal approaches to *ijtihād*, neither proposing unfettered *ijtihād* nor dissociating from it altogether.[38]

Maududi recommended the task of re-reading the text, not merely to reproduce, but to explicate modern constitutional problems from the dispersed and mixed-up chapters in the books on *fiqh*.[39] Such a method Taha Jabir Alalwani calls "combined reading."[40] Accordingly, Maududi evokes *taʾwīl* (interpretation), *qiyās* (deduction by analogy), *ijtihād* (disciplined judgment of jurists) and *istiḥsān* (juristic preference) as the four processes of human legislation in Islamic law. However, the new legislation won't acquire the status of Islamic law unless the ruling undergoes further tests of *ijmāʿ* (consensus among scholars) or *jamhūr* (approval by the majority). While the *ijmāʿ* of the entire Muslim world is not subject to review, the *jamhūr* is dependent on spatio-temporal contexts. To navigate sectarian differences and to affirm legal pluralism, Maududi suggests that *jamhūr* (majority ruling) won't be imposed on the personal matters of those who differ from the opinion. Those minorities are "entitled to demand the enforcement of their own code in their personal matters."[41]

In another instance, Maududi says that there can be differences in understanding the injunctions of the *sharī'a,* but that doesn't give authority to anyone to expel another from the fold of believers.[42] This attention to minorities and legal dynamism can be seen throughout Maududi's ideas, which emphasize his consideration for legal pluralism irrespective of any attempt for codification.

Ijmā' or *jamhūr* can happen through one of four ways: Firstly, a consensus by the learned men of the community; secondly, a broad acceptance so that people suo-moto adopt a verdict (like the *ijtihād* of the Hanafite or Shafiite, etc.); thirdly, an adoption of a particular *ijtihād* by a Muslim government; and fourthly, a constitutionally empowered institution in an Islamic state enacting a particular *ijtihād.*[43] Of these, the fourth one points to the possibility of having a collective for enumerating the validity and necessity of a particular *ijtihād.* In other words, framing Islamic law has become a collective act, with political undertones, while at the same time, the juristic exercise of the scholars is not controlled. Thus, it would potentially correspond to producing a new authority, whereby chosen scholars become the custodians of law in specific settings. *Ijtihād*, then, is no more an "'*ulamā'* function,"[44] but a collective work. But this is not synonymous with the rejection of the monopoly of '*ulamā'* or an attempt to redefine *sharī'a*;[45] rather, an attempt to navigate legal plurality and juristic disagreements. Maududi's proposal of a body of experts, rather than completely doing away with authority, has given an expanded scope for considering *shūrā* in Islamic movements as the newly evolved authority.

However, for Maududi, there are some unalterable elements of Islamic law and certain checks and balances (*ḥudūd*) to reduce the "possibility to commit errors" in human legislation. He says that "God has retained the right of legislation in His own hand not in order to deprive man of his natural freedom, but to safeguard that very freedom."[46] One may disagree with Maududi, but the limits are ordained for achieving the conditions for expressing the full potential of freedom for the weak, underprivileged, and minorities. Maududi uses the same idea of good (*iḥsān*), which he had proposed as the basis of human legislation, to theorize the necessity of limits. He associates freedom with the well-being

of human beings. He draws a sharp distinction between the best interest of the people and the sectional and class interests.[47] Maududi recognized that unhindered freedom to legislate would cause oppression through majoritarian desires. As Iqtidar points out, Maududi's idea of *hakim-iyat-e-ilahiya* (Allah's political sovereignty) is a check to counter the cruelty and oppression of minorities within a democracy, as popular sovereignty could potentially become a rule of the majority.[48] In the absence of such a limit, the best interests of people are often relegated to the majority's desire for power.

In the foregoing section, I have detailed how Maududi addressed the possibilities and limits of human legislation within Islamic law. For him, Islamic legal system and judiciary is not a 'business' but a religious duty and obligation of an Islamic state.[49] In a radical departure from the modern legal system, he argued that court fees should be abolished to ensure easy and fair access to systems of justice. This is crucially different from the judiciary in the modern state that essentially functions as an arm of the state to protect the elites.[50] Protection of life, property, and honor, protection of personal freedom, freedom of opinion and belief, provision of basic necessities of life, freedom of assembly and association, and equal opportunity were central to Maududi's conception of citizenship.[51] This resembles most of the contemporary human rights concerns, such as the right to thought, right to choose religion, right to social equality irrespective of caste, race and class, right to property, right to marry and family, right to travel, right to justice, and right to profess good. At the same time, it resembles the elaborated *maqāṣid* universals, such as the ideals of justice, fraternity, equality, freedom, and dignity, as drawn by Qaradawi.

From Maududi to Solidarity: Approaches in *Maqāṣid al-Sharia*

Having briefly described certain basics of Maududi's approach to Islamic law, I will proceed to Solidarity's engagements to understand the potential manifestation of the *maqāṣid* approach, the seeds of which were dormant in Maududi's ideas. In one of their articles, *Jamat-e Islami's* mouthpiece in Kerala, the *Prabhodhanam Weekly*, counted Maududi

alongside Imam Shafi, Imam Ghazali, Ibn Taymiyyah, Shah Waliullah, and Imam Shatibi as developing the *maqāṣid* approach.[52] Maududi is credited for emphasizing a holistic approach to life. Following Maududi's conception of Islam as an integrated life project rather than a mere 'religion,' Solidarity describes itself as a group committed to justice and well-being and stresses the importance of moral and ideological-based youth power to transform the society. Solidarity intends to articulate the idea of "social liberation from all power, organized as inequality, discrimination, exploitation, and domination."[53] One leader of Solidarity says that their organization is "a strong representation of the sociopolitical content of Islam, and it has roots in the history of Kerala, the global Islamist interventions that became visible with the Iranian Revolution, and the youth activism in Kerala."[54] The description creatively combines two simultaneous aspects, the local and the universal, which are important to our discussion. They produce a locally rooted Islamic narration, engaging with the immediate sociopolitical context, unlike the earlier tendency of Islamist movements to replicate the universalist ethos. Yet, they take inspiration from the universalist Islamist mobilizations.

Scholars mistakenly associate the emphasis on the geographic specificity as persuasion to secularizing[55] and liberalizing approach.[56] On a different note, Irfan Ahmad, in his analysis of *Jamat-e Islami*, has argued that secular democracy acted upon *Jamat-e Islami* internally and externally, leading to recasting their ideology, moving away from fusing religion and state.[57] Instead of seeing Solidarity's emphasis on sociopolitical context as a move away from the Maududian paradigm towards secularization or liberalization, I intend to view it as moving closer to Maududi's emphasis on knowing context as a necessary feature for *ijtihād*. A Maududian paradigm doesn't necessitate canonizing Maududi, but a critical expansion of his ideas. Such a move ahead, if not away, is Maududian in its true spirit. In a perhaps parallel argument, Sherman Jackson, referring to Shihab al-Din al-Qarafi, stresses the importance of centering the "socio-political, cultural and economic reality as the focal point of one's juristic deliberations."[58] In that light, Solidarity was not privatizing the Islamic symbols, which secularization demands, but rather seeking to bring the Islamic content into sociopolitical interventions.

Some peripheral analyses tend to reduce the emphasis on justice and human rights as mere 'survival tactic' and 'masquerading' or as emanating from a modern secular perspective. However, as Talal Asad argues, there is "no reason why one shouldn't draw on the *sharia* as a way of addressing questions of justice."[59] In other words, moral and ethical frames can get inspired and developed from *shari'a.* As Sajjad Idris points out, more than forty titles in Maududi's corpus are connected to the discourse of human rights.[60] Maududi's reading of justice in Islamic thought was independent of Enlightenment ideals.[61] Affirming such a conception of the idea of justice and rights, the President of Solidarity says: "We have a philosophy which can't seclude away from activism and an activism which can't seclude away from philosophy. Those who delegitimize the social-liberation activities based on religious ethos are delegitimizing the prophetic traditions. Ours is not a farce mask, but an ideal/ideological face."[62] It would be unwise to think, then, that the turn in Islamic movements is merely a survival tactic. Some other critics accused Solidarity as being driven by post-secular debates, instead of *sharī'a.* However, the President of Solidarity rejects it, saying, "this style was not adopted because Solidarity was influenced by post-secular theories. Solidarity testifies to the fundamental nature of Islam."[63] In short, the movement emphatically affirms its commitment to Islam and its distance from any influence of secular, post-secular, or modern ideas. Thus, I intend to see Solidarity's emphasis on context and global influences as part of the Maudidian paradigm of Islamic law and method of 'combined reading,' which can creatively engage with other developments in the *maqāṣid al-sharī'a.*

In an attempt to realize their goals, Solidarity develops Maududi's Islamic political theory into the Muslim minoritarian context in India. For Maududi, justice and equity along with balance and moderation is the distinguished quality of the Muslim community, who are described in the Qur'an as "*ummatan wasatan*" (the community of the middle way).[64] The conception of justice, which is central in Maududi's theorization, has emerged as such a critical paradigm for Solidarity that they insist their cadres be witnesses to justice through their activism. They conduct campaigns under the title, *neethikku, nila nilppinu, yuvathayude*

samarasakshyam (the struggle of the youth for existence and justice), invoking the Islamic paradigm of ʿadl and iḥsān. This clearly recalls Maududi's Islamic revolution that was aimed at establishing ʿadl (justice) and iḥsān (benevolence).[65] Maududi further elaborates that the principles of government are to lighten the burden of people and to look after their welfare, betterment, and prosperity.[66] Accordingly, as a principle of sharīʿa, all exploitative forms and harm to others are forbidden. This includes not only murder, blood spilling, etc. but also theft, forgery, monopoly, hoarding, black marketing, etc.[67] Solidarity echoes the same concerns in their campaigns when they resist corporate capitalism and indiscriminate development models. They try to redefine development, bringing in the issues of displacement of marginalized communities, human rights, and morality. Solidarity argues that "it is a mistake for the world to mark development only on the basis of GDP and per capita growth and to formulate development policies for them. That is why the overall growth and well-being of human beings is not evaluated in developmental circles."[68] Consequently, Solidarity proposes a development scheme based on social justice and sustainability. That is to say, the objective of an Islamic state, which as explained by Maududi is to ensure social justice,[69] is taken by Solidarity in a non-state spatio-temporality: not as a process of superimposition, but a process of creative abstraction.

Nasr makes a striking remark, without elaborating on it, that Maududi's Islamic state was intended for India, and only later for Pakistan.[70] Reading this alongside Ahmad's suggestion that "the Islamic state was one among many manifestations of politics"[71] would produce an idea of an Islamic state as a manifestation of an ethical order founded on justice. Although Maududi is credited with affirming the importance of the state for the effective implementation of Islamic law, for him, Islamic law is not confined to the rules enforceable by the coercive power of the State. It includes the entire schema of moral and social guidance.[72] Jackson has opined that a panacean view of *shariʿa* as an all-encompassing rational system would spell the secularization of Islam and its religious law.[73] Thus, he proposes jurisdictional boundaries. But for Maududi, jurisdiction is intrinsically linked with all other aspects of life, and hence producing the ethical life world is a condition for

implementation of rule of law. For instance, according to the legal injunction, the penalty for theft is amputation of the hand. However, Maududi suggests that the implementation of such an injunction presupposes an Islamic society molded in an ethical economic system. In a society with unequal privileges, Maududi says, "it is doubtful if theft should be penalized at all, not to speak of cutting off the thief's hands!"[74] Through emphasizing such a pre-condition, it is quite clear that Maududi was not merely imagining *sharī'a* as a legal code, nor was his idea of Islamic state simply an enforcing power. This contradicts the criticism against the idea of Islamic state as a totalitarian regime and the assumption that the idea of the modern Islamic state essentially divides moral and legal laws.[75] The proposed method of interpretation through integrated readings of text would effectively qualify Rane's exposition of the *maqāṣid* approach. Rane describes the *maqaṣid*-oriented approach as requiring "a comprehensive reading of the text as an integrated whole in order to identify the higher objectives and then interpreting particular verses on a given topic according to the identified *maqaṣid* or objectives, intent or purpose."[76]

Like the abstraction of the idea of an Islamic state, some of the other engagements of Solidarity can be read through Maududi's development of crucial terms, such as *khilāfa* and *'ibāda*. Maududi used the term *'ibādah* to denote not only rituals but the whole aspects—the ritual, economic, social, and political—of human life. He says, "if you help the poor and destitute, give food to the hungry and serve the afflicted and do all this not for any personal gain but only to seek the pleasure of God, this is all *'ibādah.'*"[77] Solidarity, as a continuation of the Islamist ideology, precisely capitalized on the concept of *'ibāda* with their slogan "*janasevanam dhaivaradhanayanu*" (serving humanity is worshiping God). They have used the slogan to do charity work and to help the needy. Thus, they have effectively critiqued the traditional understanding of what constitutes *'ibāda* and connected it with social obligations and political articulations.[78] Similarly, Solidarity's narrative about their struggles as their responsibility to the creator and creators[79] is an abstraction of Maududi's idea of the vicegerency (*khilāfa*) of man on earth, which asserts that all creation has certain rights on man.[80] It proclaims that

not only human beings, but nature, animals, plants, and other living and non-living beings have due rights to human beings.

The Jurisprudence of Minorities: A South Indian Experiment

As a movement working in India, where Muslims are a minority, Solidarity's engagements have significant implications for the jurisprudence of minorities (*fiqh al-aqalliya*). The new scholarship on *fiqh al-aqalliya* is primarily aimed at addressing the conflict between Islam and the West in the context of Muslim immigration to the West.[81] According to Zahalka, *fiqh al-aqalliya* is designed to allow Muslim minorities to honorably subsist and integrate into their new countries while preserving their Islamic identity.[82] The new developments within *fiqh al-aqalliya* grew out of the critique by the contemporary scholars, who are residing in the West, against the previous approaches as Arab-centered.[83] Both *wasaṭī* and *salafī* approaches[84] to Muslims migrating to non-Muslim lands have barely addressed the liberal-secular order in the West. The migration to non-Muslim lands was considered temporary, and fatwas prominently attempted at providing temporary reliefs. But with the growing permanence of Muslims in the West, the 'ad hoc fatwas,' were inadequate to address the new minority condition.[85] Taha Jabir Alalwani, Yusuf al-Qaradawi, Abdallah bin Bayyah, Hamza Yusuf, Jasir Auda, and Tariq Ramadan widely used *maqāṣid* approach and developed *fiqh al-aqalliya* to articulate a legitimate, peaceful co-existence of Muslims in the West.

However, when we consider the population statistics, more than 90% of the Muslim minorities live outside the European and American contexts. They have totally different histories and sociopolitical circumstances. Consequently, the imminent issues are different from that of the Western contexts. The West finds its Muslims "as immigrants, students and professionals" after the 1960s or 70s, "who left their Muslim lands to live in the West, forming a real, settled and permanent Muslim existence in Europe and the United States."[86] In this counter example, while European Muslims, supposedly, have no significant roots in the history or culture of the country, Muslims in India are the chief architects of

many historical developments in their country. As Khaled Abou Fadl notes, "the history of the juristic discourse on the problem of Muslim minorities is the history of an attempt to reconcile the demands of theory with the challenges of history." Therefore, as Hussain argues, jurisprudence applicable to Muslims in India who enjoy the political right to self-determination and equal citizenship needs to be formed within a broader framework than the current minority jurisprudence.[87]

Muslims in India are a conundrum in many ways. Firstly, they are minorities. Nevertheless, they are not numerically irrelevant, as they constitute a population of 200 million in India (higher than that of most Muslim countries). Secondly, they have a history of ruling the Indian subcontinent for more than 600 years, but presently they are a marginalized community. Such a long history of a tryst with Islam in India also produces reminiscences of the culture and heritage of Islam in the land. It makes complicated the 'jurisprudential status' of India in the traditional classification as '*dār al-ḥarb*' (abode of war), '*dār al-ṣulḥ*' (abode of treaty) or the 'lost land.'[88] These classifications resurfaced in different epochs like partition of India and after Babri masjid destruction.[89] Thirdly, Muslims in India are those who chose (or were forced) to remain in the geography of a non-Muslim majority after the partition. These three aspects make it difficult, as well as necessary, to develop a distinct jurisprudential frame for Muslims in India. When it comes to Muslims in Kerala in particular, they are assumed to have historically achieved naturalization through the hermeneutical engagements of Muslim scholars under Hindu kings in the fifteenth and sixteenth centuries.[90] A jurisprudence of minorities specific to such varied contexts is yet to be developed. It is in that void that scholars like Maududi and movements like Solidarity are providing opportunities to take the Islamic legal system forward in more nuanced ways.

In an attempt to seek co-existence between *sharīʿa* and the West, scholars explore different methods. Sherman Jackson, following the mode of Christianity's engagement with the modern secular state in the West, proposes a self-limiting *sharīʿa*, instead of an all-encompassing *sharīʿa*, as a necessary process to protect itself against modernity's propositions.[91] On a different note, Khaled Abou Fadl claims that a relationship

of reciprocity and self-restraint would help to avoid the polarization and thereby secure the Muslims better in the West. While such an analysis is driven by an idea of liberal democracy as primarily upholding the values of accessibility, inclusion, and equal respect, it overlooks the power of the state, the coercive nature of inclusion and integration. Likewise, Andrew March's search for an overlapping consensus between Islam and liberalism is primarily grounded on a utopian, idealized, and hypothesized Rawlsian liberal model that envisages a public reason capable of producing justice, legitimacy, and social unity.[92] The ideal and neutral secular-liberal order is juxtaposed with the real condition of Muslims, leaving aside the real violence and hegemony of secularism in subjugating minorities. Jackson's *sharī'a* self-limiting, Abou Fadl's relations of reciprocity and self-restraint, and March's search for 'justificatory projects' share comparable, if not identical, 'purposive approaches' to legitimize the American political system and to integrate Muslims into the Western society.

In India, as Muslims have been co-existing with other communities for a long time, the immediate questions at hand are different from that of integration. After the loss of Muslim autonomy with colonialism, *sharī'a* has been forcefully limited to personal laws, through institutional apparatuses; there it is not a choice of self-limiting, but an uninterrupted surrender. Reciprocity is demanded, either legally or through the force of Hindu public conscience. It arises due to frequent questions about the loyalty of Muslims to the Indian nation. While in Europe and America, the question of Muslim loyalty to the nation-state arises from the immigrant condition,[93] in India, Muslim loyalty comes as a reminder of the formation of Pakistan. Hence, debates about multiculturalism, diversity, and integration are not completely absent, but are only marginal in India. In such a context, one of the pressing issues is to claim the legitimacy of Muslim political mobilization rather than legitimizing the state through justificatory projects or self-restraint. The ways through which new Muslim actors articulated the minority questions of integration and difference prompts new ways of articulating the politics of minorities, significant for the *fiqh al-aqalliya*. Instead of building the juristic positionality on integrating themselves, Muslim

movements are holding difference as a crucial category to articulate a politics of self-respect.

A Paradigm of Justice: Questioning the State

Within the *fiqh al-aqalliya,* Muslim minorities, in general, are assumed to maintain a positive relationship with non-Muslims. In some 'exceptional circumstances,' Ghannouchi considers entering into alliances with secular democratic groups that will ensure human rights, security, and freedom as the best option for Muslim minorities. Ghannouchi considered these qualities as Islam's fundamental responsibility to mankind.[94] In the West, this is invoked through the narrative of possible interaction with the people of Book and with those who abide by the liberal and secular system.[95] In the Indian case, the new Muslim actors grounded their relationship with non-Muslims, exploring the idea of *ḥaqq* (right). Dalits, Adivasis, and other marginalized communities in India are victims of a long-existing caste system and discrimination. Their human rights and civil rights are compromised. Solidarity considers these rights as their *ḥaqq* and thereby implores society to stand with them. As elaborated by Qaradawi, self-respect or the right to dignity is part of the *ḍarūriya* (necessity) of *sharī'a.*

The qualities that are repeatedly invoked for gaining the confidence of non-Muslims and to make Islam acceptable to them are generosity, kindness, mercy, and affection.[96] It is entirely plausible that the prioritization of these particular characteristics as essential for *da'wa* activities is influenced by a certain way Christianity has positioned itself in the modern world. However, in the Indian case, it is not merely the qualities of kindness and mercy that have led to religious conversions; rather the unabated positioning of Islam as antithetical to the injustice perpetrated through the Hindu caste system.[97] The antithetical position to caste hierarchy demands restricting the power of certain groups over others to cherish the "unrestricted scope for personal achievement." It stems from the imagination of an Islamic society where, as Maududi opines, "slaves and their descendants were appointed as military officers and governors of provinces...Cobblers who used to stitch and mend shoes rose in the

social scale and became leaders of highest order (*imams*), weavers and cloth sellers became judges, *muftis* and jurists."[98] Maududi considers equality as a birthright given by God.[99] This sense of equality prompts Maududi to critique the 'divine authority to rule.' Maududi's proclamation is a rejection of any authority, within the community of believers,[100] simply based on the lineage that is central to the caste hierarchy in India. In other words, there is a paradigm of justice that is at work.

Maududi's propositions would help us to identify the importance of the critique of the system for the effective actualization of Islam. As Iqtidar pointed out, "unlike other Islamist thinkers such as Syed Qutb and Khomeini, Maududi lived for most of his life as a minority."[101] But Maududi's understanding of minorities is usually read from his influential conception of an Islamic state, whereby minorities are usually non-Muslims. Thus, scholars' immediate focus reaches on the status of *dhimmis* within the Islamic state, effectively ignoring Maududi's view of minorities within a non-Muslim polity. Alongside Maududi's delicate attention to minorities in an Islamic polity, what is important for our present discussion is his Madras speech, which was delivered in 1947 primarily addressing the Muslims who would remain in India. Delivered at a critical juncture of India's partition, he presented a four-point strategy, intended at ending communal conflicts, reforming the Muslim community, producing Muslim intellectuals, and engaging in regional languages. Maududi wanted to get rid of Hindu prejudices, for which he proposed a (temporary, five-year) Muslim abstinence from political claims. Maududi's proposal came at a time when there was a crucial lack of clarity on the safeguards for Muslim minorities against the dominant Hindu nationalism. With partition, Muslim political claims were considered as settled for once and all, consequently stripping them off their political claims to the constitutional category of religious minorities. In the absence of a clear idea of their goals and aims, the methods proposed by Maududi will be easily misunderstood as political quietism. This mistake has been critical not only for scholars but also for the course of action of *Jamaat-e Islami* in India. Without being attentive to the aim but only to the methods, they followed Maududi's advice that "Like gentlemen, you must refrain from confrontation and endure their [Hindus] excesses quietly."[102]

Maududi's proposal has to be read from three vertices: a critique of the system, a critique of the modern nation-state, and a critique of constitutional guarantees. His proposal to produce intellectuals is to equip Muslims in the regional languages to effectively critique the system. It is interesting that Maududi reserved a considerable portion of his speech to analyzing the problems of majorities in the Hindustan and to different solutions like socialism. Maududi had rightly analyzed the concerted efforts to espouse Hindu culture and the Western way of life, whereby injustice, prejudice, and differentiation will continue beneath the superficial claims of equality and justice.[103] This is an extension of his critique of nationalism and democracy as instrumental in exerting dominant cultural and political ideas onto minorities. Maududi says that though modern democracies claim to give equal rights to minorities, in effect it has become the rule of the majority. "The minorities either get eliminated or would absorb themselves beyond recognition in the majority."[104] Equally, he was critical of the fundamental rights guaranteed by most of the modern nation-states, as these rights which are available for individuals can be taken over at any point on the condition of interest of the state or collective welfare.[105] Analyzing the situation of minorities in Europe, Britain, and America, Maududi pointed to their discriminations irrespective of the legal and constitutional safeguards. Keeping these in mind, Maududi's appeal to move out of the political claims has to be understood as a critique of the modern system, where he found legal safeguards inadequate to protect the minority rights and to make the minorities capable of political action.

Hindutva mobilizations and the state's affirmation of Hindu ethos in the 1980s testifies to how egregious the modern nation-state can be. However, in the post-Babri demolition period, there was a general recourse to constitutional rights. "Solidarity sought to transform the analysis and solution of the problems facing the Muslim community into human rights and denial of constitutional rights."[106] On the one hand, this was motivated by a surreal faith in the constitutionally guaranteed safeguards; but what it effectively did was to expose the limitations of constitutional safeguards, the futility of the very system of nation-state, and the structuring of democracy and secularism on Hindu moral

ethos.[107] Muslim political mobilization was delegitimized as 'extremist' and 'communalist' tendencies. The issue at hand, as Ghannouchi opined in a different context, is not to convince the Islamists to accept democracy, pluralism, and power-sharing, but to convince the ruling regimes "of the right of Islamists—just like other political groups—to form political parties, engage in political activities and compete for power or share in power through democratic means."[108] The very hesitance to accept the legitimacy of Muslim political actors exposed the Hinduness of Indian secular polity. Through asserting constitutionally guaranteed rights, the movements provoked a claim for equality in existence and power share.

The case of house arrest of Hadiya in 2017 and the response of Solidarity would substantially delineate this approach. Hadiya, a medical student from Kerala, renounced Hinduism and embraced Islam. Due to her family's reluctance to accept her conversion to Islam, she left home and married a Muslim man. Upon her parent's complaint, the High Court of Kerala annulled the marriage, leading to the house arrest of Hadiya. There was large scale propaganda by right-wing groups against the marriage, alleging it to be a case of 'love jihad.'[109] The annulling of the marriage and house arrest clearly violated the fundamental rights of conscience, religion and movement enshrined in the Indian Constitution. On the issue, Solidarity in their pamphlet says: "Hadiya represents democracy, which has ethical content and shades of divine thought. The other groups, who try to destroy Hadiya, represent fascist politics." The qualifiers to democracy here, ethical content and divine thought, destabilize the dominant understanding of democracy, forcefully bringing the Islamic ethos into the discussion. An inscription of the divine and ethical in democracy, thus, becomes a critique of existing democracy framed within the Hindu ethos.

Conclusion

Through discussion of Solidarity, as a representative of new Muslim movements in South India, I have tried to show their capability to bring *maqāṣid al-sharīʿa* into the praxis of sociopolitical activism. This has been significantly informed by Maududi's method of combined reading and

ideas of justice. Such a jurisprudential exercise has benefitted Solidarity to reorient their priorities towards democracy, human rights, justice, development, and environment. Under the secularism of the modern nation-state, as Hallaq argues, communities have become "a marginalized definitional element" and religion has become a private matter that "cannot, at least in theory and in law, be turned into a political privilege."[110] In other words, the political identity of religious communities is subsumed and disciplined. Solidarity's activism, through *maqāṣid* approach, has to be located in this nation-state context in India, whereby its communitarian mobilization challenges not only the privatization of religion but also caters to the resurrection of the political. While this resurrection is inspired from Maududi's paradigm of justice and *maqāṣid* universals, they are also born out of praxis. To put it differently, the *maqāṣid* approach is not only something to be sought outside the movement, but it has to be read and developed through their engagements.

In the wake of rising Islamophobia, discrimination, and harassment of Muslims, these recurring questions are not concerned only with "solving problems within Islamic law", but "to work out problems with the local law."[111] Such legal challenges are primary for Muslims in India as seen in the recent Citizenship Amendment Act that, in effect, disenfranchised Muslims. Thinking *fiqh al-aqalliya* in such context has to depart from legitimizing the role of Muslims as 'representative model citizens'[112] to claiming the status of rightful citizens. What they seek is not the possibilities of integration or mere co-existence, but the democratic avenues of disagreements. Solidarity's methods of developing broader coalitions with other minority communities and narrating a paradigm of justice hint at different articulations of minority discourse, where confrontation is an ethic of Islam's conception of justice. This can potentially develop the *fiqh al-aqalliya* with a new sense of higher objectives.

Most of the discussions on *fiqh al-aqalliya* are centered on how Muslims should behave in a non-Muslim land. Here, the values of liberal-secular order are taken for granted and escapes scrutiny. For instance, Alalwani's focus is '*fiqh* of coexistence', which he distinguishes from a '*fiqh* of conflict.' He says that a *fiqh* of co-existence is the contemporary need.[113] What is missing here is an understanding of the possibilities and

limitations of modern citizenship. On the one hand, it offers different ways of expressing dissent or claiming individual and group rights within the larger law of the land; on the other hand, it disciplines the Muslim subject according to the modern-secular order.[114] Alalwani is not seeking the possibilities of dissent and proclamation of group rights that can be achieved through struggles within the constitutional boundaries, but in the coexistence that invariably produces a disciplined 'good citizen' within the registers of the nation-state. In the absence of conflicts with the liberal system, invocation of *istiḥsān* or *maṣlaḥa mursala*, as Hallaq opines, will end up succumbing to demands of modernity.[115] Instead, the new juristic actors could effectively push the debate to reorient attention from how Muslims should behave to a criticism of the modern state structure and constituent elements. Notably, new Muslim movements, such as Solidarity, explore such possibilities of dissent and group rights, and thereby develop an alliance with other marginalized communities in their pursuit of rights. These new methods and reasoning, born out of praxis, are significant to the contemporary discussions on Islamic law.

Endnotes

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1   The new movements acquired what can be categorized as 'secular' or 'constitutional' names compared to the 'Islamic names' of their antecedent counterparts: *Samastha Kerala Jamiyyathul Ulama*, *Tablighi Jamat*, *Jamate Islami*, *Kerala Nadvathul Mujahideen*, Indian Union Muslim League, Students Islamic Movement of India, Sunni Students Federation, Ithihadu Shubbanil Mujahideen, Mujahid Students Movement, Students Islamic Organization, etc. For details about the changes in their orientation, see Thahir Jamal Kiliyamannil, "Political Mobilization of Muslims in Kerala: Towards a Communitarian Becoming of democracy," in *Companion to Indian Democracy: Resilience, Fragility, Ambivalence*, eds. Peter Ronald deSouza, Mohd Sanjeer Alam, and Hilal Ahmed (Delhi: Routledge India, 2021), 175-186.

2   Irfan Ahmad, *Islamism and Democracy in India* (Princeton University Press, 2009).

3   The same approach is employed in one of the earliest analyses (Rajni Kothari, "Pluralism and Secularism: Lessons of Ayodhya," *Economic and Political Weekly* 27, nos. 51-52 (1992): 2695-2698) and in a recent one (R. Santhosh and Dayal Paleri, "Ethnicization of Religion in Practice? Recasting Competing Communal Mobilizations in Coastal Karnataka, South India," *Ethnicities* 21, no. 3 (2021): 563-558).

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11   Raymond William Baker, *Islam Without Fear: Egypt and the New Islamists* (Harvard University Press, 2009).

12   Halim Rane, "The Impact of *Maqasid al-Shari'ah* on the Islamist Political Thought: Implications for Islam-West Relations," *ICR Journal* 2, no. 2 (2011): 337-357, 338.

13   Wael B. Hallaq, *Sharī'a: Theory, Practice, Transformations* (Cambridge University Press, 2009), 474.

14   Wael B. Hallaq, "Maqasid and the Challenges of Modernity," *Al-Jami'ah: Journal of Islamic Studies* 49, no. 1 (2011): 1-31, 26.

15   Ibid.

16   Wilfred Cantwell Smith, *Islam in Modern History* (Princeton University Press, 1957), 236.

17   Sayyid Abul A'la Maududi, *Political Theory of Islam*, trans. Khurshid Ahmad, 6th ed. (Lahore: Islamic Publications Ltd, 1980), 2.

18   Sayyid Abul A'la Maududi, *The Islamic Law & Constitution*, ed. and trans. Khurshid Ahmad, 7th ed. (Lahore: Islamic Publications Ltd, 1980), 112.

19   Hallaq, *Sharī'a*, 476.

20   Taha Jabir Alalwani, *Towards a Fiqh for Minorities: Some Basic Reflections*, 2nd ed. (International Institute of Islamic Thought, 2010), 37.

21   Hallaq, "Maqasid and the Challenges of Modernity," 12.

22   Updated Constitution of Solidarity Youth Movement, 6.

23   See Imam Ahmad, *Al-Musnad*, Book 5/196, Hadith no. 21763.

24   Khalid Moosa Nadvi, "Nabi Theruvilaanu [Prophet is in the Streets]," *Prabodhanam Weekly* Feb 11, 2012.

25   Halim Rane, "The Relevance of a Maqasid Approach for Political Islam Post Arab Revolutions," *Journal of Law and Religion* 28, no. 2 (2013): 489-520.

26   Muhammed Shameem's article ["Paristhithiyum Neethiyum [Environment and Justice]," *Prabodhanam Weekly*, Jan 20, 2007] gives more insights into this method of developing an eco-theology.

27   Shahul Ameen K. T., "Piety and the Civic: Solidarity Youth Movement and Islamism in Kerala, South India," in *Religion and Secularities: Reconfiguring Islam in Contemporary India*, eds. Sudha Sitharaman and Anindita Chakrabarti (Hyderabad: Orient Blackswan, 2020), 146.

28   Rane, "The Relevance of a Maqasid Approach," 490.

29   Seyyed Vali Reza Nasr, *Mawdudi and the Making of Islamic Revivalism*, (Oxford University Press, 1996).

30   Jan-Peter Hartung, *A System of Life: Mawdūdī and the Ideologisation of Islam* (London: Hurst, 2013), 130.

31   Nasr, *Mawdudi and the Making of Islamic Revivalism*, 61.

32   M. Abdul Haq Ansari, "Mawdudi's Contribution to Theology," *The Muslim World* 93, no. 3/4 (2003): 521-531, 521.

33   Irfan Ahmad, *Religion as Critique: Islamic Critical Thinking from Mecca to the Marketplace* (University of North Carolina Press, 2017), 140-150.

34   Maududi, *The Islamic Law & Constitution*, 76.

35   Muhammad Qasim Zaman "The Sovereignty of God in Modern Islamic Thought," *Journal of the Royal Asiatic Society* 25, no. 3 (2015): 389-418, 418.

36   Maududi, *The Islamic Law & Constitution*, 87.

37   Ibid.

38   Anis Ahmad, "Mawdudi's Concept of *Sharia*," *The Muslim World* 93, nos. 3/4 (2003): 533-545.

39   Maududi, *The Islamic Law & Constitution*, 206.

40   Alalwani describes 'combined reading' as "a reading of Revelation for an understanding of the physical world and its laws and principles, and a reading of the physical world to appreciate and recognize the value of Revelation." See Alalwani, *Towards a Fiqh for Minorities*, 15.

41   Maududi, *The Islamic Law & Constitution*, 68.

42   Sayyid Abul A'la Maududi, *Fundamentals of Islam* (Lahore: Islamic Publications Limited, 1982)

43   Maududi, *The Islamic Law & Constitution*, 79-80

44   Wael B Hallaq, "Was the Gate of Ijtihad Closed?," *International Journal of Middle East Studies* 16, no. 1 (1984): 3-41.

45   Sohrab Behdad, "Islam, Revivalism, and Public Policy" in *Islam and the Everyday World: Public Policy Dilemmas*, eds. Sohrab Behdad, and Farhad Nomani (New York: Routledge, 2006), 19-20.

46   Maududi, *Political Theory of Islam*, 23.

47   Ibid., 24.

48   Humeira Iqtidar, "Theorizing Popular Sovereignty in the Colony: Abul A'la Maududi's 'Theodemocracy'," *The Review of Politics* 82, no. 4 (2020): 595-617, 607.

49   Maududi, *The Islamic Law & Constitution*, 117-118, 320.

50   Wael B. Hallaq, *The Impossible State: Islam, Politics, and Modernity's Moral Predicament* (Columbia University Press, 2012), 45-46.

51   Maududi, *The Islamic Law & Constitution*, 248-51, 316-18.

52   Muneer Muhammad Rafeeq, a Santhulithathwam, Muslim Ummah, *Maqasid al-Shariah*: Oru Charithra Vishakalanam [Balance, Muslim Ummah and *Maqasid al-Shariah*: A Historical Analysis]," *Prabodhanam Weekly*, November 24, 2017.

53   "About Us", Official website of Solidarity. http://solidarityym.org/solidarity/.

54   T Shakir Velam, "Solidarity Oru Kalpanika Bhavanayalla [Solidarity is not a Fantasy of Imagination]" *Prabodhanam Weekly*, April 26, 2013.

55   Olivier Roy, *Secularism Confronts Islam* (Columbia University Press, 2007).

56   Baker, *Islam Without fear.*

57   Ahmad, *Islamism and Democracy in India*, 9

58   Sherman A. Jackson, "Islamic Law, Muslims and American Politics," *Islamic Law and Society* 22, no. 3 (2015): 253-291, 265.

59   Ovamir Anjum, "Interview with Talal Asad," *American Journal of Islam and Society* 35, no. 1 (2018): 55-90, 77.

60   Sajjad Idris, "Reflections on Mawdudi and Human Rights," *The Muslim World* 93, no. 3-4 (2003):547-561, 548.

61   Humeira Iqtidar, "Jizya against Nationalism: Abul A 'la Maududi's Attempt at Decolonizing Political Theory," *The Journal of Politics* 83, no. 3 (2021): 1145-1157, 1145.

62   P Mujeebrahman, "Solidarity Vettakk Pinnil Mafia Thalparyangal [Mafia Interests Behind the Witchunt of Solidarity]," *Prabodhanam Weekly*, June 5, 2010.

63   PI Nowshad, "Aikydartyathinte Puthiya Mugham [New Face of Solidarity]," *Prabodhanam Weekly*, Sept 10, 2011.

64   See description of Quran 2:143 in Abul Ala Maududi, *Tafhimul Qur'an.* https://tafheem.net/

65   Nasr, *Mawdudi and the Making of Islamic Revivalism*, 76.

66   Maududi, *The Islamic Law & Constitution*, 185.

67   Sayyid Abul A'la Maududi, *Towards Understanding Islam* (London: The Islamic Foundation, 1980), 107.

68   Nowshad, "Aikydartyathinte Puthiya Mugham".

69   Maududi, *The Islamic Law & Constitution*, 145.

70   Nasr, *Mawdudi and the Making of Islamic Revivalism*, 99.

71   Irfan Ahmad, "On the State of the (Im)possible: Notes on Wael Hallaq's Thesis," *Journal of Religious and Political Practice* 1, no. 1 (2015): 97-106, 102.

72   Maududi, *The Islamic Law & Constitution*, 45.

73   Jackson, "Islamic Law, Muslims and American Politics," 286.

74   Maududi, *The Islamic Law & Constitution*, 45.

75   Hallaq argues that a modern Islamic state is impossible and is a contradiction in terms due to the different nature of *sharīʿa* and modern state, and it leads to the division of moral and legal laws. While Hallaq's thesis revolves around the changes in the conception of *sharīʿa*, the implication of modernity, and the contradiction of Islamic state, inexplicably neither his book *Impossible State* nor *Sharia: Theory, Practice,*

Transformations gives a single reference to the original works (except a secondary reference) of Maududi, who of course is an indispensible figure in conceptualizing *sharīʿa* and Islamic state in the modern context. A comparative reading of Hallaq's propositions in these two works with Maududi's *Islamic Law and Constitution* would potentially elucidate disconcerting parallels, which is beyond the scope of this article.

76   Rane, "The Impact of Maqasid," 348.

77   Maududi, *Towards Understanding Islam*, 88.

78   K. T., "Piety and the Civic," 146

79   Abdul Hameed Vaniyambalam, "Neethikk Sakshikalaavuka [Be Witness to Justice]" *Prabodhanam Weekly*, January 20, 2007.

80   Maududi, *Towards Understanding Islam*, 114.

81   For a historical account of different trends within the development of *fiqh al-aqalliyah*, see Said Fares Hassan, *Fiqh al-Aqalliyyat: History, Development, and Progress* (New York: Palgrave Macmillan, 2013); Adis Duderija and Halim Rane, *Islam and Muslims in the West: Major Issues and Debates* (Cham: Palgrave Macmillan, 2019); and Uriya Shavit, *Shariʾa and Muslim Minorities: The Wasati and Salafi Approaches to Fiqh Al-Aqalliyyat Al-Muslima* (Oxford University Press, 2015).

82   Iyad Zahalka, *Shariʾa in the Modern Era: Muslim Minorities Jurisprudence* (Cambridge University Press, 2016)

83   For example, see Tariq Ramadan, *Western Muslims and the Future of Islam* (New York: Oxford University Press 2005); Adis Duderija, and Halim Rane, *Islam and Muslims in the West*, and Jackson, "Islamic Law, Muslims and American Politics."

84   The two approaches within the Arab-Sunni jurists that arises due to the differing interpretation of *maṣlaha* are identified as *wasaṭī* and *salafī* approaches. See, Shavit, *Shariʾa and Muslim Minorities.*

85   Duderija, and Halim Rane, *Islam and Muslims in the West.*

86   Alalwani, *Towards a Fiqh for Minorities*, xvii.

87   K. T Hussain, Islamika Akademika Activisathinte Kerala Parisaram [Context of Islamic Academic Activism in Kerala], *Prabodhanam Weekly*, January 14, 2012.

88   For a detailed discussion on the subject through classical jurisprudence, see, Fadl, *Uddat al-Umaraʾ* (Cairo: Matbaʾ al-ḥujra al-hamida 1857 [Rajab 1273]) and for contemporary discussions, see Alalwani, *Towards a Fiqh for Minorities.*

89   Ahmad, *Islamism and Democracy in India.*

90   Abdul Jaleel PKM, "Arab Immigrants under Hindu Kings in Malabar: Ethical Pluralities of "Naturalisation" in Islam" in *Migration and Islamic Ethics of Issues of Residence, Naturalisation and Citizenship*, eds. Ray Jureidini and Said Fares Hassan (Leiden: Brill, 2020): 196-214.

91   According to Jackson, there are rules and regulations that fall outside the parameters of what is strictly *sharīʿa* and are not anti-religious but simply non-*sharīʿa*. Muslims

can engage in this realm of what he calls "Islamic secular" without invoking and without abandoning Islamic law. For details, see Jackson, "Islamic Law, Muslims and American Politics," 290.

92   Andrew F. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (Oxford University Press, 2011).

93   For details of the immigrant condition, see Ian Law, Amina Easat-Daas, Arzu Merali, and Salman Sayyid, eds. *Countering Islamophobia in Europe* (Cham: Palgrave Macmillan, 2019); and Jackson, "Islamic Law, Muslims and American Politics," *Islamic Law and Society* 22, no. 3 (2015): 253-291.

94   Rachid Ghannouchi, "The Participation of Islamists in a Non-Islamic Government," in *Power Sharing Islam,* ed. Azzam Tamimi (London: Liberty for Muslim World Publications, 1993): 51-63.

95   March, *Islam and Liberal Citizenship.*

96   Shaykh Ibn Bāz and Shaykh Uthaymeen, *Muslim Minorities: Fatawa Regarding Muslims Living as Minorities* (UK: Message of Islam, 1998), 15, 18, 20-21.

97   Mass conversions, especially by the lower castes, that took place in India are primarily motivated by the desire to escape the clutches of Hindu caste system. Conversion of thousands of lower castes in Malabar (Kerala) in the 19th century and at Meenakshipuram (Tamilnadu) in 1981 attest to the fact.

98   Maududi, *The Islamic Law & Constitution*, 150.

99   Abul A'la Mawdudi, *Human Rights in Islam* (Lahore: Islamic Publications Ltd, 1995), 20.

100 For Maududi, the distinction between believers and non-believers is crucial and rights are distributed accordingly, especially in his proposal of Islamic state. This may go against the modern conception of equal citizenship.

101 Iqtidar, "Jizya against Nationalism," 1153.

102 Maulana Sayyid Abul A'Ia Maudoodi, *A Historic Address at Madras* [1947], Trans. Mohammad Siddiqui Naveed (New Delhi: Markazi Maktaba Islami Publishers, 2009), 6.

103 Ibid., 14.

104 Syed Abul Aala Maududi, *Al Jihad Fil Islam* [1930], trans. Syed Rafatullah ShahIdara (Lahore: Tarjuman ul Qur'an, 2017), 63.

105 Iqtidar, "Jizya against Nationalism," 1149.

106 Nowshad, "Aikydartyathinte Puthiya Mugham".

107 Constituent Assembly debates demonstrate how Hindu ethics were systematically incorporated in the constitution. For details, see Shabnum Tejani, *Indian Secularism: A Social and Intellectual History, 1890-1950* (Indiana University Press 2021); Pritam Singh, "Hindu Bias in India's "Secular Constitution": Probing Flaws in the Instruments of Governance," *Third World Quarterly* 26 no. 6 (2005): 909–926; Thahir

Jamal KM, "Mathethara-Desheeya Udgrandanavum Nyoonapaksha Samudaya Chodyangalum: Niyama Nirmana Sabhayile Islam Pedi [Secular-Nationalistic Integration and Minority Community Questions: Islamophobia in Constituent Assembly]", in *Islamophobia: Prathivicharangal* ed. V Hikmathullah (Calicut: Islamic Publishing House, 2017).

108   Ghannouchi, "The Participation of Islamists in a Non-Islamic Government," 63.

109   Love Jihad is an Islamophobic conspiracy theory that alleges Muslim men seduce and convert Hindu women in an organized attempt to change the demography of India and to receive money from international Muslim sources.

110   Hallaq, "Maqasid and the Challenges of Modernity," 13.

111   Muhammad Khalid Masud, "Islamic Law and Muslim Minorities," *ISIM Newsletter* 11, no. 1 (2002):17-17, 17.

112   Alalwani, *Towards a Fiqh for Minorities*, 3.

113   Ibid., 10.

114   The question of whether *maqāṣid* universals are a temporary adjustment due to loss of power or are innate in the Islamic principles would generate two ways of understanding the *maqāṣid* approach of Muslim movements: firstly, as reinventing the scope of making law, and thereby reinventing sovereignty, considering sovereignty as the authority to make rules. Secondly, as enforced due to the disciplining by the State, and thereby limiting the sovereignty. The second analysis, as a criticism of the *maqāṣid* turn, would demand a critical discerning of the genealogy of Muslim sovereignty, which is beyond the scope of this paper.

115   Hallaq, *Sharīʿa*, 508.

REVIEW ESSAYS

Salafism and Traditionalism: Scholarly Authority in Modern Islam

EMAD HAMDEH

Emad Hamdeh's *Salafism and Traditionalism: Scholarly Authority in Modern Islam* is a meticulous study of a contemporary debate about scholarly legitimacy, between the Salafī hadith-scholar Nāṣir al-Dīn al-Albānī and his traditional Sunnī interlocutors, focused on disputes over both hadiths and Islamic Law (*fiqh*). The book is a welcome addition to contemporary studies about Salafism, which (as the author observes) often tend to focus on political dimensions of the movement, at the expense of religious elements—this although the latter may be more significant in the sense that most Salafīs themselves view their initiative as primarily religious, and not necessarily political.

The book consists of seven chapters, plus an introduction and conclusion. The chapters are arranged in three parts, which are devoted to historical context (chapters 1-3), *fiqh* (4, 5), and hadith (6, 7), respectively. Chapter 1 serves to set the stage, by introducing the Salafī movement and the Traditional (pro-*madhhab*) camps, as well as how both these groups differ in outlook and methodology from Islamic modernists. After this general overview, Chapter 2 moves on to discuss, more specifically, the life of Shaykh al-Albānī, and to briefly introduce some of his

Traditionalist interlocutors. Chapter 3 discusses how scholarly authority is conceived of in Traditionalist circles, and also explains how modernity presented challenges to scholars within this camp. Chapter 4 explains the diversity of opinion that has always existed within Islamic law, and how Muslim scholars have approached it, including discussion of whether scripture is clear or complex, and the concept of scholarly consensus. Chapter 5 presents the *ijtihād-taqlīd* debate, and the spectrum of views on the importance of the schools of law (*madhhabs*). Chapter 6 outlines the different views on the use of *ḍaʿīf* (weak) hadiths. Chapter 7 discusses Albānī's hadith criticism, and the response of his adversaries, and then closes with an evaluation of Albānī impact on contemporary hadith studies. The conclusion is a nice wrap-up of important topics and key issues at stake. The entire book is just over 200 pages, but it is it clear that extensive research has gone into it.

Chapter 1 explains how the rise of modernity, and the associated challenge to the authority of the ulema, led to three broad trends of responses among Muslims: (1) *Modernists*, such as Abduh, Riḍā, and Abū Rayya, who sought to reform Islam by addressing the Muslim disconnect from advances in human knowledge, and perceived the need for Muslims to unite against the military threat of the West. Although the modernists were typically regarded with contempt by the two remaining groups, they did have an influence on the anti-*madhhab* Salafī thought. Modernists sometimes came from outside the ulema aristocracy, but in Syria they gained legitimacy through leaders who were rooted within the tradition. Hamdeh also introduces contemporary modernists, such as Ghazālī and Qaraḍāwī, who had hostile brushes with Albānī. (2) *Traditionalists*, who are united by their affirmation of the importance of *madhhab*, *kalam*, and Sufism, and a method of inquiry rooted in a continuous tradition of scholarship that allows for gradual change, preferably during periods of stability. He clarifies that the traditionalists follow the scholarship heritage of the *madhhab*, and not merely the eponym of the *madhhab*. He comments that different opinions "remain part of the *madhhab* as long as they adhere to the methodology laid down by the founder of the school" (23). It would have been worthwhile for Hamdeh to point out that the founders often did not explicitly lay down their methodology

(leaving it to later scholars of the *madhhab* to infer these principles), and that disagreement on some of these principles did not necessarily lead to a scholar being excluded from the *madhhab*, as Kaya has discussed.[1] (3) *Salafīs*, who are distinct from modernists (although they are sometimes confused because of Rida's having identified as both, and because the Matkaba Salafīyya published many books by early modernists). Hamdeh explains the etymology of the term Salafī, and the fact that Salafīs are generally united by their opposition to figurative ("metaphoric or symbolic," 28) interpretation of descriptions of God, and to idolatrous practices and heresy (*bidʿa*). He gives a useful taxonomy of contemporary (and often rival) threads within Salafīsm, including those of the Saudi establishment, the Saḥwa dissenters, and the Madkhalīs. He also employs the term 'purist Salafī' to refer to Albānī's strand of Salafīsm, which is characterized by iconoclastic anti-madhhabism and which has a supreme concern with the authority of texts, regardless of whether the application would be consistent with public welfare (in contrast with the modernists).

Given the broad scope of this chapter, it is understandable that the author had to be selective, and so the following critiques should not be seen as overshadowing the worth of Hamdeh's discussion here. Missing from Hamdeh's taxonomy (although this might be a conscious omission) are those who pursue an Albānī-like methodology in *fiqh* but not necessarily in theology, such as Aḥmad al-Ghumārī (d. 1970) who went even further than Albānī by deeming it *shirk* (polytheism) to follow a *madhhab* in preference to hadith.[2] Also missing are Salafī groups from outside the Middle East, such as the South Asian Ahl-e Hadith (who are mentioned in passing later on page 161) and Indonesian Muḥammadiyya. Hamdeh correctly observes that although Salafīs draw on the legacy of Ibn Taymiyya, Ibn ʿAbd al-Wahhab, and others, there is no single progenitor of Salafīsm. I would proffer to add that the Salafīs also have things in common with the tradition of the third-century hadith-folk, as described by Shah Wali-Allah in his *Inṣāf*. Hamdeh comments that purist Salafīs regard as heresy even things that "most Salafīs would consider innocuous." An example would have been helpful here. Similarly, Hamdeh's observation that the purist Salafīs are not strictly literalists (37) could have benefitted from further elaboration. Hamdeh comments

that although the Saudi Salafīs "acknowledged that a stronger proof-text would trump the school's teachings, this concession was largely rhetorical" (31). This is not accurate. Ibn ʿUthaymīn's *al-Sharḥ al-Mumtiʿ*, a commentary on the Ḥanbalī summary-text *Zād al-Mustaqniʿ*, is replete with scores (even hundreds) of cases where Ibn ʿUthaymīn diverges from the *madhhab* on the strength of his evaluation of the evidence, at times even taking a view from outside all four Sunnī *madhhab*s.

Chapter 3 gives an outline of Albānī's biography as context for his hadith criticism, and presents numerous examples of the strength of his conviction that led him to be viewed as charismatic by his followers and pretentious by his detractors. We are told about Albānī's falling out with his father over adherence to the Hanafi *madhhab*, his work as a repairer of watches, and the rise of his popularity within Syria. We learn about his three-year stay in Saudi Arabia, after Shaykh Ibn Bāz invited him to teach at the University of Madinah, and his subsequent clashes with the Saudi Salafī scholars over issues such as the number of *rakʿa* of *tarāwīḥ*, whether women are required to cover their faces, and whether women are allowed to wear gold in the form of a full circle. Albānī's interactions and disagreements (mainly concerning political participation) with the Muslim Brotherhood are also explained. The confrontational picture that Hamdeh paints of Albānī is ameliorated by some humanizing anecdotes which show another side to this polarizing figure: Albānī's refusal to excommunicate Sayyid Quṭb, despite being pressed to do so by one of his followers, and Albānī's telling students to refrain from haranguing Ḥabīb al-Raḥmān al-Aʿẓamī because of his age and illness. Indeed, as Hamdeh points out in more than one place in the book, Albānī seems to have mellowed somewhat in his later years. Hamdeh concludes the chapter by introducing some prominent Traditionalist detractors of Albānī, including the Syrian émigré to Saudi Arabia Abū Ghudda, the South Asian Ḥabīb al-Raḥmān al-Aʿẓamī and Muḥammad [ʿAbd al-Rashīd] al-Nuʿmānī, the Syrian Būṭī, the Moroccan Ghumārīs, and their students Maḥmūd Saʿīd Mamdūḥ and Ḥasan Saqqāf. Hamdeh's observation that, "What all of Albānī's detractors have in common is an allegiance to the *madhhab*s and a rejection of his approach to the Islamic legal tradition" (58) is generally true, although the Ghumārīs are a prominent exception.

Chapter 3 is a slightly modified version of an article originally published in this journal (*AJIS* 37:1-2 (2020)). It explains the mechanism of religious authority within the Traditionalist camp, and how Salafī autodidacts in the age of media threatened this authority. Hamdeh explains the importance for Traditonalists of the student-teacher link (modeled on the Prophet-Companion relationship) that culminates in award of an *ijāza*, and how that the fact that Albānī did not have formal teachers in hadith was often used against him by Traditionalists. The author explains that there was the danger of haphazardness if this Traditionalist system was bypassed, and the system was designed to prevent non-experts from speaking about religion. Hamdeh poses the question of how the formal recognition conferred through an *ijāza* differs from contemporary scholars acknowledging someone's learning and scholarship (as we find for Albānī) without granting a formal *ijāza*. ʿAwwama provides part of the answer: that the student-teacher link allows the student to imbibe the good character traits of the teacher; he gives the example of Ibn Hazm, whose harshness against those he disagrees with has been attributed to his lack of *talaqqī*. Hamdeh has mentioned "respect for scholarly authorities" (63) but did not explicitly state this conclusion. Indeed, as Hamdeh observes, what enraged Traditionalists about Albānī is *how* he disagreed. One might also mention here that Aḥmad al-Ghumārī, a Sufi Traditionalist detractor of Albānī, acknowledged that Albānī was "very, very excellent" in his knowledge of hadith (*aqbala ʿalā ʿilm al-hadīth fa-atqanahū jiddan jiddan*), but that his stubbornness stood in the way of his being truly eminent.[3]

Hamdeh also points out the importance of stability and conformance for Traditionalists, but observes that some of them did occasionally arrive at controversial conclusions. It would have been useful to point out the role of consensus in this, and the etiquettes of how one disagrees, and also that many Traditionalists have a few anomalous views, but that these have generally been tolerated unless these issues become many, or split the unity of the community, or are related to fundamental issues, as Shāṭibī has discussed.[4] Hamdeh's observation about the importance of aurality for hadith transmission in particular is generally true, but it is worth noting that in later times (certainly by the time Traditionalism had

reached its "mature, institutionalized form," 22), with the near-ubiquity of the contents of hadith compilations, the requirement for aurality was significantly relaxed. The *ijāza ʿāmma*, which potentially even authorized a student to transmit hadith without any study with the teacher, was widely deemed acceptable, and the perpetuation of the *isnāds* for hadith became largely symbolic, "for blessings."

Hamdeh goes to explain other factors that contributed to the decline of Traditionalist authority: the loss of economic stability due to discontinuation of state patronage of ulema, the emergence of the printing press and the resulting democratization of knowledge, and the rise of the modern university model of education and accompanying attitude of dismissiveness towards classical texts. He mentions that Traditionalists were "skeptical of Western influence … rejecting the West and its advancements" (74). In my opinion, this is an over-simplification, and there were other factors contributing to the inimical attitude of many Traditionalists to the West. Hamdeh presents the Egyptian accountant-turned-popular preacher Amr Khaled as an example of a non-specialist threatening the authority of the ulema. I would comment that the content of Khaled's preaching is largely traditional, bringing traditional knowledge down to the level of the common people, and might be considered analogous to one family member sharing with the rest what he/she learned from an *ʿālim* at the mosque, or non-ulema Sufi shaykhs of the past providing religious guidance to the masses, or even the work of the *quṣṣāṣ* (who admittedly were seen as a danger by the ulema). Eickelmann has similarly observed how even among traditional students, a portion of their learning is from their peers during review sessions amongst themselves.[5] Of course, Khaled's preaching is on a much larger scale, and this can be seen as encroaching on the role of the ulema. Hamdeh closes the chapter with a section about why Traditionalists had reservations about self-learning, and how they were forced to make use of modern media, "to remain relevant and compete" (94).

Chapter 4 discusses how pluralism has always been a feature of Islamic law, because most scholars recognized that the transmission and import of many sacred texts convey less than full certainty. This is relevant to the subject, because Albānī claimed that certainty can be obtained

in *fiqh*; and although he did allow for some difference of opinion, he tried to limit the scope of disagreement by re-evaluating evidence from the Qur'an and sunna and rejecting some scholarly opinions that he saw as contradicting the evidence. Thus (as pointed out in Chapter 5) he viewed his project not as merely another *madhhab*. Hamdeh does well to identify commonalities between Albānī and the Traditionalists, including the fact that they both agree that not *all* interpretations are valid, and that it is not allowed to cherry-pick from scholarly opinions based on whim or self-interest. Hamdeh mentions the Muʿtazilites as having "rejected probability in Islamic law" (103), but it is worth noting that this dissent was largely hypothetical, for most of the Muʿtazilites followed the Sunni *madhhab*s (especially the Ḥanafī) in practice. Hamdeh astutely points out that while Traditionalists view scripture as "complex and multivalent" *sources* of law, namely, requiring interpretation by trained scholars, the purist Salafīs in contrast see the Qur'an and sunna not as sources, but as clear statements of the law itself. Consequently, Albānī saw a good deal of scholarly disagreement to be a result of straying from the proof-texts under the influence of fanaticism or party-spirit (*taʿaṣṣub*). Hamdeh illustrates this with reference to Albānī's book *Ṣifat al-Ṣalāt*, which is viewed by purist Salafīs as the "ultimate criterion" on how to pray cor-rectly, and the more specific case of whether in *ṣalāt* the hands should be folded over the chest or left hanging by the sides. Hamdeh points out a weakness in Albānī's view regarding the self-evidentiality of scripture, namely than Ibn Ḥazm (for instance) made a similar claim to Albānī's, yet we find Ibn Ḥazm and Albānī disagreeing on some issues. Hamdeh points out that Albānī's response (i.e. that Ibn Ḥazm lacked expertise in hadith) could be used against Albānī himself.

The chapter then turns to address the concept of scholarly consensus (*ijmāʿ*), which has been accepted as authoritative by Traditionalists, who often criticized Albānī for violating it. Incidentally, Hamdeh's comment that "Consensus means that all of the jurists of any generation after the Prophet are certain that what they have understood is actually what God intended" (120) could have been more precisely worded. If each individ-ual jurist was certain, then it would be because the text was decisive, and in that case an appeal to consensus would be redundant. Consensus is

relevant to issues where each individual jurist arrives at a probabilistic conclusion; but after they realize that they all agree, then they conclude that the conclusion is not merely probabilistic but certain (if they accept the authority of consensus).

Hamdeh explains that Albānī accepts *ijmāʿ* in principle, but observes that it is difficult to realize in practice. Additionally, Albānī would give priority to an *aḥad* hadith over *ijmāʿ*, whereas most Traditionalists would do the reverse on the basis that the hadith is probabilistic (*ẓannī*) whereas *ijmāʿ* is certain (*qaṭʿī*). Albānī's prohibition of full-circle gold rings is used to illustrate this concept. Albānī rejects the validity of the consensus on this issue, whereas Traditionalists appeal to the fact that no other scholar agreed with Albānī, and also to historical reality of Muslim women having worn gold throughout history without scholars criticizing this. In Albānī's partial defense, I may point out that the *ijmāʿ* on this issue could be deemed probabilistic, and therefore if it conflicts with a probabilistic hadith then either of the two conclusions could be equivalent on the epistemological level. Additionally, the Companion Abū Hurayra is reported to have similarly prohibited full-circle gold, although many scholars have interpreted this view as personal precaution. Hamdeh goes on to observe that the purist Salafīs are on shaky ground for accepting the transmission of Qurʾan and hadith through traditionalist scholars, but not accepting their *fiqh*. To be fair, this is debatable, for 'Traditionalism' (in the sense understood here) was a later development, and many transmitters of the first two to three centuries of Islam were not followers of *madhhab*s. Furthermore, a purist Salafī might respond that skepticism is justified for *fiqh*, because it is a human invention (at least, according to the purist Salafīs), whereas hadith transmission does not involve human input. Admittedly, if the Salafīs do regard the Traditionalist scholars as morally corrupt, then it would be a problem to accept hadith from them.

Chapter 5 continues to address the disputes in the domain of *fiqh* by covering the attitudes of the two rival camps towards the *madhhab*s: are they a "valuable, collective scholarly understanding" (129) of Sharia, or a blameworthy accretion to Islam and a fallible human effort to be regarded with suspicion? Hamdeh explains that purist Salafīs try

to follow the *salaf*, whom he explains as those who lived before 300H. It should be noted that although this is one interpretation of the word *qarn* (which occurs in the famous hadith used to prove the excellence of the *salaf*), there are other views. Ibn Taymiyya understood it to refer to generations, not centuries, and that therefore that the *salaf* are those who lived until around 130H.[6] Hamdeh points out that the purist Salafī notion that the role of the scholar is merely to present the relevant proof-text to the layman is incoherent, as it assumes that the layman can understand the proof-text, even while the purist Salafīs agree that a layman is not a scholar. This segues into presentation of two contradictory views from Albānī: an earlier view strongly against *taqlīd*, and a later view that acknowledges a role for it on the basis that it is not always feasible for the scholar to explain his scholarly reasoning. It seems Albānī was at pains to distinguish his allowed *taqlīd* from that of the Traditionalists, by saying that the Salafī does not restrict himself to following only scholars of one *madhhab* and also that the layman is obligated to leave a fatwa if it becomes clear to him that it is wrong. Hamdeh speculates that Albānī initially needed to attack *taqlīd* in order to establish and validate himself, following which his position mellowed. Even so, Hamdeh does not present his grounds for saying that Albānī was actually seeking fame and validation, as opposed to his views having merely matured with time. The chapter also makes a few other important points: that the purist Salafīs were the first sizeable group to be not only anti-*taqlīd*, but also anti-*madhhab*; that the Traditionalists generally set a high (even unattainable) bar for qualifications to become a *mujtahid*; and that purist Salafīs (along with some Traditionalists) felt that power and unity would come through a return to implementation of rituals based on Qur'an and sunna. Hamdeh also discusses the anti-*madhhab* book by another purist Salafī scholar, Khujandī (from Khujanda, in Tajikistan), and the Traditionalist Būṭī's response to him.

Chapter 6 discusses the debate, which has continued through the centuries, among ulema on the use of weak hadiths. Purist Salafīs insist that Islam does not need weak hadith, and that these are the source of many superstitions and false beliefs. Hamdeh presents a response from the Traditionalist ʿAwwama, that scholars should not be held responsible

for misapplication of this concept by laymen. Hamdeh cites that in the third century there was a near-consensus regarding the permissibility of using weak hadith (a source for this statement would have been helpful), and explains the three conditions that Ibn Ḥajar al-ʿAsqalānī (d. 852/1449) later stipulated for such use. He explains how Albānī deconstructs these conditions, and concludes that they were designed to prevent the use of weak hadiths. He also presents other arguments for his view opposing the use of weak hadiths. Hamdeh points out that both parties agree that there is a low probability that a weak hadith is the words of the Prophet. He perceptively observes that the crux of the disagreement between the two camps is regarding what 'safety' implies: the purist Salafī say safety calls for *not* acting on the weak hadith, whereas many Traditionalists are of the view that one should act on the weak hadith to be safe (because there is a chance that the Prophet said it). For the purist Salafīs and those who share their view here, *isnād*-analysis should be regarded as paramount, whereas the other side looks beyond the *isnād* to things like whether the *matn* (content of the hadith) has a valid meaning, the pedagogical value of weak hadith, and communal practice. Hamdeh illustrates the last of these by a case study of Albānī's solitary view that it is a *bidʿa* for the *tarāwīḥ* prayer to be more than eleven *rakʿa.* The chapter concludes with an analysis of Albānī's project of dividing each of the canonical Sunni hadith books (and others) into two based on whether each hadith is weak, in an effort to make these books more useful to laymen (who could disregard the weak narrations). Hamdeh discusses the critiques of this project from the Traditionalists Saqqāf and Mamdūḥ.

Chapter 7 is devoted to the Traditionalist response to Albānī's declaring weak some hadith in the Two *Ṣaḥīḥ*s, Bukharī and Muslim, and also an evaluation of the impact of Albānī on contemporary hadith studies among Muslims. Hamdeh rightly points out that the claim of some Traditionalists, that the contents of the Two *Ṣaḥīḥ*s had been accepted by *ijmāʿ*, is not accurate, even though the number of disputed hadith within these two books is small. In response to Traditionalist fears that publicizing such issues might lead some laymen to doubt or to go astray, Albānī retorts that people have a right to know the truth. Hamdeh presents a synopsis of Traditionalist responses to Albānī, which vary between

defending the authenticity of the specific hadiths that Albānī impugned, to resorting to a slippery slope argument (that opening the door to critique of the Two *Ṣaḥīḥ*s might lead others, especially unqualified people, to find fault with additional hadiths in these books). Hamdeh discusses in some detail Albānī's claim that Muslim's narrations through Abū Zubayr from Jābir have a discontinuous isnad, and Traditionalist responses to this.

Other Traditionalist critiques of Albānī's methodology in hadith authentication are also mentioned. These include: 1) The allegation that Albānī relied on abridgement of *rijāl* works (most prominently *Taqrīb al-Tahdhīb*), rather than consulting more detailed works. Hamdeh rightly observes that while Albānī might sometimes have relied on abridgments, it is very unlikely that he always did so. 2) Salāḥ Idlibī's charge that Albānī sometimes misunderstood the terminology of hadith scholars. 3) The critique that Albānī based his judgments on hadith on only three of the five criteria used to determine whether a hadith is *ṣaḥīḥ*. It would have been good to point out here that even some Salafīs shared this concern—and indeed the source that Hamdeh cites here is a book written by an author from the Salafī stronghold of Qaṣīm. 4) The argument made by some Traditionalists that later hadith scholars are not allowed to reach independent judgments on hadith, but must rely on the gradings from earlier scholars, who had more knowledge about the hadith narrators due to their chronological proximity to the Prophet.

Hamdeh goes on to note that Albānī single-handedly changed the course of modern hadith studies, by his insistence that people evaluate hadiths before quoting them. He also notes that a unique contribution of Albānī is that he revived interest in authenticating hadith, such that even Traditionalists were forced to argue on his terms, and also that Albānī graded hadiths in books that had not been previously analyzed (such as Ibn ʿAsākir's *Tārīkh*). Hamdeh notes Albānī's methodology in hadith was not much different from that of Traditionalists, but that "Albānī preferred textual conformity, while his critics preferred historical realism" (202). This section serves as an apt closing for the book. It would have been nice for the author to have mentioned that in spite of Albānī's hostility to Traditionalist institutions, he did give *ijāza* to a handful of scholars,

including the Sudanese Musāʿid al-Bashīr. This is in line with the general trend we have seen of Albānī softening his stances as he matured. Similarly, after the dust settled, we do see some Traditionalists acknowledging the importance of Albānī. For example, the library of the Dār al-Ḥadīth (Center for Advanced Hadith Studies) in the staunchly Ḥanafī Islamic University in Binnori Town, Karachi, contains a sizeable section devoted to Albānī's books, in acknowledgment of his efforts, although students are cautioned against his anomalous views.

The "Conclusion" summarizes the factors that led to the weakening of Traditionalists' authority and facilitated the rise of Salafīs, particularly autodidacts. Hamdeh observes that Salafīs are characterized by a purist approach and (often) a lack of etiquette, and that they find wide appeal. He also recaps what the two camps have in common, and underscores that a major difference between them is over the question of whether authority is vested is scholars or in scripture only. Albānī discredits the *madhhab*s, and Traditionalists in turn discredit Albānī because he is self-taught. They accuse him of trying to overshadow past ulema, and feel that forsaking tradition will destroy the religion. Hamdeh points out that Albānī does not account for other pathways to deviation besides weak hadiths used by Traditionalist ulema. Each camp viewed the other as a threat to the integrity of Islam. The final paragraph contains the interesting reflection that purist Salafīs and Traditionalists "ultimately balance each other at a communal level" (207).

To conclude: this book's 200-odd pages are packed with detailed information, along with some astute insights. The author has clearly been diligent in his research, and has made a concerted effort to present often heated debates with even-handedness. The language is generally lucid and precise, with only the occasional opaque statement or inaccuracy. The only thing I would say is missing is a discussion (even brief) of some of Albānī's theological views. I believe this would have helped underscore Hamdeh's point about Albānī's independent spirit. The critiques that I have brought up earlier during this review do not detract from the value of the book as a whole, and some of them can be attributed to the limitations of space. For those who seek insight into how traditional scholarship fared in modernity, and for those who want

to know the underpinnings and prominent issues of contention in the purist Salafī–Traditionalist debate still alive today, I highly recommend this excellent book.

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Endnotes

1   Eyyup Said Kaya, "Continuity and Change in Islamic Law: The Concept of
     Madhhab and the Dimensions of Legal Disagreement in Hanafi Scholarship of the
     Tenth Century," in *The Islamic School of Law: Evolution, Devolution, and Progress*,
     International Conference on Islamic Legal Studies, ed. Peri Bearman, Rudolph
     Peters, Frank Vogel, (Cambridge: Harvard University Press, 2005), 26-40.

2   Aḥmad al-Ghumarī, *al-Jawāb al-Mufīd lil-Sāʾil al-Mustafīd* (Beirut: Dār al-Kutub
     al- ʿIlmiyya, 1423/2002), 98.

3   Aḥmad al-Ghumarī, *Darr al-Ghamām al-Raqīq bi-Rasāʾil al-Shaykh al-Sayyid Aḥmad
     ibn al-Ṣiddīq*, ed. ʿAbd-Allāh al-Talīdī (Beirut: Dār al-Bashāʾir, 2000), 191. See also
     his brother's similar comments: ʿAbd-Allāh al-Ghumārī, *Sabīl al-Tawfīq fī Tarjamat
     ʿAbd-Allāh ibn Ṣiddīq* (Cairo: Maṭbaʿat Dār al-Bayān, 1985), 49.

4   Shāṭibī, *al-Iʿtiṣām* ([Saudi Arabia]: Dār Ibn ʿAffān, 1412/1992), 2:713.

5   Dale Eickelmann, "The Art of Memory: Islamic Education and Its Social
     Reproduction," in *Comparing Muslim Societies: Knowledge and the State in a World
     Civilization*, ed. Juan R.I. Cole (Ann Arbor: University of Michigan Press, 1992), 110.

6   Ibn Taymiyya, *Majmūʿ al-Fatāwā*, ed. ʿAbd al-Raḥmān Ibn Qāsim (Madinah: King
     Fahd Printing Complex, 1995/1416), 3rd ed., 10:357.

Islamic Thought in Africa: The Collected Works of Afa Ajura (1910-2004) and the Impact of Ajuraism on Northern Ghana

Since the formal end of colonial occupation of African countries by imperial powers, the last few decades have witnessed ballooning interests in the study of Islam and Muslim societies in West Africa. This is partly complemented by the sudden religious transformations and radical shifts from syncretistic strands of Islam brought about by different Islamic reform projects. This factor has posed decisive survival threats to these syncretist groups as the edifices upon which they were initially constructed were subjected into perpetual checks and cross-examinations. Consequently, the reform projects elicited an internal reexamination within Islamic groups that were hitherto dominated by traditional practices and beliefs that seem to no longer appeal to rational investigation.

Zakyi Ibrahim introduces the reader to the state of Islamic thought in Africa with a focus on the works of Alhaji Yusuf Salihu Ajura (a.k.a. Afa Ajura), a Muslim reformer who cultivated his niche by contesting Sufi beliefs and rituals as well as traditional practices he deemed irreligious

among Dagomba people in Northern Ghana. The book is not structured in the conventional format of systematically broken-down chapters, but rather into thematic divisions. The whole book, covering the excellent work of the translator and Afa Ajura's projects, thus has four major segments: (i) the biographical profile of Afa Ajura, which also gives a glimpse into his lifeworld and the sociocultural and religious setting in which he operated; (ii) the main reform mission which Afa Ajura prosecuted, taking into account his process of teaching and transmission of knowledge, his preaching against irreligious, cultural practices and baseless innovations among Dagomba people and Tijjānīyah respectively, his encounters with resistant elements and forces whose activities his mission had challenged and how he at the end triumphed over all his traducers; (iii) analytical introduction of sixteen poems of Afa Ajura with reference to a few key verses; and (iv) the presentation of the translated poems.

In the introductory section, Ibrahim provides a brief biographical profile of Afa Ajura, including his birth and the debate on the year in which he was born. Ibrahim then proceeds to highlight Ajura's early life and knowledge acquisition, pointing out some of the places in and outside Tamale where Afa Ajura wandered to meet scholars and study various Islamic sciences. As the Tijjānīyah order was then the dominant strand of Islam in Northern Ghana, almost all of Afa Ajura's teachers had a leaning toward the Tijjānīyah fraternity. Some of the broadminded Tijāni scholars under whom he studied would later renounce their affiliation to Tijjānīyah and send their sons to the Islamic University of Medina to become established scholars in their own right (6-7). This would likely be enumerated as part of the success of Afa Ajura's reform movement.

Ibrahim further highlights Afa Ajura's early clerical career which commenced with his active involvement in the activities scholars engaged both in the name of religious ritual such as the celebration of *mawlid* (anniversary of the birth of Prophet Muhammad) and preparation of potion, talisman and amulet, a sort of Islamic divination known as *ṭibb*, where scholars "manipulated the Qur'anic wisdom and verses ostensibly to solve people's impending or insurmountable problems" (8). Afa Ajura made a lot of money through the clients who patronized his services.

The act of providing solution to people's problem through *ṭibb,* which has become widespread in African societies, is still a lucrative business that is patronized by powerful and ambitious politicians. Women also are among the most zealous clients of *ṭibb* especially to control husbands or sabotage plans of their husbands to marry additional wives. As can be discerned from Ibrahim's narrative, Afa Ajura was not initially detached from the sociocultural practices and ethos of his immediate environment as evidenced, besides his venture into Islamic divination, by his participation during his youth as a drummer for the famous *Amajoro* dance (10).

Although Afa Ajura was still not outside the Sufi milieu, his reform opinions started unfolding in the early 1950s, which coincided with the construction of his mosque that would later come to serve as a strategic locus for his religious activities. In 1960, Afa Ajura honored an invitation of a *mawlid* in Accra, and when he was called upon to speak, he changed his topic from the impossibility of seeing God as organizers wanted him to do, to a topic of attacking Tijāni litanies (79). Ibrahim categorizes the whole clerical career of Afa Ajura into three broad divisions: "teaching and educating…; preaching and reforming; and composing poems" (11).

The teaching and educating, which were the promising precursor of Afa Ajura's reform movement, took roots in the 1940s with a group of few disciples that gathered and received lessons directly from Afa Ajura. This format reflects the prevalent traditional and informal system of transmission of Islamic knowledge using classical texts as the curriculum. This orthodox system, which still functions effectively, is widespread in West Africa, where it came from the Maghreb through Timbuktu. Many prominent scholars passed through this stage in their learning. Afa Ajura combined both the teaching of adults and the teaching of Qur'an to young pupils (most of whom were children he adopted from other families) typical of an elementary level (12). This latter partly resembles the *almajiri* system of education known mostly in northern Nigeria. The Qur'anic school would later grow, develop, and expand to a higher Islamic institution formally registered as Anbariyya Islamic School.

Of all the three intellectual cycles around which Afa Ajura's clerical career revolved, the most polarizing and contentious is his preaching and

reform effort, which inevitably brought him into ideological conflict with the group of people he attacked. Apart from irreligious cultural practices during funeral and wedding ceremonies, visiting and belief in soothsayers, pursuing and patronizing divination, which some Dagomba clerics willfully endorsed and greedily performed, Afa Ajura also launched his polemics and criticism against Sufi beliefs and rituals, especially the Tijjānīyah group which was the most widespread order in Tamale city in northern Ghana. As the translator observes, Afa Ajura's reform of irreligious funeral services not only redeemed his followers from the extortionate nature of funeral ceremonies which used to favor Tijāni clerics as beneficiaries, but also provided effective and legally backed leeway for poor folks even outside Afa Ajura's camp to evade being subjected into unnecessary exploitation.

To demonstrate Afa Ajura's impact on eradicating irreligious cultural practices, Ibrahim intimates the reader of a virginity test which fell among the many well entrenched wedding practices that Afa Ajura fought against in the Dagomba Muslim society. This test was applied on a bride on the first day her marriage was to be consummated, after her family had delivered her to the home of her groom. The company of women who conveyed the bride would, instead of going back home, linger around while the groom struggled to have his maiden conjugal relations with his new wife. As the bride resisted and evaded the control of her groom, the women who were hanging around eavesdropping could even intervene to assist the groom. Among other things done on that night was to observe whether the bride was virgin, which would be discovered through the white bedsheet in which the couples slept on their first night. If some stains of blood were found after her first intimacy with the groom, then the bride was virgin. But if the bedsheet remained white, then she was not a virgin and it meant her family did not perform well the parental role of bringing up a modest girl, and this was a shame on them. This and other related practices which Afa Ajura fought were according to him, "socially immoral, sexually abusive, degrading to brides and grooms..." (36-39). As the translator further recounts, Afa Ajura was enormously successful in eradicating many of these irreligious and conservative cultural practices among Dagombas.

One correlation—the translator writes—to stopping the virginity test is the greater prevalence of premarital sex and illicit relationships among unmarried young men and women (40). Reformers in the spirit of Afa Ajura would likely be required to produce alternative practices that would checkmate the irreligious practice inherent in people's customs and simultaneously serve the moral purpose for which the customs were initially practiced.

Witchcraft is another venture that fell prey to Afa Ajura's reform mission. Ibrahim narrates how Afa Ajura used a threat of mobilizing formidable counterforce to resist the humiliation of women suspected of being witches were subjected into in Tamale. Apparently motivated by Islamic rejection of the industry of witchcraft and the process through which cases of witchcraft were treated among Dagomba people like in other African societies, and although he had composed a poem to condemn it, Afa Ajura here stressed the adoption of a physical threat to thwart the act of mortifying witchcraft suspects which centrally brought them to shame, psychological, and physical degradation. Interestingly, this method proved workable as the so-called witch hunters had stopped molesting women being blamed as witches in Afa Ajura's locality (48-49). While the main and primary approach of many reformers is largely known to be intellectual and less confrontational, at times a threat of adopting radical means to solve a problem in the interest of defenseless, poor masses has more potential of communicating and sending the desired message to the target recipients and concerned parties. Similarly, Afa Ajura condemned Islamic divination (*ṭibb*) which clerics turned into a means of exploiting people's wealth by not only attempting to solve people's health issues, but also claiming to offer "diagnosis, divination, and foretelling people's problems and then forecasting, prognosticating, and prescribing the outcomes and solutions of the issues" (51). As delineated by the translator, it "involves writing the combination of verses, God's names, or angels' names along lines and graphs on pieces of papers that are used to turn into charms and amulets" (51). Eventually, as he became a full reformist, Afa Ajura would stop his own participation in this practice and launch his polemics against it both in preaching and his poetry.

One of the sterling merits of the translator's narrative style is his success in providing a vivid, though imaginative picture of some of the events in the life and career of Afa Ajura vis-à-vis the latter's criticism of Sufism. Afa Ajura disagreed with the Tijjānīyah order in general, including the superfluously glorious virtues associated with its founder and saints. But his attack on the sect was triggered by the emergence of the Tijjānīyah-Ibrāhimīyah branch, which emphasized the mystical principle of *tarbīyah* (spiritual training), considered by critics to be as the highest step of perversion from orthodox Islam. In one debate on the topic, one Mallam Abdullai Maikano, a Tijāni cleric who frequently visited Tamale from eastern Ghana and was honorably received by Tijānis in Tamale, challenged Afa Ajura on *ṣalāt al-fātiḥ*. Maikano sought to trace the origin of *ṣalāt al-fātiḥ* in the Qur'an while Afa Ajura argued that it does not appear in Qur'an and at the same time proved to the audience the legitimate form of *ṣalāt* taught by Prophet Muhammad. Maikano followed a strategy of laboriously pinpointing the places where individual words that could be at the end used to make up *ṣalāt al-fātiḥ* appear in the Qur'an. This esoteric method appeared unintelligible to the audience, thus counterproductively confusing them (63-67).

In both his open air preaching and his poems, Afa Ajura spared no effort in vociferously contesting the virtues and merits attributed to some litanies of Tijjānīyah, particularly the *ṣalāt al-fātiḥ*, which is believed by many Tijānis to be 6,000 times more meritorious than reciting the Qur'an (60). Afa Ajura challenged and falsified the alleged physical contacts between Prophet Muhammad and Shaykh Ahmad Tījāni, which Afa Ajura simply dismissed as absurdly impossible (60). Afa Ajura's logic was to first establish, in his perspective, the absurdity and impossibility of the suspected encounter, which would then automatically refute all the litanies that were allegedly imparted on Shaykh Ahmad Tījāni by Prophet Muhammad. By the same token, this would refute the belief of many Tijānis that Prophet Muhammad used to physically appear during the performance of their rituals, particularly the litanies chanted congregationally on a daily or weekly basis.

As adequately vindicated by the translator in the book, Afa Ajura's reform richly manifests in poetry, which is another effective (mnemonic)

medium for the dissemination of the program. Ibrahim translated sixteen poems, which number about 153 pages, representing nearly the whole traceable poems in the available collection of Afa Ajura. 75 per cent of the poems are in the Dagbani language, while the remaining 25 in Arabic. The translator did not include the Hausa ones in this book. The poems, according to Ibrahim, "cover an array of topics with theological, social, polemical, and even genealogical information" (71).

The first of the poems, titled "*Damba Digoli* (Damba Month)," which supplies the genealogical hagiography of Prophet Muhammad, was composed by Afa Ajura when invited to a *mawlid* in 1952 in Tamale. In years to come, Afa Ajura would repudiate the practice of *mawlid* as a religious innovation that does not have a textual basis (71-72). The second poem, "*Dunya Binshaɣkam Dināra* (Everything in the World Shall Perish)," is, in the words of the translator, Afa Ajura's "magnum opus". Although it is silent about his attack on Tijjānīyah rituals, the poem seems to condense Afa Ajura's reform views and intellectual contribution to spiritual, theological, socio-cultural, educational, and historical realms of Ghanaian Muslims. The translator's outline of the dominant themes of this poem is especially informative and insightful (72-75). The third poem, "*Dolya Tidūma Nāwuni ŋun Namtiŋo* (Our Lord God, the Sole Creator, You Must Obey)," underlies the primary Muslim objective of worshiping God, but simultaneously upholds that this can only be achieved by properly acquiring religious knowledge and getting guidance from Prophet Muhammad through his speeches and the understanding of his companions. There is a mild attack on Tijjānīyah in the poem (75-76).

Poem 4, "*Afa Zāŋunpaɣ Nyu Buɣli* (Any Person Who Allows His Wife to Drink the Potion for Exorcism)", complements Afa Ajura's effort at eradicating superstitious beliefs and practices, this time related to witchcraft. Women accused of being witches were forced to consume some potion as a process of exorcism and depriving them of their bewitching power. Afa Ajura passed a verdict that "anyone who drinks the exorcist potion: that two-month fasting becomes obligatory" (77). An alternative to the two-month fast which Afa Ajura provided in the poem is one hundred lashes, signifying that the matter was heinous enough

that an Islamic judge might be involved in the long run. Although the translator has made reference to the analogical basis for Afa Ajura's *ijti-hād*, the *ijtihād* would remain controversial in the milieu of many jurists who would contest it and perhaps accuse Afa Ajura of bringing another "innovation". While noting the circumstance of Afa Ajura's *ijtihād*, Afa Ajura's hypothesis would yet be interpreted as an attempt to formulate a new legislation, an exercise that, as far as Islamic religion is concerned, could only be done by the Lawgiver.

The fifth poem, "*Fa Khudhū* (And You Must Take)," which is in Arabic and comprises over 80 verses, is Afa Ajura's response to his Tijāni detractors who labeled him and his followers as *munkirūn*, meaning the rejecters and deniers of beliefs and practices of Tijjānīyah (78). In the poem, Afa Ajura elaborated his contestation of Tijjānīyah *awrād* (litanies) and other Sufi beliefs (78-80). Poem 6, "*Kutilga* (You Shall Not be Saved)," is a spiritual counsel directed at Dagomba people to shun some customs that contradict Islamic teaching. It also censures some Tijāni practices and beliefs, and follows this with a caveat that insisting on the outlined irreligious customs and practices by Dagombas and Tijjānīyah adherents might deprive one from salvation in the hereafter. The poem establishes that rather than mundane influence, background or status, only piety and obedience to God would guarantee one eternal salvation (80-81). The seventh poem, "*Nsab Nsabliŋo* (I Compose This Writing of Mine)," is basically a narrative poem composed to recount Afa Ajura's participation in a Ghanaian delegation to join Nigeria in the celebration of the latter's independence from British in October 1960. The poem narrates some of the important events related to the occasion and key dignitaries that featured thereof, as well as mentions a few Nigerian ethnic groups and Nigerian cities (81-82).

Composed in 1965, "*Dolya Tidūma Ka Doli Anabŋo* (Follow Our Lord and This Prophet)", reiterates Afa Ajura's position on the essentialness of holding fast to the teaching of Prophet Muhammad and his Sunnah. It urges the audience to take the Prophet's companions as guide and model of achieving that. By the same token, Afa Ajura has, in the poem, launched his attack on the Tijānis, accusing them of deifying Shaykh Ibrahim Niasse, causing schism among the Muslim Umma and doing

other unbecoming things (82-83). Poem 9, "*Afa Nim Zāsa Nin Binya* (All Clerics Have Not Seen: Against *Wird*)," also attacks Tijjānīyah rituals, but with a focus on the unique litanies they chant. Calling on Muslims to shun Tijāni litanies, Afa Ajura also stresses that Muslims should adhere to the path of Prophet Muhammad and his companions (83-84). The tenth poem, which is in Arabic, "Bukari Mawla (a Eulogy)," is a threnody to commemorate the death of his favorite teacher, Shaykh Bukari Mawla, a Togolese who lived in Asamanseke in the eastern part of Ghana. The scholar was an acclaimed critic of Tijjānīyah, a reputation that brought him into conflict with the Tijāni establishment and culminated in his eventual arrest and abrupt death. In the elegy, Afa Ajura recognizes Bukari Mawla as a senior reformer and revivalist of the Sunnah of the Prophet Muhammad (84-85).

In poem 11, titled "*Ninsal Kutonya Tidūma* (A Human Being Cannot See Our Lord)," Afa Ajura expresses his criticism against the claim of his Tijāni rivals that they used to see God. This strong claim was one of the issues on which Afa Ajura would warn and dissuade Muslims from following Tijjānīyah. As readers can discern from the translator's commentary, the strategy worked in favor of Afa Ajura's mission since it cost Tijjānīyah many of their adherents (85-87). Although, as the title suggests, poem 12, "*Salli Salātan* (Send Blessings Upon)," is a panegyric rendition in honor of Prophet Muhammad, Afa Ajura weaves in his polemics against Tijjānīyah rituals. This is laid bare by his emphatic call on Muslims to solely rely and clutch onto the Qur'an and Hadith on one hand, implying that Tijānis do not do the same, and on the other hand, his vituperation against things associated with Tijjānīyah right from its shaykhs, litanies, etc. Afa Ajura employs a heavy language in the poem, as he compares the Tijānis with "the disbelievers and idols of several past generations"(87-88).

In the thirteenth poem, *"Tipayri Tidūma Nāwuni"* (We Thank Our Lord), Afa Ajura invites his audience to imagine a scenario of his engagements with a Tijāni rival. Afa Ajura censures this Tijāni interlocutor and charges him with forcing people to accept and follow Tijāni shaykhs and the litanies the latter formulated, while also extorting people economically (88-89). "*Ansarsi Māna* (He Mocks)," the fourteenth poem,

which is a code-mixture of Arabic and Dagbani, is the shortest poem of Afa Ajura. Women were intended to be the target audience. The poem simply preaches against some moral and social vices and tries to inculcate good manners so that they will in the hereafter be admitted to the gardens of Paradise. The poem is meant to replace the songs Dagomba women used to sing during occasions which, as Ibrahim observes, were often riddled with obscene and vulgar expressions. The poem tackles some irreligious practices that dominated the Dagomba ceremonies (89-90).

In contrast to the previous poem, poem 15, "*Nahnu Junūdu Habībinā* (We are the Army of Our Beloved)," which is a panegyric and expression of passionate loyalty to Prophet Muhammad, is meant to provide a song for collective recitation by school children "during plays and for entertainment" (90). Likewise, it was intended to deter pupils from getting attracted to songs sung in Sufi-oriented schools during occasions like *mawlid,* which Afa Ajura considered un-Islamic (90). The last poem in the book, "*Afanim Tola Ayirmo* (The Clerics Have Gone Wild)," is yet another literary encounter between Afa Ajura and Alhaji Muntaqa, a famous Tijāni cleric in northern Ghana. In the verses, Afa Ajura responds to Muntaqa's polemics and the "direct insults" Muntaqa showered on Afa Ajura and his followers (90-92). In his commentary, the translator hints that Afa Ajura banned his followers from reciting the poem after the death of Muntaqa, and this informed why it has become less popular.

Afa Ajura significantly succeeded in his teaching initiatives, preaching, and religious reform mission. The Anbariyyah school he had founded had tremendously advanced and become the most progressive school in Tamale and probably the entirety of northern Ghana. The Anbariyya school grew from strength to strength, so much so that by 2010, "it had a total of four nurseries, twenty-five affiliated primary schools, two junior high schools, and one high school" (24). The school had established strategic connections and productive partnerships with scholars and institutions in Arab countries, such as the prestigious Azhar University and the Islamic University of Medina, as well as the Sudan. The school received a number of expatriates from these countries, whose tenure helped boost both its academic standard and national reputation.

Although the Tijjānīyah was the dominant affiliation of the majority of Muslims in Tamale when Afa Ajura started his preaching, his followers had, by the 1960s through the 1970s, outnumbered the adherents of Tijjānīyah (94), let alone other groups like the Qādirīyah or Shia (if any). Notably, both Afa Ajura and the translator are silent on Shiism.

Zakyi Ibrahimi's work goes beyond a mere translation of Afa Ajura's poetry collections as depicted in the book. Rather, Ibrahim presents an extensive analytical overview and commentary of the state of contemporary Islamic thought in Northern Ghana, with hints on Muslim sectarian trends and the Dagomba customs. In this context, the Tijjānīyah order and syncretistic and cultural practices that dominated and permeated Dagomba Muslim life were challenged by a grand religious Sunni reform, which eventually prevailed against well entrenched socio-religious currents. Apart from the lucid translation and informative background for Afa Ajura's poems, an important feature of Ibrahim's work, which is essential in guiding the reader and carrying them along, is outlining the doctrinal arguments of the people and groups which Afa Ajura criticized, before highlighting and analyzing the latter's contestations and polemical responses. Interestingly, not only does Ibrahim disagree with some of Afa Ajura's views and conclusions, but also, as expected of an unbiased scholar, he mediates and balances some of Afa Ajura's accusations by pointing to other parties that also behaved in the same abominable manner. This indicates that the behavior resulted from the personal disposition of the actor, not necessary sprouting from their ideological persuasion. Notably, the book would have been more reflective of the first epithet in its title if a brief overview of the state and condition of Islamic thought in other African settings would have been provided.

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BOOK REVIEWS

Representing Islam: Hip-Hop of the September 11 Generation

KAMALUDEEN MOHAMED NASIR

For the past decades, broad questions as to "what is Islam" and "what does it mean to be Islamic" have haunted much of the fields of sociology and anthropology of Islam, arousing vigorous conceptual and methodological dialectics in scholarship. Without centralizing the conceptual problematic in the first place, and without being confined to the preceding theoretical struggles, Kamaludeen Mohamed Nasir's *Representing Islam: Hip-Hop of the September 11 Generation,* a cultural and social hermeneutic of the synthesis between Islamic religiosity and hip-hop culture as practiced and perceived by Muslim youth around the world, nevertheless provides interesting answers, in both conceptual and empirical forms, to these primordial questions. It sheds new light on understanding and interpreting the articulation, manifestations, and implications of and about Islam in this globalized and digitalized age.

At first glance, studying the expressions and discourses on Islam through the popular art form of hip-hop music may seem to be located on the very periphery of the scholarship of Islamic studies and the conception of "Islamic civilization", especially through the conventional

"central/peripheral" and "religious/cultural" dichotomous perspectives. Through a critical engagement of empirical data of Muslim hip-hop artists' articulation and discourses, analysis of the historical circumstances and social experiences shared by Muslims around the world in the post-September 11 era, and some pertinent sociological perspectives including identity authenticity (as in Chapter 2), social movements and solidarities (Chapter 3), performativity and management of body (Chapter 4), and governmentality and multiculturalism (Chapter 5), Nasir productively demonstrates and argues for the opposite position: that this edgy space intersecting religiosity and pop culture is precisely one of the most discursively dynamic and far-reaching realms of Islam and one of the most fruitful grounds for studying Islamic culture in our time.

Nasir situates *Representing Islam* in constructive dialogue with pertinent bodies of literature including studies of the hip-hop generation in general in the United States and worldwide, scholarly works on the interaction between black culture and the Muslim world, and studies on Muslims and popular musical genres in both localized and cross-cultural contexts. Exemplar works of these fields include Sujatha Fernandes's *Close to the Edge: In Search of the Global Hip-Hop Generation*, Sohail Daulatzai's *Black Star, Crescent Moon: The Muslim International and Black Freedom beyond America*, and Hisham Aidi's *Rebel Music: Race, Empire, and the New Muslim Youth Culture*. *Representing Islam* should also be understood as a substantial expansion of a chapter on Muslim hip-hop from the author's earlier monograph *Globalized Muslim Youth in the Asia Pacific: Popular Culture in Singapore and Sydney* (2016). That former chapter laid the perspectival and conceptual foundation for the present book under review.

In theoretical terms, students and researchers of sociology and anthropology of Islam in general and those who specialize in Muslim popular cultures may benefit from and be inspired by three underlying theoretical perspectives that are cornerstones to the conceptual framework of *Representing Islam*: the generational perspective of identity formation, the homological imagination, and the provincialization of culture. First, despite the perpetual tension and debates in conceptualizing a generation (as in the conceptualization of any other social groupings),

it would be valid, as the present book demonstrates, to hypothesize that there is at least a degree of perceptual and discursive sharedness embedded in narratives and discourses given by people both within and outside the imagined generation, i.e. when they talk about *it* as a group. More specifically, as indicated in *Representing Islam*, there can be multiple types of markers for conceptualizing a "generation", e.g. age group, parental and personal migration background, and major historical events. An interesting way that this hermeneutic generational perspective can inspire future ethnographic and other microsociological studies is to look beyond any "essence" shared by most or all individuals within a generation, but rather to look at how individuals perceive and deploy those generational elements (be it stage of life, personal or familial migration experiences, and/or marked historical events) to construct the self, significant others, and a coherent experience in their narratives, as well as the similarities and dissimilarities in those perceptions and narrative deployments.

Second, the concept of "homological imagination" coined by the author is precisely a penetrating lens to look at this rather ambiguous and obscure sharedness between cultural practitioners, as well as its sources, mechanism, and implications. A theoretical advancement from the more conventional concepts by which imaginative sharedness or collectivity is discerned (e.g. Saidian geographical imaginations and Andersonian national imaginations, which tend to focus on societies and communities with clearer territorial boundaries), "homological imagination" is a timely theoretical tool to portray the even more globalized, intersectional, fluid, and instant processes of culture and identity formations in this digital age characterized by the dominance of social media since the early 21st century. In this sense, the global Muslim hip-hop culture in the making, as depicted in the book under review, can be understood as a constellation of discursive and creative processes constituted by and drawing on the imagined, homological attachment and affiliation to multiple "centers" of cultural authenticity, such as the African American-rooted hip-hop tradition, the Islamic theological tradition, the sharedness of historical and social experiences between African Americans and post-9/11 Muslims, the shared experiences of Muslim

around the world, the notion of social justice as embedded in both traditions and both strands of experiences, as well as to the diverse sects and elements within each of these discursive "authenticities". Further to the detailed analysis of social hermeneutics on the discursive and creative field of Muslim hip-hop culture, as it has been thoroughly demonstrated in *Representing Islam*, it would also be interesting for future studies to focus more on the functions of diverse "homological imaginations", at the more idiosyncratic level, of individuals as cultural options and resources, in relation to their own unique social situatedness, self-construction, and sense-making of the world.

Third, the idea of "provincialization of culture" is closely connected to homological imagination in that they can be understood as two conceptual forces of a hierarchical relation, and towards opposite directions, in the same discursive force field. If the homological imagination is initially about the mental process (both shared and individual) of associating cultural practices and experiences with an existing form of cultural center or authenticity, provincialization of culture denotes a countercurrent and meta-process of de-centralizing and re-centralizing cultural practices and experiences, which demands a new form of homological imagination and intends to create a new type of authenticity. Nasir's conceptualization of Muslim hip-hop culture as a discursive field, in particular, exemplifies such a meta-interpretive process where the creative and consumptive practices and experiences of Muslims in relation to both hip-hop and religious piety should *not* be simply understood as deriving either from hip-hop's African American "core" or from the Islamic tradition's Middle Eastern or Arabian "origin" (cf. the classical "Islamic-Islamicate", "great-and-little-traditions", and central-versus-peripheral views in conceptualizing Islam), or as a derivation from both traditions combined; it should be understood, rather, as something dialectical on its own, drawing on a multiplicity of elements from diverse cultural traditions, personal and collective practices and experiences, and specific economic, political, and social circumstances in the localities where the cultural products are created and consumed and the cultural activities are conducted and experienced. My only conceptual concern over provincializing culture is about the role and positionality of the sociologist

or anthropologist. By using the term *meta*-process or *meta-interpretive* process above, I pointed to the fact that, in many if not most cases, the sociologist/anthropologist, in provincializing a culture or tradition, in fact plays a role of more than just interpreting and analyzing the formation of a "new" culture or identity; rather, it is the research output, the sociological/anthropological writing itself, that has consolidated, if not created, the existence of such a new province, along with the concurrent homological imagination and authenticity associated with it. Scholars of social hermeneutics can thus explicitly discuss the discursive consequences of their own works.

From the methodological and analytical perspective, even though *Representing Islam* (unlike many of Nasir's previous works, whose primary data are ethnographic in nature) principally makes use of existing interviews with hip-hop artists and the lyrics and music videos of hip-hop songs, the book successfully integrates both the micro-hermeneutic perspectives (i.e. the sense-making and meaning-articulating processes embedded in both interviews and content of art productions) and the macro-structural processes (i.e. more widely felt and recognized culturally or politically hegemonic power structures, such as state management and policies regulating ideologies and cultural productions, moral entrepreneurship of religious or communal elites and leaders, broader public debates and discourses on social justice issues including rights of women and ethnic minorities, etc.). A strategic and critical engagement between the micro and macro perspectives in sociology of Islam, *Representing Islam* is recommended to all students and researchers interested in Islamic religiosity, Muslim popular cultures, and research design in social hermeneutics approaches.

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Arabic Conquests and Early Islamic Historiography: The *Futuh al-Buldan* of al-Baladhuri

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RYAN LYNCH

Ryan Lynch's *Arabic Conquests and Early Islamic Historiography: The Futuh al-Buldan of al-Baladhuri* offers a new analysis of the famous history *Kitāb Futūḥ al-buldān* (The Book of the Conquest of Lands) by the 3rd/9th century Abbasid scholar Aḥmad b. Yaḥyā al-Balādhurī (d. ca. 279/892). Lynch handles the source well, supporting his own close reading of the text with a wealth of references to offer nuanced insight into the purpose, context, and content of this seminal source on early Islamic governance. His core thesis is that Balādhurī composed this text as a handbook for the Abbasid court officials who had been struggling to balance the court budget, collect provincial taxes, and keep the imperial administrative system running in a politically-distraught time. Although Lynch's argument is not entirely new, his study, which is based on an admirably detailed analysis of Balādhurī's work, will most likely serve as the standard reference book in the field.

 With a refreshingly simple structure, the book has six chapters, each of which analyzes a distinct dimension (manuscripts, context, sources,

content, genre and reception) of *Futūḥ al-buldān*. Chapter 1 presents a history of the text's extant manuscripts. Though Lynch builds off of existing studies of its manuscript history, he also fills in significant gaps, most notably by bringing attention to a manuscript which is likely the earliest extant version of the *Futūḥ* known today. Here Lynch manages to spotlight this manuscript while also offering perhaps the most comprehensive manuscript and publishing history of the text to date.

Chapter 2 focuses on Balādhurī's career and the contextual circumstances which may have influenced his work. Lynch provides a biography of Balādhurī with a particular attention to the broader military, economic, and political developments of the contemporary Abbasid court. Written in a time when the central administration was collapsing under the weight of an oversized military budget and decreasing revenues following the privatization of state-controlled lands, Balādhurī's *Futūḥ* focused on the triumphant early conquests of Islam and was thereby "preserving the memory of a unified caliphate; of a time before the upheaval and disintegration" (55). With these contextualizations, Lynch provides us with a convincing framework for understanding the intersection of Balādhurī's life and his scholarship.

In Chapter 3, Lynch analyzes the sources of *Futūḥ*, following in the footsteps of Sezgin and Fleischhammer by classifying the citation styles Balādhurī uses for different reports in his collection. Lynch also identifies Balādhurī's most commonly used sources, which includes famous scholars like Ibn Saʿd as well as relatively understudied figures like Abū ʿUbayd al-Qāsim b. Sallām, bringing a greater appreciation to the latter's role in early Islamic historiography.

Chapter 4 surveys the content and themes of the *Futūḥ*, seeking to understand Balādhurī's intended goal for the text by analyzing his choices of inclusion and exclusion in collecting reports. Lynch identifies several key themes that Balādhurī consistently highlights in his curation, primary among these being discussions of the exact nature of the 7th century conquest settlements and the legal precedents they provide for 9th century administrative policies. Lynch observes that in forming this collection, Balādhurī leaves out a great body of narrative traditions that other early historians use to tell a more colorful story of the Islamic conquests. His

purpose, Lynch argues, was not providing a narrative of the conquests, but rather "ensuring that the administrators of the court handling the state's finances were aware of what could and could not be expected of regions, as well as how tax law could and could not be applied" (117). Additionally, Lynch notices that Balādhurī's curative choices propagate the image of a "unified and authoritative Islamic state of the past" by consistently excluding reports that portray caliphs in a negative light (15). This, Lynch argues, was meant to preserve the integrity of the caliphal office in a time when the caliph himself was becoming nothing more than a figurehead with only nominal control over the sprawling Abbasid empire.

Chapter 5 discusses the issue of classification and genre, arguing that Balādhurī's text defies standard categorization and highlighting the flaws in any strict separation of genres, at least in this early period of Islamic historiography. Lynch compares the text to the field's commonly used genres of "conquest literature (*futūḥ*), judicial texts on fiscal administration (*kharāj, amwāl*), geographical texts, and secretarial texts (bureaucratic/grammatical works)" and concludes that the *Futūḥ* does not exclusively belong to any one of these categories (16). Therefore, Lynch suggests, historians ought to reconsider the strict application of standard genre classifications on works of early Islamic historiography.

The final chapter studies the reception of the *Futūḥ* by charting instances where the work was quoted in six other historical texts. Lynch uses digital analysis to locate quotations from *Futūḥ al-buldān* in these texts, and concludes by the nature and volume of references to the *Futūḥ* that the work was held in high esteem by other Muslim scholars of the era. Lynch expands these conclusions beyond this one text to draw wider conclusions on the nature of citation in pre-modern Islamic historiography.

Over the course of this study, Lynch counters several long-standing generalizations about Balādhurī's text, his aim as an author, and the nature of early Islamic historiography, especially regarding issues of genre, citation, and textual reuse. Such insights represent the fruits of a careful and nuanced reading of any historical text. However, in this same point of praise is my chief reservation, which is that Lynch's work is a monograph dedicated solely to a text that has already been extensively studied. Studies like Lynch's, skillful though they may be, beg the question: how

many fruitful insights can be gained from reanalyzing one famous text before the diminishing returns are no longer worth discussing? Lynch touches upon this in his introduction, arguing that "with our access to new sources of information – especially the material culture of much of the Middle East – unlikely to expand significantly in the near future, confronting the challenges of the surviving Arabic sources is more necessary than ever before" (3). But is this lack of new sources really a hard limit, or is it tied to a culture of training in which graduate students see projects like manuscript work or collection cataloging consistently take a back seat to the tried-and-true process of rehashing the major Arabic texts of the field? Elsewhere, in justifying his choice to focus on the *Futūḥ*, Lynch writes that "the availability of these texts in critical editions has heavily predisposed modern scholars...to look first to these texts before – if ever – turning their attentions to the huge amount of unedited and uncatalogued Arabic manuscripts which reside in collections around the world" (25). Such pragmatism may be necessary at the individual level, but that makes it no less disheartening to repeatedly see historians who are capable of complex manuscript study and who recognize the untapped potential of manuscript collections decline to focus their own work on this wealth of uncatalogued manuscripts. This field-wide critique cannot be levelled personally against Lynch or any other individual researcher, but this monograph on *Futūḥ* serves as an unnerving reminder of looming reckonings in the study of early Islamic historiography.

That being said, if famed texts *are* to be revisited, then Lynch's work provides a strong example of how this can be done well. Given the prominent role of *Futūḥ* in the field of early Islamic history, his book will likely become a key reference for newcomers and experts alike. More specifically, Chapters 2 and 5 could fit nicely in an undergraduate syllabus on classical Islamic history, and the text in its entirety would be a useful source for graduate courses on Islamic historiography.

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Miracles and Material Life: Rice, Ore, Traps and Guns in Islamic Malaya

CAMBRIDGE: CAMBRIDGE UNIVERSITY PRESS, 2020. 290 PAGES.

TEREN SEVEA

Miracles and Material Life by Terenjit Sevea feels like the grand opening of an independent bookstore you just happened to pass by. The vaults of an enthusiastic collector are finally opened, and every nook and cranny you investigate promises an exhilarating, unexpected spark. The central focus of Sevea's microhistory is the Islamic miracle worker ("pawang" or "bomoh") in late-nineteenth and early-twentieth century Malaya. Building on his creative engagement with Jawi manuscripts, and wide-ranging scholarship on Sufism, Islamic material culture, and Islam in South and Southeast Asia, Sevea demonstrates how these extraordinary figures manifested Islamic tradition and shaped colonial labor practices, and show how the Sufi networks, local forms of life, and labor contingencies in which these Islamic miracle workers were enmeshed animated their Islamic practice and impacted modern Malaya. This monograph will be especially valuable to scholars working on Islam and modernity, Sufism, and Islam in Southeast Asia. For those fields, Sevea fleshes out critically overlooked facets of Islamic tradition. But Sevea's analysis will also add to fields as wide-ranging as history of science, material religion studies, gender studies, ethnic studies, ecocriticism,

and postcolonial studies. Like the aforementioned bookstore, a short engagement with *Miracles and Material Life* will yield immediate finds, but the real gems will come from a careful combing through during pensive afternoons or intense exploration with curious friends.

Principally, *Miracles and Material Life* is a microhistory of pawangs in Malaya. Through a close reading of conceptually and linguistically labyrinthine Jawi manuscripts, in consultation with Romanized Malay hagiographies and the instruction of living bomohs, Sevea uncovers the historical significance of incantations, lineages, and sacred narratives that past scholars had discounted as mere "magic" and "idolatry." Not only does Sevea decipher these complex sources, but he also crafts a history of labor, knowledge production, and power relations by reading between and through their lines. The resulting study builds on intellectual histories of transnational scholarly networks in Southeast Asia (Azra 2004), frontier Sufism and labor (Adas 1964; Eaton 1994), and the Islamic economies of the Indian Ocean cosmopolis (Green 2011 and 2015). Sevea astutely excavates the Islamic materialities contained within rice farming, mining, and hunting, thereby indirectly answering the call of scholars like Mayanthi Fernando (2017) and Nadia Fadil (2019) to challenge the secular lenses which dominate scholarship on Islam. In this way, Sevea's project also adds to the critical conversation around secularism that was pioneered by Talal Asad (2003) and is increasingly vital in the academy (Agrama 2012; Tareen 2020). The resulting analysis clarifies the co-constituency of labor and Islamic materiality in a way that opens up novel channels of analysis.

Structurally, *Miracles and Material Life* opens with an introduction packed to the brim with theoretical, methodological, and historical insights. Sevea organizes the subsequent chapters by theme and source. Chapters 1 and 2 detail the role of pawangs in forest clearing and rice agriculture, as well as the ways they claimed and maintained Islamic authority through the production of cosmologies and their agricultural knowledge. Beyond fleshing out the agrarian and Islamic material details of rice farming from a range of sources, Sevea illustrates how the confluence of genealogical practices, Islamic cosmology, and colonial hierarchies shaped the pawangs' interpretation of Islamic tradition. Chapter 3 turns

to the role of pawangs in mining operations in Malaya, unpacking the importance of Islamic miracle working for mineral extraction and colonialism. The final two chapters focus on the trapping, domestication, and hunting of elephants, with a particular focus in chapter 5 on the traditions developed around European gun technology. The conclusion ties Sevea's main arguments regarding early modern and modern bomohs to more recent circumstances, such as government attacks on Islamic miracle workers, the capital-driven erasure of sacred spaces, and the rise of Trump and other authoritarian leaders. If one missed it in the earlier chapters, Sevea's conclusion amplifies the resonance between the material world of nineteenth century bomohs and the present day: globalization churns on; technology and political economy shape the reproduction of Islamic tradition; labor, capital, and religious motives fuse as one and the same. As it turns out, this microhistory doubles as a funhouse mirror of contemporary Islamic life.

The abundance of exciting data in this study offers scholars of the Indian Ocean cosmopolis, Malay World, and Sufism many launching pads for future research. In particular, further attention to race and gender could simultaneously add depth to Sevea's microhistory and allow the important details that he uncovers to enrich cutting-edge theoretical conversations. Sevea brilliantly describes the gendered performances of Islamic miracle workers and their fellow laborers, with especially fascinating accounts of the religious economy of gendered labor. Similarly, the processes of racialization in demonology and labor practices are detailed at length. Sevea's complex portrait of gender and race in the Malay World might be even more generative if he and his future interlocutors considered the contributions that queer theory, Black studies, and critical race theory might add to this analysis, as his engagement with postcolonial studies does in his critique of ideology-centric models of colonialism.

The interpretation of Sevea's primary sources might also benefit from further consideration of their emotional content and the reliability of contemporary bomohs. Sevea employs a utilitarian approach to analyze labor involving the unseen (*al-ghayb*), thereby demonstrating the real work done by elements often rendered insignificant in historical analysis.

While incisive, this line of thinking did not account for the fleshy, felt dimensions of magic and miracles that Sevea himself uncovers in these manuscripts—the spectacle, the fright, the awe, and the confidence generated by these acts. What might further attention to the economies of pleasure and regimes of feeling reveal about Islamic miracle-working and the complex relationships between bomohs, reformists, and colonial administrators? In the same vein of inquiry, one wonders if the contemporary bomohs consulted by Sevea are so reliable in their understanding of the concepts in these late-nineteenth and early-twentieth century sources? Perhaps future projects might interrogate the disjunctures and dissonances between contemporary sources and historical ones, as well as the opportunities and challenges inherent in working with such scarce, imperiled records.

In addition to its wide-reaching scholarly value, *Miracles and Material Life* will be an excellent teaching resource. Graduate students and advanced undergraduates will benefit immensely from the introduction's succinct survey of scholarship on Sufism, Southeast Asia, and Islam and modernity. Additionally, individual chapters provide an engaging on-ramp for undergraduates more broadly, such as chapter 5's sketch of "gun gurus" and chapter 3's case study of colonialism- and capital-driven anthropogenic climate change. But targeted recommendations fail to capture this project. The sheer density of excitement that overflows from Sevea's *Miracles and Material Life* make it a must-read for anyone interested in the heterogeneity, porousness, and complexity of early modern and modern Islamic tradition, as well as those invested in autochthonous material ontologies and ecocritical labor analysis.

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OBITUARY

The Contributions and Impact of Malik Badri: Father of Modern Islamic Psychology

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Introduction

We live in a time where ideas and principles are questioned, dissected, and contested at a dizzying rate. It can be difficult to decipher reason and proof from conjecture and avowal. Disjointed ideas and information are widely available without a necessary chain of transmission or reliable connection to sources of knowledge. In this confusing contemporary context, almost anyone can become a leader in thought, guiding naïve followers down unknown paths with unclear destinations. Yet, true thought leadership is that which is connected to the past and charts a clear, well-lit path forward toward an illumined future. Throughout time, there has been a legacy of truly brilliant thinkers whose genius is in communicating timeless wisdom in a powerful manner that speaks to the zeitgeist of their time. This ability allows them to make a significant impact on the hearts and minds of the people. The world lost one of these giants in thought leadership this past year.

Professor Malik Babiker Badri was a man who not only innovated and developed novel ideas within his own area of expertise, but whose ideas had ripple effects well beyond the boundaries of his field of knowledge. Known to the academic and professional world as the "father of modern Islamic Psychology," he also played a part in shaping massive cultural transformations that changed the world. These include the Black American experience, the epidemic of alcoholism, and the global AIDS crisis. Professor Badri brought to the world a cultural and spiritual revolution in the way many view their relationships to themselves, their societies, and their spirituality. Although several of his works have become seminal reads in the field of Islamic Psychology, and Islamic thought more generally, much of his great work remains unrecognized—perhaps because of his humility and lack of self-promotion. The time has come for the recognition of the significance of this man's contributions which position him among the great thinkers of human history. This article charts the chronological and thematic development of Badri's contributions over the course of his life and paints a picture of the significance of his work and its impact on the world.

While Professor Badri's writing and thought spanned several different areas, the majority of his work fell into two major categories: 1) The

indigenization of psychology (making psychology culturally relevant to Arabs and beyond); and 2) The Islamization of psychology. Within these categories, further distinctions can be made within Badri's lifetime of academic and professional contributions. These are: 1a) the globalization of indigenous psychology and 2a) indigenous Islamic Psychology.

Background

Malik Badri was born in 1932 in Rufaa, a small village on the Nile in the north of Sudan, 90 miles south of Khartoum. He was the son of Babiker Badri, a respected figure who championed girls' education in Sudan and started the first female university in Khartoum, called Ahfad University. It was in this environment of education and academia, during the height of Sudan's cultural and intellectual development, that Badri grew to become a young aspirational scholar. The value of education that was instilled in him from his father led him to pursue a college degree. This pursuit began his travels outside of Sudan in his quest for knowledge. In 1956, Badri graduated with a degree in General Science from the American University of Beirut, from which he also received his Masters in Psychology and Education in 1958.

After returning to Sudan as a young budding scholar with a developing propensity for revolutionary thinking, Badri met Malcolm X who was on his first trip to the continent of Africa, at the height of his controversial fame in America. Malik and Malcolm became instant companions, as Badri introduced X to his first experience of a society of all black people with their culture, history, and self-worth intact. This auspicious encounter went on to develop into a sustained friendship that would become the impetus for Malcolm X embracing traditional Islam, transforming into Hajj Malik Shabazz, and ultimately transforming a nation of black Americans and the world at large.

Badri continued both his pursuit of higher education and world travels and received his doctorate from the University of Leicester in 1961. It was during this time that Badri began to develop his academic focus on the indigenization of Western psychology. In 1963, he wrote his first paper on the impact of cultural deprivation in the results of IQ test with

non-Western populations.[1] While going back and forth to Sudan, he managed to continue his studies in England and received a postdoctoral degree from the Department of Psychiatry of the Middlesex Hospital Medical School at University College London in 1966. This marked the beginning of his ingenuity and innovation as he developed into an active contributor to the development of psychological understanding. In 1966 he published a paper which presented "a new, more flexible technique for systematic desensitization at the imaginary level, in which the patient takes a more active role in the therapeutic process."[2]

Badri not only innovated culturally informed, alternative approaches but he was also an active social scientist who strove to enhance the developments of the mainstream field. Throughout his career, Badri was strict to ensure that his work was grounded in scientific knowledge, even when he integrated psychology with religion and spirituality. He subscribed to every peer-reviewed, scientific journal in psychology and his home was always overflowing with journals and papers from all over the world, some in Arabic, but mostly in English. He was a man who would make use of every single minute of his life, never wasting time. Badri was committed to conveying the knowledge he received from participating in the global development of the field of psychology and making it beneficial to the Arab world. From the late 1960s onward, Badri's work began to take shape and initiated the arc of his major contributions to the field of psychology.

Table 1 – Chronological List of Badri's Publications

Publication Title	Type	Year	Publisher
"The influence of cultural deprivation on the Goodenough Quotients of Sudanese children"	Article	1963	J. of Psychology, USA
"Human-figure drawings in relation to modernization in Sudan"	Article	1964	J. of Psychology, USA

Publication Title	Type	Year	Publisher
"Drawing a man in the Sudan"	Article	1964	Middle East Forum, Vol. XI, No. 5
"Influence of modernization on the Goodenough Quotients of Sudanese children"	Article	1965	-
"The use of finger drawing in measuring the Goodenough Quotients of culturally derived Sudanese children"	Article	1965	J. of Psychology, USA
"A new technique in systematic desensitization of pervasive anxiety and phobic reactions"	Article	1966	J. of Psychology, USA.
The Psychology of Arab Children's Drawings	Book	1966	Al-Fath Publishers, Beirut. (Published in Arabic. Reprinted in 1998 by a grant from the University of Zarqa, Jordan)
The Development of Girls Education in Sudan	Book	1968	al-Fath Publishers, Beirut. (Published in Arabic)
"Vivid imagination and its relation to the speed and outcome of systematic desensitization therapy"	Article	1971	Sudan Medical Journal
"Customs, traditions and psychopathology"	Article	1972	Sudan Medical Journal, Vol. 10, No. 3.
Educational Psychology	Book	1974	University of Riyadh Press, Riyadh (Published in Arabic)
General Psychology	Book	1975	University of Riyadh Press, Riyadh (Published in Arabic)

Publication Title	Type	Year	Publisher
Islam and Alcoholism	Book	1976	American Trust Publications, Washington
"Muslim psychologists in the lizard's hole"	Article	1978	Journal of Muslim Social Scientists, USA
The Dilemma of Muslim Psychologists	Book	1979	MWH, London
"The essentials of mental health for the Muslim child"	Article	1982	Published in *Ri'ayat attufoolah fil Islam* (Journal of Child rearing in Islam) by the University of Emirates, UAE
"Islamic social psychology in the aid of AIDS prevention"	Article	1987	Presented in the second AIDS Conference in Kuwait, Ahfad University Journal
Modern Psychology from an Islamic Perspective	Book	1987	International Institute of Islamic Thought, Washington
Al-Tafakkur: Min al-mushāhadah ilā al-shuhūd: Dirāsah nafsiyyah al-islāmiyyah (Tafakkur from Perception to Insight)	Book	1991	Khartoum University Press and International Institute of Islamic Thought, Khartoum and Amman
"Use and abuse of social sciences and the humanities in Muslim countries"	Article	1992	Intellectual Discourse, 1, Kuala Lumpur.
"Counseling and psychotherapy from an Islamic perspective"	Article	1996	AlShajarah: Journal of ISTAC, Vol. 1, No. 1&2
The Wisdom of Islam in the Prohibition of Alcohol (Ḥikmat al-Islām fī taḥrīm al-khamr: dirāsah nafsīyah ijtimā'īyah)	Book	1996	Hīrindun, Fīrjīniyā, al-Wilāyāt al-Muttaḥidah al-Amrīkīyah: al-Ma'had al-'Ālamī lil-Fikr al-Islāmi

Publication Title	Type	Year	Publisher
"A scientific justification for an Islamically oriented AIDS prevention campaign: Is HIV a wild tiger, a pussycat, or a pussycat transformed into a tiger?"	Article	1996	Journal of FIMA, the Federation of Islamic Medical Associations
The Aids Crisis: An Islamic sociocultural perspective	Book	1997	ISTAC, Kuala Lumpur
The AIDS Dilemma: A Progeny of Modernity	Book	1998	The Islamic Medical Association of South Africa
"Training of psychosocial and medical practitioners in fighting substance addiction in Muslim and Arab cultures"	Article	1998	The American Journal of Islamic Social Sciences, Volume 15, No. 4
Contemplation: An Islamic Psychospiritual Study	Book	2000	Publications of the International Institute of Islamic Thought, Washington
The AIDS crisis: A natural product of modernity's sexual revolution	Book	2000	ISTAC, Kuala Lumpur
The Human Rights of the Elderly	Book	2001	Islamic Organization of Medical Sciences (IOMS), Kuwait
"Islamic versus Western medical ethics: a moral conflict or a clash of religiously oriented worldviews?"	Article	2002	Federation of Islamic Medical Associations
"A tribute to Mawlana Mawdudi from an autobiographical point of view"	Article	2003	The Muslim world. Vol.93.No.3&4. Blackwell Publishing Ltd. Turjuman Al-Qur'an Journal (Urdu)

Publication Title	Type	Year	Publisher
"The psycho-social problems caused by the increasing population of the elderly in modern societies: an Islamically oriented study"	Article	2005	Al-Shajarah, Vol. 10, No.1.
"The harmful aspects caused by the submissive approach of Muslim psychologists to Secular Western psychology"	Article	2008	At-Tajdid Journal, IIUM, Vol. 12, 23rd issue.
"The Islamization of psychology: Its 'why', its 'what', its 'how', and its 'who'"	Article	2009	In Psychology from an Islamic Perspective, edited by Noraini Mohd Noor. IIUM Press.
"Comparative Study on the lives and contributions of Ibn Hindu and Abu Zayd l-Balkhi"	Article	2010	The Great Books of Islamic Civilization, Muhammad Bin Hamad Centre for Muslim Contributions to Civilization, Qatar.
"Why Western psychotherapy cannot be of real help to Muslim patients"	Article	2012	The Sudanese Journal of Psychiatry, The Sudanese Association of Psychiatrists, Vol. 2, Issue 2
Abu Zayd al-Balkhi's Sustenance of the Soul: The Cognitive Behaviour Therapy of a Ninth Century Physician	Book	2013	International Institute of Islamic Thought (IIIT), London; Washington
"Innovative treatment of a rare exaggerated obsessive-compulsive reaction to smell"	Article	2013	ASEAN Journal of Psychiatry, Vol. 14.
"Emotional blasting: A psychotherapeutic technique invented by early Muslim physicians"	Article	2014	The Sudanese Journal of Psychiatry, Vol. 4, No. 2.

Publication Title	Type	Year	Publisher
"Psychological reflections on Ismail Al-Farouqi's life and contributions"	Article	2014	The American Journal of Islamic Social Sciences, Vol. 31, No. 2.
"Cognitive systematic desensitization: An innovative therapeutic technique with special reference to Muslim patients"	Article	2014	The American Journal of Islamic Social Sciences, Vol. 31, No. 4.
Cyber-counselling for Muslim Clients	Book	2015	The Other Press, Kuala Lumpur
"Some issues concerning the Islamization of university curricula in Muslim countries"	Article	2016	Attajdid Journal. Printed by the International Islamic University Press, Vol. 20, No. 39.
Cultural Adaptation and Islamization of Psychology: A Book of Collected Papers	Book	2017	Human Behaviour Academy, Manchester
Dictionary Annafssany: Psychiatry and Psychology (Arabic, English and French Dictionary of psychiatric and psychological terms)	Book	2017	The Arab Federation of Psychiatry and the Arab Foundation of Psychological Sciences
The Emotional Aspects of the Lives of the Prophets	Book	2021	International Institute of Islamic Thought, Washington

Indigenization of Psychology

Malik Badri's first area of focus in his contributions to the field of psychology were on topics related to the impact of culturally specific assumptions within the scientific theories and approaches originating in Western countries. He used his own experience and access to Sudan and Sudanese culture as case studies to exemplify the different ways of thinking and being in non-Western countries, demonstrating that these

factors impact assessments and outcomes. Badri's first paper, written in 1963, expressed his criticism of so-called "scientific measures," which failed to recognize the impact of Western cultural bias on results.[3] He not only wrote about his criticisms of the IQ test and its use of images of exclusively Westernized people and scenarios but acted by replacing them with images with Sudanese children and by tailoring the questions to fit the environment and sentiments of the local people.

In continuation of his effort to indigenize psychology during this period, in 1966, Badri recreated the drawing test that was used to assess children in order to make it culturally relevant. This extensive and well-researched work was published in Badri's first book, entitled *The Psychology of Arab Children's Drawings*.[4] The book began as an analysis of drawings of Sudanese children, but he later broadened it and included children from other Arab countries. In the same year, he published a book on his study of how local cultural proverbs affect the direction of society. Badri was constantly engaged in research, looking into cultural phenomena, and applying his psychological training and critical mind. For example, non-Sudanese researchers labelled the traditional Sudanese tribal practice of *al-butan* (the whipping of people in a groom's cere-mony for a wedding) as sadistic and problematic.[5] Badri argued against their judgement by demonstrating the importance of understanding the practice within its cultural context, in order to avoid misconceptions and pathologizing such practices.

As Badri engaged in publications and public discourse in the field, he was called upon throughout the Arab world and the international scene to apply and develop his unique perspective and voice outside of the Western academy. In 1971 Badri established the Psychological Clinic of the University of Riyadh and wrote a syllabus for psychology from an Islamic perspective. This syllabus was instituted as a mandatory curriculum at Imam Mohammad Ibn Saud Islamic University (IMSIU). During this period he also worked with the World Health Organization in Ethiopia and other countries and published a book about how to organize mental health services for resource-poor countries.

Badri remained focused on his native country of Sudan and began writing about traditional folkloric psychotherapy treatments. In 1972 he

published "Customs, Traditions, and Psychopathology," an article documenting his research on the cultural tradition of *dhar*, or traditional spiritual healing, which uses amulets, herbs, *ruqiya* (Qur'anic recitation) and other psycho-spiritual remedies.[6] His research was largely experiential as he invested much time collecting data and making his own observations within local Sudanese communities. Badri would spend time with traditional healers, conducting experiments and interviewing patients, in order to discover if the ailments and treatments were real or cultural fictions.

While continuing his work in indigenization, in 1974, Badri's developing thoughts reflected a shift in the focus of his writing. His focus turned to Islamic conceptualizations of psychology and psychotherapy, marking what would become the crux of his life's work. In 1977 he became a Chartered Psychologist, Fellow of the British Psychological Society, and joined the Faculty of Education at the University of Khartoum as a professor. At the university, he initiated the first department of psychology and found his passion for teaching and inspiring students. Badri's pedagogy was unique and powerful; his students metaphorized his lessons as an IV that delivered knowledge directly to the heart. His approach was based on integrating his students within his quest for scientific knowledge. He shared his thought processes, demonstrating critical thinking skills and the innovation of ideas. He gave them the courage to criticize psychological theories, benchmarking them against their faith and cultural values.

Professor Badri encouraged his students to read Freud's original writing instead of merely relying on secondary sources. He devised innovative ways to allow students the experience of obtaining knowledge from original sources; he would do this by arranging visits with top scientists of psychology from Germany and the UK. These visits gave Sudanese students, many of whom did not have the opportunity to leave their country, the opportunity to learn directly from highly qualified psychologists. Professor Badri proved to be extremely loyal to his students; not only would he eagerly share his travel experiences, but he would also return with books for his students which he would pay for himself.

Professor Badri designed his curriculum to begin by presenting conventional, secular theories of psychology such as human development,

personality, and social psychology. He would then criticize these theories by demonstrating how they misaligned with indigenous and Islamic beliefs. Toward the final years of the course, the students did clinical placements; Professor Badri accompanied his students and personally taught them the methods he utilized in his own practice. In the final year, he taught a course titled "Islam and Psychology," in which he presented an authentic, bottom-up approach to an Islamic paradigm of psychology.[7]
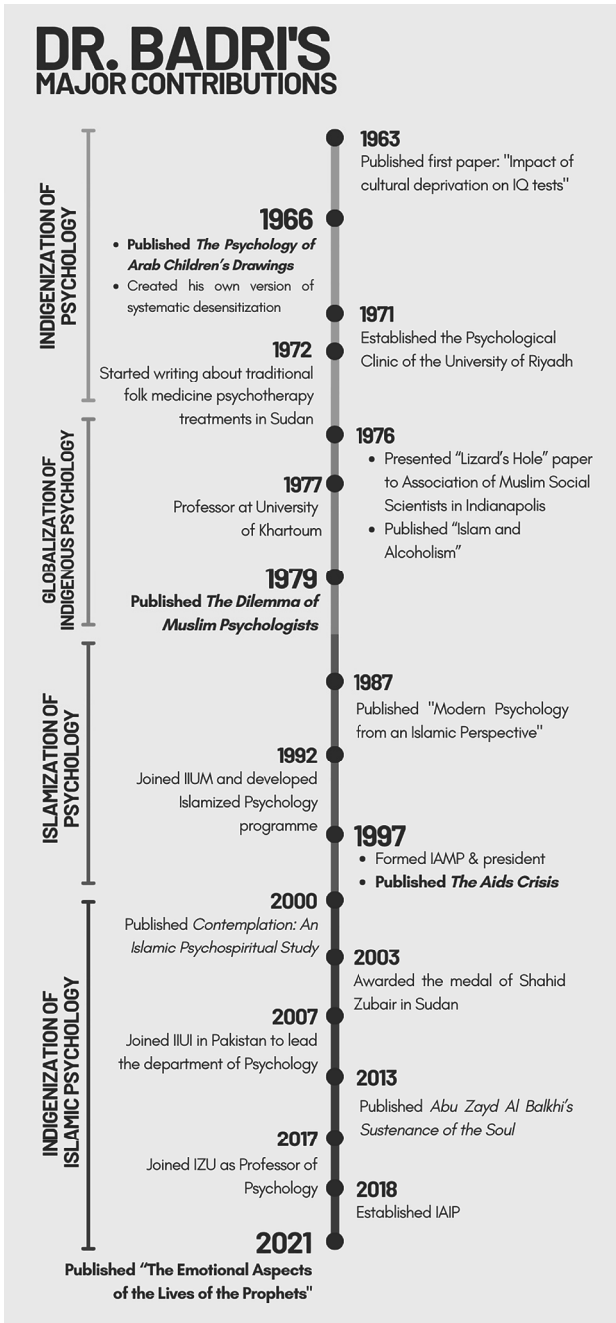
Professor Badri integrated his students into his quest to explore and develop new ideas in the field. His engaging teaching style and sincere passion for the subject was infectious. Badri's students reflected his love for Islamic psychology and would actively share new ideas they were discovered with their peers both in the dorms and on campus. Students began teaching one another within other fields of study (such as science and social studies) about using critical thinking skills in the face of Western thought and questioning its epistemological paradigms. Badri's students described the campus as an "electric environment" sparked by his passion and ingenuity.

The Globalization of Indigenous Psychology

Even though Badri taught clinical psychology in a major university, he never shied away from emphasizing the fact that they were in Sudan, in a completely different cultural context than the Western academy. In fact, he proved to be brilliant at indigenizing the knowledge, making it culturally relevant and acceptable. He not only presented indigenized psychology to the Sudanese people but also applied that knowledge to inform the greater field of psychology.

In 1976 Badri produced two journal articles that became highly influential internationally: the first was on the treatment of alcohol and the other on the Islamization of psychology. In his treatment of the topic of alcohol, he drew on Islamic values and focused on the impact of alcohol on societal norms and health epidemics; he later delved deeper into this topic in his AIDS book. Badri's ideas and insights from his work were directly relevant to major issues of the time and thus proved to be beneficial to non-Muslim psychologists as well. He was especially helpful

Figure 1 – Timeline of Badri's Major Contributions

DR. BADRI'S
MAJOR CONTRIBUTIONS

INDIGENIZATION OF PSYCHOLOGY

1963
Published first paper: "Impact of cultural deprivation on IQ tests"

1966
- Published *The Psychology of Arab Children's Drawings*
- Created his own version of systematic desensitization

1971
Established the Psychological Clinic of the University of Riyadh

1972
Started writing about traditional folk medicine psychotherapy treatments in Sudan

GLOBALIZATION OF INDIGENOUS PSYCHOLOGY

1976
- Presented "Lizard's Hole" paper to Association of Muslim Social Scientists in Indianapolis
- Published "Islam and Alcoholism"

1977
Professor at University of Khartoum

1979
Published *The Dilemma of Muslim Psychologists*

ISLAMIZATION OF PSYCHOLOGY

1987
Published "Modern Psychology from an Islamic Perspective"

1992
Joined IIUM and developed Islamized Psychology programme

1997
- Formed IAMP & president
- Published *The Aids Crisis*

INDIGENIZATION OF ISLAMIC PSYCHOLOGY

2000
Published *Contemplation: An Islamic Psychospiritual Study*

2003
Awarded the medal of Shahid Zubair in Sudan

2007
Joined IIUI in Pakistan to lead the department of Psychology

2013
Published *Abu Zayd Al Balkhi's Sustenance of the Soul*

2017
Joined IZU as Professor of Psychology

2018
Established IAIP

2021
Published "The Emotional Aspects of the Lives of the Prophets"

to his Western colleagues at international conferences as he shared his knowledge of the non-Western world. During this time, researchers were beginning to explore the role of religion and spirituality in the clinical setting. Badri's views and ideas were incorporated into the development of these researchers' works as he engaged in discussions at major conferences. As a result, Badri contributed to the 12 steps approach for the treatment of alcoholism with a spiritual focus on the need for reliance on God. His views on the role of modernity and its problems, although foreign to the secular field, were well received due to his intelligent and scientifically sound approach. For this reason, Badri's approach and ideas started appearing in curricula and therapy models well beyond the Islamic world.

Islamization of Psychology

The Islamization of psychology became a growing focus of Badri's that grew with and out of his earlier work with the indigenization of psychology. For many years, he pursued both paths alongside each other; the first path focused on contextualizing psychology within culture, whereas the second reflected a vast sea of the Islamic tradition.

As a Sudanese, Arabic-speaking, practicing Muslim who had trained within the Western academy of psychology, Badri recognized the problematic dichotomy between his own faith-centered worldview and his professional career that required him to reject the underlying philosophical assumptions of his religious beliefs. At the time, in the 1960s, the field of psychology was dominated by Freudian theory, which had an inherently negative view of religion and rejected the notion of God as a legitimate factor in the reality of the human psyche. Badri began to develop his own ideas which embraced an inherently Islamic paradigm of psychology based in the Qur'an and Sunnah. Badri's Western academic training in the UK, ability to read and write in English, extensive travels and international career facilitated his work's widespread, global exposure that greatly influenced development of the field of Islamic Psychology.

In his first public lecture at the University of Jordan in 1963, Professor Badri addressed the problem of adopting a Western framework for

Muslim patients and practitioners. The Muslim psychologists attending the lecture were outraged at his assertions and argued that psychology is a pure science and has no place for religion. He continued to be met with resistance and anger from his psychologist colleagues in the Muslim world, who were threatened by what they saw. They viewed his ideas as a regression from the advances made by Muslims who were accepted as legitimate academics in the idealized Western academy. Meanwhile, developments in the field of Western psychology—with the decline of Freudian analysis and the advent of cognitive therapies—included a return to the acceptance of belief and philosophy in psychology. This paved the way for Professor Badri's message of a unique paradigm of Islamic Psychology to be appreciated, a full decade after his first lecture in Jordan. Ironically, it was in the United States in 1976 when his ideas were first embraced; Badri delivered a lecture titled "Muslim Psychologists in the Lizard's Hole" at the annual conference of the Association of Islamic Social Scientists in Indianapolis. The positive reception of that lecture prompted him to turn the conference paper into a published book in 1979, by the title of *The Dilemma of Muslim Psychologists*.[8] This was a watershed moment in the development of Islamic Psychology as a field. Professor Malik Badri was the first psychologist to receive international attention for speaking out against the blind following of the secular paradigm of psychology among Muslim academics and scientists.

In his 1979 book, Badri argued that Western psychology contained elements antagonistic to Islamic perspectives which, if not challenged, would result in a "colonization of the mind"; that, if Muslim psychologists blindly accepted un-Islamic assumptions and theories found in Western Psychology, they would become ensnared in the "lizard's hole" (1). Badri argued that contemporary schools of psychology have either failed, or are doomed to failure, in meeting the most urgent human needs. This failure is attributed to a basic error in the fundamental approach of such schools in "blurring their boundaries with materialistic philosophical speculations and atheistic arm-chair theories" (23) that foster a distorted image of humans. Badri asserted that detaching psychology from its spiritual aspect would amount to depriving humans from an utmost basic need in life. Furthermore, there is a crucial religious and

spiritual component to life, without which our entire existence becomes shallow and futile. Spirituality must be integrated into our total welfare and is not to be looked upon as fragmentary. He suggested that once we realize this salient fact, we will enjoy "a holistic entity—an intact inner and outer world created by the Supreme Sustainer." Throughout *The Dilemma of Muslim Psychologists*, Badri repeatedly emphasized that Muslim behavioral scientists should not be apologetic about their ideology and beliefs. He identified three phases that Muslim psychologists may experience "in the process of getting in and out of the lizard's hole" (103): 1) infatuation (accepting the secular approach to psychology and taking pride in their work as a 'legitimate science', removed from religion and theology; 2) reconciliation (attempting to bridge their cognitive dissonance by compromising between Islam and psychological theory); and 3) emancipation (coming to the realization that Islam and modern psychology are fundamentally different, and embracing a unique Islamic paradigm of psychology).[9]

Badri believed that Muslim psychologists can develop and reach the final phase of emancipation if they remain motivated and devoted to Islam and seek experiences that cultivate such an understanding. *The Dilemma* hit a proverbial nerve for a generation of Muslims who felt similarly but had not yet fully articulated their beliefs. It popularized the critical analysis of Western psychological theory in light of Islamic beliefs and encouraged younger Muslim psychologists to point out the obvious: that modern Western psychology had lost its soul. Through *The Dilemma*, Badri sparked a new movement to revive Islamic psychology in modern times.

In 1992 Professor Badri joined the International Islamic University in Malaysia (IIUM) and began developing and teaching courses on Islamic Psychology. This marked the beginning of the final phase of evolution in Badri's thought and contributions toward a spiritual and religiously grounded approach to psychology and psychotherapy. The foundation of Islamic sciences and the cultural positioning of Islam in Malaysian society provided fertile ground for Badri's ideas to take root. At a conference held at IIUM in 1997, there was an increased enthusiasm for the integration of Islam within the discipline of psychology. These advancements

in Malaysia arose out of a growing movement in the Islamization of knowledge. Thus, while much progress was seen in the Muslim world in its adoption and acceptance of religion within psychology, these advancements were primarily in the integration of Islamic principles within an otherwise secular paradigm of psychology. This method was unfortunately not the overtly Islamic paradigm which Badri had been calling for. During this time, the International Association of Muslim Psychologists (IAMP) was formed, with Professor Badri as its first president. Through IAMP, several conferences were held around the Muslim world in countries such as Sudan, Indonesia, and Malaysia.

1997 also marked a turning point for a shift in Badri's writing and influence. With the publication of his book, *The AIDS Crisis*, Badri found that his voice in advocating for reason and rational thought pertaining to what indigenous and moreover Islamic frameworks and principles have to offer the otherwise secular world of global health.[10] This is where his impact was really acknowledged on a global scale, even outside of the field of psychology, as the secular public health community paid attention to what he had presented. They considered his ideas a viable cause and solution to the ravaging AIDS epidemic at the time. He made a strong argument that the conservative, non-permissive approach toward sexuality practiced in Muslim countries helped decrease the rate of sexual encounters out of wedlock that, in turn, helped bring down the infection rate. Rather than focusing on clean needles and condoms like most scientists and scholars at the time, Badri intelligently asserted that the Islamic paradigm offers a health system that is aligned with a natural order (*fiṭra*) and wisdom (*ḥikma*).

This was another watershed moment for Badri in his work, because he had previously focused on localized topics. This was the first time that he approached his work from a macro perspective by merging all his knowledge and experience in order to see matters on a societal level. *The AIDS Crisis* invited questions on how the Islamic view could serve as a solution to this problem.[11] While others were studying micro levels of the epidemic globally, his approach in looking at the larger sociological context was revolutionary. The book reflected Badri's depth of knowledge in health and medical sciences and psychology as well as his

knowledge and mastery of Qur'an and Hadith sciences. It not only gave him the opportunity to integrate all of his knowledge and brilliance, but it helped him unleash his bold ideas without worrying about how the secular scientific world would critique them. This led him into his own personal phase of "emancipation."[12]

Indigenous Islamic Psychology

During the early 2000s, the field of Islam and psychology gradually leaned more towards the development of an Islamic paradigm of psychology, but the distinction between Muslim psychology or Islamized psychology remained a grey area. By this point in his career, Badri began to move into a phase of emancipation with his own works, even if the larger global field was not ready to come along with him. This involved highlighting the sources of ʿ*ilm al-nafs* from early Muslim scholars as well as taking a turn toward embracing traditional Islamic spirituality.

This turn is best highlighted in Badri's book *Contemplation: An Islamic Psychospiritual Study*, first published in 2000 and subsequently in multiple languages.[13] Badri differentiates Islamic contemplation from forms of meditation popularized by Western psychology. He explains that while popularized meditation is primarily derived from Eastern religions and aims at altering states of consciousness, Islamic contemplation is "derived from Qur'anic injunctions and aims to seek insightful knowledge of God as the Creator and Sustainer of the universe" (2). He brings to light the inability of different schools of psychology to successfully deal with the inner cognitive thoughts and feelings humans experience. Badri criticizes modern psychology's obsession with the "scientific process" that neglects the soul and ignores a human's spiritual essence, despite mounting evidence of its role in human lives. Another unique feature of this book, and one that foreshadows Badri's next major work, is pointing out to the reader how much of what modern cognitive science has achieved was already known to early Muslim scholars like al-Balkhi, al-Ghazali, Ibn Miskawayh, and Ibn al-Qayyim. These scholars described the steps and benefits to contemplation that helps a person reach a state of "spiritual cognition" that then magnetizes them towards God. A true

contemplator, Badri argues, will be able to see how everything in the universe completely submits to God; and it is this perception that will bring them ultimate happiness.

Perhaps one of Badri's best known works is his partial translation and commentary on a ninth-century encyclopedic Muslim scholar's work, titled *Abu Zayd Al-Balkhi's Sustenance of the Soul: The Cognitive Behavior Therapy of A Ninth Century Physician.*[14] In Badri's words, al-Balkhi was "centuries ahead of his time in realizing the importance of both mental, as well as physical, health for human wellbeing; al-Balkhi discusses some very modern ideas, in a rather modern, self-help style manual." Though al-Balkhi was most famous for his contributions to the field of geography, his masterpiece *Sustenance of the Body and Soul* revealed medical and psychotherapeutic information that was far ahead of his time and only discovered more than eleven centuries after his death. Badri asserts that al-Balkhi was likely the first physician to clearly differentiate between mental and psychological disorders; between neuroses and psychoses. Also, he was perhaps the first to classify psychological disorders in a strikingly modern way and to categorize them into four distinct types: fear and panic (*al-khawf wa al-faza'*); anger and aggression (*al-ghaḍab*); sadness and depression (*al-ḥuzn wa al-jazā'*); and obsessions (*al-was-wasa*). Though Badri translated this ancient manuscript verbatim, he added significant footnotes and commentary that drew correlations between al-Balkhi's treatments for psychological illnesses and modern-day treatments used by Western psychologists.

Though Professor Badri's partial translation of al-Balkhi's manuscript was not published until 2013, Badri had discovered this work decades prior. He often spoke about how the recovery of al-Balkhi's work in the early 1990s—after lying untouched for centuries in Istanbul's Ayasofya Library—sparked his interest in searching further to discover the gems of early Muslim scholars that contributed extensively to the understanding of the human psyche. Badri's interest in this topic was infectious. Many of his students felt inspired to return to the primary texts of Muslim scholars in order to better understand psychology from an Islamic lens. Today, these works can be found in various medical journals and published by conventional publishing companies.[15] A

closer look at al-Balkhi's diagnostic classifications and treatments from a modern psychiatric lens prove his precocious genius in having correctly classified and diagnosed Obsessive Compulsive Disorder (OCD) and Phobias nearly a millennium before modern European psychiatrists who were credited with these discoveries.[16] Badri successfully inspired an entire generation of Muslim mental health clinicians to rewrite the narrative from what they were taught in their secular training that either purposely or inadvertently left out Muslim contributions to the field of psychology[17]. Professor Badri will always be remembered as a guiding force who encouraged Muslim mental health providers to consult classical Islamic scholarship, reject what they learned at face value, and reassess their Western training vis a vis their Islamic heritage.

The increase of interest and research within the field of Islamic Psychology resulted in the formation of the International Association of Islamic Psychology (IAIP) in 2017.

Badri founded the IAIP as the next step and final phase for Muslim psychologists—what he termed "the phase of emancipation."[18] His vision for the IAIP was that the field stand firm on an Islamic paradigm by building a comprehensive theory and practice for Islamic Psychology grounded in the ontological assumptions and lessons from the Qur'an and Sunnah. The association aims to be a platform and unifying vehicle for the global Islamic Psychology movement that galvanizes its growth into a full-fledged discipline. This includes the development of research, the dissemination of publications, and the training and certification of practitioners and institutions. IAIP is vital to the development of the field on an international scale; it stands as a regulatory body to ensure that theory and practice are grounded in the Islamic tradition and that the *ulama* (Islamic scholars) work with clinicians to provide integrated, holistic care.

Badri's final book, *The Emotional Aspects in the Lives of the Prophets*, which he managed to complete just months before his passing in 2021, embodied the integration and evolution of his thought.[19] Originally intended to be focused more exclusively on the emotional life of the Prophet Muhammad ﷺ, he decided to expand the work to include the lives of the Prophets. The book uses Qur'anic examples to explore the

emotional aspects of Prophetic stories and provides inspiration on how to approach our own emotional experiences and challenges.

In the second half of the book, Badri expands on the Prophets' resilience in the face of emotional challenges and how it prepared them for their relative missions. He explores the impact of heredity (nature) and environment (nurture) in the context of the *fitrah* and the assertion that although every human being is born pure, it is their upbringing that impacts their relative outcome. He also distils four types of emotional experiences and five types of emotions. The book explores the lessons within the Prophetic stories and infers practical wisdom.

Toward the end of his life, Professor Badri was amid designing a global strategy for the Arab world based on what he considered major pitfalls of our time. This endeavor reflected his personal experiences of spiritual openings and his deep dedication to Islamic spiritual practices. In his final years, Badri continually reminded clinicians to "bring the spiritual into your therapy" and to "look to the example of the Prophet and ask yourself, what would he do?"[20] Badri's life work culminated in encouraging us to: (1) explore the vast resource of knowledge in psychology that is found in the Islamic tradition, and (2) root ourselves in the spiritual reality of the human experience.

Conclusion

Professor Malik Badri was the catalyst for the global development of the field of Islamic Psychology. While his world travels enabled him to reach a wide audience, he was influential even in countries he never visited. The impact of his work has reverberated throughout the world and brought attention to the discourse on Islam and psychology as well as the general moral and spiritual perspective of humanity. His striking ability to make complex psychological concepts accessible across cultures and generations transformed the lives of many.

It is difficult to conceive where the state of discourse on Islamic Psychology and Muslim Mental Health would be without Professor Malik Badri's outstanding contributions. The strong stance he took on establishing the importance of Islamic Psychology, the significant weight he

gave to indigenous approaches to psychology, the qualities of moral and personal excellence he embodied, and his compassionate, impassioned role as an educator, therapist, and a guide will be his legacy for many generations to come. His legacy is founded on a lifetime of service. With this, Badri will be remembered as one of the 20th and 21st centuries' most influential Muslim intellectual thinkers and reformers.

Endnotes

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2   Malik Badri, "A New Technique in Systematic Desensitization of Pervasive Anxiety and Phobic Reactions," *Journal of Psychology* (1966): 201.

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7   Ahmed Shennan, "Developments and Characteristics of Islamic Psychology in Sudan" in *Islamic Psychology Around the Globe*, ed. Amber Haque & Abdallah Rothman (Seattle: International Association of Islamic Psychology, 2021), 258-274.

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18   See Badri's phases of infatuation, reconciliation, and emancipation: *The Dilemma of Muslim Psychologists*, 103-104.

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20   Malik Badri, International Association of Islamic Psychology Certificate Course Video.
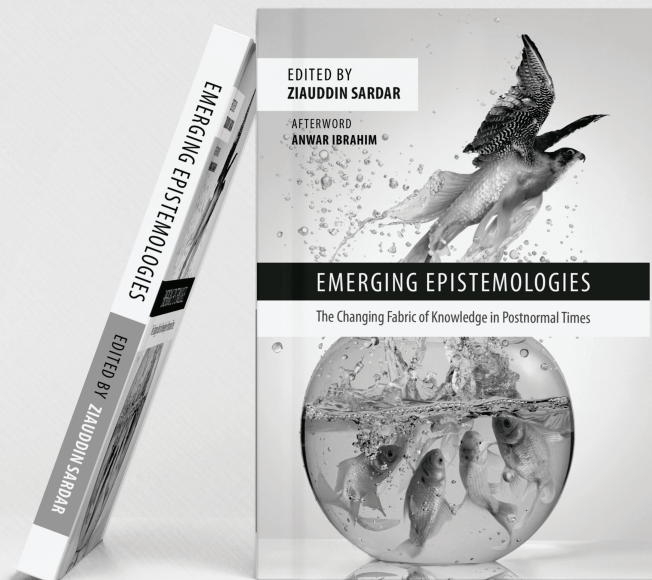
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AFTERWORD
ANWAR IBRAHIM

EMERGING EPISTEMOLOGIES

The Changing Fabric of Knowledge in Postnormal Times

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EMERGING EPISTEMOLOGIES
The Changing Fabric of Knowledge in Postnormal Times

Our age-old notions of knowledge have ceased to be meaningful in postnormal times. The chaos that accompanies our increasingly complex world requires us to see through 'the smog of ignorance', and seek new ways of thinking and creating knowledge that promotes sustainability, diversity, and social justice. *Emerging Epistemologies* explores the changing nature of knowledge production and investigates how emerging epistemologies are transforming our perceptions of the present and the future. The essays examine digital landscapes, zombie disciplines, higher education etc. to argue that epistemology does not exist in a vacuum but is determined and embedded in the worldview and culture of society.

ZIAUDDIN SARDAR

Ziauddin Sardar is a writer, futurist and cultural critic. He is an internationally renowned scholar, author of over 50 books, Director of the Centre for Postnormal Policy and Futures Studies and editor of *Critical Muslim*, an innovative quarterly on contemporary Muslim ideas and thought.
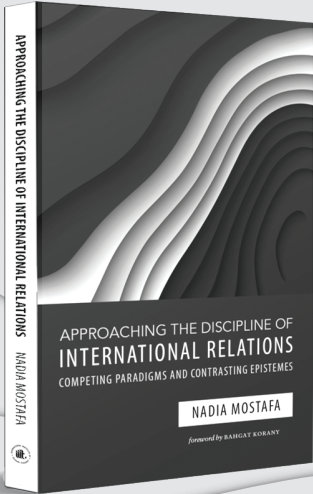
APPROACHING THE DISCIPLINE OF
INTERNATIONAL RELATIONS

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