

A Discourse Analysis of Muhammad al-Ghazali's Thought:  
Between Tradition and Renewal

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# MUHAMMAD AL-GHAZALI'S THOUGHT: BETWEEN TRADITION AND RENEWAL

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## ABSTRACT

Tradition is characterised by the dynamics of simultaneous innovation and continuity. The Islamic tradition is a case-in-point where its internal elements are reconstructed through transmission, reception and interpretation. A vast body of texts, rituals and institutions, I contend has been subject to scrutiny and modification by Muslim scholars. Muhammad al-Ghazali's works are examined, alongside those of his predecessors and peers, in this study for the purpose of establishing the facets of continuity and innovation in his thought. Twentieth century Muslim reformers such as al-Ghazali were heirs of the *turath* (Arabo-Islamic heritage) constructed over a period of 14 centuries. The tendency of *tajdid* (renewal) is implicated in a web of authoritative texts, juristic methods and moral norms.

Calls to revive the practice of *ijtihad* (independent judgement) to interpret Islamic law, enveloping ethics and politics, were motivated by the search for the authentic spirit of Islam in the past. This search was also accompanied by the recovery of the ideal norms contained in the texts of the Shari'ah (the way). Reformist thinking since the eve of the twentieth century has privileged the *maqasid al-Shari'ah* (objectives of the Shari'ah) to varying degrees. In this study, I consider a range of Muslim scholars from the classical period until the present who espoused the ethos of *tajdid*.

Moreover, I seek to propose an alternative reading of tradition contrary to the account of a dynamic modernity and a static tradition. The application of tradition as a concept of interpretation in this study seeks to situate al-Ghazali's thought in the broader current of *tajdid* part of a vibrant past. I aim to provide a thick description of the works of al-Ghazali as an important example of a reformist venture maintaining the continuity of tradition. Additionally, the examination of a diversity of Muslim scholars aims to illustrate the patchwork composition of tradition in the past and the present.

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## INTRODUCTION

### Tradition: A Discourse Analysis of Muhammad al-Ghazali on Renewal

Studies on contemporary Islam are confronted with the challenge of mapping out the presence of continuities and changes in this complex phenomenon. The last two centuries have witnessed dramatic transformations in the Muslim world impacting cultural entities such as the Islamic tradition. Many of the changes that have occurred were either reconciled or resisted in light of this enduring cultural frame of reference. I seek to examine the intellectual elements of contemporary Islam with particular reference to political thought. The twentieth century was a period of intense rethinking in the Muslim world known as *al-sahwa al-Islamiya* (the Islamic Awakening). This thesis begins the journey of exploration of contemporary Islam with Shaykh Muhammad al-Ghazali. A hugely important figure during the twentieth century, al-Ghazali was present in the monumental episodes that radically altered the political and religious contours of the Muslim world. Changes to the intellectual fabric of contemporary Islam ranging from political thought to religious exegesis were effected from the pen of al-Ghazali in his long career as a traditionally-educated *alim* (scholar). The thesis of this study locates al-Ghazali at the crossroads of an enduring tradition, the Islamic tradition, and the broad scope of innovation present within it as evidence of an indigenous capacity to speak about and enact change in contemporary Islam.

The introduction contains three separate sections outlining the fundamental premises of this thesis, a biographical account of al-Ghazali and a chapter breakdown of the study. The first section specifies in detail the theoretical framework and methodology to be deployed in the examination of al-Ghazali's thought. Section two provides a biographical account of al-Ghazali from his early membership of the Muslim Brotherhood in Egypt to his later experiences throughout the Arab world. The third section contains a synopsis of each chapter present in this thesis.

Section one outlines the theoretical framework and methodology to be deployed in the examination of Muhammad al-Ghazali's thought. This thesis focuses on the enduring and changing elements present in contemporary Islam

through the study of al-Ghazali's works. Identifying continuities and innovations in the thought of al-Ghazali requires a theoretical framework that allows for teasing out the elements of the former and the latter. For this end, I propose to use the category of tradition to identify continuity and innovation in the thought of al-Ghazali. Since the beginning of the twentieth century, important work has been carried out to elucidate tradition as a category of analysis and a normative ideal. Christian, mainly Roman Catholic, theologians, thinkers and social scientists have created a loosely linked study preoccupied with the enduring quality of tradition that also allows for instances of change. G.K. Chesterton's aphorism that tradition "is the democracy of the dead" serves as a useful cornerstone in its deployment as a category to study contemporary Islam.

The theoretical framework of this study also draws on the insights of Edward Shils on tradition and Ashis Nandy's view of the past as a special case of the present in the examination of the Islamic tradition as a simultaneously enduring and dynamic cultural phenomenon. Within the field of Islamic Studies, the works of Seyyed Hossein Nasr express a conception of the Islamic tradition especially relevant to this study. Innovation in contemporary Islam, it will be argued, takes place as *tajdid* (renewal) within an enduring Islamic tradition in response to internal factors and external stimuli. Muhammad al-Ghazali's thought is located in an indigenous milieu, the Islamic tradition, which enables creative reinterpretations of Islam on a whole range of issues from the exegesis of scriptural texts to political thought. Written texts by al-Ghazali, his predecessors and contemporaries form the primary sources of this study. I will apply a critical interpretation to the books and articles by the Muslims authors who are the focus of this thesis.

Section two provides a biographical context of Muhammad al-Ghazali to better understand his thought. Al-Ghazali was born in 1917 in the rural province of Beheira, Lower Egypt. This was a period when Egypt was ruled by the Khedivial dynasty and under British Protectorate. Two years after al-Ghazali's birth, Egypt witnessed a revolution that pitted the fledging liberal nationalist movement of the Wafd, led by Sa'd Zaghloul, against the British colonial authorities in the country. Contemporary notions of nationhood, grievances against colonialism and the presence of traditional institutions in Egypt serve as

the backdrop for the early life of al-Ghazali. The direction that al-Ghazali's life took would lead him on the path of religious scholarship at one of the most illustrious academic institutions of the Muslim world – al-Azhar University. As a student there, he would soon join the revivalist movement of the Society of the Muslim Brotherhood in his late teens. Thereafter, he became one of its tireless writers, contributing to various Brotherhood mouthpieces. However, a year after the Free Officers Revolution, which overthrew the last Khedivial ruler of Egypt in 1952, al-Ghazali went his separate ways from the Brotherhood. Islam's ambivalent relationship with nationalism and Arabism that influenced the major public debates in the Arab world and the pressing demands ensuing from the revived practice of *ijtihad* (independent reasoning) informed al-Ghazali's activity as a public intellectual and writer. From the 1950s until his death, al-Ghazali was a prolific writer and indefatigable preacher in the Muslim world.

Section three contains a synopsis of each chapter in this thesis. Chapter 1 is a literature review of the books and articles written on al-Ghazali since the 1950s. Chapter 2 describes the development of the Islamic tradition and the existence of the trend of *tajdid* until the period preceding the appearance of Muhammad al-Ghazali. Muhammad al-Ghazali's thought is examined in chapters 3 and 4 looking at its foundations and interpretations about politics respectively. Chapter 5 maps out the similarities and differences between al-Ghazali and his peers. Finally, the conclusion integrates the various inferences arrived at in each chapter and evaluates this study through the criteria of consistency, credibility and transferability.

### **Reflections on Tradition**

A clash between modernity and tradition tends to be a prevailing presupposition in the study of contemporary Muslim scholars. These studies focus on the influences of an essentially Western modernity on Muslims since the nineteenth century in creating the impetus for the re-interpretation of Islam in a tradition resistant to change. They underplay the indigenous mechanisms of innovation within the Islamic tradition. This thesis thus seeks to outline a category of tradition in contradistinction to the dichotomy between tradition and modernity

that informs most scholarly studies on contemporary Islam which is critically examined in more detail in the next chapter.

Tradition as a coherent and developed category of interpretation has appeared in some scholarly works. Edward Shils's *Tradition* stands out as the most exhaustive account of tradition with its broad and in-depth exposition of the transmission of tradition and the variety of ways it is received in a society. Antecedents do exist, however not at the same level of theoretical erudition, in the theologically-minded works of G.K. Chesterton and Yves Congar. Tradition possesses a normative thread that ensures continuity with the past aptly captured by G.K. Chesterton in the following passage,

Tradition may be defined as an extension of the franchise. Tradition means giving votes to the most obscure of all classes, our ancestors. It is the democracy of the dead.<sup>1</sup>

Tradition and democracy are seen to be synonymous with each as the former endows the past's insights with authority to participate alongside those of the living in present. Contributions by Eric Hobsbawm, Jaroslav Pelikan and Ashis Nandy also demonstrate the relevance of tradition in scholarship. In the introduction of an edited collection of essays under the title of *The Invention of Tradition*, Hobsbawm puts forward the view that a 'tradition' is motivated to search for a past through the constant repetition of practices and rules.<sup>2</sup> In "traditional societies", continuity with the past is alternatively termed "custom", distinct from tradition, which possesses the double function of motor and fly-wheel allowing for innovation and continuity.<sup>3</sup> Nandy's work engages with tradition, from the Indian subcontinent, in light of the fluid relationship between the past, present and future. He raises the objection of deploying history to examine so-called "ahistorical" societies whose attitudes to the past differ markedly from the West.<sup>4</sup> The past cannot be contained in history as the former is a subjective function of the present thus precluding the claims of objectivity of

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<sup>1</sup> G.K. Chesterton, *Orthodoxy* (New York: Doubleday, 2001), 44–5.

<sup>2</sup> Eric Hobsbawm, 'Introduction: Inventing Traditions', in Eric Hobsbawm and Terence Ranger (eds.), *The Invention of Tradition* (Cambridge: Cambridge University Press, 2000), 1.

<sup>3</sup> *Ibid.*, 1–2.

<sup>4</sup> Ashis Nandy, 'History's Forgotten Doubles', *History and Theory*, 34/2 (May 1995), 44–66.

the latter in its study.<sup>5</sup> Rather the past and present are characterised by a plurality that is necessarily incomplete that allows the past to be treated a special case of the present. The corollary of this argument is that there are plural pasts and plural presents which are constantly being remade. ‘Myths’, as opposed to history, current in the present about the past are to be considered valid accounts of the past. Indigenous conceptions of the past are not to be dismissed out of hand.

Objections to Quentin Skinner’s ‘Contextualism’ in the study of the history of ideas by Preston King similarly raise some of Nandy’s own misgivings. Several aspects of Skinner’s approach are found wanting in the examination of works written in the past by Western philosophers and political theorists. However, two of these aspects are especially pertinent to this thesis: the past as *sui generis*; and the existence of many contexts in relation to a given work or author. The past, King argues persuasively<sup>6</sup>, can only be identified and examined from the vistas afforded by the present contrary to Skinner’s attempt in his own words at,

trying so far as possible to think as our ancestors thought and to see things their way. What this requires is that we should recover the concepts they possessed, the distinctions they drew and the chains of reasoning they followed in their attempts to make sense of their world.<sup>7</sup>

One cannot study the past on the terms of a perceived identity with it neglecting a present which inevitably determines the worldview of the scholar. Instead, King argues difference is required to pursue any understanding of the past that is alive and speaks to those in the present. Nandy and King, from very different angles, share an assumption of the possibility of knowledge of the past: it can only be known in the form of a construction from, of and by the present, itself equally a construction. Attribution of a single undisputed context to a text is

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<sup>5</sup> Ibid., 53–6. Cf. Jorma Kalela, *Making History: The Historian and Uses of the Past* (Basingstoke: Palgrave Macmillan, 2012). Jorma Kalela certainly revises the remit of the discipline of history to include other sources in its interpretation of the past (29–32). However despite his acknowledgement of the contingent “social process of history-making” (28), he reinforces the claim of history’s authority as “referee” when “the epistemological soundness of knowledge is concerned” that withholds legitimacy to other interpretations of the past (36).

<sup>6</sup> Preston King, *Thinking Past a Problem: Essays on the History of Ideas* (London: Frank Cass Publishers, 2000), 208–12.

<sup>7</sup> Quentin Skinner, *Vision of Politics*, Vol 1: *Regarding Method* (Cambridge: Cambridge University Press, 2009), 47.

precluded, according to King, by the presence of many contexts. These can be found in the past context, present context and future context of the text accompanied by other types of contexts e.g. cultural or social.<sup>8</sup> This necessarily leads to the adoption, consciously or non-consciously, of a context on the part of the student of ideas from the past as well as the present.

Continuity and innovation are topical concerns of the above named scholars from a variety of backgrounds. The relationship of religion and tradition in this framework is further brought into relief borrowing certain conceptions from Abraham J. Heschel and Cornel West on human creativity and the rootedness of a sense of religion in human beings. Heschel views human creativity in a religious context as a direct response to the endless discontent residing within human beings. Complementary to this position is West's insistence on the strength of the religious sense, not religion per se, or *ligare* to bind human beings together in the face of predicaments.<sup>9</sup> The study of religion is thus situated in a context provoking and galvanising human subjects to rethink the relevance of the religious traditions to the problems of their day. Precedents to the application of tradition to examine contemporary Islam are found in the works of Seyyed Hossein Nasr and Ziauddin Sardar. Sherman Jackson applies a revised concept of tradition, based on Kwame Gyekye's adaptation of Shils, to classical Muslim theological discourses.<sup>10</sup> Contemporary Muslim political actors and thinking are examined, in part, by Dale Eickelman and James Piscatori in *Muslim Politics* with reference to tradition.<sup>11</sup> Mohammed Arkoun problematises the notion of 'Islamic tradition'. He contends that many traditions exist "more-or-less influenced by the scriptural tradition developed under the impact of four ideological forces: a central state, writing, learned written culture and thought – orthodoxy."<sup>12</sup> In this thesis, a concept of tradition, drawn from Shils, is applied to analyse contemporary Islam, specifically Shaykh Muhammad al-Ghazali, from the vantage point of the Islamic tradition as a dynamic yet enduring entity transmitted over a millennium with remarkable

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<sup>8</sup> King, *Thinking Past a Problem*, 201–3, 206–7, 216–7.

<sup>9</sup> Cornel West, 'A Matter of Life and Death', *October*, 61 (Summer 1992), 21.

<sup>10</sup> Sherman A. Jackson, *On the Boundaries of Theological Tolerance in Islam: Abu Hamid al-Ghazali's Faysal al-Tafriqa Bayna al-Islam wa al-Zandaqa* (Karachi: Oxford University Press, 2002), 24–6.

<sup>11</sup> Dale F. Eickelman and James Piscatori, *Muslim Politics* (Princeton and Oxford: Princeton University Press, 2004), 28–35.

<sup>12</sup> Mohammed Arkoun, *Islam: To Reform or To Subvert* (London: Saqi Books, 2006), 266.

consistency which did not preclude indigenous change in response to internal discontent or to external conditions.

### **The Theoretical Framework: Tradition**

What follows is an outline of the theoretical framework examining Shaykh Muhammad al-Ghazali. Tradition as a category of interpretation is at the centre of this framework. The previous section provided a background for the category of tradition and the relationship between the past and present written in a scholarly milieu. I highlighted the existence of previously published works on the dynamic process of the transmission and reception of tradition and how the past and the present are constructed. Applying the category of tradition to contemporary Islam in this thesis leads to situating al-Ghazali within the context of the Islamic tradition. Several key aspects emerge in the application of this category including continuity and innovation. This section elaborates these aspects as they will be applied to al-Ghazali's thought.

#### *Continuity*

Tradition possesses the connotations of continuity through an extended period of time making it recognisable as such.<sup>13</sup> Continuity, through transmission from one generation to another, enables cultures, ideas, rituals and institutions to survive and develop in a society or community. However, in the elaboration of how a tradition ensures its continuity, by extension its own survival, it is essential to first discuss the elements of tradition as a category of interpretation. A collection of texts is authoritatively invoked or consulted in acts of interpretation. In a religious tradition such as the Islamic tradition, its founding sacred texts, the Qur'an, and the *ahadith* (traditions of the Prophet) are considered to be the authoritative sources for the rituals, practices and values of the Muslim community. These two sources, indigenously known as the *usul* (foundations), are supplemented by other texts written by Muslim scholars since the genesis of the Islam. Works were written by a multitude of authors on a variety of themes who interpreted the Islamic sacred texts. Contemporary Muslim scholars have contributed to the Islamic tradition through directly

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<sup>13</sup> Edwards Shils, *Tradition* (Chicago: The University of Chicago Press, 1981), 15.

interpreting the founding texts of the Islamic tradition and works composed over the past 14 centuries. A family of traditions such as the Islamic tradition shares affinities in its origin, significant similarities and evident differences.<sup>14</sup> Various groups and communities espouse, namely, the two dominant identities of Sunnism and Shiism within the Islamic tradition contesting the boundaries of orthodoxy and heterodoxy. Sunnism has commanded a much larger adherence in the Muslim world with its rituals, practices and institutions commonly accepted to be authoritative and orthodox through an enduring chain of transmission. Sacred texts and works of interpretation transmitted through successive generations of Muslims scholars are essential elements of the Islamic tradition. Neither sacred texts nor the interpretations they engender solely make up a tradition. Both sacred texts and their interpretations, when transmitted over an extended time-span, are recognised to be authoritatively part of the Islamic tradition.

### *Normative ethos*

The authority of a tradition is filled with normative values. Transmission of values and conceptions about human existence is dependent on their perceived moral relevance and weight. An ethos of continuity of these moral values and conceptions permeates the cultures, ideas, rituals and institutions that are transmitted.<sup>15</sup> A heightened sensitivity to the past is manifested in the formation and transmission of a tradition. Practices and beliefs from the past are handed down to successive generations based on the ethos of continuity with one's predecessors. A self-conscious effort to preserve the past as it has been, or can be, understood in the present enables a tradition to survive and find adherents in the future. Elements of tradition are treated with varying degrees of deference by its members. Sacred texts normally elicit a reverent attitude by the faithful which can be interpreted in a variety of ways to construct a tradition. These interpretations can be recognised to share the same reverence as sacred texts or, when a new context demands it, are entirely discarded for a new reading of the sacred texts. Members of a tradition participate in preserving, transmitting

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<sup>14</sup> Ibid., 272.

<sup>15</sup> Yves Congar, trans. A.N. Woodrow, *The Meaning of Tradition* (San Francisco: Ignatius Press, 2004), 1–2.

and receiving its ethos, cultures, ideas, rituals and institutions in an uneven pattern.

### *Patchwork*

Tradition consists of a diversity of themes conceived by various generations. Throughout the 14 centuries since the inception of Islam, the Islamic tradition has developed into a patchwork of different elements conceived in different ages. Orthodox and heterodox conceptions, with normative connotations and contested by members of the same family of traditions, demonstrate the patchwork composition of a tradition.<sup>16</sup> There may exist a variety of accounts about a single theme or object forming a part of the whole in tradition. The Islamic tradition is a family of traditions made up of corporate identities and institutions constructed in different generations. Seyyed Hossein Nasr vividly captures the formation of the Islamic tradition in the following metaphor,

Tradition, therefore, is like a tree, the roots of which are sunk through revelation in the Divine Nature and the trunk and branches of which have grown over the ages. At the heart of the tree of tradition resides religion, and the sap of this tree consists of that grace, or *barakah*, that originating with the revelation, makes possible the continuity of the life of the tree.<sup>17</sup>

The Islamic tradition begins with the founding texts of the Qur'an and *ahadith* authoritatively recognised by its accounts. A living tradition is constructed as interpretations are continually teased out from these texts and other works acquire the position of transmitted texts in their own right. Occupying the religious centre ground of orthodoxy in the Islamic tradition, Sunnism influenced the web of relationships among groups or communities espousing alternative accounts or clusters of interpretations about common themes or objects. However, it must be noted these accounts are considered themselves to be equally orthodox and overlapped with Sunni conceptions about the sacred texts of Islam. Prominent among these has been Shiism, ambiguously considered to be both orthodox and heterodox within the Sunni branch of the Islamic tradition.

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<sup>16</sup> Shils, *Tradition*, 266–7.

<sup>17</sup> Seyyed Hossein Nasr, *Islam in the Modern World: Challenged by the West, Threatened by Fundamentalism, Keeping Faith with Tradition* (New York: HarperOne, 2010), 4.

The status of orthodoxy, directly related to authority, vehemently contested from generation to generation, including within a single generation, affects how a tradition is able to reconcile contending accounts in a principled fashion. This contest also affords an opportunity for members of a tradition to either reinforce the claim of orthodoxy of their conceptions at the expense of others or to minimise their differences and expand the notion of orthodoxy to include hitherto considered heterodox interpretations.

*Oppositions: 'Both/And'*

For a tradition, the possibility of reconciling differences in conceptions between shared themes or objects rests on its ability to recognise and integrate these differences. Tradition enables the possibility of proposing “both/and” relations, rather than “either/or” about its disparate elements.<sup>18</sup> Deference to texts, discussed briefly above, is an expression of the nature of authority. In the Islamic tradition, sacred texts and their interpretations are recognised to be authoritative in different degrees that make the former a constant element of interpretation and the latter, in principle, open to correction or improvement. The authority of the Qur’an and the *ahadith* endows works of interpretation with a measure of authority that enables them to be accepted by a generation and transmitted to subsequent generations. However, the authoritativeness of a work may be accepted and enhanced in later generations and provoke a change, in the form of *tajdid*, within the Islamic tradition. A constructed and recognised chain of authority beginning with the founding texts of the Islamic tradition continuing through successive generations aids the juxtaposition of sacred texts as tradition and interpretations as tradition. A living tradition constantly replays in every generation the relationship between a fixed set of texts, acknowledged as sacred in origin, and interpretations formulated by human beings.

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<sup>18</sup> Jaroslav Pelikan, *The Vindication of Tradition* (New Haven and London: Yale University Press, 1984), pp. 26–33.

## *Innovation*

Innovation in a religious tradition is an act of interpretation entailing a modification of its internal elements. A new work disturbs a longstanding chain of existing works that inevitably leads to the whole existing order in a tradition to be readjusted with the “fitting in” of this work contingent upon its appearance of conformity and to be individual.<sup>19</sup> Importantly, innovation implies a certain degree of continuity with the past, albeit with modified elements. Human creativity in a tradition is not a solely personal experience. Novelty in works are novel only in the act of reinterpreting the existing objects of tradition, sacred texts or classical jurisprudential works, with the results perceived to be more proximate to their fundamental principles.<sup>20</sup> The Qur’an and the *ahadith* are continually subjected to interpretations expressed in mystical commentaries and juristic exegeses. Demands of a return to the sacred texts and to study the first Muslim community, circumventing existing interpretations, point to the existence of an ideal past to be emulated, if not in detail, at least in its normative content.<sup>21</sup> Contemporary ventures of *tajdid* have invoked the *al-salaf al-salih* (the righteous forebears) to be a cornerstone of their interpretation of the past. In this thesis, the focus is specifically on the deployment of *ijtihad* (independent judgement) to formulate political conceptions and thought. New conceptions were articulated through *ijtihad* with the intention of discovering the fundamental principles contained within the Qur’an and *ahadith* known as the *maqasid al-Shari’ah* (objectives of the Shari’ah). Continuity with the past necessarily entailed, in part, going beyond the existing tradition, namely, previous and contemporary interpretations, to produce new interpretations of the sacred texts of Islam truer to the normative ideal in past texts. Nandy has correctly stated that there are two languages of creativity expressing entirely different, not mutually exclusive, accounts of innovation and continuity. Creativity can, at the same time, take place as a claim of a radical departure from and venture forth a revision of the past.<sup>22</sup>

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<sup>19</sup> T.S. Eliot, *The Sacred Wood: Essays on Poetry and Criticism* (London: Faber and Faber Limited, 1997), 41–2.

<sup>20</sup> Ashis Nandy, *Time Warps: Silent and Evasive Pasts in Indian Politics and Religion* (New Jersey: Rutgers University Press, 2002), 227.

<sup>21</sup> Shils, *Tradition*, 207–11.

<sup>22</sup> Nandy, *Time Warps*, 228–9; Ashis Nandy, *The Intimate Enemy: Loss and Recovery of Self under Colonialism* (New Delhi: Oxford University Press, 2011), 61.

## *Past/Present*

The relationship between the past and the present can be framed in a diversity of ways. Ventures into the past occur in a present which can be self-conscious about doing so. Subtle differences distinguish the present from the past – the present can be and is aware of the past in ways that the latter has demonstrated it can not.<sup>23</sup> Past works enter the present as accepted and authoritative elements of tradition. Long and recently deceased Muslim scholars, alongside their extant works, are recognised to be part of the Islamic tradition. G.K. Chesterton, previously quoted, accurately identifies tradition as the enfranchisement of one's ancestors. They may have insights about common concerns in the immediate present. Thus, the past opens up a space for a variety of ventures of *tajdid*. An open-ended past enables the formulation of critiques of the present for the purpose of *tajdid*, *islah* (reform) or *ihya* (revival). The past becomes a special case of the present that selectively and critically accepts 'history' into the here-and-now.<sup>24</sup> Intervening in the present is a past with profound normative significance. Events and texts from the Muslim past incorporated into the Islamic tradition possess authoritative implications that are interpreted according to the exigencies of the moment – the lived context. Further, the Islamic tradition disavows neither the contributions nor the persona of the scholars that have aided its construction. Contemporary Muslim scholars receive a tradition pervaded with an immediate sense of the past, preserved in texts, that is amenable to interpretation in the attempt to recover the founding spirit of Islam.

## *Forgotten Heritage*

The elements of a tradition open themselves up for their rediscovery followed by either recovery or repudiation.<sup>25</sup> This is equally true of the internal elements of tradition when a contemporary Muslim scholar proceeds to interpret a text neglected for a number of generations or reconsider of an ethos long forgotten. The results may compel the scholar to recover or repudiate the text or ethos. Recovery in the Islamic tradition is intimately bound with the notion of *tajdid* as it

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<sup>23</sup> T.S. Eliot, *The Sacred Wood*, 43, 49.

<sup>24</sup> Nandy, *The Intimate Enemy*, 57–9.

<sup>25</sup> Pelikan, *The Vindication of Tradition*, 23–24.

seeks to revive forgotten elements deemed to be essential to Islam. Classical texts are the focus of a pronounced effort of recovery and transmission accompanied by interpretations among Muslim scholars. Rediscovered forgotten elements within a tradition may lead to their crucial recovery and novel application in the present.<sup>26</sup> The Islamic tradition is composed of a diversity of accounts around a set of shared themes and objects. A present that itself is plural allows the reinterpretation of a past that is similarly plural with multiple possibilities in the attempt to formulate reform. Thus, the recovery of the past may coincide with changing the present in a number of ways – normative changes that have direct social or political implications.

### *From Addition to Syncretism: Remaking Tradition*

Change within a tradition may occur due to external stimuli in the form of other traditions. When an indigenous tradition encounters alien traditions it can respond in different ways. The following are the most common responses identified by Shils in a tradition: *addition* of a new element is received by a largely undisturbed tradition with no changes to its ethos, institutions or practices; *amalgamation* of a new element replacing a previously integral one about a theme or object in a tradition; *absorption* in a tradition entails the *renunciation* of its internal elements; and *fusion* or synthesis of several traditions contributes to a unique and original principal theme of a tradition that reinterprets other traditions or elements from other traditions.<sup>27</sup> Indigenous traditions reconcile or resist alien traditions in various ways deploying their own elements in a process of adding, amalgamating, absorbing and fusing, modifying the whole pattern of elements. Traditions may share a pre-existing ethos, orthodox or heterodox and latent or manifest, before a cultural encounter that creates the possibility for thinkers or scholars to identify and incorporate them in a transcultural space.<sup>28</sup>

For contemporary Muslim scholars and thinkers, the encounter with other cultures, especially in the Middle East, was with the West. Various responses

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<sup>26</sup> David Brown, *Tradition and Imagination: Revelation and Change* (Oxford: Oxford University Press, 2004), pp. 30–1.

<sup>27</sup> Shils, *Tradition*, 275–9.

<sup>28</sup> Nandy, *The Intimate Enemy*, 49.

can be discerned. Struggles within the Islamic tradition were accentuated by the presence of a foreign yet accessible tradition. The Enlightenment, more broadly modernity, did impact Muslim intellectual thought and social practices. Modernity has been identified as a "post-traditional order" that "institutionalises the principle of radical doubt and insists that all knowledge takes the form of hypotheses: claims which may very well be true, but which are in principle always open to revision and may have at some point to be abandoned."<sup>29</sup> The collective body of knowledge is thus supremely modifiable without any undue constraints. The phenomenon of modernity, for Fred Halliday, can also be extrapolated from nationalism in the Middle East. Inevitability and contingency define its ideological career in the region.<sup>30</sup> Somewhat sounding deterministic, modernity has imposed, from without, the ubiquity of a formerly foreign political form that involves the construction of tradition.

However, it is important to note, that the initial formulation of the Enlightenment, to gain common current, did at a certain point in time and at a particular place become a tradition.<sup>31</sup> Further, no generation 'invents' for itself the entire set of "beliefs, apparatus, patterns of conduct, and institutions" which has in reality been transmitted to it in the form of a tradition.<sup>32</sup> Notwithstanding the claims of the Enlightenment, to liberate human beings from the shackles of tradition, it has instead replaced a previously authoritative body of knowledge with another which is no less subject to the continuity of transmission. Whether nationalism or rationalism, the assumed values of modernity demanded the life-preserving act of transmission to become both widespread and rooted in the Middle East and elsewhere.

In this thesis, modernity and the Enlightenment are not defined in opposition to Islam. Their contents form a patchwork of different elements, common to all extant traditions, rooted in the present. The consequences of a single modernity for Edmund Burke III and David Prochaska amply demonstrate

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<sup>29</sup> Anthony Giddens, *Modernity and Self-Identity: Self and Society in the Late Modern Age* (Stanford: Stanford University Press, 1991), 2-3.

<sup>30</sup> Fred Halliday, *Nation and Religion in the Middle East* (London: Saqi Books, 2000), 39-43.

<sup>31</sup> Shils, *Tradition*, 21-3.

<sup>32</sup> *Ibid.*, 38.

its different manifestations in Europe and throughout the world.<sup>33</sup> An important caveat concerning the study of the West and the rest in light of modernity underlies the position of Burke and Prochaska: homogeneity should not be assumed of what has been a plural experience. Thus, modernity features in this study as an intellectual phenomenon that is, in principle, interpretable and open to selective adaptation by other non-Western traditions – particularly the Islamic tradition.

A number of factors motivate human beings to be creative. A state of incompleteness exists in the self-definition of members of a tradition in what Heschel calls *status nascendi* emphasising the provisional nature of meaning.<sup>34</sup> Further, discontent with existing aspirations and achievements animates the venture of human creativity.<sup>35</sup> Substantial modifications in the Islamic tradition express the ethos of *tajdid* transmitted from the past and dissatisfaction with the present. Erudite interrogation of a tradition leads, on the part of the Muslim scholar, to the awareness of defects or gaps therein thus eliciting a response to resolve or fill them.<sup>36</sup> New contexts may compel a tradition to make analogies with its indigenous past, stressing common aspects of the changed present and the familiar past, ignoring the new facets of the present, or accepting new elements from alien traditions.<sup>37</sup>

### **Discourse Analysis and the Islamic Tradition**

Now I will outline the methodology adopted in this study. Before I discuss the actual application of discourse analysis a few remarks about its theoretical underpinnings will be mentioned. No name elicits the classic idea of discourse such as Michel Foucault's. The research he has undertaken across a variety of subjects and disciplines produced two conceptions of discourse in different periods of his scholarship. In the first period, Foucault's 'archaeology' of knowledge proposed the "unity and principle of coherence" in a discrete totality

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<sup>33</sup> Edmund Burke III and David Prochaska, 'Introduction: Orientalism from Postcolonial Theory to World History' in Edmund Burke III and David Prochaska (eds.), *Genealogies of Orientalism: History, Theory, Politics* (Lincoln: University of Nebraska, 2008), 48-50.

<sup>34</sup> Abraham J. Heschel, *Who Is Man* (California: Stanford University Press, 1965), 41.

<sup>35</sup> *Ibid.*, 86–7.

<sup>36</sup> Edwards Shils, *Tradition*, 216, 229.

<sup>37</sup> *Ibid.*, 258–9.

producing meaning.<sup>38</sup> Foucault's later works adopt a 'genealogy' approach positing an extra-discursive factor maintaining discursive formations – the ubiquitous nature of power held together a discontinuity of elements.<sup>39</sup> Discourse according to Foucault is indispensable in the "exercise of power" dispersed throughout all the facets of a society.<sup>40</sup> Edward Said makes the astute observation of Foucault's preoccupation with the collective nature of society and culture whereby the 'meta-rules' in society "over long periods of time... became epistemological enforcers of what (as well as how) people thought, lived, and spoke."<sup>41</sup> These 'meta-rules' gradually become authoritative in a society similar to the development of a tradition.

However, the concept of tradition I deploy, described in detail above, in this study differs from this aspect of Foucault's theory of discourse. I instead propose to adapt the notion of discourse into a method to be applied to this study's primary sources chosen for examination. Discourse, in this study, is understood to be the pattern of meaning dispersed in written and spoken texts. Words and sentences are the elements composing a statement, whether written or spoken, only made coherent and meaningful through its relationship to a broader existing discourse. Moreover, discourse is an 'act', a social practice, which acquires authoritative significance in the relations between human beings on a wide range of issues. Language transmits not only meanings but also values and notions to individuals and groups in society. The method of discourse in this thesis will treat language as a performative act that repeatedly confounds the spectre of a fixed and unchanging discourse.<sup>42</sup>

Human agency is a central feature of this conception. Strands of meanings mirror the webs of human interaction that occur around events, texts and objects. The presupposition of dispersed elements composing a discourse lends itself easily to the category of tradition as a patchwork of different elements which its members seek to modify. Discourse will be applied as a

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<sup>38</sup> Ernest Laclau, 'Discourse', in Robert E. Goodin and Philip Pettit (eds.), *A Companion to Contemporary Political Philosophy* (Oxford and Cambridge, Massachusetts: Blackwell, 1993), 434–5.

<sup>39</sup> *Ibid.*, 436.

<sup>40</sup> Michel Foucault, 'Two Lectures', in C. Gordon, *Power/Knowledge: Selected Interviews and Other Writings* (New York: Pantheon Books, 1980), 93.

<sup>41</sup> Edward W. Said, 'Michel Foucault, 1927–1984' in Edward W. Said, *Reflections on Exile and Other Literary and Cultural Essays* (London: Granta Books, 2001), 196.

<sup>42</sup> Dan Goodley et al, *Researching Life Stories: Method, Theory, and Analyses in a Biographical Age* (London: RoutledgeFalmer, 2004), 116.

method of interpretation to discern the meanings contained in works written by Muslim scholars mainly from a reformist background. Tradition and authority inscribe the theoretical framework of this study. It assumes the heterogeneous composition of a tradition, far from being stable, is subject to reinterpretations in its transmission across generations or within a generation.

The Islamic tradition has been transmitted primarily orally and textually since the inception of Islam in the seventh century. However, a distinctive textual dimension emerged in the classical period which witnessed the recording and transmission of the Islamic tradition in written forms. Of particular concern in this thesis is the emergence of a reformist tendency among Muslims. Almost 14 centuries cover the period since the beginning of Islam and the lifetime of Muhammad al-Ghazali in the twentieth century. A multitude of texts by Muslim scholars during this time-span necessitates an examination of the Islamic tradition to be selective yet representative. As a result of the specific focus of this thesis on al-Ghazali's thought I have consulted secondary sources to ascertain the chief reformists among Muslim scholars and also to establish the intellectual relationships among them. It must be noted that primary texts have also acted as general materials in providing information informing the selection of Muslim scholars and thinkers and key themes for examination.<sup>43</sup> Books by authoritative authors such as Fazlur Rahman's *Islam and Islam in the Modern World* by Seyyed Hossein Nasr providing wide-ranging surveys of the Islamic tradition will be used in this thesis. Muhammad al-Ghazali's own books supply not only the primary sources to be interpreted but also indicate other relevant texts to be read and interpreted – especially for chapters 2 and 5.

Applying discourse analysis to the primary sources will be aided by the category of tradition to establish the key themes in al-Ghazali's thought. I will also apply discourse analysis to the contributions of other Muslim authors identified in the secondary and primary sources. Thus, the meaningfulness of language is a key premise of this method to be deployed to establish the positions espoused on a wide range of themes. Words and terms in written books form the material to be interpreted. An important recognition that

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<sup>43</sup> See Lene Hansen, *Security as Practice: Discourse Analysis and the Bosnian War* (New York: Routledge, 2006), 82–5.

meanings expressed in the positions taken by an author are dependent on the combination of words and the order of propositions present in a text informs this thesis' application of discourse analysis.<sup>44</sup> A primary concern with how a text is organised in the deliberate sequence of words and the individual words that are themselves chosen seeks to demonstrate the ability of an interpreter to discern what the meanings an author of this text intended to convey in a particular context using a particular language. I aim to highlight the presence of elements of continuity and innovation in the themes of al-Ghazali's thought. Searching for content words in the works of Muslim scholars, I will be mainly focusing on noun groups in written discourses from the Islamic tradition.<sup>45</sup> The recurring tendency of *tajdid* in the Islamic tradition can be explained as a result of the dynamism of traditional cultures seeking change in concert with their own logic and grammar.<sup>46</sup>

Reformers writing from within the Islamic tradition are examined in the attempt to situate al-Ghazali in the transmission of a tendency of *tajdid* from the past to the present. The main focus of this thesis is on the patchwork of themes revolving around tradition, innovation and interpretation. Innovation is treated as an integral part of the continuity of the Islamic tradition whereby its transmission creates the opportunity for the reinterpretation of its elements and accounts. The various accounts of the Islamic tradition have been transmitted across a multitude of generations in the past until the immediate present. Al-Ghazali's works are situated in the chain of interpretations within a tradition containing the *turath* (Arabo-Islamic heritage). Acceptance and rejection of the diverse elements and accounts of the Islamic tradition occurs in a spectrum of interpretation ranging from acceptance to modification to rejection. The appropriateness of the application of discourse analysis in this thesis is centred on its ability to identify the meanings of several themes contained in the Islamic tradition's accounts.

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<sup>44</sup> Diane Macdonell, *Theories of Discourse: An Introduction* (Oxford: Basil Blackwell, 1986), 24–7, 45, 48, 51.

<sup>45</sup> Brian Paltridge, *Discourse Analysis: An Introduction* (London and New York: Continuum, 2008), 14–5.

<sup>46</sup> Ziauddin Sardar, 'Beyond Development: An Islamic Perspective', in Sohail Inayatullah and Gail Boxwell (eds.), *Islam, Postmodernism and Other Futures: A Ziauddin Sardar Reader* (London: Pluto Press, 2003), p. 320.

## ***The Criteria: A Thick Description of the Islamic Tradition***

Evaluation of this study requires providing insights into a wide variety of questions about how research was carried out and its implications for future studies.<sup>47</sup> At the end of this thesis, I will use the interpretivist criteria of consistency, credibility and transferability to evaluate the 'thick description', its preponderant concern with language, culture and meaning, offered about al-Ghazali and the Islamic tradition in my study.<sup>48</sup>

### *Consistency*

The consistency of this study will be evaluated through the systematic aspect of the collection and interpretation of sources. Identifying, collecting and interpreting the primary sources require establishing the relevance of the works to be examined with the aim of interpreting their content. Selective inclusion of certain works and authors will be accompanied by the exclusion of others. The concept of tradition serves as the common thread integrating the various books and articles written by Muslim thinkers and scholars over a time span of 14 centuries. Transmission of the Islamic tradition occurs within a web of texts, scholars and students. Generally, reformist accounts will be identified and examined to ensure a consistency of written material in terms of subject matter. The application of the same method, discourse analysis, within the broad framework of tradition to this material will also maintain the consistency of the approach deployed in this thesis to arrival at its findings.

### *Credibility*

The credibility of this study will be established through considering to what extent the interpretations proposed accurately 'represent' the thought of the authors' works I will analyse. Selection of the works chosen to be interpreted will be informed by the condition that they sufficiently express the author's stances or positions on a wide array of themes and objects. Thus, the representativeness of the tendency of *tajdid* in the Islamic tradition guides this selection.

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<sup>47</sup> Paltridge, *Discourse Analysis*, 216–7.

<sup>48</sup> Douglas Ezzy, *Qualitative Analysis: Practice and Innovation* (London: Routledge, 2002), 54–6. See Clifford Geertz, *The Interpretation of Cultures* (London: Fontana Press, 1993), 6–10.

Subsequently, the interpretation of the works by prominent Muslim scholars and thinkers, past and present, will be undertaken. The interpretation of these works will propose a thick description of al-Ghazali's thought located in the Islamic tradition. However, I will reflect on whether this interpretation offers a meaningful and robust explanation of al-Ghazali's thought as a venture of *tajdid*. Discourse analysis will be applied to a selected number of works written by al-Ghazali whose importance will be established through the reading of secondary sources – the primary texts written by al-Ghazali's peers who cite and discuss him are also included in the latter. A caveat about the employment of the application of discourse must be noted concerning its representative-ness. Language presents those who study texts a challenge to establish, with probable inferences, the meaning intended by an author or a speaker and the meaning received by a reader or a listener. Neither the former nor the latter participate in this process as 'passive' agents. They are both 'active' agents seeking to negotiate what can be said and thought in accordance to the prevailing web of meanings. If a statement originally uttered by an author can be understood with a meaning unintended by a reader this also presents a potential linguistic minefield for the researcher. Comparison between different texts written by the same author can help to minimise this risk of misinterpretation. A survey of works by contemporaries that either cite the author or use the same vocabulary can be indispensable in this attempt. The intellectual context of al-Ghazali will be constructed to establish the discourse from within which he simultaneously was shaped by and in turn shaped.

### *Transferability*

The Islamic tradition, I will demonstrate, is a broad and diverse cultural and intellectual entity. Its roots lie in the seventh century, especially the sacred texts of Islam that were orally and textually transmitted, giving rise to numerous expressions of piety ranging from architecture to the Muslim religious sciences. Authoritative texts regarded to be sacred were the basis of the formation of the Islamic tradition. Different approaches to these texts culminated in the profusion of interpretations scattered among the various schools of theology, jurisprudence, mysticism and philosophy. From the early stages of the construction of the Islamic tradition, innovation was, in theory and in practice, a

reinterpretation of existing elements in the sacred texts and previous interpretations. In the juristic account, composed of many disparate elements, law was treated as a function of the Shari'ah. Exegesis was an act of *ijtihad* that sought to discover authentic rulings in the texts of the Qur'an and *ahadith*. The practice of *ijtihad* soon led to the creation and consolidation of the four orthodox *madhahib* (rites of jurisprudence) where previously there was over a dozen throughout the vast expanse of *dar al-Islam* (abode of Islam) in the early classical period. I will attempt to situate Muhammad al-Ghazali in a context of the juristic account of the Islamic tradition in his project of *tajdid*. Fourteen centuries have contributed to the construction of this tradition with multiple possibilities of enacting programmes of authentic change among Muslims. Similar insights about al-Ghazali's place in the Islamic tradition ought to apply, depending on the various combinations contrived, to other Muslim scholars and thinkers.

### **Short Biography of Muhammad al-Ghazali**

#### *Colonial Egypt: Al-Azhar University and the Muslim Brotherhood*

Egypt by the second decade of the twentieth century had witnessed widespread changes initiated under the auspices of the Khedivial dynasty and under British colonial occupation. Efforts at reforming Egypt were also attempts to incorporate ideas and practices from Europe that eventually created a fecund ground for the emergence of the age of *nahda* (Renaissance). The arrival of Jamal al-Din al-Afghani to Egypt affected the intellectual and political climate of the country. Al-Afghani's charismatic style and pan-Islamic programme political activism soon attracted a group of steadfast followers. Prominent in this group was Muhammad Abduh who espoused a reformist agenda later in life as the Grand Mufti of Egypt and pursued these reforms in his works and commentaries on the Qur'an. At the turn of the twentieth century, Muslim reformism and Egyptian nationalism were permanent fixtures on the Egyptian landscape. Muhammad al-Ghazali was born in 1917 in the village of Nakhla al-a'nab, Beheira, amid ongoing tumultuous events affecting Egypt. Two years later, Egypt experienced a popular uprising with the creation of the Wafd movement, led by Sa'd Zaghloul who graduated from al-Azhar and a former follower of al-

Afghani, demanding complete Egyptian independence. Colonial occupation, the Khedivial monarchy, increasing nationalist sentiments and traditional institutions served as the backdrop for al-Ghazali's early life.

Al-Ghazali's education began as a child at the local *kuttab* (mosque school) in his rural surroundings. When al-Ghazali was ten years old he had memorised the entire Qur'an. Afterwards, al-Ghazali went on to study at religious institutions in Alexandria affiliated to al-Azhar University until he moved to Cairo to study at its main campus. Studying at one of the most eminent educational institutions in the Muslim world, al-Ghazali was steeped in a religious universe populated by a diverse collection of influential individuals such as Mahmoud Shaltut, Abdullah Diraz and Mustafa al-Maraghi. The Muslim religious sciences were taught within the confines of al-Azhar for almost a thousand years. Scholarly transmission of Islam was located in the courtyard of this widely esteemed institution – the four Sunni *madhahib* (rites of jurisprudence) and schools of theology were part of the syllabus of learning. From outside the walls of al-Azhar, far-reaching changes impacted its students. These changes created the impetus for the reform of the educational syllabus during al-Ghazali's student years transforming it from a traditional seminary to a university with different faculties for the religious sciences.<sup>49</sup> Al-Ghazali graduated from the faculty of *usul al-din* (principles of religion) in 1941 obtaining the *alamiyah* (scholarly certificate) and he later pursued studies with a particular focus on *wa'z* (preaching) and *irshad* (guidance). Further learning by al-Ghazali led him to attain a master's degree in 1943.

Nationalist politics coloured by anti-colonialism dominated Egypt – especially among students from both traditional and contemporary educational institutions. Religious symbolism and rhetoric formed an integral part of the broader discourse in Egypt on liberal nationalism. However much these invocations resonated with many Egyptians, other contending movements espousing different conceptions about Egypt did emerge. Especially after the acme of the Wafd movement in 1920s and 30s, Islamist organisations began to emerge. One such movement, *Jama'at al-Ikhwan al-Muslimun* (Society of the

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<sup>49</sup> A. A. Ateek, *Al-Azhar: The Mosque and University* (London: The Egyptian Education Bureau, n.d.), 22–9.

Muslim Brotherhood), founded by school teacher Hasan al-Banna, a graduate from the reformist-oriented *Dar al-uloom* in Cairo, quickly developed from the port-city of Ismailia into a nation-wide phenomenon. The new movement espoused an agenda for the Muslim community defined by very worldly aims – providing religious guidance and social welfare for Muslims. Influenced by the reformist thought beginning with al-Afghani and Rashid Rida, closely associated with Abduh in his later years, al-Banna advocated the urgent defence of the Islamic character of Egypt in the face of the colonial occupation. *Al-usul al-ushroon* (The Twenty Principles) formulated by al-Banna represented the renewalist élan of the Muslim Brotherhood which was espoused by al-Ghazali after he had joined the movement.<sup>50</sup> Islam as a comprehensive faith encompassed the various facets of human existence based on an ethos of inclusion and consulting the sacred texts of the Qur'an and the *sunnah* (example of the Prophet).

Al-Banna's influence on the young al-Ghazali, still a student at al-Azhar, was pivotal in shaping his activist stance motivated by an indigenous Islamic conception of social consciousness. Aloofness from public concerns was deemed not to be a pious act of a Muslim. Instead only those actions which contributed to the betterment of society were to be considered to be in line with the ethos of an Islam that responded constructively to the world. Many of al-Ghazali's ideas found an outlet in the Muslim Brotherhood's mouthpiece *al-Ikhwān al-Muslimūn* magazine. In this endeavour, al-Ghazali received enthusiastic encouragement from al-Banna. The role of Islam in contemporary Muslim society was tackled. The first book written by al-Ghazali certainly expressed this approach in its title, *al-Islam wa al-awda al-iqtisadiya* (*Islam and Economic Conditions*), and contents. Other outlets of public discourse existed in the shape of the journal *al-Fikr al-jadid* (*The New Thought*) which was co-founded in October 1948 by al-Ghazali alongside Sayyid Qutb, before he joined the Muslim Brotherhood, Naguib Mahfouz, subsequently a renowned literary author and sensitive critic of Egyptian society, and others.<sup>51</sup> Problems plaguing Egyptian society were addressed in an intellectual framework inspired by the

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<sup>50</sup> Yusuf al-Qaradawi, trans. al-Falah, *The Eye of the Beholder: The Muslim Brotherhood over the past 70 years* Cairo: al-Falah, 2003), 42.

<sup>51</sup> Adnan Musallam, *From secularism to Jihad: Sayyid Qutb and the foundations of radical Islamism* (Westport, CT: Praeger Publishers, 2005), 94–7.

comprehensive nature of Islam, similar to the Muslim Brotherhood's own conception, and according to the ethos of social justice. The pressing demand for social justice brought together what would be two of the most seminal thinkers of the Islamic movement in the second part of the twentieth century. Both al-Ghazali and Qutb shared an unwavering pre-occupation with this notion that would lead them to devote their pens elaborating its importance and basis in Islam. However, Qutb would subsequently, after joining the Muslim Brotherhood, apply all his intellectual energies to the revolutionary criterion of an Islamic regime while al-Ghazali retained the ethos of social justice pursued in a constantly changing framework of reform.

Not long following the troubled existence of *al-Fikr al-jadid*, al-Ghazali was rounded up with thousands of other members from the Muslim Brotherhood and sent to a prison camp. This was as a result of polarised political climate in Egypt after the disastrous defeat of Arab armies, including Egyptian troops, at the hands of a newly established state of Israel in the summer of 1948. Increasing tensions between the government in Cairo under King Farouk on the one hand and the Muslim Brotherhood on the other led to the disbanding of the movement and the imprisonment of its members. Al-Ghazali found himself in al-Toor prison located in the Sinai desert. Incarcerated alongside fellow Muslim Brotherhood members, al-Ghazali was the *imam* (prayer leader) of the prison quarters in al-Toor. The senior leaders of the Brotherhood, including al-Ghazali, began to organise its members around a vigorous schedule of activities and teaching. Al-Ghazali's consistent pre-occupation with social justice would translate itself in his successful mobilisation of the prisoners at al-Toor when prison guards took food intended for the former. Leading a demonstration in the prison, al-Ghazali and the interned protesters managed to compel the prison authorities to agree to their demand for the provision of their food in its entirety.<sup>52</sup> Whether it was in the wider Egyptian society or in a desert prison, the defence of the rights of those unjustly treated dominated al-Ghazali's words and deeds. A couple of months during the imprisonment of al-Ghazali, news had broken out that al-Banna was slayed in retaliation of the presumed Brotherhood assassination of al-Nuqrashi leaving the group without a *murshid* until the appointment of Hasan al-Hudaibi in 1951.

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<sup>52</sup> Adil Salahi, 'Scholar of renown: Muhammad Al-Ghazali – I', *Arab News* (29 July 2002).

*Republican Egypt: A Journey of Reform and Dialogue*

From 1949 until 1952, events very quickly deteriorated in the political affairs of Egypt culminating in the ousting of the Khedivial King and the instalment of a republican regime in his stead. The Wafd, after the passing away of the unifying figurehead Sa'd Zagloul, became a splintered movement with different factions vying for political office leading to a period of pronounced political instability. Antipathy towards the status quo – a monarchy and persistent quarrelling among the mainstream political parties –compounded by the defeat of the Egyptian army by the new state of Israel, continued British occupation and crackdowns on the Brotherhood contributed to the Free Officers coup. A group of junior officers in the Egyptian army carried out a coup in 1952 against King Farouk in a climate of popular support for it. The Muslim Brotherhood was party to and threw its weight behind the changes taking place. Senior members in the movement like al-Ghazali, a member of its *hayah ta siyasah* (constituent body), espoused a reformist conception of Islam aimed at the welfare of Muslims that struck a cord with the newly established regime in Cairo. Policies targeting the sources of inequality and alleviating poverty in Egypt were inaugurated by the republican regime initially led by Muhammad Najuib and Jamal Abdel Nasser who later succeeded him as president. However, a souring of relations between the new *murshid* (guide) of the Brotherhood and the new regime happened at the heels of a breakdown in the senior leadership of the former. This breakdown led to the expulsion of al-Ghazali and other established figures from the Brotherhood in 1953. A fortuitous opportunity arose for al-Ghazali to carry out his intellectual pursuits and public activism, both were usually intertwined, with the same spirit of independence in the Brotherhood's given to him by the late Hasan al-Banna in the official mouthpiece.

During the early 1950s, Khalid Muhammad Khalid, a close friend of al-Ghazali and also an Azhari, advocated the separation between politics and religion in his *Min huna nabda* (*From Here We Begin*) similar in the language used by Ali Abd al-Raziq in *al-Islam wa usul al-hukm* (*Islam and the Principles of Government*) during the middle of the 1920s. Previously, Khalid and al-Ghazali were part a group of Azharites inspired by the commitment to social

justice which revolved around the motto of 'Religion at the Service of the People'. In *Min huna nabda*, Khalid reproduced the import of Abd al-Raziq's arguments criticising the influence of religion on public life embodied at its worst in the form of a religious state. However, in a collection of essays that were published in a single work, *Min huna nalam* (From Here We Know), al-Ghazali defended the comprehensiveness of Islam and frankly agreed with some of the positions of his fellow Azhari – although he disagreed profoundly on their causes.<sup>53</sup> An impassioned defence of the role of Islam in affairs of the Muslim community, and Egypt in particular, was mounted that reinterpreted the Muslim past and scriptural texts of Islam to achieve this aim. Controversy plagued Khalid's work especially raised by the religious establishment in Egypt. Nonetheless, al-Ghazali's engagement with his former comrade-in-arms from the 'Religion at the Service of the People' group was conducted on a scholarly plane eschewing ad hominem attacks on Khalid. Importantly, *Min huna nalam* kept at bay a secular conception of politics from the fold of orthodoxy within the Islamic tradition.

The year 1961 witnessed the 'nationalisation' of al-Azhar University. Now the Egyptian state had managed to incorporate this formerly independent religious institution, originally founded during the Fatimid dynasty in the late tenth century, whereby its head, the Shaykh al-Azhar, was to be appointed by the president. Regional events also led to changes in Egypt's role in the Middle East and the Third World. Nasser's political wrangling with Britain and France in the 1956 Suez Canal Crisis catapulted him to political fame as a Pan-Arabist and a Third Worldist. During the Cold War, Egypt was at the centre of a set of contentious transformations affecting the Arab world. Nationalism was just one manifestation of this role. Religious reform within Islam, predating the twentieth century, was certainly an intellectual tour de force in this part of the world. Another element to this religious reform was its organisational manifestations with the Brotherhood presenting its Egyptian face. In this period, within the Brotherhood, Qutb, who became a member in 1951, emerged as one of its senior leaders. After the initial post-revolutionary alliance between the group and the junior army officers, including Nasser, who carried overthrew the last

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<sup>53</sup> Ibrahim M. Abu Rabi, *Contemporary Arab Thought: Studies in Post-1967 Arab Intellectual History* (London and Sterling, VA: Pluto Press, 2004), 233–7.

Khedivial King of Egypt there was a break in their relations. An assassination attempt on Nasser in 1954, preceded by the removal of Najiib from political office, was laid at the door of the Brotherhood. Thus, a collision course of between the Egyptian regime led by Nasser and the Islamist movement was an inevitability. Subsequently, Qutb and many other members were thrown into prison. Islamic reformism as expounded by Qutb took another turn, dissimilar from the project being articulated by al-Ghazali, that gradually, mirroring his time in prison, presented an uncompromising vision of the ideal Muslim society. The Egyptian state was increasingly condemned as being irreligious in the works written by Qutb. However, it is essential to note, Hudaibi, *murshid* of the Brotherhood, penned *Duat la qudat* (Preachers Not Judges) stating the official position of the group: the project of Islamic reform was envisioned to promote *dawah* to be the vehicle for social change with the use of violence repudiated.

Many ventures of reform were advocated with an emphasis on public engagement in society. Al-Ghazali embodied in his life this entwined ideal of the Muslim scholar as a socially-committed preacher. During the 1960s, after being barred from preaching at al-Azhar, al-Ghazali was the leading *imam* at Amr ibn al-Aas Mosque in Cairo. From the pulpit of the mosque, he soon gathered a large following at the Friday communal prayers. When al-Ghazali was sent to the mosque he found it in a dilapidated state. Successfully mobilising the congregation, al-Ghazali urged them to reverse this situation at what was one of the first mosques founded in Egypt by a companion of the Prophet Muhammad which bore his name.<sup>54</sup> The popularity of the Amr ibn al-Aas mosque was in no small part due to al-Ghazali's absorbing *khutub* (Friday sermons).

The defeat of Egypt in the Arab-Israeli war of 1967 was a watershed moment for Pan-Arabism and the celebrated stature of Nasser. Both were severely weakened in the clout they enjoyed in the Arab world although the enigma of Nasser continued to captivate the imagination of many. However, Nasser soon died in 1970 to be succeeded by Anwar al-Sadat, part of the Free Officers Coup and associated with the Brotherhood when al-Banna was *murshid*, who began to put his own personal stamp on Egyptian and regional politics. Sadat released its previously incarcerated members including the

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<sup>54</sup> Adil Salahi, 'Scholar of renown: Muhammad Al-Ghazali – III', *Arab News* (12 August 2002).

senior leadership from prison. Now, a greater presence of Islamists in Egyptian society ushered in a substantially, yet relatively, freer environment from the preceding reign of Nasser. The Brotherhood recommenced its activities on a grassroots level particularly at university campuses. Al-Ghazali continued in his role of *imam* at Amr ibn al-Aas through the 1970s where a new generation Islamists, many of whom were students, who were radicalised, encountered the sermons. These sermons reached many of the young Islamist radicals who were swayed by al-Ghazali's charisma, authority and compelling arguments about the practice of tolerance in Egyptian society to be authentically Islam.<sup>55</sup> This was a decade when many Egyptians became more and more disenchanted with the Sadat regime after the Arab-Israeli war of 1973 when it decided to make peace with Israel.

Towards the end of the 1970s, another source of rising tension was the intrusive role of Sadat's wife in Egyptian politics. Jihan al-Sadat's efforts to push reforms in the area of the Egyptian personal penal code were largely unwelcomed. Opposition was largely due to the arbitrary nature of how the law was imposed, without parliamentary endorsement, and its seeming attack on Islamic law. It is in this context that al-Ghazali raised his voice in robust opposition to what was known as Jihan's Law in a deteriorating political climate worsened by al-Sadat's reliance on coercion to undermine his opponents. The law was finally deemed to be unconstitutional in 1985 by the Egyptian Supreme Constitutional Court. Within the Islamic movement as a whole, reform was broached on the subject of women. A young intrepid Sudanese thinker, Hasan al-Turabi, with a doctorate from Sorbonne University, authored a short tract in the early 1970s on this very question. Turabi advocated a public role for women, marshalling evidence from the Qur'an and the *ahadith* to support his point of view although the tract was initially circulated, anonymously, in Islamists circles. Al-Ghazali's perusal of it compelled him to endorse the key argument urging Muslims to recognise the legitimate rights of women to take part in the public life of the Muslim community.<sup>56</sup> Controversial themes such as this were discussed at length by al-Ghazali and his peers within a Muslim indigenous framework responding to the pressing issues current in the Muslim world.

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<sup>55</sup> Noha El-Hennawy, 'Abdel Monem Abou El-Fotouh', *Egypt Today* (March 2006).

<sup>56</sup> Hasan Turabi, n.t., *Emancipation of Women: An Islamic Perspective* (London: Muslim Information Centre, 2000), v.

Before Sadat was assassinated in 1981, opposition figures were the object of the ire of his regime. Thousands of activists and intellectuals from different ideological backgrounds were imprisoned. Many of those imprisoned were al-Ghazali's fellow scholars. Before he succumbed to this fate, al-Ghazali himself left Egypt for Qatar at the invitation of Yusuf al-Qaradawi, a fellow Azhari and prisoner in al-Toor, in the same year. From 1981 until 1984, al-Ghazali taught at Qatar University. The establishment of the Emir Abd al-Qader University, the first Islamic educational institution of its kind in Algeria, brought al-Ghazali to the country to be its Director of Academic Consultation. Not satisfied with his role in a purely scholarly function, al-Ghazali was a regular fixture in Algerian media expounding his reformist understanding of Islam. He occupied the position of Director of Academic Consultation until 1989.

Important intellectual developments and discussion on the question of reform led to the rise of a group of like-minded jurists, scholars and intellectuals. The group's insistence on the balancing of tradition with contemporary change, neither veering into the wholesale rejection of the Islamic tradition nor religious obduracy, led these individuals to acquire the label of *waseteya* (centrism). Collectively, they drew up a document in the 1980s, circulated among Islamists and Muslim thinkers, stating their intellectual postures on a wide range of issues. However, the document was not to be published until 1991 by Kamal Abul Majd under the title of *A Contemporary Islamic Vision*.<sup>57</sup> Questions about reform within the Islamic tradition also brought al-Ghazali back to Egypt in highly visible forums such as the *Nadwa hawla al-Islam wa al-ilmaniya* (Seminar about Islam and Secularism) in Cairo.<sup>58</sup> Al-Ghazali frequently participated in discussions with secular intellectuals on the role of Islam in politics. The re-appearance of the Brotherhood in the previous decade had led to greater political participation in the 1980s. Contesting elections, despite of the repressive environment precluding their free and fair performance, enabled the group to expand its activities. Thus, important changes within the Brotherhood were being effected by its external actions. Political campaigning necessitated a

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<sup>57</sup> Raymond William Baker, *Islam without Fear: Egypt and the New Islamists* (Cambridge, Massachusetts and London: Harvard University Press, 2003), 1–2, 9–10.

<sup>58</sup> Nancy E. Gallagher, 'Islam v. Secularism in Cairo: An account of the Dar al-Hikma Debate', *Middle Eastern Studies*, 25/2 (April 1989), 208–15.

coalition of political mobilisation which witnessed its electoral alliances with the neo-Wafd party and the Amal (Labour) party in 1984 and 1987 respectively. Success at the ballot box in both elections demonstrated and allowed democratic participation on the part of Brotherhood by an otherwise authoritarian regime. A diverse range of Islamists were now beginning to make an imprint on Egyptian public life.

These public forums continued to provide a pivotal outlet for open discussion. Writing was also a preferred medium for al-Ghazali to express his ideas. Alongside the scores of books he authored, al-Ghazali wrote regularly in *al-Shaab* newspaper in Egypt. This was a defining trait of al-Ghazali's approach in fostering the conditions of open and critical dialogue with a diversity of viewpoints. The annual Cairo Book Fair, renowned for bringing together Arab writers and intellectuals, in 1992 afforded this opportunity for al-Ghazali. Again the question of the role of Islam in politics and the crucial distinction between a religious state and an Islamic state dominated al-Ghazali's lecture. Arguing to the contrary point of view was Faraj Foda, an Egyptian writer, at the event. Later that year, an unfortunate set of circumstances pitted once again al-Ghazali against Foda. This was at the court trial of two young men, belonging to the Islamist radical group of *al-jama'a al-Islamiya*, accused of killing Foda. Al-Ghazali was called as an expert witness by the defence lawyers of the perpetrators. Media attention surrounding the trial quickly descended into a media circus around the putative contents of this testimony. When asked about the punishment of apostates according to the official stance in Islamic law, al-Ghazali replied that it was the duty of the state to apprehend the said individual and if it failed to do so then the responsibility fell to others. In a sobering analysis of this event, rising above the ideological fray, Raymond William Baker observes al-Ghazali's testimony commented on a formal legal position on apostasy.<sup>59</sup>

An event stirring al-Ghazali's vociferous and pointed condemnation of the arbitrary exercise of violence against alleged apostates was the vicious physical attack on Mahfouz. Decades earlier, al-Ghazali and Mahfouz were involved in the short-lived *al-Fikr al-jadid* and subsequently the former had severely

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<sup>59</sup> Baker, *Islam without Fear*, 190.

criticised a book written by the latter. However, al-Ghazali on the occasion of the attack hurried to see the hospitalised Mahfouz unequivocally condemning the act and the putative religious justification behind it.<sup>60</sup> This rationale was put in forceful terms by Omar Abdurrahman, a leader of *jama'a al-Islamiya*, who pronounced Mahfouz to be apostate in a *fatwa* (legal ruling). The implications were clear to all. Al-Ghazali mustered all his scholarly authority to rebut the contents of the *fatwa* and the person who had issued it. Violence was repudiated as a legitimate means to engage with others. Further, al-Ghazali appealed to the force of logic as opposed to the logic of force in defining the role of Islam in society. Similar arguments made by al-Ghazali in his *khutub* at the Amr ibn al-Aas mosque in the 1970s and in public appearances in Algeria during the 1980s.

Throughout al-Ghazali's life, the social concerns of Muslims and the project of *tajdid* reform were interdependent parts of a single whole. The Islamic tradition in fact provided the framework to understand problems and propose solutions in a critical spirit. Al-Ghazali espoused this intellectual commitment that would gradually bring into sharp relief the rethinking of the Islamic tradition. In 1996, al-Ghazali passed away while he was in Saudi Arabia having influenced and taught many generations of Muslim scholars who continue to rethink the Islamic tradition in a continuously changing world.

## **Outline of Chapters**

I have divided this study into five chapters focusing on the Islamic tradition and Shaykh Muhammad al-Ghazali followed by the conclusion. Thus, each chapter is connected to the succeeding chapter. The investigation into the Islamic tradition begins in chapter 2 as I illustrate the formation of this tradition and the emergence of *tajdid* as a context for the interpretation of al-Ghazali's thought in chapters 3 and 4. Chapter 5 continues this line of enquiry through the analysis of particular themes expounded by a selected number of al-Ghazali's peers. Below is a detailed synopsis of each chapter.

### *Chapter 1*

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<sup>60</sup> *Ibid.*, 53–6.

Chapter 1 brings together the books and articles written on al-Ghazali since the 1950s until the present. The chapter is divided into two parts. Part one is a review of the key literature on contemporary Islam written by Western scholars in the second part of the twentieth century. The Middle East and Islam were the objects of study informed by the modernisation paradigm that posited a modern West and a traditional Islam in polar oppositions. I seek to highlight the dominant narratives in the study of contemporary Islam based on the dichotomy between modernity and tradition. Part two surveys the literature written on al-Ghazali from the era of decolonisation to the first decade of the twenty-first century. Three sections organised according to chronological order aid the examination of works on this seminal scholarly figure in the Muslim world in a backdrop of increasing interest on al-Ghazali. In the last two decades, especially after the atrocious events of 9/11, Arab and Muslim academics have begun to critically weigh al-Ghazali's role in expounding a rational and tolerant interpretation of Islam.

## *Chapter 2*

Chapter 2 looks at the development of the Islamic tradition and the presence of the trends of *tajdid*, *islah* and *ihya* within it. The Islamic tradition allowed the transmitted past to be deployed as cultural resources in the hands of Muslim scholars to articulate ventures of *tajdid*. Orthodoxy in this tradition was continually shaped by the efforts of mystics, jurists and theologians. Important figures stand out in defining the orthodox position in Islam. They range from Abu Hamid al-Ghazali to Abu Ishaq al-Shatibi, whose key works on *maqasid al-Shari'ah* either had a direct and perceptible impact on their peers or were discovered and recovered by later Muslim scholars for an urgent call for change. Manifest expressions of ideas, rituals and institutions accepted as orthodox and latent possibilities awaiting the moment of their explication exist side by side in the Islamic tradition. Classical Muslim scholars carried out interpretations of the scriptural texts of Islam for the purpose of confronting the immediate realities facing the Muslim community. In the late classical period, scholars such as Shah Waliyullah al-Dihlawi, inspired by their classical forebears, proceeded to articulate their own projects of *ijtihad*-driven reform.

From the early nineteenth century, in part due to cultural and intellectual contact with Europe, a group of Muslim scholars and thinkers emerged concerned with reconciling the Islamic tradition and Western Enlightenment. Beginning with Rifa'a Rafi al-Tahtawi and culminating in the person of Jamal al-Din al-Afghani, a cross-cultural syncretism had defined the main characteristic of the age of *nahda*. This chapter maps out the transmission of the *tajdid* within the Islamic tradition and the variety of its constructions from the beginning of Islam until the scholarly emergence of al-Ghazali in the Muslim world.

### Chapter 3

Chapter 3 starts the direct examination of Muhammad al-Ghazali's thought through a deep reading of his works. The thought of al-Ghazali revolves around the *mabda al-haraka* (principle of movement). Dynamic interpretations of Islam entailed exercising *ijtihad* to the foundational texts of Islam. Exegesis of the Qur'an and the *ahadith* were thus essential for any venture of *tajdid* by Muslim scholars. Both of these two texts possessed authority derived from their assumed divine origin and normative content. Al-Ghazali treated the Qur'an and the *ahadith* as two interdependent objects of interpretation. However, al-Ghazali also elevated the status of the content of the Qur'an placing less authoritative weight on the *ahadith*. Rather it was the normative ethos, the *sunnah*, explicated from the *ahadith*, in light of the Qur'an, which had overriding priority. The Qur'an and the *sunnah* were proposed as the foundations for the practice *ijtihad* in the formulation of *tajdid* within the Islamic tradition. A necessary and important distinction was made between the ideal and eternal Shari'ah (the way) and the constantly changing *fiqh* (jurisprudence) allowing al-Ghazali to propose and apply his *manhaj* (methodology) in the formulation of new rules and principles. Contemporary issues affecting Muslims were considered in al-Ghazali's *manhaj* based on the *maqasid al-Shari'ah* enabling a thorough exegesis of the Qur'an and *sunnah* in a worldly context.

### Chapter 4

Chapter 4 continues the discussion started in chapter 3 about the intellectual foundations of al-Ghazali's thought that supplied the needed space for creativity

within the Islamic tradition. *Ijtihad* provided the tool to adapt tradition to critically engage with al-Ghazali's immediate context. The crucial distinction between *Shari'ah* and *fiqh*, identified in the previous chapter, by al-Ghazali in his project of reform aimed at responding to issues affecting Muslims during the twentieth century primarily through the Islamic tradition's vast and diverse resources. Al-Ghazali's thinking on politics is examined in this chapter with particular emphasis on the Islamic state, oppression and tyranny, democracy and *shura* (consultation), social justice, women and non-Muslims, nationalism, Arabism and the *ummah* (Muslim community), and *jihad* (to struggle). The thread of *tajdid* connects each of these themes for al-Ghazali as he deployed *ijtihad* in the search for specifically indigenous concepts and notions present in the Islamic tradition. Influences from a diversity of figures such as the classical al-Shatibi or the philosophically-minded al-Afghani are discernable in al-Ghazali's preoccupation with the creation of a normatively-guided Muslim social order. Islam par excellence is a moral worldview. Contemporary changes to the Muslim world compelled al-Ghazali to undertake a concerted and moral engagement with them through an enduring tradition and a reinterpretation of the scriptural texts of Islam.

## Chapter 5

Chapter 5 expands the scope of examination in this thesis by including a selection of Muhammad al-Ghazali's most important contemporaries. Chapters 3 and 4 proceeded to examine the intellectual foundations and political facets of al-Ghazali's thought which provides the basis for this chapter. Since the second part of the twentieth century, al-Ghazali contributed to a climate of rethinking the Islamic tradition among many Muslim scholars from a diversity of intellectual orientations such as Hasan al-Banna, Hasan al-Turabi and Ahmed Kamal Abul Majd. Differences and similarities exist in how the scriptural texts of Islam were approached in the formulation of major intellectual themes among these scholars. A set of major intellectual themes has been identified for further examination in this chapter: the distinction between *Shari'ah* and *fiqh*; the nature of an Islamic state; the critique of oppression and tyranny as un-Islamic; the role of democracy and *shura*; social justice, the rights of women, and the position of non-Muslims in an Islamic polity; the objects and conduct of *jihad*;

and the nexus between nationalism, Arabism and the *umma*. An Islamic framework certainly unites the works of the scholars and thinkers examined in this chapter who nonetheless differ markedly on essential political matters.

### *Conclusion*

The conclusion seeks to bring to the foreground this thesis' key reflections, impact on existing scholarly context, its significance, and offer new insights for the study of contemporary Islam. It reflects on the key inferences made in each chapter and evaluates the consistency, credibility and transferability of this study. As part of the discussion of transferability, I will also propose future areas of research which would benefit from the application of the concept of tradition and discourse analysis. Carrying out a study involving the interpretation of key texts by one of the most influential Muslim scholars during the twentieth century required the critical formulation of a framework of interpretation. Thus, this thesis proposed the category of tradition for the purpose of rigorously examining Muhammad al-Ghazali's thought. Contemporary Islam is subsequently to be studied part of a dynamic and changing Islamic tradition. *Tajdid* and *islah* occur from within the processes of the Islamic tradition. Internal resources of tradition are deployed by al-Ghazali in his own project of *tajdid* – an act of indigenous change.

I will demonstrate in the conclusion that this thesis fits into the overall context of the study of contemporary Islam in its engagement with other studies. Designations such as modernism, traditionalism and fundamentalism in this thesis are found wanting. Their principal inadequacies lie in the mistaken assumptions that tradition is a static phenomenon and is thus unable to respond to the multiple social, economic and political challenges facing new generations of Muslims. Neither the putative modernity of Political Islam nor the alleged traditionalism of Islamist radicals supplies a rigorous and accurate examination of the enduring and innovative elements of contemporary Islam. The category of tradition deployed in this study highlights the hitherto ignored facets of the Islamic tradition that enable ventures of *tajdid* by Muslim scholars. Furthermore, this thesis argues that the ethos and resources of *tajdid* are present in a dynamic Islamic tradition. Al-Ghazali stands out as a Muslim reformer who

articulated a project of reform in a process of continuity with the Islamic tradition in a rapidly changing context. From the democratic connotations of *shura* to a defensive meaning of *jihad*, al-Ghazali formulated the themes of his thought according to a balance between continuity and innovation.

Finally, the conclusion undertakes an evaluation of this study into al-Ghazali based on the criteria of consistency, credibility and transferability. Each criterion will be applied to assess the strengths and weaknesses of this thesis. The first criterion of consistency looks at the level of rigour in the collection and interpretation of primary and secondary sources used. Application of the criterion of credibility aims to find out to what extent the category of tradition and deployment of discourse analysis were applicable to al-Ghazali's thought. The final criterion discusses the transferability of the framework of interpretation deployed and conclusions arrived at in this thesis to other examples. Additionally, I suggest other areas of study that would be appropriate to apply the concept of tradition and the method of discourse analysis.

## CHAPTER 1

### Survey of Literature on Muhammad al-Ghazali

#### Introduction

Chapter 1 is a survey of the literature on contemporary Islam in general and Shaykh Muhammad al-Ghazali in particular published in English. Despite the pivotal role Shaykh Muhammad al-Ghazali played in influencing the debates of contemporary Islam, Western scholarship has to a large degree neglected his works. General scholarly interest has been circumscribed. This chapter seeks to identify and follow this interest against the background of the principal scholarly debates of the periods analysed. Western scholars in the field of Islamic Studies and Middle East Studies have focused on the classical corpus of Islamic texts and Islamist movements. The dynamism of contemporary Islam and the emphasis on *tajdid* (renewal) contained in al-Ghazali's thought have been marginalised, if not completely ignored. Arab and Muslim thinkers and scholars have also been culpable for this omission. Greater attention has been on al-Ghazali's peers, Yusuf al-Qaradawi and Hasan al-Turabi, whose works bear the unmistakable imprint of al-Ghazali's influence. However, in the last two decades an increased awareness of al-Ghazali is noticeable among both Western and Muslim scholars. This subtle change has been accompanied by contributions by Muslim and Arab academics to the Western study of Islam and the Middle East.

Part one in this chapter aims to sketch out the contours of Western scholarship on contemporary Islam which revolved around the dichotomy between modernity and tradition. I seek to identify in part one the dominant narratives contained in Western scholarship on Islam, Muslims and the Middle East. The themes of a progressive modernity and an inert or regressive tradition I argue characterised this scholarship. This chapter situates the current scholarly interest in contemporary Islam within an established Western intellectual canon. A canon whose object of concern lies in a cultural universe perceived to be entirely different from that of its practitioners. During the last few centuries in Europe, various disciplines emerged to investigate the texts, religions, cultures and societies of the 'Orient'. Thus Orientalism came into

existence as a collection of disciplines all united by the scholarly focus of the Orient as the other. A diversity of disciplines and individual approaches on the one hand and the narrative of an unchanging and alien Orient on the other hand within Orientalism determined how contemporary Islam was studied. Western scholars reflecting a variety of specific motivations and backgrounds approached their objects of study based on the dichotomy between a modern West and a traditional Islam. The insights of Edward Said, Bryan Turner, Ziauddin Sardar are drawn upon in the attempt to provide a critical account of the general contours of Orientalism as it developed in the twentieth century.

Part two of chapter 1 is a review of the literature written on Shaykh Muhammad al-Ghazali beginning from the era of post-colonial independence in the Muslim world until the first decade of the twenty-first century. I will examine in part two the books and articles published on al-Ghazali in three consecutive periods. In part two, I aim to establish the key trends in each period in the writings on Islam and how they influenced scholarly thinking on al-Ghazali through a review of publications written about this prominent *alim* (Muslim scholar). Each section initially considers the general scholarship in a specific period which is subsequently followed by the review of works on al-Ghazali. Thus, three sections make up this part of the chapter.

The first section, Postcolonial Islam in the Modern World, looks at the positions of several academics and thinkers on contemporary Islam. Modernism was expounded at length by H.A.R. Gibb, Charles Adams and Malcolm Kerr. Their works assessed the reformist thinking of Muhammad Abduh and Rashid Rida, among other Muslim scholars and intellectuals, through the criterion of modernism. From Adams onwards, the increasing reference to a binary between modernism and traditionalism is evident in the later scholarship of Gibb and Kerr. Gibb's *Modern Trends in Islam* is a major text whose underlying assumptions express the struggle of modernity and tradition in a Muslim world undergoing a journey of soul searching for reformation. Daniel Lerner approached the question of tradition from within the newly emerging modernisation paradigm. His position on change in the Middle East reproduces the binary between modernity and tradition in the social sciences. Departing from many of his contemporaries, Marshall Hodgson argued for a rethinking of

the basic categories deployed to comprehend Islam. The concepts of modernity and tradition were re-defined with their intellectual content expanded to include an account of tradition as dynamic and changing. Muslim thinkers were also negotiating the colonial present and the Arab indigenous heritage immediately after the Second World War. A prominent example is Malik Bennabi, an Algerian Muslim intellectual, who penned *Vocation de l'Islam* in this period expounding the thesis of '*colonisabilite*'. The literature that is reviewed in the following section reflects, to varying degrees, the above positions. G.E. von Grunebaum and Franz Rosenthal can be regarded as stalwart representatives of the modernism and traditionalism debate within Islamic Studies. Other efforts by Richard Mitchell, Zafar Ishaq Ansari and Ishak Musa Husaini examining contemporary Islam focus on al-Ghazali and the Muslim Brotherhood.

Section two, The Unruly Resurgence of Islam as Revolution, identifies the principal authors and texts analysing contemporary Islam after the Iranian Revolution. Images of unruly mobs and religious figures shaped how contemporary Islam was understood. One conspicuous individual, Ayatollah Ruhollah Khomeini, dominated the scholarship devoted to this subject. 'Resurgence' and 'radical' were key terms deployed to make sense of the dramatic and unexpected changes which ushered in the end of a secular regime in Iran and the creation of an Islamic state instead. In this scholarly milieu, tradition was assumed to be a reactionary force in opposition to the process of modernisation in the Muslim world. Many voices emerged to try to make more intelligible the changes gripping the Muslim world that elevated the role of Islamists in politics. Various explanations were offered. Broadly, two positions can be discerned. The first position, articulated by W. Montgomery Watt, sought to situate changes among Muslims in an extended duration over time whereby the fixed dominated the transient. The second position was more directly concerned with the rising phenomenon of Islamism as a product of modernity. This group of scholars, comprising the likes of Juan Cole and Olivier Roy, subscribed to the view that Islamist ideologies and organisations were novel and modern in origin. A central premise animated this position: the resurgence of politics with a distinct Islamic flavour was not a return to the medieval ages by Muslims. From 1979 until 2001, authors such as Malika Zeghal and Fauzi M. Najjar discussed al-Ghazali reproducing the dichotomy

between religious fundamentalism and secularism. This was also accompanied by a heightened focus in by Arab and Muslim authors, such as Haifaa Khalafallah, on the dynamic component of al-Ghazali's thinking.

Since 11<sup>th</sup> September 2001, a polarised debate about contemporary Islam has emerged which is documented in *A Post 9/11 World* and the 'Crisis of Islam' section. At the same time, an increasing number of Muslim and Arab scholars have appeared criticising the stereotypical themes expounded in the polarised debates after the events of 9/11. Religious fundamentalism and political terrorism were conflated. Now the threat from Islamic fundamentalists involved a clash between Islam and the West. Monolithic representations of Islam dominated how contemporary Islam was written about in scholarly circles and spoken about in popular Western media. Terrorism, religion and culture were subsumed into a single argument which acquired salience as a result of the events of 11<sup>th</sup> September 2001. This argument was originally expressed in 1990 by Bernard Lewis in an article published in *The Atlantic* magazine and elaborated upon in Samuel Huntington's *The Clash of Civilizations* – the latter has been rebuked and celebrated in equal measure. Indigenous Arab and Muslim responses to the polarised nature of scholarly discourses on contemporary Islam after 9/11 have problematised the notion of a fixed Islam. These efforts have been supplemented by the work of non-Western academics cutting across disciplinary boundaries such as Mahmood Mamdani in his *Good Muslim, Bad Muslim*. A review of the books and articles on al-Ghazali in this period reveals the variety of approaches examining his life and works. Western scholars as diverse as Charles Tripp and Raymond William Baker have assessed al-Ghazali's ideas and his influence in shaping contemporary Islam. Muslim scholars such as Khaled Abou El Fadl and Jasser Auda, former students of al-Ghazali, situate al-Ghazali within a humanistic and dynamic Islamic tradition.

### **Tradition and Modernity in Twentieth Century Scholarly Debates on Islam**

In part one I will explore the emergence of post-WWII Orientalism and how it located contemporary Islam within a postcolonial milieu. Questions of 'progress' and 'development' have motivated Western scholarship concerning the Muslim

world. The transition from 'tradition' to 'modernity' was the main premise guiding how the majority of Western scholars examined contemporary Islam and the Muslim world. A dualism expressing a Eurocentric worldview determined the basic assumptions framing the idea of the modern West and the traditional East. Specialists from a variety of disciplines contributed to Orientalism as a scholarly canon in the West. In the quest to know the Orient, later designated the Middle East and Near East, various methodologies were employed for this purpose. Authority was a cultural construct centred on the ability to make "summational statements" about Islam or the Orient.<sup>61</sup> Islamicists and Orientalists participated in the creation of an Orient deemed to be in dire need to catch up with the West. These classical practitioners of Orientalism were joined by scholars from different backgrounds who nonetheless continued to affirm the deeply rooted dualism of the West and the East. Power and knowledge, Bryan Turner observes, necessarily make Orientalism a changing discourse that "created 'Islam' as a changeless essence."<sup>62</sup> Paradoxically, the narrative of a static Orient was itself a dynamic enterprise. Islamic studies and the newly emerging narrative of development which informed the social sciences reproduced the contrast between modernity and tradition. A shared intellectual space existed which united the renowned Islamicist H.A.R. Gibb and the pioneering exponent of modernisation theory Daniel Lerner. Middle Eastern Studies was part of the emergence of a new set of disciplines alongside more classical disciplines such as Islamic Studies. Originally, Middle Eastern Studies, in the spirit of the dualism mentioned above, paid scant attention to Islam as a phenomenon worthy of being studied as part of the modern world.<sup>63</sup> Representations of Islam mirror the concerns of political power and national cultural repertoires. The whole gamut of the experiences constituting 'Islam' as religion, culture, society, and even as a threat, is reduced to a history of a contest between tradition and modernity.

Fundamental assumptions about the nature of human culture determine how Islam is understood. Aziz al-Azmeh points to the binary nature of the scholarly debate that submits Islam as the pejorative other which is despotic,

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<sup>61</sup> Edward Said, *Orientalism* (London: Penguin Books, 2003), 255.

<sup>62</sup> Bryan S. Turner, 'Outline of a Theory of Orientalism', in Bryan S. Turner (ed.), *Orientalism: Early Sources: Readings in Orientalism* Vol 1 (London and New York: Routledge, 2000), 8.

<sup>63</sup> Richard Bulliet, *The Case for Islamo-Christian Civilization* (New York: Columbia University Press, 2006), 107.

stagnant, medieval and religious situated in the lower rungs of the evolutionary scale in a Eurocentric worldview.<sup>64</sup> Orientalism located Islam as falling behind in the inexorable march towards progress. A readily available vocabulary expresses this narrative containing a set of Eurocentric postulates stating forth the West as the epitome of progress and the contemporary Muslim world as backward. Modernity and the Enlightenment stand in stark contrast against religion and tradition.<sup>65</sup> Studies of Islam were caught in a web of concepts, values and disciplines where it was deemed to be lacking whatever the West possessed. Constrained by this dualism, the Orientalist construct of the Orient substituted the lived experience and history of Muslims.<sup>66</sup> The dichotomy of the two stages of the modern and the traditional was a central edifice of the Western scholarly imaginary of Islam. These two terms, the modern and the traditional, were referents, respectively, for the binary opposites of the West and Islam. A Eurocentric worldview, previously alluded to by al-Azmeh, elaborates the relevance of this binary to contemporary Islam,

Thus there emerged what is now the classical picture of the development of Islamic civilization: it began with Islam, lapsed into tradition and was confronted with modernity. The essence of fundamentalism was said to lie in a reaction to this process.<sup>67</sup>

Orientalists perceived contemporary Islam to be a wayward reaction to preserve a stagnant tradition. This reaction precipitated the rise of Muslim fundamentalism. Modernity and tradition, alongside the attendant terms used to describe their characteristics, point toward two types of human societies. A vocabulary and *telos* borrowed from the historical trajectory of a particular culture, the West, provided the cognitive and ideological material to construct the Muslim other as a scholarly vocation. Numerous problems stem from the application of fundamentalism to Islam or Muslims. Fazlur Rahman views it to be a misnomer especially in light of its peculiarly North American origins which

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<sup>64</sup> Aziz al-Azmeh, *Islams and Modernities* (London and New York: Verso, 1996), 171.

<sup>65</sup> Ziauddin Sardar, *Postmodernism and the Other: The New Imperialism of Western Culture* (London: Pluto Press, 1998), 237.

<sup>66</sup> Edward Said, *Covering Islam: How the Media and the Experts Determine How We See the Rest of the World* (London: Vintage, 1997), 65; Albert Hourani, *Islam in European Thought* (Cambridge: Cambridge University Press, 1996), 51–52.

<sup>67</sup> Reinhard Schulze, 'Is there an Islamic Modernity?', in Kai Hafez (ed.), trans. Mary Ann Kenny, *The Islamic World and the West: An Introduction to Political Cultures and International Relations* (Leiden: Brill, 2000), 24.

obfuscates the reality of the Muslim exercise of *ijtihad* (independent judgement) for the purpose of articulating new thought that accompanies going back to the original sources of Islam.<sup>68</sup>

Applying terms derived from the specificities of the religious experience of the West, describing Christian evangelical movements at the turn of the twentieth century in North America, is somewhat mistaken. It fails to capture the nature and composition of the creative tensions in the Islamic tradition that enable Muslims to deploy *ijtihad* in interpreting scriptural texts. Indigenous change is conspicuously ignored. Instead a vocabulary is imposed from one context into another context without the critical probing of its applicability. Orientalism certainly articulated a variety of representations of Islam from within a Eurocentric worldview. Turner's view is further elaborated upon by Sardar who also sees Orientalism's changing narratives united by the common reference where "Islam is seen and evoked as 'a problem', an immovable obstacle between Western civilization as its destiny: globalization."<sup>69</sup> Not merely a scholarly canon, Orientalism is located in the broader Western cultural context. Despite of changing representations, the fundamental assumptions about Islam are fixed in a Manichean worldview: the other that has yet to become modern. Allegedly objective terms applied to Islam are on the contrary saturated with prescriptive connotations. Modernity, traditional, fundamentalist, modern, etc necessarily create a cultural construct of Islam as the other. Scholarly disciplines provide the institutional and authoritative space for the Eurocentric conception of history to persist within Orientalism. For Mohammad Arkoun, the movement from the classical study of the Muslim world to the application of the social sciences, usually ideologically charged, to this area has had a negligible impact on Muslim scholarship.<sup>70</sup> An inability on the part of Islamicists to enact a harmonisation between the non-Muslim study of Islam and the indigenous self-knowledge of Islam has not been aided by the emergence of area studies. The new discipline of area studies and its incorporation into Orientalism has not effected the change required to bridge the gap of understanding that exists. However, the insights of scholars such as Bruce

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<sup>68</sup> Fazlur Rahman, *Islam and Modernity: Transformations of an Intellectual Tradition* (Chicago: The University of Chicago Press, 1984), 142.

<sup>69</sup> Ziauddin Sardar, *Orientalism* (Buckingham: Open University Press, 1999), 55.

<sup>70</sup> Mohammed Arkoun, *Islam: To Reform or To Subvert* (London: Saqi Books, 2006), 17.

Lawrence have recently created the impetus to lay down the foundations for a more exacting study of change among Muslim scholars and thinkers in contemporary Islam.<sup>71</sup>

## **Survey of Works on Muhammad al-Ghazali**

Orientalists and Islamicists, later joined by Middle Eastern specialists, have deployed the categories of modernity and tradition outlined above. The first half of the twentieth century laid the foundations for examination of contemporary Islam in a language inspired by a Eurocentric worldview. Shaykh Muhammad al-Ghazali was written about in the English-speaking world using this language in an era when Orientalism was beginning to incorporate the arguments of modernisation theory. Part two of this chapter contains a review of the literature written on al-Ghazali since the 1950s until the first decade of the twenty-first century. A survey of these books and articles will illustrate the various ways this seminal figure in contemporary Islam was perceived by scholars and writers from various backgrounds – Western, Arab and Muslim. Many concepts and notions present within this literature point to the diversity of accounts on al-Ghazali. Underlying these accounts are a number of different approaches to contemporary Islam ranging from the Orientalist theme of a reactionary Islam to Muslim commentaries on the dynamic nature of Muslim discourses.

## **Postcolonial Islam in the Modern World**

### *Background*

The literature published on Islam and the Middle East from the end of the Second World War until 1979 demonstrates the influence of a binary between tradition and modernity. This sub-section highlights the trends in the study of contemporary Islam during the period being considered. By the middle of the twentieth century, the Muslim world experienced a transformation in its political state of affairs. The majority of these states, previously under the domination of European colonialism, became independent after long and protracted conflicts

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<sup>71</sup> Bruce Lawrence, 'Scripture, History and Modernity: Readings of the Qur'an', in Aryn B. Sajoo (ed.), *Muslim Modernities: Expressions of the Civil Imagination* (London and New York: I.B. Tauris, 2008), 28–29.

with colonial authorities. Local indigenous cultures and religions such as Islam were seen as obstacles to the modernisation policies of colonial rule, a stance that provoked the vigorous expression of anti-colonialism. Viewed from this vantage point, contemporary Islam was represented through the dichotomy of modernity and tradition.

The social sciences that came into being during this period articulated the narrative of modernity and tradition contributing to the study of non-Western societies and cultures. A dualism juxtaposed in direct opposition the characteristics of modernity and tradition, *Gemeinschaft* (community) and *Gesellschaft* (society), and the Occident and the Orient. Further credence was acquired by these narratives in a context where modernisation theory was becoming part of the conventional wisdom of the social sciences. S.N. Eisenstadt highlights the binary constructed around traditionality and modernity whereby tradition was a power to be broken and forsaken in the spheres of economics, politics and society.<sup>72</sup> A notable example of this trend in the study of the Middle East is Daniel Lerner's *The Passing of Traditional Society* published in 1958. Lerner expounds the mantra about the change from the traditional to the modern. The Middle East, according to Lerner, was transforming itself from a traditional existence to the modern age evident in the individual lifeways present within the impersonal and busy city.<sup>73</sup> This reflects the belief in the inevitability of change as a dialectic between polar opposites. Following this vein of thought, practitioners of the social sciences influenced the whole gamut of concepts and premises that drove the study of other cultures and societies. And Islam was no exception to this rule. It gave rise to secondary sources purporting to be able to explain Islam's current situation. Western study of contemporary Islam was shaped by the assumptions of modernity. Perhaps an inevitable occurrence in a scholarly canon that continuously drew upon the narratives of a modern Occident against a traditional Orient. Most studies of contemporary Islam were informed by the common thread of comparison. Western scholars attempted to comprehend the seemingly different cultural universe of the Near East or Middle East in light of their own cultural or religious

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<sup>72</sup> S.N. Eisenstadt, *Tradition, Change, and Modernity* (Toronto: John Wiley and Sons: 1973), 13.

<sup>73</sup> Daniel Lerner, *The Passing of Traditional Society: Modernising the Middle East* (New York: The Free Press, 1968), 76.

categories. Prescriptive notions were recast as descriptive concepts to be deployed for the purpose of understanding contemporary Islam.

In *Modern Trends in Islam*, Gibb identifies three currents within contemporary Islam: modernism, secularism or nationalism and Mahdism.<sup>74</sup> Muslim scholars who participate in the indigenous venture of reform are included in the category of modernism. However, for Gibb, modernism's origins in Western Liberalism determined the "liberal humanitarian ideas and values" expounded by Muslim modernists.<sup>75</sup> According to this view, changing and tolerant interpretations of Islam by Muslim thinkers and scholars are indebted to an external Western source. Concepts such as modernism, liberal humanitarian and romanticism are deployed to make intelligible the internal dynamics of change and continuity within contemporary Islam. Reform-minded individuals are thus treated as 'liberal' or 'apologetic' advocates of Islam influenced by Western culture. Change was reducible to the interaction between Muslims and the West. Gibb's deployment of these concepts was preceded by Charles Adams' *Islam and Modernism in Egypt* published in 1933.<sup>76</sup> Other important books were written such as Malcolm Kerr's *Islamic Reform* which attempted to shed more light on the process of change within contemporary Islam following the idea of an Islamic or "Muhammadan" modernism.<sup>77</sup> Additionally, the application of Western categories to specifically Islamic cultural phenomena was accompanied by the conclusion that reform was somewhat lacking in intellectual depth. Differing from some of the previous approaches mentioned above, Marshall Hodgson approached contemporary Islam through a critical engagement with its contents.<sup>78</sup>

In the twilight years of colonialism and during the post-colonial era, Arab and Muslim thinkers began to formulate a scholarly discourse on indigenous change in the Muslim world. Malek Bennabi's *Vocation de l'Islam* published in

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<sup>74</sup> H.A.R. Gibb, *Modern Trends in Islam* (New York: Octagon Books, 1972), 112–3.

<sup>75</sup> *Ibid.*, 69–70.

<sup>76</sup> Charles Adams, *Islam and Modernism in Egypt* (London: Oxford University Press, 1933).

<sup>77</sup> Malcolm Kerr, *Islamic Reform* (Berkeley and Los Angeles: University of California Press, 1966).

<sup>78</sup> Marshall Hodgson, Edmund Burke III (ed.), *Rethinking World History: Essays on Europe, Islam and World History* (Cambridge: Cambridge University Press, 1999), 78–79. A perceptive humanist account of contemporary Islam eschewing the explicit or implicit privileging of the 'Occident' as a category of analysis is evident in the works of Marshall Hodgson. Critical self-awareness of the religious commitments of a scholar is recognised to be essential in the attempt to traverse from one great tradition – Christianity for Hodgson – to another – Islam.

1954 is simultaneously a history of Muslim reformism and an impassioned call for reform. Bennabi mentions *Modern Trends in Islam* in a spirit of scholarly dialogue sympathising with the specific arguments articulated by Gibb in this work.<sup>79</sup> However, Bennabi categorically rejects Gibb's assertion that the atomistic understanding of reality among Arabs is a question of essence rather than a factor of historical contingency. In comparison to Bennabi, Zaki Badawi adopts a more indigenous interpretation in *The Reformers of Egypt* to scrutinise the early attempts of reform at the turn of the twentieth century.<sup>80</sup> While Badawi's work is closer to the vocabulary of the Muslim revival on the one hand, Bennabi appropriates the language of contemporary Islamicists – e.g. reformist and modernist – to describe the same phenomenon on the other hand.

### *Review of Literature*

This sub-section looks at the scholarly literature written on Muhammad al-Ghazali in the post-World War II period until 1979. A number of books and articles were written on al-Ghazali who acquired notoriety among Islamicists as a staunch traditionalist and for his former membership of the Muslim Brotherhood. Thus, this sub-section seeks to consider what was written on al-Ghazali in an intellectual context that put forward a binary conception of Islam and the West. Tradition and modernity were the main categories applied to examine al-Ghazali in a period that witnessed the rapid, and at times bloody, decolonisation of the Muslim world and the rise of Arab nationalism. 'Traditionalism' or 'traditionalist' is an oft-cited term attributed to al-Ghazali's positions on a whole gamut of issues. Connotations of backwardness accompany the West-Islam dualism. Representations of al-Ghazali are saturated with assumptions of two binary oppositions revolving around the poles of progress and decline. Against this ideological backdrop, Islam is involved in a civilisational struggle of catching up to the West. Western Islamicists have approached al-Ghazali, as he began to rise to prominence in the Arab world, through his texts.

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<sup>79</sup> Malek Bennabi, trans. Asma Rashid, *Islam in History and Society* (New Delhi: Kitab Bhavan, 2006), 2–4.

<sup>80</sup> Zaki Badawi, *The Reformers of Egypt: A Critique of Al-Afghani, Abduh and Ridha* (Slough: The Open Press, 1976).

Franz Rosenthal and G.E. von Grunebaum examine al-Ghazali's renowned *Min huna nalam* in the attempt to understand the state of Islam in the modern world. Islam as tradition and the West as modernity constitute the dualism shaping how these two pioneering Islamicists located al-Ghazali in a contentious cultural milieu. Notions of traditional Islam and Islam as a traditional worldview are conflated. Tradition is deployed as the descriptive concept to offer an account of al-Ghazali and his ideas. Tradition dogmatically dictates the boundaries of thought. Representations of al-Ghazali rely upon the Eurocentric narrative of the West understood as a series of dyadic terms: modernity and tradition, secularism and religion, and the Occident and the Orient. The modern world and Islam are two distinct cultural universes deployed to define one against the other. If modernity is embodied with meaning and purpose in the modern world then tradition or Islam is typified by the lack of. Consequently Islam is perceived as backward and espousing an ideology of 'catch up' with the West, "The West is the admired enemy by whose standards Islam is appraised and whose weakness, imagined or real, are cited for comfort and to buttress the hopes for an Islamic renewal."<sup>81</sup> Islam and those who speak on its behalf are engaged in a civilisational struggle. Al-Ghazali simultaneously belongs to a stubbornly traditional worldview and an historic culture, independent from the West, and is a proponent of an anti-Western Islam.

The assertion of the self-sufficiency of Islam, a point of view imputed to Muslim scholars, precludes the prospect of borrowing from the West. A search from within the Islamic indigenous tradition, as opposed to the foreign or the Western, would be the necessary cultural precursor for an Islamic revival. Von Grunebaum contends al-Ghazali's espousal of an Islam that is synonymous with traditionalism embodies a vehement opposition to modernism. This modernism is nothing less than the irreligious and the separation between the sacred and the secular. At the opposite end of the spectrum is religion, the domain where the non-recognition of the distinction between sacred and the profane exists. In a similar tone, Rosenthal agrees with von Grunebaum's characterisation of al-Ghazali as a traditionalist although the former qualifies this description with "moderate."<sup>82</sup>

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<sup>81</sup> G.E. von Grunebaum, 'Review', *Journal of Near Eastern Studies*, 14/3 (July 1955), 201.

<sup>82</sup> Franz Rosenthal, 'Review', *Journal of the American Oriental Society*, 74/2 (April–June 1954), 103.

Subject to the political relations between the Muslim post-colonial states and the legacy of colonialism in the Arab Middle East these discourses broach the issue of an antagonistic inclination toward non-Muslims. Elie Kedourie places al-Ghazali's putative "polemic against non-Muslims" in a religious context of an Arab world at odds with the West – namely Israel.<sup>83</sup> Despite the fact that the majority, if not all, of the Arab states were formally independent and free from the control of former western powers, the geopolitics of the Middle East was influenced by the continuing legacy of colonialism: Israel is viewed as the quintessential colonial enterprise, a topic al-Ghazali discusses at length in *Min huna nalam*. The relations between Israel and Egypt is ignored in most of the works reviewed in this sub-section whereby Islam is essentialised as the other. Adopting a cultural essentialism of Islam and modernity they neglect the significant impact of politics in the context of Muslim intellectuals, not least of all on al-Ghazali.

Orthodoxy is incorporated into the discussions pertaining to al-Ghazali with regard to the question of nationalism. The stance of contemporary Islam towards Arabism and nationalism was discussed within the frame of essentialised representations e.g. orthodox Muslims and Islam. A member of the Muslim Brotherhood until the mid-1950s, al-Ghazali was a key exponent of this organisation and the wider trend of *harakat al-Islami* (the Islamic movement). His purported views on the acceptance of nationalism driven by circumstantial considerations as opposed to genuine loyalty are understood to be indicative of the orthodox Muslim position.<sup>84</sup> Nationalist ideology and identity are seen, in principle, to be incompatible with Islam. Al-Ghazali is quoted as saying that nationalism, indicative of an Islamic anti-westernism, is a "modern *jahiliyah* [pre-Islamic ignorance]."<sup>85</sup> Ideologies such as nationalism and Arabism are presented to be contradictory to Islam. However, nationalism if read as patriotism to a homeland is indeed in tandem with the spirit of Islam. Representations of al-Ghazali, assuming he embodied the Muslim Brotherhood's religious position, on this issue posit all other identities are only

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<sup>83</sup> Elie Kedourie, *The Chatham House Version and other Middle-Eastern Studies* (Chicago: Ivan D. Dee, 1984), 335.

<sup>84</sup> Zafar Ishaq Ansari, 'Contemporary Islam and Nationalism a Case Study of Egypt', *Die Welt des Islams*, 7/1 (1961), 18.

<sup>85</sup> *Ibid.*, 19.

contentious if they become an obstacle to Islam and threaten its role of being the state-religion.<sup>86</sup> It is in this sense that religion and politics are two indistinguishable spheres. Primacy is given to the vision of a state-centric Islam. Expanding this view of al-Ghazali as an advocate of Islamic law, Mitchell concedes to him the notion of political authority based upon the nation or the people.<sup>87</sup> Al-Ghazali is seen as part of the trend integrating the adaptability of Islamic law on the one hand and the interests of the community on the other.<sup>88</sup>

A source of the image of a controversial al-Ghazali was his very public falling out with the successor of Hasan al-Banna, Hasan al-Hudaibi, in the 1950s, in the role of a rebel.<sup>89</sup> Mounting a challenge to the leadership of the organisation he was a senior member of, identified in the 'reform' camp of the Muslim Brotherhood, and was subsequently expelled for his opposition.<sup>90</sup> Between the end of the Second World War until 1979, the written literature on al-Ghazali points to the salience of the word traditionalist as an explanatory term. Predominantly written by Islamicists, instructed in the Orientalist tradition, works in this period expressed the binary of modernity and the West on the one hand and tradition and Islam on the other. Prominent Western scholars inserted al-Ghazali into the overall narrative that cast him as an opponent of the West.

## **The Unruly Resurgence of Islam as Revolution**

### *Background*

This sub-section examines the main literature on contemporary Islam from 1979 until September 2001. Momentous events in the Middle East beginning with the Iranian Revolution in 1979 seized the imagination of Western observers. Previous scholarship saw the Middle East as the location of a struggle, examined in the previous section, between an ascendant modernity and a retreating tradition. Most of the books and articles on contemporary Islam betray a continuity of the binary of a dynamic West and a static Islam. Unchangingness

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<sup>86</sup> Ibid., 26, 37–38.

<sup>87</sup> Richard P. Mitchell, *The Society of the Muslim Brothers* (New York and Oxford: 1993), 246–247.

<sup>88</sup> Ibid., 239–240.

<sup>89</sup> Ishak Musa Husaini, trans. John F. Brown and John Racy, *The Moslem Brethren: The Greatest of Modern Islamic Movements* (Beirut: Khayat's College Book Cooperative, 1956), p. 116.

<sup>90</sup> Mitchell, *The Society of the Muslim Brothers*, 121, 124.

is the *sine qua non* of Islam for W. Montgomery Watt in a cultural universe lacking the very idea of development.<sup>91</sup> Tradition manifested itself astonishing both Muslim and non-Muslim observers in the outbreak of a revolution in Iran. The awakening, in scholarly and journalistic circles, of the political force of Islam in shaping the Middle East and possessing the ability to foment revolutions augmented the existing stereotypes of Islam and created new ones. It may be appropriate to cite the following passage by Said,

Whenever in modern times an acutely political tension has been felt between the Occident and *its* Orient (or between the West and *its* Islam), there has been a tendency in the West to resort not to direct violence but first to the cool, relatively detached instruments of scientific, quasi-objective representation. In this way “Islam” is made more clear, the “true nature” of its threat appears, an implicit course of action against it is proposed.<sup>92</sup>

An image of a religious cleric enthusiastically followed by millions of Muslims in what seemed to be a modern and secular country in the Middle East filled the newsstands, television screens and even scholarly accounts of the Iranian Revolution. Thus, was enframed an image articulating a sense of shock at the occurrence of this event on the part of scholars and journalists who wrote about the Middle East. Accompanying this peculiar attitude was the increasingly wary and hostile reception of the overthrowing of the Shah. The succession of episodes that followed would imprint Islam as a ‘resurgent’ phenomenon upon the memory of many Western observers. Words, terms and vocabularies denoting a fundamentalist trend punctuated a significant amount of books and articles discussing contemporary Islam. Political activity is related to a reactionary rejection of the other: in this case the putative other is the West.

During and after the Iranian Revolution little regard was paid to look beyond the stereotypes circulating in scholarship. They acted as points of reference identifying an essential aspect whose explanatory power served as the truth on a whole range of matters relating to Islam. Brought to the fore, amidst the events of 1979, was the point of view that tradition was back with a vengeance wreaking political havoc in a world of modern nation-states. A

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<sup>91</sup> W. Montgomery Watt, *Islamic Fundamentalism and Modernity* (London: Routledge, 1988), 3–4.

<sup>92</sup> Said, *Covering Islam*, 25. Emphasis in the original.

modern world unaccustomed, within living memory, to the transformative effects of a religiously-inspired political order, as exemplified by Ayatollah Ruhollah Khomeini interpreted the Iranian Revolution as reactionary and a threat to civilisation. Although contemporary Islam and Khomeini in particular were subject to analyses as medieval and violent, as opposed to modern and civilised, a few treatments of the revolutionary moments that took place in 1979, and thereafter, did emerge with more sober and complex accounts.<sup>93</sup> There were indications of a scholarly repertoire putting forward the modern and indigenous nature of contemporary Islam. Ervand Abrahamian articulates a vocabulary in the spirit of this repertoire. Further, Abrahamian critiques the use of fundamentalism.<sup>94</sup> The following vivid passage from Juan Cole shows how an alternative language of understanding contemporary Islam was being formulated,

That is, medievalism is a motif in Iran's current version of modernism, but it is a medievalism of Dali's surrealist paintings, like Walter Benjamin's use of kabbalah, like neo-Thomism in Twentieth century Catholic theology. The medieval is encapsulated by and employed for the construction of an anti-liberal modernism, thus becoming something quite un-medieval.<sup>95</sup>

In the aftermath of the Iranian Revolution, this trend began, to an extent, supplant terms such as 'traditional'. The modernity of Islamism was similarly being argued in some quarters, with different conclusions, by scholars such as Olivier Roy, John Esposito and John Voll. Roy viewed Political Islam, apparently in its last throgs, to be a product of modernity, if not a protest against it, defined by a shared "Islamic Political Imagination" that invokes the ideal past of the first Muslim community.<sup>96</sup> Also, Esposito and Voll identified the attempt to fuse Islam and democracy as having an impact on "the reconceptualisation of the present."<sup>97</sup> Cole was joined by Roy and Esposito in his effort to demonstrate

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<sup>93</sup> 'The MESA Debate: The Scholars, the Media, and the Middle East', *Journal of Palestine Studies*, 16/2 (Winter, 1987), 85–104.

<sup>94</sup> Ervand Abrahamian, *Khomeinism: Essays on the Islamic Republic* (London: I.B. Tauris, 1993), 13–17.

<sup>95</sup> Juan Cole, *Sacred Space and Holy War: The Politics, Culture and History of Shi'ite Islam* (London: I.B. Tauris, 2005), 190.

<sup>96</sup> Olivier Roy, trans. Carol Volk, *The Failure of Political Islam* (Cambridge, Massachusetts: Harvard University Press, 1996), pp. 13, 20-1, 27.

<sup>97</sup> John L. Esposito and John O. Voll, *Islam and Democracy* (Oxford: Oxford University Press, 1996), 27-32.

the far from 'medieval' expression of contemporary Islam as revolution or reform.

A countervailing canon of scholarship emerged in direct response to existing dominant accounts. An indigenous re-evaluation of Islam can be found in Fazlur Rahman's *Islam and Modernity's* attempt to introduce historicism in the act of scriptural interpretation and the Islamic tradition.<sup>98</sup> Cross-cultural scholarly inflections arose in this period with Muslim thinkers straddling the cultural worlds of the Islamic tradition and Western academic institutions. Islamic Studies witnessed a revisionist approach. In this field, Wael Hallaq's works challenged the hitherto presumed notion that the creative interpretation of Islamic law came to an end with the closing of "the gate of *ijtihad*" among medieval Muslim jurists until its recent revival.<sup>99</sup> A number of implications ensue as a natural corollary of this thesis on the study of contemporary Islam – one major proposition is that the creative tensions which produced change in classical Islamic law have persisted through to the present.

### *Review of Literature*

This sub-section surveys the books and articles on al-Ghazali published from 1979 until 11<sup>th</sup> September 2001. The period contains a diversity of literature on this important figure whose works continued to have a strong influence on debates among Muslim and Arab intelligentsia. In the previous sub-section, certain changes in the approaches to contemporary Islam are noticeable among scholars writing in English. Khomeini, one could argue, was Orientalism's ideal type by which all things Islamic or Middle Eastern could be measured against. An ideological background existed in order to ascertain, eschewing a discriminatory approach, the threat posed by what constituted Islam. Different accounts emerge in the literature referring to al-Ghazali. Terms and the purported objects they claim to analyse act as definitive reference points for non-Muslim audiences and scholars as to the nature of contemporary Islam.

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<sup>98</sup> Fazlur Rahman, *Islam and Modernity*, 4–8.

<sup>99</sup> Wael Hallaq, *A History of Islamic Legal Theories: an introduction to Sunni usul al-fiqh* (Cambridge: Cambridge University Press, 1997), 154–60.

Fundamentalism is a typical label applied to many Muslim thinkers who spoke about Islam and its relevance to politics. Al-Ghazali wasn't spared the negative connotations of this term. Journalistic and scholarly accounts express the narrative of fundamentalism. Designations such as radical and Islamic accompany fundamentalism as an explanatory device. Scripturalism also recurs in this web of related words. Interwoven is the presumption of anti-Westernism, mentioned in the previous section, espoused by contemporary Muslim scholars and al-Ghazali in particular. Restated as synonyms, fundamentalism and anti-westernism, they appear as characteristics of the same intransigent phenomenon. Enframed as the personification of Islamic fundamentalism, al-Ghazali is the typical proponent of an Islamist ideology. Authority is a recurrent object of discussion. These works consider al-Ghazali in terms of religious authority e.g. being a cleric. However, the various ways authority is negotiated and contested are not raised. How al-Ghazali became a figure of authority in the Arab world is, for the most part, unexamined.

A view of al-Ghazali espousing the traditional position among Sunni Muslims persists in the secondary literature. Further elaborations in this theme establish a Sunni Muslim clerical establishment in the works written about al-Ghazali. Attributed to al-Ghazali is a position of authority in this establishment. It is clearly expressed by the Arabic word *alim* translated and denoted as cleric. Contemporary Islam is a religious universe under the diktat of the clerisy. Fundamentalism, Islamism, and militancy, as interrelated explanatory terms, converge onto a single set of meanings.<sup>100</sup> This framework incorporates the dichotomy between the modern and the traditional. The latter is the supposed motivating cultural perspective ordering the worldview of Muslim clerics. Through this prism adhering to the now largely outdated essentialised notion of modernity versus tradition, al-Ghazali is identified as belonging to the tendency of the traditionally-minded *ulama* (Muslim scholars).

Resurgent Islam within Arab societies is perceived as undermining the modern *modus operandi* between the secular and the religious created by the

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<sup>100</sup> Malika Zeghal, 'Religion and Politics in Egypt: The Ulema of al-Azhar, Radical Islam, and the State (1952 – 94)', *International Journal of Middle East Studies*, 31 (1999), 371–399.

nation-state.<sup>101</sup> Narratives of secularism rendered into Arabic as *al-'ilmaniyya* articulated their own self-identity and inscribed what the religious is.<sup>102</sup> Boundaries abound in separating the modern and the traditional assimilating the secular and the religious respectively. Embedded within the language used to order to analyse al-Ghazali are assumptions rigidly adhering to an essentialised 'secularism' versus an equally essentialised 'Islam'. Islam is marked off by its putative essential differences from secularism. Two contrasting images are created with secularism referring to modernity, nationalism, and the withdrawal of the religious from the public sphere. Public displays of religiosity, visible in visual, print or audio media, are conspicuous indicators of the "Islamisation" of society.<sup>103</sup> Clerics and Islamists, al-Ghazali is singled out in this fashion, are held to be the primary agents responsible for this change in the Muslim world and in Egypt in particular.<sup>104</sup>

Adding a further element in the contentious combination of secularism and religion is the period following the 1967 Arab-Israeli War.<sup>105</sup> Contrary to the modernisation thesis, the bulk of the literature dealing with this moment in twentieth century Arab politics propose the receding of secularism with a resurgent Islamic fundamentalism filling this void. Nationalism from that period onwards, a number of these commentators observe, increasingly played a diminished role in the aftermath of the Arab states' defeat at the hands of Israel. Instead the Arab intelligentsia resorted to the discourse of religion to diagnose what went wrong and propose solutions to this predicament.<sup>106</sup> Leonard Binder takes a contrary view identifying Tariq al-Bishri's advocacy of the compatibility of Islam and Arabism observing Bishri's citation of the "fundamentalist" al-Ghazali to support this position.<sup>107</sup> Most of the accounts in this period, with the

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<sup>101</sup> James P. Piscatori, *Islam in a World of Nation-States* (Cambridge: Royal Institute of International Affairs, 1986), 106–107; Youssef M. Ibrahim, 'Egypt Fights Militant Islam With More of the Same', *The New York Times*, 18 August 1993.

<sup>102</sup> Azzam Tamimi, 'The Origins of Arab Secularism', in John L. Esposito and Azzam Tamimi (eds.), *Islam and Secularism in the Middle East* (London: C. Hurst and Co, 2002), 13–28.

<sup>103</sup> Magdi Wahba, 'An Anger Observed', *Journal of Arabic Literature*, 20/2 (Sept., 1989), 189

<sup>104</sup> Fauzi M. Najjar, 'The Debate on Islam and Secularism in Egypt', *Arab Studies Quarterly*, 18/2 (Spring 1996), 3.

<sup>105</sup> Henry F. Jackson, Sadat's Perils, *Foreign Policy*, 42 (Spring, 1981), 58–73.

<sup>106</sup> Fouad Ajami exemplifies this trend in his magnum opus, *The Arab Predicament* (New York: Cambridge University Press, 1992), wherein he interrogates the rise of 'Muslim fundamentalism', with a specific focus on Egyptian scholar Muhammad Jalal Kishk, and the waning of pan-Arab nationalism after the Arab-Israeli War of 1967.

<sup>107</sup> Leonard Binder, *Islamic Liberalism: A Critique of Development Ideologies* (Chicago and London: The University of Chicago Press, 1988), 278–81.

qualified exception of Binder, substitute the terms of *turath* (Arabo-Islamic heritage) and *asala* (authenticity) for the secular notions of nationalism.

Islamic fundamentalism dominated the spaces of talking about politics, war and glory, in large part driven by the presence of key thinkers from or affiliated to the Muslim Brotherhood like al-Ghazali. Waiting at the periphery of state and populist discourses in much of the Arab world this was a warning call to the secular project and a backward-looking declaration for the revival of the *turath* and being faithful to *asala*.<sup>108</sup> Approaching the matter of the seeming resurgence of Islam in the Middle East from a more introspective perspective have been Muslim scholars, and a few non-Muslim academics, writing in this period. Challenges to the religious establishment, for Dale Eickelman and James Piscatori, is a result of the fragmentation of authority in the Muslim world accompanied by an increasingly literate Muslim public. *Ulama* such as al-Ghazali have responded to these challenges by re-asserting their scholarly weight as the voices of “true Islam” and emphasising the need for gradual reform.<sup>109</sup> Explanations about the increased prominence of Islam are linked to tradition and the dynamic practice of *ijtihad*.

Islamists such as al-Ghazali spoke and wrote about representative democracy articulating concepts indigenous to Islam.<sup>110</sup> Viewed from within, there exists a contest over the meaning of Islam. Statements of authenticity are probed as to the actual contents of their claims: What is the *turath's* relevance to the contemporary Muslim world? How does *asala* enable Muslims to recover their indigenous culture? Responses by Muslim scholars to these questions are situated in a critical context. This context aims to identify the main causes of change in Muslim thought looking at the example of al-Ghazali. Haifaa Khalafallah views al-Ghazali, in a revisionist fashion in the area of Islamic Studies, to be a protagonist involved in creative indigenous formations of *fiqh*: succinctly designated as the Islamic method.<sup>111</sup> Contingency of ideas

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<sup>108</sup> S.M.A. Sayeed, *The Myth of Authenticity: A Study in Islamic Fundamentalism* (New Delhi: Kitab Bhavan, 1999).

<sup>109</sup> Dale F. Eickelman and James Piscatori, *Muslim Politics* (Princeton and Oxford: Princeton University Press, 2004), 70–1.

<sup>110</sup> Raghid El-Solh, 'Islamist Attitudes Towards Democracy: A Review of the Ideas of al-Ghazali, al-Turabi and 'Amara', *British Journal of Middle Eastern Studies*, 20/1 (1993), 57–63.

<sup>111</sup> Haifaa Khalafallah, 'The Elusive 'Islamic Law': rethinking the focus of modern scholarship', *Islam and Christian-Muslim Relations*, 12/2 (April 2001), 143–152.

characterises this approach towards al-Ghazali's works. Grounded as a pivotal inner dynamic within Islam, change emerges in a process of constant reinterpretations: contesting and challenging *bab-ul-ijtihad*. Practical concerns with Islam in the world drive the increasingly prominent role of "Islamic revivalists" such as al-Ghazali who controversially insist on the questioning of religious authority.<sup>112</sup> The study of Islamic law under the rubric of Islamic Studies in the West has witnessed a pronounced focus on the re-interpretation of Islamic texts by a new variety of thinkers. Internal demands for change and reinterpretation in these accounts depict a subtle and concrete process undertaken by human agents. The rise of works that do not adopt the binary proposition of Islam and the West is accompanied by the increasing presence of Muslim and Arab scholars in the West. Al-Ghazali's writings are located in a constantly unfolding intellectual context.<sup>113</sup> Intellectual constructions of Islam by Muslim themselves are not seen as ideological positions but exegetical interpretations of Islam's foundational texts. Modernity and tradition are not employed to define the Muslim other. Instead al-Ghazali is situated as a Muslim scholar within a vibrant contemporary context.<sup>114</sup> The word "fundamentalism" is deployed by Ahmad Moussalli for the purpose of analysis accompanied by the qualifications of "pluralistic", "democratic", and "inclusivist."<sup>115</sup> Terms of analysis such as 'moderate Islamic revivalism' indicate a shift in the description of a complex contemporary Islam that is not reducible to an unchanging essence.

## **A Post 9/11 World and 'the Crisis of Islam'**

### *Background*

The eve of the twenty-first century ushered in the further deterioration of the Arab-Israeli conflict, the appearance of al-Qaeda on the world stage as exemplified in the bombing of the US embassy in Nairobi, and the growing weight acquired by subnational actors like HAMAS and Hezbollah. These

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<sup>112</sup> Daniel Brown, *Rethinking Tradition in Modern Islamic Thought* (Cambridge: Cambridge University Press, 1999), 108–10.

<sup>113</sup> Barbara Stowasser, 'Old Shaykhs, Young Women, and the Internet: The Rewriting of Women's Political Rights in Islam', *The Muslim World*, 91/1–2 (Spring 2001), 99–119.

<sup>114</sup> Raymond William Baker, 'Combative Cultural Politics: Film Art and Political Spaces in Egypt', *Alif: Journal of Comparative Poetics*, 15 (1995), 6–38.

<sup>115</sup> Ahmad S. Moussalli, 'Discourses on Human Rights and Pluralistic Democracy', in Anders Jerichow and Jorgen Baek Simonsen (eds.), *Islam in a Changing World: Europe and the Middle East* (Richmond: Curzon Press, 1997), 45–90.

disparate and localised phenomena, except for global al-Qaeda, have entered both the scholarly and popular imaginations of the West as a conflated image. Accounts composed of images of unrestrained violence and terror as acts of rage took centre stage. Thus, an undifferentiated reality unveils the crisis of Islam. An important juncture in recent memory took place on the 11<sup>th</sup> September 2001 when the world witnessed the Twin Towers in New York becoming the objects of indiscriminate violence aimed at civilians. Media representations of the tragedy of that day had a global impact. How this was captured and enframed is described by Paulo Virilio,

Since 11 September 2001, as we've all been able to observe, media coverage of acts of violence has everywhere expanded. From local delinquency to the global hyperviolence of terrorism, no one has managed to escape this escalating extremism for long. And the accumulation of felonies of a different nature has little by little given the impression that all forms of protection collapsed at the same time as the World Trade Center.<sup>116</sup>

A climate of overwhelming fear brought to the foreground questions of the past and present along with even further questions as to the future relations between the West and the Muslim world. Designations such as radical and Islamist have been increasingly recast to denote terrorism when in the past it referred to the opposition of tradition to modernity. It has given rise to the perception of a clash between Muslims and the West with the former personifying a rage against the latter.<sup>117</sup> From the various attempts to explain the relationship between contemporary Islam and the spectre of global terrorism, the past is understood to be an ever present factor in the reigning state of affairs. Speaking from the margins, yet acquiring a wider forum, academics from Muslim and Arab backgrounds have written extensively on this matter. The common thread through all these works has been the contest from within. In light of the above, there are two principal representations at play in the explication of contemporary Islam: a static Islam and a profoundly contested Islam.

Scholarship published after 9/11 has produced these two narratives in the explanations offered by western academics, journalists, and even Muslim

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<sup>116</sup> Paulo Virilio, trans. Julie Rose, *The Original Accident* (Cambridge: Polity Press, 2007), 20.

<sup>117</sup> Bernard Lewis, 'The Roots of Muslim Rage', *The Atlantic*, 266/3 (Sept 1990), 47–60.

scholars. According to some of these commentators, a perennial struggle is taking place in the Muslim world that has spilled onto the West and the rest of the world. This image of Islam pits tradition against the forces of progress where it is doomed to inevitable marginalisation in a rapidly modernising world. Violence and terror are to be found at the heart of the concerns that motivate these representations. Islam is essentialised. Bernard Lewis argues the anger towards the West is due to the Arab world falling prey to Islamic fundamentalism and the ruinous failure of government policies.<sup>118</sup> Putative differences in the essence of the West and Islam flatten time and space factors in the discussion of classical Islam and the rise of 'radical Islamism'. The Muslim world, characterised by a lack of, is yet again juxtaposed with the West, embodying completeness. A more sober image of contemporary Islam has also emerged. Responding to 9/11 and the negative media reports on Islam, at times patently Islamophobic, Muslim and non-Muslim scholars have addressed the stereotypes of Muslims and Islam. Their attention is on the fallaciously assumed ties between religious "fundamentalism" and political terrorism.<sup>119</sup> Expounded is the notion that the historical process of human ingenuity is a ubiquitous presence in all cultures, including Islam, in fusing tradition with contemporary concerns. Change is envisaged to be a component of contemporary Islam rooted in indigenous traditions of contestation. Dynamism of religious understanding and interpretation is the norm in the continuous, and present, unfolding of an historic Islamic civilisation. A thoroughly nuanced account is articulated. Scholars of Islam from a range of disciplines have disassociated contemporary Islam from culturalist and essentialist explanations purporting to understand the supposed rage of Muslims against the West: they hate us for who we are and our way of life. Relations across cultures and within are brought into the discussion of issues including violence and political terrorism in the Muslim world.

### *Review of Literature*

A growing number of Western academics and writers, whose focus of research is the Middle East, are aware of the ideologically-charged milieu that their works

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<sup>118</sup> Bernard Lewis, *The Crisis of Islam: Holy War and Unholy Terror* (London: Phoenix, 2003), 113.

<sup>119</sup> Mahmood Mamdani, *Good Muslim, Bad Muslim* (New York: Pantheon Books, 2004), 37.

formed a part. Hailing from a variety of specialist backgrounds, the common themes of revival and centrism have become the focal points of their analyses. Acknowledgment of the most recent literature by Muslim thinkers, there is a more pronounced awareness in secondary sources of their changed and changing role in Arab and Muslim societies. Bringing to bear these insights, incorporating long-term and short-term factors, a nuanced perspective has emerged in the examination of al-Ghazali. The indigenous particularities of Islam that speak to the contemporary world are brought into focus. Charles Tripp in *Islam and the Moral Economy* views Muslim scholarly responses to capitalism as employing “a distinctive Islamic ‘alphabet’.”<sup>120</sup> The contest of ideas that is occurring in the Muslim world is comprehended through a historical awareness of how they are specific to an Islamic worldview. Tripp sees al-Ghazali’s efforts as a self-conscious attempt to articulate an alternative to both capitalism and communism in the form of Islamic socialism. *Al-badeel al-Islami* (the Islamic alternative) is a focal point for scholarship on contemporary Islam. This is largely due to the academic scrutiny of the claims of particularity and change by Muslim scholars and intellectuals.

Local and global factors intertwine to create the conditions for the development of an appropriate language for an indigenous discourse that is contested by Muslim intellectuals. This aspect has been the subject of intense interest for many Middle Eastern specialists. Foremost among them has been Raymond William Baker in his *Islam: without Fear*. In a panoramic analysis of the proponents of what Baker labels the “New Islamist Trend”, he discusses at length the issue of *waseteya* (centrism), rendered as centrism, as an instance of a dynamic and civilisational heritage. Islam is depicted in a scholarly fashion that is not static. Through Baker’s account of these New Islamist personalities who have articulated a collective reform-oriented and moderate understanding of religion, al-Ghazali is singled out as one of the best-loved religious figures of twentieth century Islam.<sup>121</sup> The relationship between the past and the present in the ideas of Muslims scholars and intellectuals has also been a major area of examination. Rachel M. Scott argues that al-Ghazali “is more ambiguous” in his

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<sup>120</sup> Charles Tripp, *Islam and the Moral Economy* (Cambridge: Cambridge University Press, 2006), 11

<sup>121</sup> Raymond William Baker, *Islam without Fear: Egypt and the New Islamists* (Massachusetts: Harvard University Press, 2003), 4.

treatment of a Golden Age which Muslims seek to revive.<sup>122</sup> However, I disagree with this reading as it does not concede the possibility of the past as a multifaceted tradition which allows scholars like al-Ghazali to modify its elements in a nuanced fashion.

Dissemination of the ideas and perspectives of the *al-sahwa al-Islamiya* (the Islamic Awakening) through the twentieth century experience of cassette tapes has caught the attention of those interested in the Muslim world. Many of these tapes featured the sermons of Muslim preachers. They tackled various issues of concern for Muslims by publicly engaged Muslim scholars. Islam is approached by practitioners of Middle Eastern Studies with an emphasis on the protracted debates among Muslims seeking to either support the status quo of Arab regimes in power, with religious affairs state-managed from above, or a change in the way politics was done as a revivalist act of change. Awareness of the contested nature of contemporary Islam and the modern power of public discourse focuses on the changes in how Muslims think, speak and listen about religion. Charles Hirschkind places al-Ghazali as a *khatib* (preacher) straddling the worlds of the state and the opposition as they vie for the possession and control of popular Islamic media.<sup>123</sup> Weighing upon the beliefs, views and thought of Muslim thinkers is the assumption of Islam as being peculiarly antagonistic to nationalism and all other forms of modern identities. Nationalism is understood as epitomising change, according to this view of its reception by twentieth century Muslim intellectuals, but one that is retrogressive. Michelle Browsers quoting *Min huna nalam*, written by al-Ghazali in the 1950s, cites nationalism as a break from Islam, a manifestation of the irreligious and impious “first *Jahiliyya*.”<sup>124</sup>

Practitioners of Middle East and Islamic Studies have also undertaken the study of the complex processes shaping intellectual thought in the Arab world. Ideas and intellectuals receive the attention afforded to nuanced historical phenomena. A collection of Arab academics and intellectuals have focused their

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<sup>122</sup> Rachel M. Scott, ‘The Role of the ‘Ulama’ in an Islamic Order: The Early Thought of Muhammad al-Ghazali (1916–96)’, *The Maghreb Review*, 32/2–3 (2007), 157–8.

<sup>123</sup> Charles Hirschkind, *The Ethical Soundscape: Cassette Sermons and Islamic Counterpublics* (New York: Columbia University Press, 2006), 61.

<sup>124</sup> Michaëlle Browsers, ‘The Egyptian Movement for Change: Intellectual Antecedents and Generational Conflicts’, *Contemporary Islam*, 1/1 (2007), 69–70.

works on the pressing debates of the period. Far from constituting a homogeneous group they write from diverse ideological and theological positions. Furthermore, it is conducted in a spirit of engaged parties. Their arguments and conclusions form a fragment of a collage of different schools of thought discussing issues such as violence, politics and secularism. Arab secular intellectuals have sought to discuss Islam from the ideological prism of the Enlightenment in terms of human reason, Eurocentric in orientation, and fulfilling the role of its polar opposite is religion as an emotive and closed-system. Pervasively informing how secular Arab writers present the role of Islam in their societies is the view that the latter is defined in large part by its vehement opposition to secularism as a worldview and ideology.

Reinforcing this image of contemporary Islam is the Egyptian writer Fouad Zakariyya who sees al-Ghazali's stance on secularism as an exported commodity.<sup>125</sup> The West's cultural and ideological products, according to Zakariyya, have become the objects of a corrosive and wholesale rejection by Muslim thinkers. Moataz A. Fattah's analysis of contemporary Islam seeks to distinguish the subtle yet significant differences that exist among Arab intellectuals. Utilising a vocabulary that ranges from *salafi*, rendered as traditionalist, and *mo'asser*, translated as modernist, he puts forward the argument that an "ideological civil war" is taking place with its attendant effects on a contested 'paradigm' of Islam.<sup>126</sup> Fattah identifies al-Ghazali as a modernist Islamist who advocates cultural exchanges with the West and is of contemporary relevance to the state of the Muslim world.<sup>127</sup> Integrating the notion of a public discourse with a historical perspective is Asma Afsrauddin's *The First Muslims*. It documents the formation of the various strands within Muslim history that created the intellectual momentum shaping how Muslims interpreted Islam. She devotes the latter parts of the book to the modernists, who advocate a reformist and changing interpretation of Islam. Turning to al-Ghazali, who is referred to as "the Azhar-trained twentieth-century scholar" and his *al-Sunna al-nabawiya*, Afsaruddin notes this work as an instance of

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<sup>125</sup> Fouad Zakariyya, trans. Ibrahim M. Abu Rabi, *Myth and Reality in the Contemporary Islamist Movement* (London: Pluto Press, 2005), 33.

<sup>126</sup> Moataz A. Fattah, 'Egypt's Ideological Polarization: A Challenge to Liberal Democracy', *The Political Research Series*, 150 (December 2005), 2–3.

<sup>127</sup> *Ibid.*, 7

contesting the existing conservative approach to religion culminating in the critical and investigative spirit of Islam.<sup>128</sup>

An astute reading of contemporary Islam can be found in the writings of Khaled Abou El Fadl. In this account of contemporary Islam, Abou El Fadl describes al-Ghazali as “a prolific and influential Salafi jurist” who stood as a bastion of moderation.<sup>129</sup> Abou El Fadl’s scholarship is an example of an increasingly vocal Muslim attempt at self-representation. It takes place within Western academia facilitating a transition from an indigenous religious tradition toward a scholarly account examining Islam as religion, classical Islamic civilisation and the contemporary Muslim world. Notably writing from this location is Abdullah Saeed who has attempted to grapple with questions of Islamic Studies from the standpoint of a Muslim. He sketches a vividly contested contemporary Islam shaped by three broad trends that are defined by the nature and content of their approaches in interpretation: ‘contextualist’; ‘textualist’; and ‘semi-textualist’. With regard to al-Ghazali’s conscious attempt to incorporate a socio-historical context in his interpretation, bringing the past and present within view of each other in Qur’anic exegesis, Saeed places him in the contextualist category.<sup>130</sup>

In the same genre is Mawil Izzi Dien’s research. He has written a book covering the development of Islamic law. Izzi Dien broaches the topic of religious politics as a demonstration of the presence of Islamic law in the running of the affairs of the state. Discussing al-Ghazali, he calls him a “modern Egyptian scholar” and a proponent of a “realistic orthodoxy.”<sup>131</sup> Works within the general field of Islamic Studies point to a more established presence of scholars who have also specialised in the indigenous study of *maqasid al-Shari’ah* such as Abou El Fadl mentioned above. An important work in what is becoming a cross-cultural tradition is Jasser Auda’s *Maqasid al-Shari’ah as Philosophy of Islamic Law*. A wide survey of contemporary Islamic scholars is undertaken placing al-Ghazali and his distinction of the ‘means’ and ‘ends’ of Islam in a

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<sup>128</sup> Asma Afsaruddin, *The First Muslims: History and Memory* (Oxford: Oneworld Publications, 2008), 180.

<sup>129</sup> *Ibid.*, 88.

<sup>130</sup> Abdullah Saeed, *Interpreting the Qur’an: Towards a Contemporary Approach* (London and New York: Routledge, 2006), 116–7.

<sup>131</sup> Mawil Izzi Dien, *Islamic Law: From Historical Foundations to Contemporary Practice* (Notre Dame: University of Notre Dame, 2004), 138.

category of scholars whose historicism lies “between modernist and postmodernist methods.”<sup>132</sup> From the foregoing, al-Ghazali is shown to be an important scholar in contemporary Islam and orthodoxy in Muslim scholars’ written accounts. Another examination of al-Ghazali informed by intellectual history is Ibrahim M. Abu Rabi’s *Contemporary Arab Thought*. Abu Rabi employs Gramscian concepts such as the organic intellectual in the study of Arab intellectuals. He is aware of the need to historicise the Islamic resurgence as a contextual phenomenon that is capable of creativity.<sup>133</sup> Al-Ghazali, according to this reading, argues for a critical interpretation of Islam in the modern age. Furthermore, he personifies a revivalist, flexible, open-minded and rational Islam belonging to the “School of Opinion (*madrasat al-ra’y*).”<sup>134</sup>

## Conclusion

This conclusion critically reflects on the above survey of literature on contemporary Islam and Shaykh Muhammad al-Ghazali. After the Second World War, contemporary Islam began to be studied in the context of decolonisation. A shift is noticeable from Orientalism’s classical approach to the social sciences. However, the image of Islam as the other persisted among Western scholars. Development, modernity, nationalism and tradition became part of the language employed to describe contemporary Islam. Inevitably, as this chapter demonstrates, this language was applied to al-Ghazali. The narrative of modernity and tradition dominated most scholarship on contemporary Islam. Middle Eastern Studies reproduced the intellectual themes of Orientalism including questions about modernisation and nationalism. Practitioners studying the Muslim world such as Gibb were able to wield their expertise and authority through what Said has described as ‘summational statements’. Despite the changing manifestations of Western scholarship about all things Islamic, astutely observed by Bryan Turner and Ziauddin Sardar, the theme of Islam as the other or backward continued.

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<sup>132</sup> Jasser Auda, *Maqasid al-Shari’ah as Philosophy of Islamic Law: A Systems Approach* (London and Washington: The International Institute of Islamic Thought, 2008), 186–7.

<sup>133</sup> Ibrahim M. Abu Rabi, *Contemporary Arab Thought: Studies in Post-1967 Arab Intellectual History* (London: Pluto Press, 2004), 16–17.

<sup>134</sup> *Ibid.*, 244.

Most studies on contemporary Islam, between the end of the Second World War until 1979, failed to notice the different ways the Islamic tradition could foster a dynamic process of change dependent on continuity. W. Montgomery Watt and Bernard Lewis both subscribed to the view that the notion of progressive change did not exist in Islam's past or present. Intrepid attempts at reform among the Muslim intelligentsia were labelled 'liberal' and 'modernist'. These Western accounts of change did not recognise the longstanding and indigenous trends that allowed *tajdid* (renewal) or *islah* (reform) to be possible. Instead reinterpretations of the Qur'an and *ahadith* (traditions of the Prophet) or the rethinking of tradition were perceived to be provoked by foreign influences – the West. The remaining two options open to Muslims was either to remain in the predicament of decline or catch up with the West. The latter was identified as the only plausible path by Orientalists and social scientists working on the Middle East. Daniel Lerner's *The Passing of Traditional Society* provides perhaps the most decisive exposition of this ideological narrative. In the inevitable transformation of the Middle East, tradition would be superseded in an evolution towards modernisation in that part of the world. Whatever the West is, Islam could not be or has yet to become. The writings on al-Ghazali in this period presented him as a traditionalist and representing the orthodox position on a myriad of issues concerning Muslims. However, shortcomings emerge in these accounts. Conspicuously, the exclusive focus on al-Ghazali's *Min huna nalam* as the source of knowledge about his thought neglects other important books about this author. The immediate context of al-Ghazali when he was imprisoned, his membership of the revivalist Muslim Brotherhood and the continuing presence of colonialism in the Middle East are to varying degrees acknowledged.

Many contexts exist that would situate al-Ghazali's works going beyond the narrative of tradition and modernity. Rosenthal and von Grunebaum ignore, or perhaps are unaware of, al-Ghazali's writings on political despotism and social justice such as *al-Islam wa al-istibdad al-siyasah* (Islam and Political Despotism) published in 1950. These writings, according to the tradition and modernity scheme, would qualify to be in the category of modernist or reformist thinking. Richard Mitchell's *The Society of the Muslim Brothers* may be considered to be the first attempt, among works written in English, which

examines al-Ghazali as a reformer. A broad survey of works written by Muslim Brotherhood thinkers provides the much needed intellectual context for Mitchell's examination of al-Ghazali. From the 1950s until 1979, most of the scholarship on al-Ghazali ignored his writings on social justice and poverty.

After the Iranian Revolution in 1979, most scholarship on contemporary Islam seemed to be preoccupied with the Muslim scholar as a cleric. The theme of a militant clerisy added a new dimension to the binary between tradition and modernity. Previous works on contemporary Islam perceived a dialectic between tradition and modernity that would eventually lead to the modernisation of the Middle East. In 1979, events in Iran belied this thesis whereby a clash between these two ways of life dominated newspaper headlines, television screens and scholarly works. A resurgent fundamentalist Islam appeared to be capable of ousting the previously assumed entrenched secular monarchy of the Pahlavi dynasty. This was the prism that al-Ghazali was written about. Al-Ghazali was depicted as a Muslim cleric who represented the fundamentalist trend in the Muslim world. The persistence of Orientalist themes ignored the changing ideas or contexts of Muslim scholars and thinkers. Modernity retained its prominent position in the narrative of a resurgent Islam.

Nonetheless, the stereotypes of the reactionary cleric, influenced by the binary between tradition and modernity, were challenged by Edward Said and Juan Cole. The political context of works by Western scholars and the seemingly medieval appearance, a manifestation of modernism, of the Iranian Revolution were two issues singled out for discussion. What was assumed to be uniquely traditional in the resurgence of Islam was relegated to the margins of discussion. Instead, Political Islam was seen as authentically modern in its content and motivations. Olivier Roy, John Esposito and John Voll treated Islamism, both revolutionary and reformist manifestations, as a creation of modernity. Additionally, Dale Eickelman and James Piscatori elaborated on the contests among Muslims in the reinterpretations of Islam. Islamic Studies in this period witnessed a loosely organised group of revisionist scholars challenging some of the dominant assumption of Orientalism in their discipline. Haifaa Khalafallah's research on al-Ghazali was an important attempt to locate a prominent Muslim scholar in a context where changing interpretations of Islam

are examined as an indigenous phenomenon. Despite the stereotypical images of the fundamentalist cleric representing orthodox Islam after 1979, an increased focus on the internal process of interpretation among Muslim scholars and thinkers seemed to point to the existence of an indigenous tradition of dynamic change.

Terrorism and contemporary Islam once again became conjoined themes after the events of 11<sup>th</sup> September 2001. The widely and oft-mentioned clash of civilisations, first stated in the early 1990s by Huntington echoing Bernard Lewis, instantly took centre stage in most discussions about Islam. Once again, in light of deeply unsettling events, contemporary Islam was essentialised as the other with crisis, rage and terror treated as synonyms in these accounts. A static Islam reacting against modernity is a hallmark feature of some of the works published after 9/11. No change is admitted into what Islam is – except for the hatred by Muslims of the West's dominance. The many contexts influencing the diversity of responses by Muslim thinkers to the West and the internal contests within the Muslim world are sidelined. Voracious contests over the meaning of tradition, modernity and authenticity seemingly do not exist or are relegated to the margins of scholarship. However, the works of Abou El Fadl, Afsrauddin, Mawil Izz Dien and Ibrahim Abu Rabi defy the emphasis on violence and highlight a dynamic past and present of Islam. The studies on al-Ghazali by these scholars also demonstrate the ability of Muslim scholars to write about change in a specifically indigenous language that does not preclude transcultural encounters. Abou El Fadl emphasises the continuity of intellectual institutions, ideas and practices among Muslim scholars in the contemporary period. He is joined by Izz Dien, also from the perspective of Islamic law, who situates al-Ghazali in a longstanding tradition of interpretation. Meanwhile, Abu Rabi approaches al-Ghazali against the backdrop of a contemporary intellectual context.

In the first decade of the twenty-first century, the collective effort to study al-Ghazali as part of a dynamic Islamic tradition is somewhat absent. The literature surveyed in this chapter written on al-Ghazali highlights the shortcomings and contributions of previous works on this leading twentieth century figure in the Muslim world. Tradition and modernity served as the main

poles of analysis to situate al-Ghazali either as a traditionalist or a secularist. However, the last two decades have witnessed a remarkable change in scholarship published in English on al-Ghazali. Importantly, for Muslim academics, from Khalafallah to Abou El Fadl, al-Ghazali is indeed part of an Islamic tradition that provides Muslim scholars with the normative and intellectual tools to engage constructively with changing contexts.

## CHAPTER 2

### Renewal in the Formation of the Islamic Tradition

#### Introduction

Chapter 2 examines the formation of the Islamic tradition and the subsequent emergence of ventures of *tajdid* (renewal) until the turn of the twentieth century. I apply the concept of tradition to a selection of Muslim scholars and thinkers who have contributed to shaping the elements and accounts of the Islamic tradition. Thus, in this thesis, the Islamic tradition is composed of ideas, rituals and institutions transmitted from one generation of Muslims to the next. The development of this tradition was rooted in the commonly accepted authoritative texts of the Qur'an and *ahadith* (traditions of the Prophet). A classical period of Muslim scholarship was initiated as the Islamic tradition was constructed. Juristic treatises, theological tracts and mystical commentaries were written acquiring the status of tradition. Two senses of tradition, tradition as sacred texts and tradition as a body of interpretations, are blended into a single patchwork tradition which is open to modification and further creative changes.

This chapter identifies and explores how Muslim scholars since the classical Islamic period articulated what became the key, fiercely contested, elements of the Islamic tradition until the emergence of Shaykh Muhammad al-Ghazali. Chapter 2 aims to contextualise the works of al-Ghazali situating his main ideas in the *longue duree* of a dynamic yet enduring Islamic tradition. Three sections form the core of this chapter which will enable the chronological examination of the main facets of al-Ghazali's predecessors in the classical period and the immediate era of Muslim reformism prior to his intellectual appearance in the middle of the twentieth century. The act of interpreting Islamic scriptural texts in contemporary Islam has direct implications on how the past is understood and the present is lived.

Section one examines the classical discourses on the Shari'ah (the way) that were part of a wider dynamic Islamic tradition in the making. From the neat dichotomy between Shari'ah and *Din* (way of life) to the consolidation of an orthodox body of beliefs and practices, the Islamic tradition was constantly

shaped by centripetal and centrifugal forces. Different accounts of the same objects were the hallmark feature of the Islamic tradition. Early eighth century jurists such as Muhammad ibn Idris al-Shafi'i appeared alongside other notable scholars such as Ahmad ibn Hanbal and Abu Hanifa al-Numani. These jurists and scholars lived in a rapidly expanding Muslim empire followed by the construction of Islamic civilisation. Politics and religion were strongly contested as the Abbasids succeeded the Umayyad dynasty to become rulers of an empire made up by the Muslim faithful. This political jockeying serves as the background for Abu'l Hasan al-Mawardi, a jurist and prominent judge in Abbasid capital of Baghdad, and his treatise on legitimate political authority in the period of the tenth and eleventh centuries. Internally diverse, the formation of the Islamic tradition mirrored the growing and fluid social, political and economic structures of the Muslim empire. Institutions such as the *madhahib* (rites of jurisprudence) gradually restricted the scope of the direct interpretation of Islamic scriptural texts.

Classical scholars with a reformist agenda had to negotiate with an extant tradition with its diverse elements and accounts. During the thirteenth and fourteenth centuries, the appearance of Ibn Taymiya, al-Tufi, Ibn Khaldun and Abu Ishaq al-Shatibi ushered in a period of renewed ventures in *tajdid* and *ihya* (revival). However, prior to these scholars, the contribution of Abu Hamid al-Ghazali left a lasting stamp on the Islamic tradition continuing to the present. Abu Hamid al-Ghazali was a renowned teacher at the illustrious Nizamiya *madrassa* (religious seminary), founded by an influential vizier of the Seljuk Turkish regime in Abbasid Bagdad, until he left, it is recorded in his own personal accounts, due to a spiritual crisis that eventually led him onto the path of Sufism. Ibn Khaldun similarly occupied an eminent position as a leading judge and jurist to Muslim rulers in North Africa. Further west, in al-Andulcia, al-Shatibi was a Maliki jurist whose writings on the *maqasid al-Shari'ah* (objectives of the Shari'ah) challenged existing accounts of Islamic law. However, the works of al-Tufi were more controversial in their reception who along with one of his teachers, Ibn Taymiya, can be considered to have been mavericks, in different ways, contesting the juristic account that was organised according to the strictures of the *madhahib*. *Tajdid* in the present was accompanied by a direct

reading of the authoritative texts from the past embodied in the Qur'an and *ahadith*.

Section two examines the period of the twilight of classical reformism in the Muslim world. In the eighteenth century, reformist thinking was given a new lease of life. The context for the various scholars who spearheaded this movement varied according to time and place, and the version of tradition they inherited. Moghul India, after its zenith, was the home of Shah Waliyullah al-Dihlawi which influenced his synthesis of Sufism, theology, mysticism and jurisprudence. Decline of the hitherto dominant Muslim rule in the Indian Subcontinent was directly confronted by Waliyullah in a comprehensive framework. Amelioration needed the fulfilment of the conditions for the highest level of human civilisation. Meanwhile, the Arabian Peninsula was the location of two similarly robust ventures of *tajdid*: those of Muhammad al-Shawkani and Muhammad ibn Abd al-Wahhab. However, a substantial difference must be mentioned from the outset. Yemen, ruled by a Shi'ite Zaydi Qasimi dynasty, was the background for al-Shawkani who was one of the leading judges in Islamic law in the polity. Importantly, al-Shawkani was part of the religious establishment which probably influenced his project of *tajdid* seeking to revive the scripturalist approach to Islam within the boundaries of the al-Qasimi state and without contesting its legitimacy.

A senior contemporary of al-Shawkani, ibn Abd al-Wahhab, although similarly espousing a purist scripturalist approach, was decisively antagonistic to existing political authority. The Ottomans held sway over a greater part of the Middle East including the holiest cities of Islam, Mecca and Medina, in the Hijaz. Reform consisted of a direct interpretation of the sacred texts of Islam and re-establishing Islamic law through the expulsion of the purported un-Islamic rule of Ottoman authority. Alliance with a tribal clan, the Saud, gave militant and political expression to what was conceived to be a return to a pristine Islam. These reformist ventures in their different contexts each emphasised and de-emphasised decisive theological, Sufi and juristic notions in varying degrees. Reinterpretation of the Qur'an, *ahadith* and of the broader tradition was constantly expanded at the hands of Abu Hamid al-Ghazali and Ibn Taymiya. Waliyullah, al-Shawkani and ibn Abd al-Wahhab followed the path of *tajdid*

etched by these two scholars. A *tajdid* of the Islamic tradition employing the very elements that composed it was proposed by these three scholars to be able to rekindle the reform of the Muslim community

Section three analyses the rise of reformism in the period of the *nahda* (Renaissance) beginning with Rifa'a Rafi al-Tahtawi. Contact between the Muslim world and the West created a context where the demand for *tajdid* acquired an external reference point – the Western intellectual heritage. The intellectual and physical impact of the West on the Muslim world effected changes in how reformist Muslim scholars and thinkers transmitted and received tradition. Rifa'a Rafi al-Tahtawi and Khayr al-Din al-Tunisi brought several key ideas of the Enlightenment to the foreground of the Islamic tradition. France was visited by both individuals, sent by their reformist-oriented governments, in prolonged periods of residence.

Similar efforts following this path of reform can be found in Jamal al-Din al-Afghani, Muhammad Abduh, Rashid Rida, Muhammad Iqbal, Amir Shakib Arslan and Shibli Numani. The influence of al-Afghani on his contemporaries was broad and long-lasting. Pan-Islamic universalism motivated al-Afghani as he journeyed throughout the Muslim world fomenting his ideology of anti-imperial resistance and Muslim revival. Abduh, Rida and Arslan represented the Arabic-speaking scholars and intellectuals who were heirs to this spirited figure in their ventures of reform. The Egyptian Abduh, educated at the seminary of al-Azhar, participated in the Urabi revolt in 1882 that aimed to establish a constitutional government which was subdued by a British invasion and occupation. Exile was the punishment meted out to Abduh joined by al-Afghani in France. A journalist in Lebanon, Rida moved to Egypt to work alongside Abduh after his return from exile. Staunchly advocating the reform of Muslims, a fellow Lebanese, Arslan was personally involved in the reformist activities of Abduh and Rida. Further east in British-ruled India, where al-Afghani spent time, Iqbal and Numani, both somewhat dissimilar from each other in intellectual dispositions, also pursued reformist ventures. Famously known as Allama, 'learned one', Iqbal straddled both Western and Islamic traditions producing an eclectic intellectual synthesis. His education at Cambridge University followed by doctoral studies in Germany was counterbalanced by the immersion in

Sufism: especially the works of the legendary Sufi saint Jalaluddin al-Rumi. As a result of Numani's trip travels in the Middle East, he was able to meet Abduh in Egypt. Rida, a disciple of Abduh, also visited Numani and his cohorts in India forging transnational links with the *ulama* (Muslim scholars) in the region. Shared themes characterise this group of Muslim scholars and thinkers: direct interpretation of the sacred texts, a pan-Islamic identity and the engendering of a transcultural context. Further, the experience of colonialism in the Middle East and India proved to be a common reference for these individuals.

### **Formation of the Islamic Tradition**

Formation of the Islamic tradition has involved the transmission of a large body of texts alongside ideas, rituals and institutions. From the beginning of the foundation of Islam, during the lifetime of the Prophet Muhammad, the dissemination of Islam in the form of a set of beliefs and practices became part of a broader social setting. As a result, the Muslim community was formed. Scriptural texts such as the Qur'an, widely accepted to be the word of God, and the *ahadith*, containing the *sunnah*, were transmitted. The Qur'an and the *ahadith* were considered to be authoritative texts that were to be consulted and interpreted by Muslims in the construction of orthodox beliefs and practices. Thus, the Islamic tradition was formed in a process of awarding absolute authority to the scriptural texts in contradistinction to texts that contained their interpretations. However, the latter enjoyed, to varying degrees, authority of scholarly erudition and of close approximation to the original ethos of Islam. Interpretations of scriptural texts were produced that combined, or at the very least expressed one of, the various trends of theology, mysticism and jurisprudence.

Shari'ah and *Din* were synonyms in the Qur'an with the former expressing the divine will and the latter its human dimension. A complex unity of content defined the beginning of the Islamic tradition. Subsequently, the formation of a multifaceted tradition contained the authoritative texts of the Qur'an and *ahadith*, and a vast body of works explicating and elaborating their meanings.<sup>135</sup> Transmission of the religious conceptions of Shari'ah and *Din* soon

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<sup>135</sup> Fazlur Rahman, *Islam* (Chicago: University of Chicago, 2002), 100.

consolidated itself into the construction of the main three religious sciences: *kalam* (theology), *tasawuuf* and *fiqh* (jurisprudence). Centrifugal tendencies in the Islamic tradition produced a diversity of religious sciences. Out of the three, only *fiqh* was explicitly perceived and treated as a science of interpretation.<sup>136</sup> Shari'ah began to have the connotations of law as opposed to the theological content of *kalam* and the mysticism of *tasawuuf*.<sup>137</sup> Each religious science expressed different accounts of the identical scriptural texts. Common themes were also interpreted in accordance with the logic, style and methods of the various religious sciences. The transmission of the religious sciences occurred in the broader setting of the Islamic tradition. Jurists, theologians and mystics belonging to corporate entities preserved and transmitted the interpretations of scriptural texts contained in works commonly recognised to be authoritative by Muslims.

This section is primarily concerned with the development of the institution of interpretation known as *ijtihad* practiced by jurists. Jurisprudence played a large role in transmitting the scriptural texts of Islam, works of interpretation, principles and rules of exegesis and norms of teaching and learning. A pedagogical framework contained in the corporate identity of jurists aided the transmission of *ijtihad* to interpret the Islamic sacred texts. Orthodoxy was attributed to the rules and methods employed by jurists. The search for Islamic law in the scriptural texts was understood to be the highest intellectual and moral plane in the science of *fiqh*. Organised consultation of the foundational texts of the Islamic tradition was enshrined in the method of *ijtihad*. Among the jurists of the early classical period, Muhammad ibn Idris al-Shafi'i emerged as an exponent of a tradition restricted to the sacred texts, especially the *ahadith*, in the process of formulating Islamic law. Acceptable interpretations of Islam had to closely follow the body of texts of the Qur'an and the *ahadith*. *Ijtihad's* remit of interpretation was restricted to making *qiyas* (analogy) between already established rules related to a case already contained in the texts, particularly

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<sup>136</sup> Cf. Umar F. Abd-Allah, 'Theological Dimensions of Islamic law', in Tim Winter (ed.), *The Cambridge Companion to Classical Islamic Theology* (Cambridge: Cambridge University Press, 2008), 237–57. The author provides a probing account of the areas of scholarly exchange between theology and jurisprudence supplemented by the conclusion of a spiritual harmony between an 'esoteric' Sufism and an 'exoteric' law. 251–3.

<sup>137</sup> Rahman, *Islam*, 109.

from the *ahadith* which was treated as co-extensive with the notion of *sunnah*, and the emergence of new cases.<sup>138</sup>

In the science of *fiqh*, jurists did not conceive of a single uniform method for *ijtihad*. Diverse accounts of *ijtihad* constructed within the Islamic tradition were part of the broader centrifugal tendency that produced the particular science of *fiqh* and the corporate entity of jurists. Fazlur Rahman notes that early *fiqh* began its career as “a process rather than a consolidated body of knowledge and it was a personal, free and somewhat subjective rather than an objective discipline.”<sup>139</sup> Al-Shafi’i’s work on jurisprudence was intended to define the orthodox and objective method in a new formulation of *usul al-fiqh* (foundations of jurisprudence) to interpret directly the *ahadith*.<sup>140</sup> Offering a method, putatively the most authentic, al-Shafi’i also intended to usher in a centripetal tendency to contain the differences in the interpretation of the scriptural texts. Over a dozen *madhahib* had formed espousing different methods of interpretation during the early classical period.

Gradually, the differences among the *madhahib* narrowed considerably, in part due to the influence of al-Shafi’i’s methodology, to the existence of the four *madhahib* of Hanafi, Shafi’i, Hanbali and Maliki among Sunni Muslims.<sup>141</sup> Widespread acceptance of these *madhahib* into the Islamic tradition was continually influenced by *ijma* (consensus) on the authoritative sources of interpretation, the Qur’an and *ahadith*, and the method of interpretation, *qiyas*, which in turn influenced this tradition. Although dissenting voices were raised by certain jurists, especially those within the Hanbali *madhahib* (rite of jurisprudence), the overwhelming tendency was the limitation of *ijtihad* to *qiyas*. Direct applications of *ijtihad* to the scriptural texts were replaced by the *taqlid*

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<sup>138</sup> Kemal A. Faruki, *Islamic Jurisprudence* (Delhi: Adam Publishers and Distributors, 1994), 25–6.

<sup>139</sup> Fazlur Rahman, *Islam*, 102.

<sup>140</sup> Muhammad ibn Idris al-Shafi’i stipulated that the working out of Islamic law depended on the following four sources in this order of primacy: the Qur’an; the *ahadith*; *ijma*; and *qiyas*. The list of importance of these sources acquired the approval of orthodoxy to be one of the dominant accounts in *usul al-fiqh* (the principles of jurisprudence) used to interpret the Islamic scriptural texts. Recently, the role of al-Shafi’i as the pioneer who systematised the principles of jurisprudence has been questioned by Wael Hallaq in ‘Was al-Shafi’i the Master Architect of Islamic Jurisprudence?’, *International Journal of Middle East Studies*, 25/4 (Nov., 1993), 587–605. However, this role is recognised by a wide variety of scholarly authorities to be the watershed moment for the founding of *usul al-fiqh*. See Muhammad Hamidullah, trans. Azfal Iqbal, *The Emergence of Islam: Lectures on the Development of Islamic World-View, Intellectual Tradition and Polity* (New Delhi: Rightway Publications, n.d.), 133–9, and Tarif Khalidi, *Classical Arab Islam: The Culture and Heritage of the Golden Age* (Princeton, N.J.: The Darwin Press, 1985), 44–9.

<sup>141</sup> Muhammad Abu Zahra, trans. Aisha Bewley, *The Four Imams: Their Lives, Works and Schools of Jurisprudence* (London: Dar al-Taqwa, 2010).

(imitation) of rules and principles arrived at by previous jurists.<sup>142</sup> *Taqlid* became part of the language and repertoire of *fiqh*. The diverse body of rules was transmitted and preserved without further substantial interpretations. Islamic law, an assortment of rules produced by the four *madhahib*, was transmitted with scriptural texts and authoritatively considered to be part of the Islamic tradition. Importantly, juristic accounts of the sacred texts acquired the mantle of orthodoxy that witnessed the elevation of interpreted rules to the status of tradition.

Classical jurists such as Abu Hamid al-Ghazali, Ibn Taymiya, al-Tufi, Ibn Khaldun and Abu Ishaq al-Shatibi envisaged change from within tradition, specifically the religious science of *fiqh*, to realise Islam's original ideals. *Kalam*, *tasawuuf* and *fiqh* were reinterpreted for the purpose of a broader project of *tajdid*. However, different conceptions were formulated reflecting the individual moral élan of each of these five scholars. The dominant accounts of the Islamic tradition were deemed to be insufficient for realising the original ethos contained in the scriptural texts. Revision of the methods and principles of interpretation entailed the necessary revival of *ijtihad* to interpret the Qur'an and *ahadith*. *Maslahah* (public interest) was a key principle in the juristic accounts of Abu Hamid al-Ghazali, Ibn Taymiya, al-Tufi, Ibn Khaldun and Abu Ishaq al-Shatibi. Differences in this group of jurists reflected the diversity of accounts within the Islamic tradition that were accepted as orthodox by Muslims. *Tasawuuf* was further elaborated within the Islamic tradition by Abu Hamid al-Ghazali through the Muslim religious sciences. Ibn Taymiya, al-Tufi, Ibn Khaldun and al-Shatibi stressed the role of jurisprudence in ascertaining the rules of the Shari'ah. Marshall Hodgson's view that a spirit of egalitarianism is present in the Shari'ah seems to demonstrate Muslim jurists' concern with justice.<sup>143</sup> I will show this is the case in the accounts of the jurisprudence of the five scholars surveyed in this section.

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<sup>142</sup> Taha Jabir al-Alwani, *Issues in Contemporary Islamic Thought* (London and Washington: The International Institute of Islamic Thought, 2005), 110–14; Cf. An increasingly popular and contrary view can be found in Wael Hallaq, 'Was the Door of Ijtihad Closed?', *International Journal of Middle Eastern Studies*, 16 /1 (March 1984), 3–41.

<sup>143</sup> Marshall Hodgson, Edmund Burke III (ed.), *Rethinking World History: Essays on Europe, Islam and World History* (Cambridge: Cambridge University Press, 1999), 115–6.

The primacy of *tasawuuf* for Abu Hamid al-Ghazali on the one hand and the centrality of the Shari'ah for Ibn Taymiya, al-Tufi, Ibn Khaldun and Abu Ishaq al-Shatibi on the other hand determined the boundaries of the debate on the exercise of *ijtihad* of the Islamic texts. However, it must be observed that this difference did not prevent the transmission of Abu Hamid al-Ghazali's works to the Shari'ah-minded jurists. To the contrary, his works reinforced the accounts on the Qur'an and the *ahadith*, supplying an accepted juristic methodology. The revival of the Godly-revealed Shari'ah is present in the works of Ibn Taymiya and al-Shatibi that allows the reinterpretation of the entire Islamic tradition to recover the original essence of Islam. The task of *tajdid* was envisaged in various ways contained in the different juristic accounts of Abu Hamid al-Ghazali, Ibn Taymiya, al-Tufi, Ibn Khaldun and Abu Ishaq al-Shatibi. Discontent with existing interpretations spurred interpretations emphasising a return to the Qur'an and *ahadith*.

Shari'ah was understood by Ibn Taymiya to be the pre-eminent expression of a Godly-revealed principle of the law that was purposeful.<sup>144</sup> The requirements of following the Shari'ah's rules demand that human beings be fully responsible for their actions. Arguing this point, Ibn Taymiya sought to criticise and put forward a more authentic account of Islam contrary to the mistaken notions of the insignificance of law and power of *qadar* (pre-destination) over human acts respectively in the accounts of Sufism and *kalam*. Only a direct reading of the Shari'ah, primarily located in a juristic account, is able to integrate the authentic spirit of Sufism and *kalam* without the accretions of the recent past for the recovery of the original ethos contained in the distant past of the first Muslim community.

Similarly, for al-Shatibi, the Shari'ah is the authoritative account in the Islamic tradition that is applied to the accounts of Sufism and of his fellow jurists.<sup>145</sup> Authenticity of the accounts of the Islamic tradition could only be established by interpretations in the juristic account of the Shari'ah. Certain aspects of the Islamic tradition were perceived to constrain the ability of the jurist to conduct a direct reading of the texts for the purpose of fulfilling the

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<sup>144</sup> Rahman, *Islam*, 111–4.

<sup>145</sup> Wael Hallaq, *A History of Islamic Legal Theories: An introduction to Sunni usul al-fiqh* (Cambridge: Cambridge University Press, 2007), 172–3.

divinely-revealed Shari'ah therein. The universal objects of Islam, known as the *maqasid al-Shari'ah*, are the moral principles guiding the interpretation of the Qur'an and *ahadith* to formulate a set of rules. Furthermore, all are equal before the laws derived from the Shari'ah. For Ibn Taymiya, Sufi accounts of the Islamic tradition were on the same level of juristic interpretation with neither one possessing a monopoly on the absolute truths of Islam.<sup>146</sup> Veracity of the conclusions derived from Sufism and *fiqh* is to be established through the scriptural texts of Islam.

Abu Hamid al-Ghazali diverges from Ibn Taymiya and al-Shatibi on the primacy of Shari'ah. *Tasawwuf* is the dominant theme in a comprehensive framework including the juristic account. The role of Sufi theology is adapted by Abu Hamid al-Ghazali for the purpose of "finding extra *facts* about Reality" offered new insights or "*meanings*" about the world – with reality looked upon as a unity.<sup>147</sup> Inner meanings of the texts and symbols of Islam, contained in Sufi accounts, influenced the juristic interpretation of themes and objects. However, the dichotomy between the inner meanings of *tasawwuf* on the one hand and the external rules of the Shari'ah on the other hand was still defined in a separate fashion.<sup>148</sup> Renewal of the Islamic tradition entailed the *ihya* of the underlying moral notions of the accounts that made up the Muslim religious sciences. The principles of *tasawwuf* remained distinct, for Abu Hamid al-Ghazali, from the rules and purposes of the juristic Shari'ah – the latter, for Ibn Taymiya, contained the ethos of each of the dominant themes of the Islamic tradition in an authentic integrated framework.

### *Juristic Norms of the Maqasid al-Shari'ah*

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<sup>146</sup> Fazlur Rahman, *Revival and Reform in Islam: A Study of Islamic Fundamentalism* (Oxford: Oneworld Publications, 2003), 90.

<sup>147</sup> Rahman, *Islam*, 144. Emphasis in the original.

<sup>148</sup> Cf. Ebrahim Moosa, *Ghazali and the Poetics of Imagination* (Chapel Hill and London: The University of North Carolina Press, 2005). In an illuminating study, Ebrahim Moosa highlights, in page 259, Abu Hamid al-Ghazali's thesis of an engagement between the 'external law (*fiqh al-zahir*) with the inner law (*fiqh al-batin*, or *fiqh al-nafs*)' in an ethical syncretism of the individual and of tradition. This syncretism was enacted in the *dihliz* (threshold position) notes Moosa which is described in the following passage, 'What one slowly begins to fathom is that the *dihliz*, or the *dihliz*-ian space, is a liminal space. The *dihliz* signifies the space as well as the action of two entries: entry from the outside and entry into the inside. It is the critical immediate space between outside and inside, between exoteric (*zahir*) and esoteric (*batin*). And it is also the space that one has to traverse in order to enter or exit, which is the real function of a threshold area. That *dihliz*-ian space constitutes a bounded space, a threshold between door (*bab*) and house (*dar*),' 48.

Rediscovery of the *maqasid al-Shari'ah* in the Islamic texts was pursued using *ijtihad* for the purpose of identifying the founding ethos of Islam in the present. The Qur'an and *ahadith* were a living presence from the past among the jurists who held these texts to be authoritative. Taken seriously as sources of interpretation, continuously transmitted by Muslims within loosely defined corporate identities, these texts formed the essential objects of the accounts driven by the idea of *tajdid*. The *maqasid al-Shari'ah* involved the interpretation of the Qur'an and *ahadith* to locate the presence of *maslahah* in their texts. Expansion of the scope of interpreting the scriptural texts of Islam was to include the innovative *maqasid al-Shari'ah* into *usul al-fiqh*. Commonly agreed, with certain variations, the order of interpretation was to proceed from the Qur'an to the *ahadith* to *ijma* and finally to *qiyas*. The transmission of this methodology was authoritative only within the corporate institutions of the orthodox *madhahib*. Jurists were instructed in and taught the Muslim sciences of the *Shari'ah* within a particular *madhhab*. Different interpretations of the Qur'an and *ahadith*, known as the *usul* (foundations), did not differ markedly in the accounts of interpreted rules. Despite of the various accounts of juristic corporate identities, mentioned above, the rules and principles of interpretation derived from the *Shari'ah* were nonetheless uniform across the Hanafi, Shafi'i, Hanbali and Maliki *madhahib*. This allowed not only the interpretation of a common set of Islamic scriptural texts but also the transmission of the *maqasid al-Shari'ah* across the *madhahib*'s boundaries.

Muslim jurists had already formed into established corporate identities during the period Abu Hamid al-Ghazali was proposing a new formulation of the orthodox Islamic tradition. I agree with Abul Hasan Ali Nadwi's observation that Abu Hamid al-Ghazali's project of renewal articulated in *Ihya ulum al-din* (The Revival of the Religious Sciences) also espoused a communal concern for Muslims.<sup>149</sup> The recovery of the Islamic original ethos dominates Abu Hamid al-Ghazali that was obscured among his contemporaries. Sufism was elevated to the highest criterion to define the orthodox faith of Muslims while the juristic account of the *Shari'ah* was elaborated into the *maqasid al-Shari'ah*. This was a departure from the Shafi'i notion of *qiyas* to a comprehensive methodology

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<sup>149</sup> Abul Hasan Ali Nadwi, trans. Mohiuddin Ahmad, *Saviours of Islamic Spirit* Vol 1 (Karachi: Darul Ishaat, 2008), 128–50.

derived from the Maliki conception of *maslahah* seeking to uphold the interests of *al-din* (religion), *al-nafs* (life), *al-nasl* (progeny), *al-aql* (intellect), and *al-mal* (wealth).<sup>150</sup> Further, the latter fundamental interests, according to the *maqasid al-Shari'ah*, known as the *daruriyat* (necessities) followed in order of priority by *hajiyyat* (exigencies) and *tahsiniyat* (embellishments). Although Abu Hamid al-Ghazali was instructed in the Shafi'i *madhhab*, he selected and adapted a conception of *ijtihad* from a different *madhhab*. Seemingly sectarian corporate identities did not preclude the creative interaction among the various *madhahib* in the Islamic tradition. Differences in the juristic accounts of the Qur'an and *ahadith* provided Abu Hamid al-Ghazali the resources to propose a new related account of the *Shari'ah* already familiar among his fellow scholars.

Abu Ishaq al-Shatibi, a jurist in the Maliki *madhhab*, further elaborated Abu Hamid al-Ghazali's work on the *maqasid al-Shari'ah*.<sup>151</sup> *Ijtihad* of the Islamic scriptural texts drove the expansion of the moral criteria of the *Shari'ah*. The extension of the *maqasid al-Shari'ah* to the various spheres of human existence by al-Shatibi proposed a three-fold categorisation of *ibadat* (worship), *adat* (customs) and *mu'amalat* (social transactions).<sup>152</sup> Key themes of the juristic culture within the Islamic tradition were reinterpreted aiming to recover the pristine ethos of Islam. Pre-existing distinctions between the authority of the sacred texts and their interpretations allowed al-Shatibi to apply a new criterion of interpretation to the Qur'an and *ahadith*. Human beings are ensured these interests that are also to be protected as demanded by the *Shari'ah* once the jurist has located the *maqasid* in the scriptural texts. Within the broader framework of the *Shari'ah*, al-Shatibi identifies a distinction between the non-rational *ibadat* and the rationally conceived *adat*.<sup>153</sup> *Ijtihad* properly speaking could only be applied to the sphere of *adat* and *mu'amalat*. Defects in the existing rules, due to a changing context, require the reinterpretation of the Islamic sacred texts to address new social questions. The *maqasid al-Shari'ah* is preserved in the Qur'an with its interpretation contained in *sunnah* of the

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<sup>150</sup> Imran Ahsan Khan Nyazee, *Theories of Islamic Law: The Methodology of Ijtihad* (Selangor: The Other Press, 2002), 213–5.

<sup>151</sup> Ahmad al-Raysuni, trans. Nancy Roberts, *Imam al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law* (London and Washington: The International Institute of Islamic Thought, 2005), 291–294.

<sup>152</sup> Muhammad Khalid Masud, *Shatibi's Philosophy of Islamic Law* (Kuala Lumpur: Islamic Book Trust, 2005), 150–54.

<sup>153</sup> *Ibid.*, 221–4.

Prophet Muhammad.<sup>154</sup> New rules interpreted by al-Shatibi bring together in the process of *ijtihad* the transmitted Qur'an, *ahadith* and *maqasid al-Shari'ah*, further elaborated, in a novel set of relationships.<sup>155</sup>

A substantial revision of the accepted orthodox framework of the Qur'an, *ahadith*, *ijma* and *qiyas* in the Islamic tradition was expressed through the principle of *al-maslahah al-mursalah* (unrestricted public interest). Najm al-din al-Tufi, a Hanbali jurist, elevated this principle to an authoritative status rivalling the Islamic sacred texts.<sup>156</sup> The Islamic tradition's transmission of the Qur'an and *ahadith* alongside the body of juristic rules and principles employed for their interpretation was radically modified. Al-Tufi adopted a selective approach to the accepted texts of authority and notions of interpretation. He singled out a lone *hadith* (tradition of the Prophet) stating "Do not inflict injury or repay one injury with another" corroborated by the Qur'an, *ahadith* and consensus to support the primacy of *maslaha* over scriptural texts.<sup>157</sup> *Maslahah* was also subjected to a novel formulation which challenged the accepted interpretations of the content of the Qur'an – rather than the authority of the Qur'an itself. The sacred texts retain the mantle of absolute authority. The autonomy of the notion of *maslahah* from the Shari'ah's sources was confronted by al-Shatibi in the effort to base the *maqasid* on the premise of certainty on the texts of the Qur'an. Comparisons made by Aziz al-Azmeh between al-Tufi and al-Shatibi illustrate that the presumed essence of the Shari'ah lay in the normative purposes underlying the injunctions present in the actual texts of scripture which was for the first time developed into an elaborate legal theory by al-Shatibi.<sup>158</sup>

### *Imamah, Jihad and the Muslim Community*

Classical Muslim political thought was influenced by jurists who interpreted the body of laws to be applied by legitimate institutions of power. The Islamic

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<sup>154</sup> Hallaq, *A History of Islamic Legal Theories*, 196–8.

<sup>155</sup> Crucially, the chronological method of interpreting the Qur'anic text allowed al-Shatibi to identify the categories of *suwar* (chapters) which informed the *maqasid al-Shari'ah*. Each *surah* in the Qur'an was revealed according to a certain context classified into the two main categories – either Meccan or Medinese. The Meccan *suwar* expound the universal category of the *daruriyat*, *din*, *nafs*, *nasl*, *'aql*, and *mal*, and the Medinese *suwar* serve to supplement this category.

<sup>156</sup> Masud, *Shatibi's Philosophy of Islamic Law*, 150.

<sup>157</sup> Hallaq, *A History of Islamic Legal Theories*, 150–2.

<sup>158</sup> Aziz al-Azmeh, 'Islamic Legal Theory and the Appropriation of Reality', Aziz al-Azmeh (ed.), *Islamic Law: Social and Historical Contexts* (London: Routledge, 1988), 260–1.

tradition afforded Muslim scholars the authority to directly interpret the Qur'an and *ahadith* and examine the Muslim past for precedents in the intellectual formulation of a Muslim political order. Shari'ah was the principal theme of concern for jurists who sought to, through *ijtihad*, to discover and revive the ideal ethos of Islam among their contemporaries. While the jurists discharged their duties to the Muslim community, constructing a legal system that embodied the authentic spirit of Islam based on its sacred texts, the role of the *imam's* (ruler) was its implementation. The implementation of the Shari'ah being the main criterion of legitimacy for the institution of the *imamah* (Muslim government) was expressed in explicit terms by al-Mawardi and subsequently accepted by the orthodox classical juristic account.<sup>159</sup> Communal stability and the *maqasid al-Shari'ah* were the twin premises of a legitimate political institution.<sup>160</sup> Religious morality and political order go hand in hand in preserving the *maqasid al-Shari'ah's* normative ethos that seeks to protect human beings. Decisive contributions to the juristic account of political authority initially by al-Mawardi, followed by Ibn Khaldun, reinforced the legitimacy of the *imamah* or *khilafah* (office of *khalifah*), substituting the role of the Prophet Muhammad in his protection of Islam, maintenance of *maslahah* and political rule on the solid foundations of the Shari'ah.<sup>161</sup> Additionally, Ibn Khaldun offers other sources of legitimacy expounded by different classical schools of thought within the Islamic tradition on this theme: the *ijma* of the first Muslim community and Shari'ah, rationally necessary for a social organisation and a *fard kifaya* (collective duty) on the part of the Muslims to organise their affairs.<sup>162</sup>

Dissatisfaction with the present state of affairs for advocates of *tajdid* contributed to the tendency to venture into the Muslim past, through transmitted texts, for an authentic alternative. For Ibn Taymiya, the original ethos of Islam, principally characterised by justice, discovered in the interpretation of the Qur'an and *sunnah* brings together the fragmented reality of the Muslim community in a holistic unity of Shari'ah and *siyasa* (politics).<sup>163</sup> Abandonment

<sup>159</sup> Qamaruddin Khan, *Al-Mawardi's Theory of the State* (Lahore: Islamic Book Foundation, 1983), 25–6.

<sup>160</sup> Khaled Abou El Fadl, *Rebellion and Violence in Islamic Law* (Cambridge: Cambridge University Press, 2006), 26–8.

<sup>161</sup> Abu'l Hasan al-Mawardi, trans. Asadullah Yate, *Al-Ahkam as-Sultaniyyah: The Laws of Islamic Government* (London: Ta-Ha Publishers, 2005), 8, 10; Ibn Khaldun, trans. Franz Rosenthal, *The Muqaddimah: An Introduction to History* (Princeton and Oxford: Princeton University Press, 2005), 154–5.

<sup>162</sup> Ibn Khaldun, *The Muqaddimah*, 155–7.

<sup>163</sup> Ibn Taymiya, trans. Aisha Bewley, *The Madinan Way: The Soundness of the Basic Premises of the School of the People of Madina* (Norwich: Bookwork, 2000), 86–8.

of the Shari'ah could only be remedied by a return to its norms. *Siyasah* was reintroduced as an explicit object of interpretation for the juristic account of the Shari'ah. Such a venture of *tajdid* had important implications where religious deviation was inextricably linked to the broader issue of the decline of the Muslim community. The authoritative account of the Shari'ah sought to discover the original ethos of Islam for both Ibn Taymiya and al-Shatibi. A balance in the interpretation of Islamic for al-Shatibi was to be struck between *usur* (undue difficulty) and *yusr* (extreme ease) on the *tariq al-wasat* (the middle path) in the affairs of the Muslim community.<sup>164</sup> Applying the *maqasid al-Shari'ah* to the texts of Islam aims to formulate a set of rules, Islamic law, which does not weigh heavy on Muslims.

In Ibn Khaldun's magisterial *al-Muqaddimah* (*The Prolegomena*), the formulation of the *maqasid al-Shari'ah* is situated in his theorising of the rise and fall of political dynasties. The ideal Muslim past, the Prophetic era, provides the ethos of the *daruriyat* to maintain the existence of civilisation.<sup>165</sup> When Muslim rulers fail to apply the *maqasid al-Shari'ah*, and by extension justice, it is inevitable for decline to take place within a civilisation. It may be contended that Ibn Khaldun extended what was an already comprehensive juristic theory from the interpretation of the Islamic sacred texts to a broader reinterpretation of the Muslim past and present – the social laws that make and unmake dynasties.

*Jihad* (to struggle) is a core principle for Ibn Taymiya among the pillars of Islam accepted by orthodoxy. He subsumes warfare alongside asceticism and spiritual discipline.<sup>166</sup> Numerous *ahadith* and verses of the Qur'an are cited and interpreted. Further, the waging of warfare under the rubric of *jihad* is of two types: carried out by a specific group from the community based on *farid*

<sup>164</sup> Hallaq, *A History of Islamic Legal Theories*, 173–4.

<sup>165</sup> Ibn Khaldun, *The Muqaddimah*, 240–1.

<sup>166</sup> Ibn Taymiya, n.t., *The Political Shariyah on Reforming the Ruler and the Ruled* (n.c.: dar al fiqh, n.d.), 183–6. The pressing theme of *jihad* was vehemently discussed among Muslim jurists who sought to define its scope, lay down its rules and principles of conduct. Questions posed from the angle of warfare determined one of the main objects of interpretation aiming to maintain the moral imperatives of Islam in a situation where they would be severely tested. Sacred texts were thus consulted in light of the realities of conflict whereby examples from the Prophet Muhammad's life provided the precedents to delineate the conditions that allowed a state to declare war and how to behave in this scenario. Another facet of *jihad* also discussed at length by jurists, theologians and Sufis was concerned with its inner dimensions. Moral and spiritual struggle was considered to be an essential religious act on the part of Muslims – more important than *jihad* through warfare. Prophetic authority was cited to distinguish between warfare as *al-jihad al asghar* (the lesser *jihad*) and moral and spiritual struggle as *al-jihad al-akbar* (the greater *jihad*) in the Islamic tradition.

*kifayah*; and an individual undertaking premised on *fard ayn* (individual duty).<sup>167</sup> The conceptions of *dar al-Islam* (abode of Islam) and *dar al-Harb* (abode of War) dominated how Muslim jurists interpreted their immediate realities in the face of war, peace and trade. After the Mongol invasions of *dar al-Islam* throughout the thirteenth century, Ibn Taymiya confronted a changed political context. In a *fatwa* (legal opinion), Ibn Taymiya proposes a third conception, a *murakkab* (composite) of *dar al-Islam* and *dar al-Harb*, where the Islamic *ahkam* (rulings) are not implemented yet the populace are Muslims.<sup>168</sup> Significantly, this is premised on the Prophetic precedent of the status or *hal* (situation) of a territory to be principally defined by its inhabitants.<sup>169</sup> I think the position of Ibn Taymiya on the undertaking of *jihad* in the absence of a legitimate authority, non-Muslim rulers or no application of Islamic law, is severely mitigated by the presence of Muslim subjects.

Ibn Taymiya identifies the moral imperative of *amr bil ma'ruf wa nahy an al-munkar* (enjoining the good and forbidding the evil) to be a *fard kifayah* that is fulfilled by political authority on behalf of the Muslim community.<sup>170</sup> Moral considerations, inspired by the Prophetic example and the Qur'anic text, motivate the behaviour of the ruler to uphold the rules of the Shari'ah. Further, political authority derives its legitimacy from maintaining communal stability and facilitating the practice of Islam.<sup>171</sup> Governorship is to be shouldered based on the principle of *amanah* (trust) which according to Ibn Taymiya entrusts power to the ruler as *al-ra'i* (shepherd) over his subjects as *al-ra'iyya* (flock).<sup>172</sup> The *imam* is charged with maintaining the rights of the subjects residing within the political realm – failure of this responsibility constitutes a brazen negation of the Godly-bestowed *amanah* by the ruler. By elaborating further on the motif of *al-ra'i* and *al-ra'iyya* to describe the relationship linking the ruler and ruled, Ibn Taymiya also makes an important distinction between *amir* (commander) and *ajir* (employee). Power is exercised in the decision-making process premised on

<sup>167</sup> Ibn Taymiya, *The Political Shariyah on Reforming the Ruler and the Ruled*, 194–5.

<sup>168</sup> Ibn Taymiya, trans. Yahya Michot, *Muslims under Non-Muslim Rule* (Oxford: Oxford and London, 2006), 65.

<sup>169</sup> *Ibid.*, 72–75, 80–3.

<sup>170</sup> Ibn Taymiya, trans. Muhtar Holland, *Public Duties in Islam: The Institution of the Hisba* (Leicester: The Islamic Foundation, 1992), 22–4. The responsibility and authority to apply Islamic law in a communal setting falls to political officials as opposed to the majority of Muslims in their *fard 'ayn* (individual duty). Ibn Taymiya's concern with stability and order leads him to advocate the need for a single *amir* to govern the affairs of Muslims enabling the observance of the five pillars of Islam.

<sup>171</sup> Ibn Taymiya, *The Political Shariyah on Reforming the Ruler and the Ruled*, 249–52.

<sup>172</sup> *Ibid.*, 12–4.

the notion that the ruler and ruled are partners in a contract where the latter delegates the reins of political office to the former in the role of the *ajir*.<sup>173</sup> The Muslim past supplies the language for Ibn Taymiya to propose an equitable account of politics. *Imamah* authority was believed to derive from a consenting populace in a contractual relationship.

### **Late Classical Reformism in the Muslim World**

Section two focuses on the appearance of a diverse group of reformers within the Islamic tradition during the late classical Muslim period. Prominent reformists in this group were Shah Waliyullah al-Dihlawi, Muhammad al-Shawkani and Muhammad ibn Abd al-Wahhab who emerged against a backdrop of profound change and crisis.<sup>174</sup> The late classical Islamic tradition was characterised by a diversity of accounts which sought to elaborate and disseminate their content to be the orthodox interpretation of Islam. Jurists, mystics and theologians, often embodied in a single individual, jockeyed around the Islamic scriptural texts to identify the principal Islamic normative ethos. In the construction of the Islamic tradition, classical scholars worked out a web of relationships between the Muslim religious sciences and the sacred texts. Abu Hamid al-Ghazali, as shown in the previous section, articulated the dominant account that was accepted to the orthodox position of the Islamic tradition with *tasawuuf* and Shari'ah considered to be entirely distinct accounts each concerned with its own method of realising the sacred ethos of Islam. Dissenting voices such as Ibn Taymiya attempted to challenge this cleavage between the Muslim religious sciences to revive the primacy of the Shari'ah.

This section highlights the differing emphases given to the Muslim religious sciences within the Islamic tradition by Waliyullah, al-Shawkani and ibn Abd al-Wahhab under the influence of Abu Hamid al-Ghazali and Ibn Taymiya. Decisive theological, Sufi and juristic notions were stressed to varying degrees in each of these reformist ventures. Particular elements of the Islamic tradition were selected in the critique of the present state of affairs among Muslims and proposing an alternative present that was more orthodox as embodied in the

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<sup>173</sup> Ibid., 15–6.

<sup>174</sup> See Abdus-Sattar F. Sa'id, Salma Cook and Jennifer Gad (eds.), *Scholarship in Islam* (Cairo: Al-Falah Foundation, 1999), 23–7.

recovery of the ideal past of the first Muslim community. Thus, despite of the differences existing among Waliyullah, al-Shawkani and ibn Abd al-Wahhab on political authority, social justice and Sufism, they were all united on the reformist practice of the direct interpretation of the Qur'an and *sunnah* with a pronounced study of the *ahadith*. A reform of the Islamic tradition employing the very elements that composed it was advocated by these three scholars in the project of *tajdid* among their contemporary Muslims.

### *A Tradition of Tajdid*

The tendency of *tajdid* in the late classical period was influenced by the arguments of Abu Hamid al-Ghazali and Ibn Taymiya on the recovery of the Islamic normative ethos. However, differences arose concerning the nature and content of this normative ethos transmitted in the Islamic tradition preserving the cleavages between the various Muslim religious sciences. The different accounts of the Islamic sacred texts and the major themes of Islam were inherited by Waliyullah, al-Shawkani and ibn Abd al-Wahhab in a context where their peers debated their merits and authenticity. Centrifugal tendencies continued to expand the theological, juristic and mystic vistas of the Islamic tradition. Common reference to the sacred texts of Islam united these disparate attempts at the recovery of the normative ethos from the Muslim past. Waliyullah, al-Shawkani and ibn Abd al-Wahhab employed the juristic instrument of *ijtihad* to revise, repudiate or recover certain elements of the Islamic tradition. Direct interpretation of the Qur'an and *ahadith* was an essential part of the recovery of the authentic tradition of Islam for these three scholars.

Differing emphases placed on the various accounts that composed the Islamic tradition gave each individual scholar a unique and distinctive venture of renewal. Contending points of view are de-emphasised by Waliyullah raising the roles of the Qur'an, *sunnah*, the *ijma* of *mujtahidun* (practitioners of *ijtihad*) and the majority of the Muslim community as the ultimate arbiters of Islamic orthodoxy.<sup>175</sup> Islamic philosophy, branded *hikma* (wisdom), is also invoked and

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<sup>175</sup> Shah Waliyullah, trans. Marcia K. Hermansen, *The Conclusive Argument From God* (Islamabad: Islamic Research Institute, 2003), 24–8.

incorporated into the venture of revival by Waliyullah pointing to its merits of cultivating a problem-solving habit of mind.<sup>176</sup> Continued transmission of the original ethos of Islam was influenced by a diverse Islamic tradition and also by the need to address contemporary needs of Muslims. The entire Islamic tradition was re-examined by al-Shawkani in his venture of *tajdid*. His recognition of the authoritative sacred texts of the Qur'an and *ahadith* was based on the authority of the *madhhab* of the *Salaf* (forebears) that rejected the dominant interpretations of the classical tradition.<sup>177</sup>

Insofar as the Islamic tradition was transmitted, the vast body of interpretations were re-considered: acceptance or rejection was possible in the process of transmission. Mysticism's position, institutionalised as Sufism, in the orthodox accounts of the Islamic tradition, in part due to Abu Hamid al-Ghazali's works, was contested by Waliyullah, al-Shawkani and ibn Abd al-Wahhab. Various responses towards Sufism characterise this group of renewalists: it was an essential underlying dimension in Islamic renewal for Waliyullah; accretions from the recent past that had crept into Islam in the form of Sufism had to be entirely rejected according to al-Shawkani and ibn Abd al-Wahhab. Sufism influenced, formulated by Abu Hamid al-Ghazali, the notion of *tawhid* held by Waliyullah in a practical context of virtue.<sup>178</sup> The Islamic tradition elicited a range of reactions from those who transmitted and received it. The tripartite *kalam* classification of *islam* (submission), *iman* (faith) and *ihsan* (excellence) affirmed the mystical dimensions of *ihsan* for Waliyullah.<sup>179</sup>

Fundamentally at odds with this position is ibn Abd al-Wahhab who limits knowledge of the three concepts to scriptural texts attesting to the authenticity of their content.<sup>180</sup> Crucially, a strict adherence to the Qur'an and *ahadith* in theological matters also attested to the presence of the notion of *tawhid* (monotheism) in *islam*, *iman* and *ihsan*. Furthermore, contemporary Sufi practices and ideals provoked the ire of the pens of both al-Shawkani and ibn

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<sup>176</sup>Shah Waliyullah, trans. G.N. Jalbani, *Al-Budur Al-Bazighah* [The Full Moons Rising in Splendour] (New Delhi: Kitab Bhavan, 2005), 36–8.

<sup>177</sup> Salahuddin 'Ali Abdul-Mawjood, trans. Abu Bakr ibn Nasir, *The Biography of Imam Shawkani* (Riyadh: Darussalam, 2006), 270–5.

<sup>178</sup> Waliyullah, *The Conclusiv Argument From God*, 175–6.

<sup>179</sup> Waliyullah, *Al-Budur Al-Bazighah*, 135–6.

<sup>180</sup> Muhammad ibn Abd al-Wahhab, n.t., *The Three Fundamental Bases of the Islamic Theology* (Cairo: Dar al-Kitab al-Masri, n.d.), 11–7.

Abd al-Wahhab. Observance of the practice of *zuhd* (asceticism), al-Shawkani argues, preserves the authenticity of *tasawwuf*.<sup>181</sup> No undertones of creative mystical speculation or a cult of saints motivate al-Shawkani's stance on Sufism – instead the planes of inner spiritual knowledge are acquired as a result of rigorous moral practice. More scathing in his critique of the mystical claims of Sufism was Ibn Abd al-Wahhab. A harsh retort against the cult of saints revolves around the putative elevation of human beings to a state of divine worship thus challenging the centre-piece of Ibn Abd al-Wahhab's renewalist project – a narrowly defined *tawhid*.<sup>182</sup> Scriptural texts are interpreted to support a purist notion of asceticism. Furthermore, the past of the first Muslim community is interpreted to support the rejection of the inauthentic accretions to the practices and meanings of *ibadat*. Parallels are drawn between the paganism of the pre-Islamic Arabs and Ibn Abd al-Wahhab's peers, particularly Sufis, in the exposition of an avowedly purist notion of *tawhid*.<sup>183</sup>

#### *A Return to the Texts of the Shari'ah*

In section one I contended that the Islamic tradition was constructed on the notion of a set of sacred texts, containing the ideal norms of Islam, subject to human interpretation. The sequential order of formulating Islamic law expounded by al-Shafi'i was accepted as the orthodox juristic account of interpretation. Nonetheless, this orthodox position was creatively adapted into other later accounts, considered no less orthodox, particularly by Abu Hamid al-Ghazali, developed by al-Shatibi, and Ibn Taymiya. *Ijtihad* is the chosen instrument of creative interpretation. Scriptural texts known by the designation of *usul* supply al-Shawkani the sources to discover the normative ethos and laws of Islam.<sup>184</sup> *Qiyas* and *kalam* were rejected by al-Shawkani after being rendered unauthentic in light of the authentic framework of the Shari'ah.<sup>185</sup> Certainty of knowledge is absent from both that would ensure a continuity and presence of the moral imperatives from the Muslim past. Only the Qur'an and *ahadith* possess the certainty accompanied by the unbroken transmission of

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<sup>181</sup> Abdul-Mawjood, *The Biography of Imam Shawkani*, 193–5.

<sup>182</sup> Muhammad Ibn Abd al-Wahhab, trans. Abu Ammaar Yasir Qadhi, *An Explanation of Muhammad Ibn Abd al-Wahhab's Kashf al-Shubuhah: A critical study of shirk* (Birmingham: Al-Hidaayah, 2003), 133–62.

<sup>183</sup> *Ibid.*, 91–3.

<sup>184</sup> Abdul-Mawjood, *The Biography of Imam Shawkani*, 121.

<sup>185</sup> *Ibid.*, 173–5.

sacred texts from the Prophet Muhammad until the present. Waliyullah identifies divine legislation, preserved in the sacred texts, to be the source of the authority for the exercise of *ijtihad* in the discovery of the lawful and unlawful in the same texts.<sup>186</sup> Revelation *a priori* contains Islamic law. However, the Qur'an and *ahadith* do not preclude the necessity of *ijtihad* involving the interpretation of divine texts by learned Muslim scholars.

There is a paramount concern with the *ahadith* for Waliyullah, al-Shawkani and ibn Abd al-Wahhab.<sup>187</sup> The transmission of the *ahadith* is an essential account of the Islamic tradition institutionalised into a Muslim religious science, related to jurisprudence, with a scrutiny of their *sanad* (lines of transmission). Thus, the *ahadith* is part of the *usul* of the Shari'ah that is to be interpreted. The diverse body of texts preserved and transmitted in the canonical books of *ahadith* derives its authority from the statements and actions of the Prophet Muhammad, including the *sahaba* (companions), and continued transmission. Muslim reformers in the late classical period echoed and repeated al-Shafi'i's insistence on the *ahadith* being the second source of Islamic law. Tradition as sacred texts emerges as a prominent motif in al-Shawkani's renewalist project. Direct interpretation of the Book of Allah, the Qur'an, and *sunnah*, the *ahadith*, entails the *tajdid* of Islam in the present through the framework of the Shari'ah.<sup>188</sup> Authoritativeness of *ijtihad* is a natural corollary of the authenticity of the *usul* – the Shari'ah's *usul* solely guarantee this authoritativeness. A vocal return to the foundational sources of Islam by al-Shawkani identified the normative ethos of *sunnah* to be coterminous with the entirety of the *ahadith*.<sup>189</sup>

Ibn Taymiya's rejection of *taqlid* is approvingly cited by al-Shawkani to support his position on the employment of *ijtihad*.<sup>190</sup> Also juristic arguments for the resumption of *ijtihad* are borrowed from Ibn Taymiya in the case of ibn Abd al-Wahhab's treatment of the Qur'an and *ahadith*.<sup>191</sup> Thus far, the classical

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<sup>186</sup> Waliyullah, *The Conclusive Argument From God*, 186–7.

<sup>187</sup> The renewalist spirit of a return to the foundational sources was also an attempt to revitalise the study of *ahadith*. Copious reported sayings and actions of the Prophet Muhammad were preserved in the books of *ahadith* codified as authoritative texts for the purpose of interpretation. Boundaries imposed on the practitioners of the *madhahib* in the form of *taqlid* of the rulings and methods of each rite of jurisprudence are to be discarded for an unfettered direct interpretation of the authentic sources of the Shari'ah, principally located in the *ahadith* books.

<sup>188</sup> Abdul-Mawjood, *The Biography of Imam Shawkani*, 350.

<sup>189</sup> *Ibid.*, 163–5.

<sup>190</sup> *Ibid.*, 83.

<sup>191</sup> Rahman, *Islam*, 197–8.

Islamic tradition was constituted by juristic accounts, mainly from the *madhahib*, of a set of commonly accepted laws that Muslims were to observe. A thoroughgoing critique of *taqlid* by al-Shawkani and ibn Abd al-Wahhab, following the example of Ibn Taymiya, created the religious justification for *ijtihad* in the *tajdid* of the message of Islam. Closely linked interpretations to the Islamic scriptural texts, especially the *ahadith*, would remove the un-Islamic accretions within the Islamic tradition. Sacred texts and the established classical interpretations of sacred texts, juristic, theological or mystical, were clearly distinguished. Now the orthodox tradition was located in these texts and the early Muslim past, of the Prophet and the *sahaba*. The authority of the *ahadith* was further augmented by the search for the inner dimensions of Islam according to Waliyullah's recognition of it as a primary source of Islamic law.<sup>192</sup> However, this additional aspect of the *ahadith* was not entirely shared by al-Shawkani and seemingly not at all by ibn Abd al-Wahhab. Influences from Abu Hamid al-Ghazali are palpable throughout the works of Waliyullah in his espousal of *tajdid* combining *tasawuuf* and jurisprudence.

Behind the rules of Islam lie meaningful rationales endowed by God and comprehensible for human beings. The intimate affinity between the higher purposes of Islam and the laws regulating the mundane affairs of Muslims is acknowledged by Waliyullah in *Hujjat Allah al-Baligha (The Conclusive Argument From God)* indebted to Abu Hamid al-Ghazali.<sup>193</sup> More principles are adopted from Abu Hamid al-Ghazali such as *maslahah* in the act of formulating Islamic law applying *qiyas* to *ahadith*.<sup>194</sup> Al-Shawkani elevates the *jalb al-masalih wa daf al-mafasid* (promotion of welfare and removal of harm) to be a major moral imperative in the formulation of rules.<sup>195</sup> Al-Shafi'i's orthodox formulation of *usul al-fiqh* was challenged by al-Shawkani in his rejection of *qiyas*.<sup>196</sup> Uncertain subjective formulations of Islamic law are not tenable substitutions for the certainty of the transmitted texts of the Qur'an and the *ahadith* in the divinely-ordained Shari'ah.

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<sup>192</sup> Waliyullah, *The Conclusive Argument From God*, 4–6.

<sup>193</sup> *Ibid.*, 21.

<sup>194</sup> *Ibid.*, 312.

<sup>195</sup> Abdul-Mawjood, *The Biography of Imam Shawkani*, 201–7.

<sup>196</sup> *Ibid.*, 139–42. When a seemingly new situation arises that is found to share an *illah* (cause) of the case of an established rule according to al-Shawkani then *qiyas* is redundant as neither one is the original or secondary case – these two cases are in reality one.

*Ijtihad* was exercised by the first Muslim community and thereafter, including Abu Hamid al-Ghazali, to clarify the normative objectives enshrined in the *masalih* notes Waliyullah.<sup>197</sup> Defining *ijtihad* as “the *Faqih* exhausting all efforts in reaching what he considers to be the *Shar’i* ruling”, al-Shawkani essentially treats the act of interpretation in Islam to be juristic in nature.<sup>198</sup> Precedents exist in the early Muslim past and the classical Islamic tradition for the authority to directly engage with the scriptural texts recognising the presence of normative objectives in the Qur’an and *ahadith*. Indeed, the varying degrees of the exercise of *ijtihad*, determined according to a hierarchy of proficiency, necessarily involve knowledge of the *ahadith* literature at the very least.<sup>199</sup> Al-Shawkani finds justification for the exercise of *ijtihad* in a *hadith* where there is a Godly-recompense to undertake it leading to the conclusion that the rulings a *mujtahid* arrives at are only binding for him.<sup>200</sup> Interpreting through *ijtihad* and acting upon its results are embodied in the Muslim, whether lay-person or scholar, as a human subject.

#### *Moral Reform through Political Stability and Jihad*

The notion of political authority in the Islamic tradition did not undergo substantial revision in the late classical period among renewalists. Communal stability was retained as a priority for rulers in an era that demanded renewal of the understanding of Islam among Muslims. Thus, politics was a realm of human existence that provided the channels to apply Islamic law which was formulated by Muslim jurists who directly interpreted the sacred texts. Positions of public offices, from the ruler to the judge, are to be guided by the Shari’ah to implement the authentic interpretation of Islam. Political authorities derive their legitimacy based on the wherewithal to protect the interests or welfare of their subjects and to preserve Islam within the boundaries of the state.

All three scholars in this section dealt with the question of the worldly implications of Islam in different ways. Waliyullah espoused a broadly conceived system incorporating all aspects of human experience while al-Shawkani and

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<sup>197</sup> Waliyullah, *The Conclusive Argument From God*, 15–6.

<sup>198</sup> Abdul-Mawjood, *The Biography of Imam Shawkani*, 144.

<sup>199</sup> Waliyullah, *The Conclusive Argument From God*, 462–5.

<sup>200</sup> Abdul-Mawjood, *The Biography of Imam Shawkani*, 55–6.

ibn Abd al-Wahhab were mainly concerned with the ruler fulfilling the Shari'ah by applying the letter of the law. Various accounts of the Islamic tradition were selected and adapted that seem to be the source of differences between Waliyullah, influenced by Abu Hamid al-Ghazali, on the one hand and al-Shawkani and ibn Abd al-Wahhab, influenced by Ibn Taymiya, on the other hand. The belief in a comprehensive Shari'ah framework unites these three individuals in the quest for *tajdid* whose fruits are to be put into practice by those in political authority – application of Islamic law amid the stability of the rule of law. However, I note that ibn Abd al-Wahhab's venture of *tajdid* was less concerned with state-making and more with unravelling states deemed to be un-Islamic.

Narrow concerns with the study and application of Islamic law, in the juristic accounts, were substantially broadened in Waliyullah's renewal. No longer simply a matter of an orthodox and authentic reading of the sacred texts, *tajdid* entailed the rejuvenation of the Muslim body-politic. The process of applying Shari'ah was part of an overall sequential order of 'development' that if followed faithfully would lead to the highest stage of the human civilisation. These were called *irtifaqat* (stages of socio-economic development) by Waliyullah. In an evolutionary scheme of development, the *irtifaqat* begin with the first *irtifaq* (stage of socio-economic development) until it progresses to the fourth and final *irtifaq* of civilised urban existence of the *khilafah*.<sup>201</sup> Human cultures vary according to the *irtifaq* in which they are situated in.

Another interesting element to Waliyullah's theory is the dichotomy between the rural and the urban neatly corresponding to Ibn Khaldun's cyclical rise and fall of dynastic states hinged on the successful evolution from a tribal confederation into an urban ruling class driven by *asabiya* (group-solidarity). However, Ibn Khaldun's name and his *opus magnum*, *al-Muqaddimah*, are noticeably not alluded to by Waliyullah.<sup>202</sup> Socio-cultural affairs, centred upon religion, are the foundations of state institutions or lack of in the first *irtifaq*,

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<sup>201</sup> Waliyullah, *The Conclusive Argument From God*, 115–8.

<sup>202</sup> See Muhammad al-Ghazali, *The Socio-Political Thought of Shah Waliullah* (New Delhi: Adam Publishers and Distributors, 2004), 297. The author of this book, not Shaykh Muhammad al-Ghazali whose works form the principal focus of this thesis, argues that the uncanny similarities between Waliyullah and Ibn Khaldun do not demonstrate influence of the latter on the former but rather the observations distilled by each of their immediate context.

commensurate with each *irtifaq*. Social contexts driven by the growth along the *irtifaqat* give rise to the institutions needed to maintain stability and order. Waliyullah locates *maslahah* in each successive stage of the *irtifaqat*.<sup>203</sup> It would seem that for Waliyullah the presence of one of the key moral elements of the Shari'ah, *maslahah*, is continually realised in the *irtifaqat*'s evolutionary process.

Muhammad ibn Abd al-Wahhab's reform involved bringing the corpus of the *ahadith* to re-evaluate the Islamic tradition and to revise its accounts. Theology and law, similar to Ibn Taymiya, are brought under the framework of the Shari'ah whereby the five pillars of Islam are expanded to include the worldly activism of *jihad*.<sup>204</sup> For ibn Abd al-Wahhab, reproducing elements of Ibn Taymiya's own interpretation of this theme, *jihad* occupies the same plane of religious significance as *salah* (prayer) or *zakat* (almsgiving). Renewal is realised through the striving of *amr bil ma'ruf wa nahy an al-munkar* in a Muslim community which has deviated from the authentic practice of Islam. Revisiting the Muslim past enabled Ibn Abd al-Wahhab to propose an alternative present that emulated the ideal Islamic normative ethos – the panacea for the corrupt state of Muslims.

Al-Shawkani and ibn Abd al-Wahhab shared a common juristic hostility towards other accounts of interpretation in the Islamic tradition. Islamic law, directly derived from the *usul* of the Shari'ah, was to be applied without any hindrance or exceptions. Other accounts that failed to pay due deference to and neglected the Qur'an and *ahadith* were considered to be unorthodox. The challenge by al-Shawkani to the existing Islamic tradition was expressed in a more circumspect fashion compared to Ibn Abd al-Wahhab's exhortations to *jihad*. In this spirit, the chosen methods of renewal for al-Shawkani in a Muslim political order are to preach to the ruled and to counsel the rulers.<sup>205</sup> Prevalent misconceptions of Muslim practice or beliefs, exemplified by *taqlid*, are to be corrected by the gradual reform of the Muslim community based on the act of persuasion. Upholding of the divinely-revealed law was to be undertaken by the renewalist in the present who was the living embodiment of the ideal normative

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<sup>203</sup> Waliyullah, *The Conclusive Argument From God*, 64.

<sup>204</sup> Muhammad Ibn Abd al-Wahhab, *The Three Fundamental Bases of the Islamic Theology*, 20, 24.

<sup>205</sup> Abdul-Mawjoed, *The Biography of Imam Shawkani*, 372–5.

ethos of the Muslim past. This was, as noted above, interpreted differently by ibn Abd al-Wahhab who advocated military struggle against political authorities who did not apply the Shari'ah in its entirety. Harsh rebuke is levelled against the Fatimid dynasty for the failure to implement the laws of the Shari'ah putting its territory beyond the pale of *dar al-Islam* that required *jihad* to rectify the deviation from Islamic law.<sup>206</sup> I think political stability was a secondary concern for ibn Abd al-Wahhab with his exegesis of the Qur'an and *ahadith* as a struggle to establish a pious Muslim community. Earlier I alluded to his project of *tajdid's* emphasis on unravelling states and replacing them with a ruler who unflinchingly applies Islamic law.

Two distinct yet related meanings of *jihad* were accepted into the orthodox tradition of Islam: the first pertained to the inner spiritual effort and the second was concerned with outward acts of resistance against an aggressor. Prophetic sayings preserved and transmitted supply the text to interpret the precise rules for military struggle, when war is permitted and the purpose of *jihad* in the path of God.<sup>207</sup> Furthermore, obedience to rulers and scholars who arrogate God's authority in matters of law and who apply their own conceived laws, independently from the Qur'an and *ahadith*, in substitution of the Shari'ah is considered to be act of polytheism on the part of Muslims.<sup>208</sup> *Jihad* was a core principle in ibn Abd al-Wahhab's renewal aimed at religious heterodoxy whether tolerated by political authorities or espoused by Muslims. Departing from ibn Abd al-Wahhab on this point, al-Shawkani urges the erudite scholar following the virtuous path of the first Muslims to offer reform-minded counsel to the Muslim community. I think it may be apt to mention Fazlur Rahman's contention that ibn Abd al-Wahhab did not fully grasp the works of Ibn Taymiya in two important areas: undertaking of warfare against Muslims and *takfir* (declaring of apostasy).<sup>209</sup> Apparent differences between the two figures, despite subscribing

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<sup>206</sup> Ibn Abd al-Wahhab, An Explanation of Muhammad ibn Abd al-Wahhab's *Kashf al-Shubuhah*, 173. The Fatimid dynasty, founded in North Africa in 909 CE, spread eastwards to Egypt where it formally established itself in the newly built capital city of Cairo until 1171. Its rulers espoused the heterodox Isma'ili doctrine from the Shi'ite family of religious traditions that provided legitimacy for their authority rivalling the two seats of the Sunni *khilafah* in Umayyad Cordoba and Abbasid Baghdad.

<sup>207</sup> Muhammad Ibn Abd al-Wahhab, trans. Compilation and Research Department Dar-us-Salam, *Kitab at-Tauhid* (Riyadh: Dar-us-Salam Publications, 1996), 179–81.

<sup>208</sup> *Ibid.*, 130–2.

<sup>209</sup> Rahman, *Revival and Reform in Islam*, 160–1. Cf. Michael Cook 'On the Origins of Wahhabism', *Journal of the Royal Asiatic Society*, 2/2 (Jul., 1992), 199–201. The position that Muhammad ibn Abd al-Wahhab misunderstood Ibn Taymiya is examined by Michael Cook in a probing account of the possible sources that may have influenced this eighteenth century Muslim scholar from Nejd. An illuminating account of the transmission of the religious Muslim sciences to ibn Abd al-Wahhab was also undertaken

to the basic tenets of the Hanbali *madhhab*, in their political positions can be traced to the misinterpretation of Ibn Taymiya. I submit that al-Shawkani's understanding of the role of the scholar, discussed above, firmly centred on the efficacy of reform may be due to Ibn Taymiya's nuanced position on *dar al-Islam* and *dar al-Harb*.

The venture of *tajdid* interwoven into the evolution of a civilisation for Waliyullah is anticipated by the Khaldunian theme of *asabiya* in the fourteenth century.<sup>210</sup> Political authority in the third and fourth *irtifaqat* is of especial interest in the examination of Islamic renewal according to Waliyullah. In the third *irtifaq*, communal unity in a *madina* (city-state) requires the establishment of an *imam* for the purpose of maintaining the *masalih* of the subjects.<sup>211</sup> The juristic priority of maintaining stability while Islam is practiced is adopted by Waliyullah in the *madina*. Communal integrity in the third *irtifaq* is dependent on the presence of an *imam*.<sup>212</sup> Legitimacy of political authority in the juristic account of the Islamic tradition is largely accepted in an elaborate theory of the evolution of human civilisation. Waliyullah however does make adaptations to the notion of kingship and more broadly of the body-politic.

The *khilafah* emerges as the body-politic in the final *irtifaq*. Sunni Muslim jurists were in common agreement about the ideal political institution of the *khilafah*, either to be revived or continuing, for the purpose of applying Islamic law. Waliyullah inserts the role of the *khalifah* (head of the Muslim community) at the apex of the *irtifaqat*. Political unity of the disparate kingships, arising in the third *irtifaq*, at the fourth *irtifaq* takes place under the rule of the *khilafah*.<sup>213</sup> Classical juristic formulations of political authority are retained for their prescriptive role of combating tyranny and unruly uprisings within the

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by John Voll in 'Muhammad Hayya al-Sindi and Muhammad ibn Abd al-Wahhab: An Analysis of an Intellectual Group in Eighteenth-Century Madina', *Bulletin of the School of Oriental and African Studies*, 38/1 (1975), 32–39.

<sup>210</sup> Dynasties wax and wane according to the efficacy of the *asabiya* present between the rulers and the ruled, more precisely the influential members of social organisation, when initially they are formed as a result of kinship ties. Religious ideology, Islam, reinforces and sustains *asabiya* that allows a dynasty to survive. Interestingly, Ibn Khaldun also identifies *asabiya* as the driving force behind movements to overthrow established dynastic regimes. See Ibn Khaldun, *The Muqaddimah*, 127.

<sup>211</sup> Waliyullah, *The Conclusive Argument From God*, 129, 135–6. *Madina* is synonymous with *umran* (civilisation) for Ibn Khaldun in establishing the necessary foundations of human beings in a collective grouping. See Ibn Khaldun, *The Muqaddimah*, 45.

<sup>212</sup> Waliyullah, *Al-Budur Al-Bazighah*, 75.

<sup>213</sup> Waliyullah, *The Conclusive Argument From God*, 129, 137–9.

boundaries of the *khilafah*.<sup>214</sup> Invoking the normative ethos of the first Muslim community, Waliyullah views the *khalifah* to be a continuation of the Prophet Muhammad's function of the dissemination of Islam and the reform of the Muslim community.<sup>215</sup> I think the positions of al-Mawardi and Ibn Khaldun are discernable in Waliyullah's stance that the institution of the *khilafah* succeeds the Prophet's political authority dedicated to communal stability and applying the Shari'ah in the Muslim community. Further, for Waliyullah, *tajdid* is intimately linked to the political construction of the Muslim community, privileging a single political centre, in a socio-economic evolutionary process.

Al-Shawkani reproduces the classical notion of the ruler as *imam* and the ruled as the *al-ra'iyya* which lays down the obligation of the former to implement the five pillars of Islam among the latter.<sup>216</sup> Applying the writ of the Shari'ah is a core function of the ruler. Communal reform is carried out by a central political authority which applies the rules of Islam. Furthermore, the state is charged with the task of taxing, limited to the collection of *zakat*, in accordance with the Shari'ah's imperative of safeguarding the rights of subjects.<sup>217</sup> The political centre re-appears in Waliyullah's thought in determining the imposition of taxes at the third *irtifaq*. The state's dependence on taxation is confined to the wealth and income of the prosperous members of the community by a marked notion of social justice.<sup>218</sup> Communal integrity is contingent on a stable political institution's ability to exact a fiscal policy without imposing unwarranted hardship on the majority of the Muslim community.

### **Post-Classical Reformism in the Age of *Nahda***

Section three begins the examination of the explicitly articulated projects of change that was called *islah* (reform) by Rifa'a Rafi al-Tahtawi and Khayr al-Din al-Tunisi during the middle of the nineteenth century. Change according to these two reformists involved transcultural contact with Europe – the Enlightenment heritage and especially its French variant. The Islamic tradition and other foreign traditions were subject to a syncretic venture. A synthesis with

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<sup>214</sup> Waliyullah, *Al-Budur Al-Bazighah*, 97–8.

<sup>215</sup> *Ibid.*, 195.

<sup>216</sup> Abdul-Mawjood, *The Biography of Imam Shawkani*, 137.

<sup>217</sup> Abdul-Mawjood, *The Biography of Imam Shawkani*, 244.

<sup>218</sup> Waliyullah, *The Conclusive Argument From God*, 129, 134–5.

non-Islamic notions in the Islamic tradition was attempted. Political reform of the Muslim world was stamped by the hallmark of the *nahda* era. The educational settings and political experiences of al-Tahtawi and al-Tunisi inevitably shaped how the Islamic tradition was deployed for borrowing from a foreign tradition in the project of *tajdid*. Approaching the end of the nineteenth century, the emergence of a loosely connected group of reformers in the Muslim world was in large part inspired by the efforts of reform of al-Tahtawi and al-Tunisi. Following this, I examine Jamal al-Din al-Afghani, Muhammad Abduh, Rashid Rida, Muhammad Iqbal, Amir Shakib Arslan and Shibli Numani, who make up this group of reformers, and their attempts to create a vision of indigenous renewal characterised by the direct reading of the scriptural texts of Islam. The Muslim world was perceived to be in an intransigent predicament that threatened its very capacity to renew itself. Thus, *islah* was couched in the language of *tajdid* observed in the previous two sections invoking the past of the first Muslim community.

### **The Early Trend of *Islah***

The construction of a political centre able to enact policies generating a *nahda* of *dar al-Islam* was the immediate objective for Rifa‘a Rafi al-Tahtawi and Khayr al-Din al-Tunisi. New elements from a foreign tradition, the European Enlightenment, added to the existing accounts of the Islamic tradition shaped the project of *islah* during the middle of the nineteenth century. The ailing fortunes of the Ottoman Empire provided the broader context against which al-Tahtawi and al-Tunisi deployed the Islamic tradition in the attempt to revitalise the Muslim community. Both thinkers were instructed in the dominant institutions of their time: al-Tahtawi was an *alim* (Muslim scholar) trained at the orthodox bastion of al-Azhar seminary<sup>219</sup> and al-Tunisi was educated in the heart of the Ottoman state with its reformist agenda of the *tanzimat* (reorganisation). However, al-Tahtawi’s subsequent sojourn in Paris, chaplain to an Egyptian student mission to France, proved to be a particularly decisive stage in his intellectual development toward the advocacy of *islah*-driven

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<sup>219</sup> An edifying description of the method of teaching at al-Azhar, predominant without any challenge at least until the mid-nineteenth century, by Timothy Mitchell defies the conventional view of ‘tradition’ in pointing to the disputative fashion of learning by its students centred on the craft and profession of law. Timothy Mitchell, *Colonising Egypt* (Cambridge and Melbourne: Cambridge University Press, 1988), 82–5.

change. Al-Tunisi's involvement in the *tanzimat* of the Ottoman state, both in Istanbul and Ottoman Tunisia, entrenched the belief in the primacy of the reconstruction of the state to carry out the broader project of *islah* among the Muslim community. The Islamic tradition for Khayr al-Din, a fellow reformist of the same brand as al-Tahtawi,<sup>220</sup> was the dynamic cultural reservoir employed to add elements of the European tradition of the Enlightenment to the normative core of the Shari'ah.<sup>221</sup>

### *Tools for a Transcultural Syncretism*

Classical theology provided al-Tahtawi with the tools needed to begin to adapt European ideas about law and politics into his *islah* project. He was joined by al-Tunisi's reliance on the juristic account of the Islamic tradition for the purpose of finding common ground between Islam and the Enlightenment. Aristotelian logic and *kalam* were deployed by al-Tahtawi to draw analogies between Islamic and European notions in a transcultural syncretism.<sup>222</sup> Adaptation of ideas from the tradition of the Enlightenment into the dominant framework of Islam pointed to the capacity of the acceptance of the foreign ideas in *kalam*. The juristic account of the Shari'ah, for al-Tunisi, supplied the principles to re-interpret the body of rules in line with the *tanzimat* agenda. Cooperation in the political centre between politician and religious scholars is based on the latter's interpretation of scriptural texts and their context underpinned by *maslahah*.<sup>223</sup> Establishing and preserving the integral interests of Muslims rooted in the normative ethos of Islam informs the process of the *tanzimat* to reconstruct anew the political centre. Al-Tunisi favourably cites Shaykh Muhammad Bayram, an eighteenth century Tunisian jurist, and his invocation of Ibn Qayyim al-Jawziya, a close disciple of Ibn Taymiya, to the effect that the Shari'ah allows the construction of new political forms. Existing elements of the juristic account are applied to raise the status of the Shari'ah as the methodological framework

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<sup>220</sup> Khayr al-Din al-Tunisi, trans. Leon Carl Brown, *The Surest Path: The Political Treatise of a Nineteenth Century Muslim Statesman* (Cambridge, Massachusetts: Harvard University Press, 1967), 155–156.

<sup>221</sup> See Larbi Sadiki, *The Search for Arab Democracy* (London: Hurst & Company, 2004), 218–29. A judicious account of the *islah* trend by Larbi Sadiki alerts us to the various facets bringing Khayr al-Din al-Tunisi and Rifa'a Rafi al-Tahtawi onto a shared intellectual ground: concern with Muslim backwardness in the present, adoption of European ideas, continuing relevance of Islam, the presence of an enlightened political centre, importance of *maslahah*, revived practice of *ijtihad* to reinterpret the Shari'ah, pre-occupation with justice, gradual nature of reform and the necessity of *shura* for good government.

<sup>222</sup> Rifa'a Rafi al-Tahtawi, trans. Daniel L. Newman, *An Imam in Paris: Account of a Stay in France by an Egyptian Cleric, 1826–1831* (London: Saqi, 2004), 341–346.

<sup>223</sup> Al-Tunisi, *The Surest Path*, 123–8.

from within which to add and adapt elements from a foreign tradition. Comparability of the *maqasid al-Shari'ah* with the Western theory of natural law is argued by al-Tahtawi.<sup>224</sup> The Islamic tradition is interpreted by al-Tahtawi and al-Tunisi to propose the acceptance of elements from the Enlightenment in a series of parallels.

### *Tanzimat of the Political Centre*

Precedents from the Muslim past, the Abbasid and Umayyad dynasties, are cited by al-Tahtawi to support the role of the state in carrying out the project of *islah*.<sup>225</sup> Patronage of educational institutions by these dynasties attests to the pivotal role of the political centre in fostering reform among Muslims. The distant past provides examples for a state-led project of *islah* in a rapidly transcultural world. Moreover, the recent past provides the example of the indigenous *jumhuriya iltizamiyya* (tax-farming government of the masses) of an Upper Egyptian tribal ruler, Shaykh al-Hammam, compared to the newly conceived *hukm al-jumhuriya* (government by the masses).<sup>226</sup> What can be considered to be a social contract between the inhabitants and the rule of Shaykh al-Hammam is cited as a precedent by al-Tahtawi for a reformist polity. Analogies between the elements from a foreign tradition in the present and authoritative examples in the past are part of the process making acceptable changes to the Islamic tradition. In this vein, the *tanzimat*, a series of reforms that involved borrowing critically from Europe, is deemed by al-Tunisi to be compatible with Islam and the Shari'ah.<sup>227</sup> The *ahadith*, the authority of classical Islamic tradition and distinguished contemporary jurists are invoked to support the religious necessity of the *tanzimat's* existence.

However, both al-Tahtawi and al-Tunisi retain the underlying premise of classical Muslim thought of the people as *al-ra'iyya* of the state. Al-Tahtawi

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<sup>224</sup> Rifa'a Rafi al-Tahtawi, 'Fatherland and Patriotism', in John J. Donohue and John L. Esposito, *Islam in Transition: Muslim Perspectives* (New York and Oxford: Oxford University Press, 2007), 12.

<sup>225</sup> Al-Tahtawi, *An Imam in Paris*, 106–108.

<sup>226</sup> *Ibid.*, 304. Zeinab A. Abul-Magd observes that under the rule of Shaykh Hammam during the eighteenth century, Upper Egypt was governed according to a 'social contract' that protected the interests of the various social groups, Christians, peasants and Bedouins, in the region based on a communal decision-making process and the application of Shari'ah law. See Zeinab A. Abul-Magd, *Empire and Its Discontents: Modernity and Subaltern Revolt in Upper Egypt: 1700–1920* (Ph.D Dissertation: Georgetown University, 2008), pp. 80–7.

<sup>227</sup> Al-Tunisi, *The Surest Path*, 74–9, 114–6.

employs this term in his discussion of the French bicameral political system where one body is dedicated for the *al-ra'yya*.<sup>228</sup> Participation in public life for al-Tunisi is a political right for the *al-ra'yya* confirmed by a *hadith* from the second *khalifah*, Umar bin al-Khattab, of the first Muslim community.<sup>229</sup> Favourable possession of rights and obligations akin to the Ottoman subjects' European counterparts is a major theme in the objectives of *islah*. The moral basis for these rights is located in the common ground created by the parallels between Islamic and European notions. Freedom is equated with the Islamic values of *adl* (justice) and *insaf* (equity).<sup>230</sup> Rendering the French term of *liberté* into *huriya* (freedom), al-Tunisi integrates these two elements into a single notion which ensures the conditions for economic prosperity commensurate with the higher aims of the *tanzimat*.<sup>231</sup> Its latter sense grants political clout to the *ahl al-hall wa l'aqd* (those who loose and bind), representatives from the upper strata of the Muslim community, vis-à-vis the executive branch of the state.<sup>232</sup> Al-Tunisi makes an analogy between parliamentary representatives in France and an elitist conception of the *ahl al-hall wa l'aqd* in the practice of *taghiyr al-munkar* (to change any wrong).<sup>233</sup> A poignant example of *huriya* cited by al-Tahtawi is found in a *hadith* reporting a statement from the second *khalifah* of the conviction that before all else men are born *ahrar* (free) affirming a common moral premise between the French and the Arabs.<sup>234</sup>

Despotism is tackled by al-Tunisi in his exposition of *shura* that aims at *taghiyr al-munkar* "to demand an accounting of the state in order that its conduct may be upright, even if the roads leading to this end may differ."<sup>235</sup> However, al-Tunisi awards absolute primacy to the Godly-revealed Shari'ah as *al-wazi al-dini* (the religious restrainer) which all Muslims, particularly the ruler, must obey.<sup>236</sup> Precedents appear in the example of the Prophet Muhammad and among the rulers of the first Muslim community. The parliamentary institutions in France are perceived by al-Tahtawi to embody the notion of *shura*

<sup>228</sup> Al-Tahtawi, *An Imam in Paris*, 191–2.

<sup>229</sup> Al-Tunisi, *The Surest Path*, 160–5.

<sup>230</sup> Al-Tahtawi, *An Imam in Paris*, 205–206.

<sup>231</sup> Al-Tunisi, *The Surest Path*, 160–1.

<sup>232</sup> Al-Tahtawi, *An Imam in Paris*, 189–190.

<sup>233</sup> Al-Tunisi, *The Surest Path*, 161.

<sup>234</sup> Al-Tahtawi, *An Imam in Paris*, 369–370.

<sup>235</sup> Al-Tunisi, *The Surest Path*, 82–4.

<sup>236</sup> *Ibid.*, 120–1.

acting as a participatory outlet for the subjects of the state.<sup>237</sup> The task of state-making for al-Tahtawi demanded the demotic participation of Muslims and this was to be accomplished through the cultivation of *hubb al-watan* (love of the nation) combining religion and a Khaldunian sense of group-solidarity.<sup>238</sup> According to al-Tunisi, prosperity occurs when the *maslahah* of a *watan* (nation) is promoted by the state.<sup>239</sup> A proto-nationalism emerges in the project of *islah* through the religiously shaded repertoire of the Arabic language.

### **Rethinking *Tajdid* at the Turn of the Twentieth Century**

A transcultural space between the Islamic tradition and the traditions emanating from Europe to the Muslim world was created by al-Tahtawi and al-Tunisi in the middle of the nineteenth century. Revision of the indigenous tradition of Muslims focused on the religious legitimacy of a reform-oriented body-politic. Sacred texts and the Muslim past were interpreted to propose a project of *islah* in an age of the transcultural *nahda*. Al-Tahtawi and al-Tunisi outlined a new conception of change based on the classical accounts of *kalam* and jurisprudence. Through the *Shair'ah*, adaptations from Europe were justified in the *tanzimat*. Towards the end of the nineteenth century, there emerged a diverse group of Muslim scholars and thinkers who elaborated the principal themes of *islah* articulated by al-Tahtawi and al-Tunisi. Jamal al-Din al-Afghani, Muhammad Abduh, Muhammad Iqbal, Shakib Arslan and Shibli Numani are prominent figures among this group who pursued a programme of change for the Muslim community. While the efforts of al-Tahtawi and al-Tunisi were seemingly limited to the conception of the body-politic, this group devoted its intellectual energies to a substantial rethinking of the entire body of the Islamic tradition – including revision of the meaning of Islamic orthodoxy.

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<sup>237</sup> Al-Tahtawi, *An Imam in Paris*, 318.

<sup>238</sup> Al-Tahtawi, 'Fatherland and Patriotism', 11. Ibn Khaldun's *al-Muqaddimah* was a transmitted element of Islamic tradition in the territories of the Ottoman Empire which included Egypt and Tunisia. See Norman Itzkowitz, *Ottoman Empire and Islamic tradition* (Chicago and London: The University of Chicago Press, 1972), 100–3. The knowledge transmitted in the Ottoman *madaris* (religious seminaries) included not only the subjects of theology and law but also natural history, astronomy, mathematics and medicine considered to be elements of *Ilmiye*, the intellectual domain of the *ulama*, Bernard Lewis observes in *Istanbul and the Civilisation of the Ottoman Empire* (Norman: University of Oklahoma Press, 1963), 146–9. However, Fazlur Rahman cites the example of the rebuffed efforts of Muhammad Abduh to introduce the study of *al-Muqaddimah* at al-Azhar University, who is examined in some detail in this chapter, to illustrate its absence in the orthodox religious curriculum. See Fazlur Rahman's *Islam and Modernity* (Chicago and London: The University of Chicago Press, 1982), 64, 66–7.

<sup>239</sup> Al-Tunisi, *The Surest Path*, 86.

Struggles for *tajdid* among Muslim scholars were continuously conceived from within the Islamic tradition in the late nineteenth and early twentieth centuries. Classical scholars such as Ibn Taymiya, al-Shatibi and ibn Abd al-Wahhab served as highly-esteemed authorities and ideal examples for the re-interpretation of the Islamic sacred texts. Among the dominant accounts of jurisprudence, theology and Sufism in the Islamic tradition, the recovery of *falsafa* (philosophy), also known as *hikma*, introduced a new account in the wider venture of renewal. Jamal al-Din al-Afghani proposed the application of *hikma* to human life, particularly *ma'amalat*, which would lead to rationally acquired knowledge of virtue and felicity for human beings.<sup>240</sup> In the previous section, I noted the presence of *hikma* in the project of reform constructed by Waliyullah, who was a firm and staunch advocate of orthodoxy in the Indian subcontinent, which would easily lend itself to Afghani's own understanding of this discipline.<sup>241</sup> Later, al-Afghani's stance on philosophy, and the faculty of the *aql* in particular, was adopted by Muhammad Abduh, one of his students in Egypt, to complement the truths contained in revelation. Revelation in Islam, Abduh argued, is completely in agreement with the *aql*.<sup>242</sup> The contents of the Qur'an could be understood rationally. However, al-Afghani, the teacher, goes much further in awarding philosophy the primacy of being the pivot for the organisation of knowledge whereby its universal import integrates the various sciences.<sup>243</sup>

Preoccupation with *tawhid* in the theological underpinnings of reform in unequivocal terms was articulated by Ibn Taymiya during the middle classical period and later reformulated in a radical appraisal of the contemporary Muslim

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<sup>240</sup> Jamal al-Din al-Afghani, trans. Nikki R. Keddie and Hamid Algar, 'The Benefits of Philosophy', in Nikki R. Keddie, *An Islamic Response to Imperialism: Political and Religious Writing of Sayyid Jamal ad-Din "al-Afghani"* (Berkeley and Los Angeles: University of California Press, 1968), 110–112.

<sup>241</sup> The contemporary origins of the revival of philosophy in the Arab world is traced to the *nahda* period by Peter S. Groff in *Islamic Philosophy A–Z* (Edinburgh: Edinburgh University Press, 2007), 142–5, which unfortunately neglects two related and under-examined facets of the Islamic tradition: first, its continued study under the name of *hikma* by classical scholars such as Shah Waliyullah al-Dihlawi; and second, the links between the Arabic speaking and non-Arabic speaking regions connected by networks of Muslim scholars and renewalists.

<sup>242</sup> Muhammad Abduh, trans. Ishaq Musa'ad and Kenneth Cragg, *The Theology of Unity* (Kuala Lumpur: Islamic Book Trust, 2004), 30–32.

<sup>243</sup> Jamal al-Din al-Afghani, trans. Nikki R. Keddie, 'Lecture on Teaching and Learning', in Nikki R. Keddie, *An Islamic Response to Imperialism: Political and Religious Writing of Sayyid Jamal ad-Din "al-Afghani"* (Berkeley and Los Angeles: University of California Press, 1968), 104.

community by ibn Abd al-Wahhab. *Tawhid* was adapted as part of al-Afghani's transcendental reading of this notion.<sup>244</sup> Although he retains the basic crux of the monotheism present in orthodox theology, it is located in a context of philosophy that privileges the independent capacity of reason to discern moral truths. A purist conception of *tawhid* was espoused by Rashid Rida, a later scholarly companion of Abduh, highlighting its transformative impact on the early Muslims.<sup>245</sup> Religious and political strangleholds were removed as a result of the moral strength of this notion in the foundation of Islamic civilisation. The Muslim past of the *Salaf*, with echoes of the late classical reformers such as al-Shawkani, provided virtuous examples to emulate for contemporary Muslims in the quest to revive the core notion of *tawhid* in the face of impious accretions. Writing during the rule of the British Raj in India, Shibli Numani began his magisterial tome of the Prophet Muhammad's life, *Siratur Nabi*, which was only to be completed posthumously. The *sirah* (epic of the Prophet) in Numani's hands was certainly animated by an indigenous conception of renewal elevating *tawhid* as the ideal purist notion.<sup>246</sup> The Prophet Muhammad's role in the process of conveying its knowledge and ensuring the conformity of the early Muslims was instrumental in precluding any further extrapolations.

Reviving juristic inquiry into the scriptural texts involved critiquing the practice of *taqlid* in Islamic law. *Ijtihad* and *taqlid* were cast as complete opposites in the project of reform in this period. Criticisms against *taqlid* in the Islamic tradition were shared by the Sufi Abu Hamid al-Ghazali and the jurist al-Shawkani of this most dissatisfying religious custom. Successive projects of renewal in the late nineteenth century retained this discontent with the practice of *taqlid* accepted into the orthodox tradition among Muslims. Rational comprehension of Islam is a key premise for al-Afghani in the challenge to stave off *taqlid*.<sup>247</sup> Thus, the exercise of the intellect and the search for proofs, in the Islamic scriptural texts, for the validation of the contents of faith preclude this stagnant collective state of mind. Continuing on this theme, Abduh contends,

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<sup>244</sup> Jamal al-Din al-Afghani, trans. Nikki R. Keddie and Hamid Algar, 'The Truth about the Neicheri Sect and an Explanation of the Neicheris ["Refutation of the Materialists."]', in Nikki R. Keddie, *An Islamic Response to Imperialism: Political and Religious Writing of Sayyid Jamal ad-Din "al-Afghani"* (Berkeley and Los Angeles: University of California Press, 1968), 169–170.

<sup>245</sup> Rashid Rida, trans. Yusuf Talal DeLorenzo, *The Muhammadan Revelations* (Virginia: Al-Saadawi Publications, 1996), 95–6.

<sup>246</sup> Shibli Numani and Syed Sulaiman Nadwi, trans. Rizwan Uddin Ahmad and Muhammad Aslam, *Siratur Nabi Vol 7 Ethics in Islam* (Karachi: Darul-Ishaat, 1999), 94–5.

<sup>247</sup> Al-Afghani, 'The Truth about the Neicheri Sect and an Explanation of the Neicheris', 171.

that the majority of Muslim scholars were afflicted with *taqlid* in their exposition of religion.<sup>248</sup> This formulation of the contents of religious thought consisted of *a priori* notions and values without a critical investigation, in the authentic spirit of Islam, of their validity. The exercise of the *aql* was sanctioned by the Shari'ah to be an instrument of grasping religious truths contained in the Qur'an.<sup>249</sup>

If the *aql* was indeed capable of grasping religious truth within revelation then a natural corollary is that the interests of human beings could be readily discerned in the Shari'ah. Philosophy established the former and the principles of jurisprudence carried out the latter. The classical juristic account was premised on the competence of human reason to recognise the general principles of Islam in the process of working out the specific details of Islamic law. Innovation in this account produced the juristic framework of the *maqasid al-Shari'ah* that provided an instructive method to directly interpret the scriptural texts of Islam. However, al-Afghani was dissatisfied with the inability of his contemporary jurists, who specialised in *usul al-fiqh*, to grasp this particular Muslim science's purpose - namely identifying the underlying reason for a rule and the development of civilisation.<sup>250</sup>

The Qur'an and the *ahadith* are to be read, Abduh contends, in a thematic fashion whereby the general spirit of Islam can be discerned.<sup>251</sup> Islamic scriptural texts were approached in a novel fashion in the face of the accepted orthodox juristic rules and principles. Abduh's interpretation of the Qur'an as a holistic unity in the process of identifying the principal normative themes of Islamic law was originally expressed by al-Shatibi during the classical period. A thematic approach and the search for the chief rationales behind the Shari'ah preoccupied al-Shatibi and Abduh. The main ideas of al-Shatibi were elaborated by Abduh in a restatement of the *maqasid al-Shari'ah* in the form of locating the *hikma* (wisdom) contained in rules, theology and ethics.<sup>252</sup> Recovery of the works of al-Shatibi allowed this classical jurist to become a cornerstone of the reformist project employing *ijtihad* to either produce new rules or to reinterpret established rules.

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<sup>248</sup> Abduh, *The Theology of Unity*, 66.

<sup>249</sup> *Ibid.*, 126–127.

<sup>250</sup> Al-Afghani, 'Lecture on Teaching and Learning', 106–7.

<sup>251</sup> Abduh, *The Theology of Unity*, 60.

<sup>252</sup> Yasir S. Ibrahim, 'Muhammad Abduh and Maqasid al-Shari'a', *Maghreb Review*, 32/1 (2007), 11–3.

Resolution of two conflicting issues, change and permanence in religion, characterises the deployment of *ijtihad*, unequivocally sanctioned in the Qur'an and *ahadith*, in Muhammad Iqbal's "principle of movement."<sup>253</sup> Revival of *ijtihad* gave this conflict a new peculiarly Islamic dimension in the early twentieth century. An immutable normative core allows the continuous reinterpretation of Islam. Newly emerging problems, Iqbal contends, have inevitably provoked the need for novel interpretations of the permanent notions premised on al-Shatibi's *daruriyat*.<sup>254</sup> Shibli Numani reproduces al-Shatibi's tripartite division of the Shari'ah whereby he expands the scope of *mu'amalat* for the application of the *daruriyat*.<sup>255</sup> The latter is further sub-divided into the three broad areas of society, politics and economics. Applying the core values of the classical juristic theory of *maqasid al-Shari'ah*, Numani adapts its relevance to explicitly encompass the multifaceted public sphere of human existence. His discussion of the temporary and the eternal seemingly hinges on the classical theological notion that the Shari'ah is a Godly-revealed set of laws.<sup>256</sup> Nonetheless, there exists, through the principles of jurisprudence, scope to interpret the injunctions of scriptural texts in response to new situations that may arise.<sup>257</sup> Reinterpretation of the sacred texts of Islam aims to rediscover the original Islamic normative ethos. The classical juristic account of the Shari'ah informs how Numani interprets the Qur'an and *ahadith* that views the act of interpretation to be an adaptation of rules already present in the scriptural texts or to be discovered.

The *tajdid* of tradition was dependent on an authentic interpretation of the Islamic scriptural texts. Decline among Muslims was perceived to be a result of the deviation from the ideal ethos of Islam in the present era. As such only the application of *ijtihad* could recover this ethos that would reverse the fortunes of the Muslim community in its revival. A plethora of proof-texts were put forward to support this position. Post-classical Muslim scholars and thinkers have found this support in the Qur'anic *surah* 13, verse 13 which was interpreted to argue

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<sup>253</sup> Muhammad Iqbal, *The Reconstruction of Religious Thought in Islam* (New Delhi: Kitab Bhavan, 2006), 148.

<sup>254</sup> *Ibid.*, 169.

<sup>255</sup> Numani and Nadwi, *Siratun Nabi* Vol 7, 7–8.

<sup>256</sup> *Ibid.*, 111.

<sup>257</sup> *Ibid.*, 114.

for the collective responsibility of the struggle for reform. At the centre of al-Afghani's project of *tajdid* is the citation of this verse that would culminate in the construction of the ideal polity of al-Farabi's *al madina al-fadila* (virtuous city).<sup>258</sup> Exegesis of the Qur'an puts forward the stance that decline is a reversible state for the Muslim community. Positive and negative change in the affairs of societies is confirmed, for Abduh, in the same verse al-Afghani cites.<sup>259</sup> Arslan also invokes this verse to make the case for reform requiring the collective actions of the Muslim community.<sup>260</sup>

### *The Khilafah and Unity of the Muslim Community*

Returning the Muslim community onto the path of *tajdid* raised important questions about the nature and content of political values and concepts. These concerned the formation of an Islamic state. Classical Muslim thought dominates the discussion whether in agreement, revision or rejection of its main tenets. Although it must be noted it was transmitted to a markedly changed context characterised by the call for a direct interpretation of the Qur'an and *ahadith* and the political upheavals, in the form of colonialism, seizing the Muslim world. Beginning with al-Afghani, a contemporary emphasis on the political unity of the Muslim community took root with a vocal pan-Islamic universalism.<sup>261</sup> Race and territoriality are dismissed as being too parochial when confronted by the Islamic moral framework.

Al-Afghani also incorporates the proto-nationalism of al-Tahtawi and al-Tunisi into his overarching ideology of the unity of the Muslim community in the emphasis on patriotism motivated by the notions of the *watan* (nation) and *jins* (nationality).<sup>262</sup> Echoing the religious premise of the political activism of al-Afghani, Abduh expounded a universal vision of Islam transcending the cultural conventions of time and place.<sup>263</sup> The immediate political obstructions facing al-

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<sup>258</sup> Al-Afghani, 'The Truth about the Neicheri Sect and an Explanation of the Neicheris', 173.

<sup>259</sup> Abduh, *The Theology of Unity*, 137–138.

<sup>260</sup> Amir Shakib Arslan, trans. Ssekamanya Siraje Abdullah, *Our Decline: Its Causes and Remedies* (Kuala Lumpur: Islamic Book Trust, 2004), 6.

<sup>261</sup> Jamal al-Din al-Afghani, 'Islamic Solidarity', in John J. Donohue and John L. Esposito, *Islam in Transition: Muslim Perspectives* (New York and Oxford: Oxford University Press, 2007), 17.

<sup>262</sup> Nikki R. Keddie, *An Islamic Response to Imperialism: Political and Religious Writing of Sayyid Jamal ad-Din "al-Afghani"* (Berkeley and Los Angeles: University of California Press, 1968), 66–67. See C. Ernest Dawn, 'The Origins of Arab Nationalism', in Rashid Khalidi (ed.), *The Origins of Arab Nationalism* (New York: Columbia University Press, 1991), 10–1, 18–23.

<sup>263</sup> Abduh, *The Theology of Unity*, 135.

Afghani and Abduh were European colonial rule and despotism. Both factors were treated as symptoms of decline that needed to be urgently tackled. Only in this scenario, could a revived Islam be the panacea for these predicaments. For al-Afghani, political authority becomes legitimate based on the implementation of the Shari'ah accompanied by the *maqasid al-Shari'ah* guaranteeing the rights of its subjects.<sup>264</sup> Islamic law possesses absolute primacy over the Muslim ruler who is directly accountable to it.

The *khalifah*, Abduh argues, is not only answerable to the rules of the Shari'ah but is also the civil head of the Muslim community.<sup>265</sup> No exclusive authority to interpret the scriptural texts of Islam is granted to the *khalifah*. Thus, authority in an Islamic state is not theocratic. In fact, Numani argues, concurring with Abduh, that although the Islamic state is charged with applying the Shari'ah, it is not a divine institution.<sup>266</sup> Further, the *khilafah* is occupied as a result of either being elected by the subjects or through succession. Interestingly, Numani does not find any parallels in the past of the first Muslim polity in Medina and the institutions of the modern state.<sup>267</sup> The primary objective of the dissemination of Islam during the Prophet Muhammad's lifetime determined the nature of this polity. Other allusions to the past also include those made about the *ulama*, Arslan contends, who opposed the arbitrary exercise of power by rulers throughout the history of the Muslim community.<sup>268</sup> Wrestling with the nature of "the State in Islam" Iqbal establishes a religious premise followed by the exercise of *ijtihad* to interpret the Shari'ah in a changing context.<sup>269</sup> Although the core notions of Islam are to be faithfully observed, "the principle of movement" constantly creates new vistas based on the changing elements of time and place. A contrary view was articulated in forceful terms by Rida. He argued that the *khilafah* was an essential political institution, an end *per se* in Islam, as opposed to being merely a temporary instrument to achieve the moral purposes of Islam.<sup>270</sup>

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<sup>264</sup> Al-Afghani, 'Islamic Solidarity', 17.

<sup>265</sup> Zaki Badawi, *The Reformers of Egypt: A Critique of al-Afghani, Abduh and Ridha* (Slough: The Open Press, 1976), 18–9.

<sup>266</sup> Numani and Nadwi, *Siratun Nabi* Vol 7, 102.

<sup>267</sup> *Ibid.*, 58–9.

<sup>268</sup> Arslan, *Our Decline: Its Causes and Remedies*, 39–40.

<sup>269</sup> Iqbal, *The Reconstruction of Religious Thought in Islam*, 154–7.

<sup>270</sup> Abdelwahab El-Affendi, *Who Needs an Islamic State* (London, Grey Seal Books, 1991), 44–5.

A contentious issue eliciting various responses among Muslim thinkers and scholars in the post-classical period was the rights of women in the Muslim community. Ambivalence on the issue of gender equality is addressed by Iqbal against this backdrop of progressive change. In response to one of his intellectual contemporaries, Iqbal advocates a probing interpretation of the hitherto under-examined laws contained in the Islamic sacred texts to find a solution in the spirit of *tajdid* to this issue.<sup>271</sup> However, Iqbal does not pursue this matter fully in its broader social, political or economic implications. Writing relatively earlier than Iqbal, Numani acknowledges the perennial oppression of women and argues, citing numerous *ahadith*, that Islam granted rights for them.<sup>272</sup> Communal instances from the ideal Muslim past, the lifetime of the Prophet Muhammad, serve to demonstrate the solidarity and public participation of women in this period.

Exegesis of the Qur'an and the survey of the early Muslim past laid the foundations for the theorising of a participatory form of politics among Muslims. Arbitrary structures of power contradicted the normative imperatives of Islam concerning the public life of the Muslim community. Despotism signalled a departure from these values contained in the revealed texts of the Qur'an supplemented by the *ahadith*. Reinterpreting the scriptural texts enabled the formulation of an Islamic state with a more pronounced emphasis on its demotic nature. Abduh embarks on an interpretation of *surah* 3, verse 159 from the Qur'an concluding that *shura* (consultation) is compulsory in politics.<sup>273</sup> Rulers are required to practice and implement the decisions derived from it. No fixed and stipulated method, in the Islamic scriptural texts, exists for the enactment of *shura* allowing the borrowing of political means from other cultures guaranteeing the participation of Muslims. Similarly, Rida and Numani cite the same *surah* 3, verse 159, alongside other verses, from the Qur'an which mention *shura* to support the involvement of the Muslim community in public affairs. *Ijtihad* is to be applied, Rida maintains, to preserve the welfare of the

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<sup>271</sup> Ibid., 161, 168–70. Muhammad Iqbal's contemporary intellectual is Ziya Gokalp, very prominent in the Ottoman and Republican eras, who articulated the idea of a Turkish corporate national identity in the twilight years of the Ottoman Empire. Gokalp argued that for Muslim women to be equal with men this required an unequivocal rejection of the dominant interpretation of the Qur'an.

<sup>272</sup> Shibli Numani and Syed Sulaiman Nadwi, Rizwan Uddin Ahmad and Muhammad Aslam trans, *Siratun Nabi* Vol 2 *Era of Peace* (Karachi: Darul-Ishaat, 1999), 317–9.

<sup>273</sup> Ibrahim, 'Muhammad Abduh and Maqasid al-Shari'a', 26–7.

*ummah* and in accordance with changes in time and place.<sup>274</sup> The Qur'an and the Prophet Muhammad's life are interpreted by Numani to propose the legitimacy of consultation in Muslim public affairs.<sup>275</sup> This reformulation also includes the classical notion of the wider Muslim community as *al-ra'yya* in a more participatory role vis-à-vis the ruler.<sup>276</sup> Islamic scriptural texts and the early Muslim past become the key elements needed for the urgent reinterpretation of the Islamic state.

Another issue that was gaining renewed importance in the post-classical period was the position of non-Muslims. For Abduh, the status of non-Muslims as *ahl al-dhimmah* (protected people) served to demonstrate both the virtual identity of duties and responsibilities with Muslims on the one hand and freedom of religion afforded to non-Muslims on the other hand in Islam.<sup>277</sup> The *maqasid al-Shari'ah* shapes Numani's interpretation of the status of non-Muslims, retaining the classical rule of *jizya* (poll tax), leading him to argue that the maintenance of their Godly-defined interests defined in the *daruriyat* is ensured.<sup>278</sup> However, the early Muslim past also provides instances when non-Muslims who served in Muslim armies did not pay the *jizya*.<sup>279</sup> Further, Numani observes that the Qur'anic principle of *sadaqa* (charity) allowed non-Muslims to receive financial help as demonstrated in the first Muslim community by the examples of the Prophet and the second *khalifah*.<sup>280</sup> The welfare of the deprived was also highlighted by Abduh to be a core notion of Islam with particular emphasis on the redistribution of wealth based on the text of the Qur'an.<sup>281</sup> Social justice was an emerging theme in the juristic account, from the late nineteenth century, revolving around the duty of the state to protect the Muslim community, including non-Muslims, guided by the normative ethos of maintaining the *daruriyat*.

## Conclusion

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<sup>274</sup> Rida, *The Muhammadan Revelations*, 125–6.

<sup>275</sup> Numani and Nadwi, *Siratun Nabi* Vol 7, 52–4.

<sup>276</sup> *Ibid.*, 74–5.

<sup>277</sup> Abduh, *The Theology of Unity*, 135.

<sup>278</sup> Numani and Nadwi, *Siratun Nabi* Vol 2, 73–4.

<sup>279</sup> Shibli Numani, *Umar* (London and New York: I.B. Tauris, 2004), 110.

<sup>280</sup> Numani and Nadwi, *Siratun Nabi* Vol 7, 217–9.

<sup>281</sup> Abduh, *The Theology of Unity*, 140.

Chapter 2 has attempted to examine the emergence of *tajdid* through the prism of tradition. It is submitted that the Islamic tradition was formed around the authoritatively accepted Qur'an and *ahadith* with subsequent innovative interpretations of these texts also becoming authoritative. At the same time, theological schools of thought, *madhahib* and Sufi institutions competed, and complemented, on the path towards Sunni orthodoxy. A collection of religious sciences encompassing these trends further reinforced their orthodox character in repeated attempts to develop a persuasive synthesis. Attempts at *tajdid* or *ihya* would require beginning with the Islamic tradition for the purpose of revitalising the perceived deviations contained in contemporary knowledge of Islam. This chapter thus began investigating the phenomenon of *tajdid* from the inception of the classical period until the period of Muhammad al-Ghazali's appearance. Three sections made up this chapter.

Section one explored the formation of the classical tradition with a focus on the efforts of Abu Hamid al-Ghazali, Abu Ishaq al-Shatibi and Ibn Taymiya. These scholars, instructed in the dominant religious sciences of their day, reformulated the key premises of the Islamic tradition. Sufi ethics were incorporated into the body of knowledge of Sunni orthodox by Abu Hamid al-Ghazali while al-Shatibi, Ibn Khaldun and Ibn Taymiya elevated the primacy of the Shari'ah in bringing back the scriptural texts of the Qur'an and *sunnah* to the formulation of Islamic law. *Al-maslahah al-mursalah* introduced a non-textual element into al-Tufi's formulation of Islamic law which was originally rooted in the sacred texts that, however, did not rely on them for legal indications. However, it must be observed, see section one above, that the juristic account's emphasis on the *maqasid al-Shari'ah* in the Islamic tradition was largely indebted to Abu Hamid al-Ghazali's elaboration of the inner dimensions of Islam. Ibn Khaldun refers explicitly to the *daruriyat* in his theory of the rise and fall of political dynasties and al-Shatibi develops further the scope of the *maqasid al-Shari'ah*. An interpretation of the Shari'ah was articulated by Ibn Taymiya which aimed at getting rid of the non-Islamic accretions present in interpretations of Islam. Emphasis on *amr bil ma'ruf wa nahy an al-munkar* defined this venture of renewal. For al-Mawardi and Ibn Khaldun, political institutions such as the *khilafah* and *imamah* earned their legitimacy based on the application of Islamic law.

The late classical ventures of reform of Shah Waliyullah al-Dihlawi, Muhammad al-Shawkani and Muhammad ibn Abd al-Wahhab were examined in section two. A common interest in the competence and freedom to directly interpret the sacred texts of Islam motivated this diverse group of scholars. Shah Waliyullah pursued the interpretation of Islamic law with an accent on its inner dimensions, in the spirit of Abu Hamid al-Ghazali, while al-Shawkani and ibn Abd al-Wahhab adopted the purist clarion call for *tajdid* made by Ibn Taymiya. Critique of *taqlid* within the *madhahib* was complemented by the espousal of *ijtihad* free from the perceived fetters of the classical Islamic tradition. Although it would be apt to note that Waliyullah, of the three reformers surveyed in this section, retained the Sufi account expounded by Abu Hamid al-Ghazali in the Islamic tradition alongside *hikma*. Islamic law was to be interpreted in a juristic fashion, directly reading the Qur'an and *ahadith*, within a broader Shari'ah framework.

Section three looked at the emergence of an *islah*-minded reformist trend from the beginning of the nineteenth century until the period preceding the emergence of Muhammad al-Ghazali. This trend was animated by the chief objective of formulating a transcultural syncretism between the Islamic tradition and the European Enlightenment. Rifa'a Rafi al-Tahtawi and Khayr al-Din al-Tunisi originally expounded the merits of borrowing from other cultures, particularly the European intellectual heritage, through theological analogy and the *maqasid al-Shari'ah*. Important parallels were made between Islam and the Enlightenment. They were followed in this intellectual endeavour by Jamal al-Din al-Afghani, Muhammad Abduh, Rashid Rida, Muhammad Iqbal, Shakib Arslan and Shibli Numani. Compared to the rest of the scholars examined this section, Numani largely eschewed the transcultural syncretism of many of his peers despite his innovative interpretation of the religious literary genre of the *sirah*. Renewal of the Islamic tradition was to be carried out by the direct interpretation of the scriptural texts of Islam in light of changing times and places. The practice of *ijtihad* was adopted with the intention to formulate a normatively-influenced understanding of the *maqasid al-Shari'ah* in a period of rapid social change and colonialism.

The following two chapters undertake the examination of Shaykh Muhammad al-Ghazali's thought through the prism of tradition. Fundamental questions about the competence to interpret the Islamic scriptural texts to the nature of an Islamic state are present in the thought of al-Ghazali. Chapter 2 aimed to provide an intellectual context which would be able to situate al-Ghazali's thought within a dynamic tradition. Reformers in the classical, late classical and post-classical periods expanded the margins of interpretation for twentieth century reformers such as al-Ghazali. Chapters 3 and 4 will subsequently explore the content of al-Ghazali's thought primarily based on the *maqasid al-Shari'ah* against the background of tradition.

## CHAPTER 3

### Muhammad al-Ghazali's Rethinking of Islam

#### Introduction

Chapter 3 examines Muhammad al-Ghazali's thought through the formation of the Islamic tradition outlined in the previous chapter. The making of this tradition was influenced by the presence of a set of sacred texts, unanimously considered by Muslims, as the source for interpretations which gradually became the key elements of theological, juristic and mystical accounts. Continuity of ideas, rituals and institutions was dependent on their transmission across time and place. The Islamic tradition was a patchwork composition of different elements and accounts that both opposed and supported *tajdid* (renewal). This chapter applies the arguments developed from chapter 2 to al-Ghazali in order to identify and explore the foundations of his thought. Four sections make up this chapter in which I will examine the following facets for the purpose of elucidating the premise of al-Ghazali's ethos of *tajdid*: section one surveys the sacred roots of the Islamic tradition embodied in the Qur'an and *ahadith* (traditions of the Prophet); section two explores al-Ghazali's adaptation of the classical genre of the *sirah* (epic of the Prophet) as part of a broader venture of renewal; section three examines al-Ghazali's *manhaj* (methodology) of creative continuity based on the *maqasid al-Shari'ah* (objectives of the Shari'ah); and the final section focuses on the reinterpretation of certain Sufi and theological elements within the broader canvas of the Shari'ah (the way).

Section one in chapter 3 surveys the roots of the Islamic tradition in al-Ghazali's venture of *tajdid*. The presence of the Qur'an and the *ahadith* grounded the formation of the tradition. These sources occupy an authoritative position in the interpretation of Islam. Primacy is given to the Qur'an, understood to be the word of God, as it is the basis for the Islamic tradition and the specific project of *tajdid* among Muslim scholars such as al-Ghazali. After the Qur'an, the recorded corpus of the *ahadith* had a secondary status in interpreting the former. Late classical reformers had revived the study and interpretation of the *ahadith* emphasising the direct interpretation of the sacred texts of Islam. The early Muslim past was recorded in the *ahadith* and

transmitted through countless generations of Muslims. Directly interpreting the Qur'an and *ahadith*, al-Ghazali was carrying out his own project of *tajdid* constructed from the Islamic tradition. Further, the ethos of the *sunnah* (example of the Prophet) was contained in the diverse collection of *ahadith*.

In this chapter, section two continues the examination of the exemplary example of the Prophet Muhammad, the *sunnah*, from the *sirah* in al-Ghazali's works. Reference to the early Muslim past is intended to provide authority from the *ahadith* and *sirah* in the formulation of Islamic law. For al-Ghazali, the first Muslim community and the life of the Prophet Muhammad are important sources in the challenge to revive the pioneering spirit of the generation which witnessed first-hand the revelations of the Qur'an and their application. The Muslim past is approached as a moral project bringing the past and the present into an open-ended exchange.

Section three examines the demarcation of the perennial and the changing in Islam in al-Ghazali's *manhaj*. I argue the seminal Influences of Abu Ishaq al-Shatibi and striking similarities with Muhammad Iqbal point to al-Ghazali's nuanced awareness of the provisional nature of interpretation, an integral element of the Islamic tradition, in his notion of *mabda al-haraka* (principle of movement). A perennial normative core that guides the process of interpretation is labelled the *ghayat* (ends) and the changing channels for their achievement are the *wasal* (means). Al-Ghazali adopts this dichotomy to put forward a juristic account distinguishing between Shari'ah and *fiqh*, *ijtihad* (independent judgement) and *taqlid* (imitation) accommodating the notion of the provisionality of interpretation contingent on time and place. The axis of change was premised, according to al-Ghazali, on the *maqasid al-Shari'ah*. It determines the boundaries of the immutable and the agency afforded to human beings to negotiate them. A dualism is hinged on al-Ghazali's *manhaj* in the application of *ijtihad* to the sacred texts.

The final section of this chapter is concerned with al-Ghazali's reinterpretation of the Islamic tradition's main theological and Sufi elements. Religious dogma contained in the articles of *aqedah* (beliefs) in the Islamic tradition was shaped by a multitude of theologians, jurists and mystics. The

formulation of the orthodox faith, known as *usul al-din* (principles of religion), was a cumulative process based on the following sources: reason, intuition and revelation. To varying degrees, Muslims have privileged these sources or instruments of knowledge in the search for the interpretation of the Shari'ah. Ventures of *tajdid* sought to revise the notion of *tawhid* (monotheism) as can be discerned in the contributions of Muhammad al-Shawkani, Muhammad Abduh and Jamal al-Din al-Afghani to theological discussions. In certain ways, al-Ghazali's continued and departed from his intellectual forebears on this core notion of Islam. *Tawhid* is the immutable notion grounded in the Qur'an and the *sunnah*. Sufi and theological elements were adapted by al-Ghazali within the juristic account of the Shari'ah in his reinterpretation of the orthodox five pillars of Islam and the notion of *wahdah al-shuhud* (unity of witness).

### **Sacred Roots of the Islamic Tradition**

The Islamic tradition was constructed on the normative ethos of a notion of the sacred. A confluence of the classical Muslim religious sciences had created a diversity of interpretations around a common set of objects and themes e.g. the revelation of the Qur'an. Tradition was a markedly cultural and intellectual phenomenon formed, transmitted and interpreted by subsequent generations of Muslims. Continuity of the various accounts present in the Islamic tradition was also subject to interpretation in the very act of transmission. Subtle and conspicuous modifications of theology, jurisprudence and mysticism were carried out since the formation of these accounts by Muslim scholars including reformers of different orientations. All ventures of *tajdid* were to be anchored in both the ideal ethos of Islam and the Islamic sacred texts. *Tawhid* is a primary motif among Muslim reformers centred on the Muslim past with particular emphasis on the function of prophethood.

For al-Ghazali, the pre-eminent sacred text of Islam, the revelation of the Qur'an to the Prophet Muhammad was guided by the ethos of reform in a hostile pre-Islamic Arabia.<sup>282</sup> The Muslim past in the seventh century continues, recorded in the Islamic tradition, to be treated by al-Ghazali as the authoritative

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<sup>282</sup> Muhammad al-Ghazali, trans. Aisha Bewley, *The Sunna of the Prophet: the People of Fiqh versus the People of Hadith* (London: Dar Al Taqwa, 2009), 55.

precedent for the religious justification of *tajdid* in the present. Vital to the message of Islam, the Prophet Muhammad disseminated the content of revelation. Preaching its message constituted the means for spreading Islam by appealing to the hearts and minds of the pre-Islamic pagan Arabs. In the juristic account expounded by al-Ghazali, the Qur'an and the *sunnah* define Islam as Shari'ah to be pursued and realised. The comprehensive nature of Islam, composed of *aqeedah*, *ibadat* (worship), *ahkam* (rulings) and *adab* (etiquette), is rooted in the sacred text of the Qur'an and the *sunnah*.<sup>283</sup> Possessing important implications for al-Ghazali's venture of *tajdid*, the space between the two spheres of the sacred texts and their interpretations allow it to be a conceivable possibility. Opportunities for creativity are inherent in the transmission of the sacred texts of Islam in a continuous process that transmits and remakes the internal composition of tradition.

### *The Qur'an and the Sunnah*

The interpretation of the Qur'an and *ahadith* seeks to discover the authentic rules and principles of Islam. Primacy is afforded to the Qur'an in a juristic account formed by a multitude of jurists that had coalesced in the *madhahib* over time. Also widely accepted to be part of the roots of the Islamic tradition, the *ahadith* is a source for the interpretation of Islam. A collection of recorded texts detailing the Prophet Muhammad's actions and sayings, the *ahadith* are scattered across the canonical books of *Sahih Bukhari*, *Sahih Muslim*, *Sunan ibn Maja*, etc. The ethos of the *sunnah* is located in these books which require interpretation in conjunction with the Qur'an.

Classical jurists such as al-Shatibi had in the past proceeded to argue for the pre-eminent position of the Qur'an and the complementary role of the *sunnah*. Identifying the *ahadith* to be a central source for Islamic law, in the classical period, Shah Waliyullah al-Dihlawi, Muhammad ibn Abd al-Wahhab and al-Shawkani also elevated its status in matters of theology and law. Revision of the existing accounts of the Islamic tradition was proposed as legitimate due to the nature of the act of interpretation. The Qur'an is the key

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<sup>283</sup> Muhammad al-Ghazali, trans. Jasser Auda., *The Future of Islam in the West: How to Approach it?* (n.c.: n.p., 2001), 7.

text to be consulted in the exercise of *ijtihad*, al-Ghazali argues citing the examples of the Prophet's wife, Ayesha, and the eponyms of the *madhahib*.<sup>284</sup> The authority of the Qur'an may support or reject specific reports from the *ahadith* despite the longstanding transmission of the latter through the Muslim past until the present. I contend al-Ghazali departed from most his classical and more recent reformist antecedents of *tajdid*. He modified the role of the *ahadith* as a source of interpretation. Primary reference to the *ahadith* was advocated and revived by late classical scholars. Waliyullah, ibn Abd al-Wahhab and al-Shawkani privileged this body of texts. Conversely, al-Ghazali, although equally interested in the *ahadith*, reduced its importance in the process of interpreting Islamic law. The normative ethos of the *sunnah* was not coextensive with *ahadith* literature which is to be scrutinised anew through the authoritative and transmitted text of the Qur'an. Al-Ghazali's methodology of interpreting the *ahadith* through the Qur'an differed from the approach adopted by Waliyullah, ibn Abd al-Wahhab and al-Shawkani.

### *Primacy of the Qur'an*

The gradual nature of the Qur'an is noted by al-Ghazali as it was revealed in a piecemeal manner over a period of 23 years.<sup>285</sup> Transmission of the Qur'an took place in two forms: oral and textual. Memorisation of the Qur'an is an essential part of the study of the Muslim religious sciences. Thus, the Qur'an was transmitted with the other religious sciences in the various accounts of the Islamic tradition. Classical jurisprudence treated the text of the Qur'an in an atomistic fashion interpreting it verse by verse extracting the rulings of Islamic law. Innovatively, al-Ghazali delved into the Qur'anic text employing both the traditional approach of the *mufassirin* (Qur'anic commentators) and the newly formulated application by Abdullah Draz of drawing thematic connections within and across *suwar* (chapters).<sup>286</sup> Previous attempts to interpret the Qur'an thematically were advocated by al-Shatibi during the classical period and later by Abduh at the turn of the twentieth century.<sup>287</sup> However, it was not until Draz's

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<sup>284</sup> Al-Ghazali, *The Sunna of the Prophet*, 14.

<sup>285</sup> Muhammad al-Ghazali, trans. Ashur A. Shamis, *A Thematic Commentary on the Qur'an* (Herndon and London: The International Institute of Islamic Thought, 2000) 431, 455, 507.

<sup>286</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, x–xi.

<sup>287</sup> See Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London and Washington: The International Institute of Islamic Thought, 2008), 171–2, for a brief yet incisive discussion

pioneering works on the interpretation of the Qur'an that each *surah* (chapter) with special reference to its unity was elaborated into a systematic methodology.<sup>288</sup> Unity of the text of the Qur'an thus results from reading its contents through a self-referential prism. As a reformist, al-Ghazali turns to the Qur'an as his primary source for the rethinking of Islam. From this premise, Muslim ethics and morality are premised on the thematic arrangements of the contents of revelation.<sup>289</sup> The thematic unity of the Qur'an is borne out by the comprehensive nature of the variety of topics brought up in the *suwar*. A survey of each *surah* not only indicates the topical arrangements present therein but also the import of its ethical themes. According to al-Ghazali's commentary of *surah al-Ma'idah* and *surah al-Nisa*, demonstrating a harmony on the plane of meaning, they contain narratives on covenants and obligations, and social and worldly matters respectively.<sup>290</sup>

### *Function of the Sunnah*

Continuity of the *sunnah* was a defining feature of the Islamic tradition among all Muslims. Its location in the juristic account was deeply embedded in the preserved and transmitted texts of the *ahadith* and, as shown above, in the Qur'an. Classical renewalist preoccupations with *ahadith* were primarily focused on discerning the *sunnah* in the formulation of Islamic law or ethics. Further, once the *sunnah* has been established it serves as an indispensable source of interpretation. Religious authority for al-Ghazali was derived solely from the Prophet's role in Islam as the "living interpreter of the Guidance and Advice in the Book of Allah."<sup>291</sup> Prophecy and revelation intertwine to define the boundaries of the *sunnah*. Normative meanings of the *sunnah* are determined by the Prophet's sayings, doings, and tacit approvals constituting a reservoir of juristic precedents. Legitimacy for the *sunnah's* binding character is identified in the Qur'an, wherein al-Ghazali supports its authority in *surah* 3, verse 31.<sup>292</sup> Once the status of the *sunnah* was established in a direct reading of the Qur'an,

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of the origins and development of the thematic approach to the Qur'an by Sunni and Shia Muslim scholars that includes Muhammad al-Ghazali.

<sup>288</sup> Muhammad Abdullah Draz, trans. Adil Salahi, *The Qur'an: An Eternal Challenge* (Leicester: Islamic Foundation, 2007).

<sup>289</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 740.

<sup>290</sup> *Ibid.*, 87 – 88.

<sup>291</sup> Muhammad al-Ghazali, trans. Abdullah Elaceri., *Stop Worrying: Relax and Be Happy* (London: Al-Firdous Ltd, 2002), 71.

<sup>292</sup> Al-Ghazali, *The Sunna of the Prophet*, 9.

al-Ghazali's focus turned to the *ahadith* corpus for the purpose of the interpretation of its texts. The Qur'an, being the primary source to which all other sources or instruments of interpretation are subordinated to, precedes the *sunnah* in defining the subject matter that the latter inspires in the life of the Prophet Muhammad. The Prophet Muhammad's example needed to be worked out by identifying its details which is followed by the act of making them relevant to the interpreter's society.<sup>293</sup>

An enduring Islamic tradition presented diverse possibilities for al-Ghazali to recognise the simultaneous authoritativeness of the sacred text and importance of juristic interpretations. Renewalists such as Ibn Taymiya and al-Shawkani appealed directly to the Qur'an and *ahadith* without hindrance from the dominant accounts of tradition while al-Shatibi and Waliyullah revised these accounts to apply their insights to the sacred texts. Nonetheless al-Ghazali goes much further than the juristic account of al-Shawkani by not identifying the *sunnah* entirely with the *ahadith*. Orthodox tradition for al-Ghazali was transmitted in the Qur'an and *sunnah* in a Shari'ah framework.<sup>294</sup> The *sunnah* is a foundational source of Islamic law.

Other new elements are introduced to interpret the *ahadith* in the juristic account of the Islamic tradition. The initial collection and subsequent transmission of the *ahadith* was recognised to be authentic among practitioners of the Muslim religious sciences. Since Muhammad ibn Idris al-Shafi'i' proposed the four sequence process of interpretation, classical jurists treated the *ahadith* to be the second authoritative source of Islamic law. Scholars of a renewalist tendency did not revise the position of this body of texts in a substantial way – to the contrary the study and interpretation *ahadith* was to be revived. There was an inevitable critique of one's contemporaries in the ventures of *tajdid* proposed by Waliyullah, al-Shawkani and ibn Abd al-Wahhab.

I think the late classical renewalist emphasis on *ahadith* was extensively revised in al-Ghazali's thought. It was a noticeable departure from the existing Islamic tradition. Even Waliyullah's predilection for the inner dimension of

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<sup>293</sup> Al-Ghazali, *The Future of Islam in the West*, 34.

<sup>294</sup> Al-Ghazali, *The Sunna of the Prophet*, 58.

*ahadith*, inspired by Abu Hamid al-Ghazali, was surpassed. What was new in al-Ghazali's approach was his modification of the juristic account of the Islamic tradition. Further elaborating the discussion on the transmitted contents of the *ahadith*, al-Ghazali argued that this literature preserved the *meaning* of the interpretations of the stories transmitted.<sup>295</sup> A patently innovative understanding of the *ahadith* was put forward which went against the orthodox position: they did not record verbatim the utterances or actions of the Prophet Muhammad.

Rather these texts were better understood to be interpretations of the spirit of the exemplary living interpreter of Islam that also needed to be interpreted. Thus, the *ahadith* were not simply sources of Islamic law and guidance but themselves a product of interpretation by its transmitters. A position most classical advocates of *tajdid* would have found to be perplexingly unfamiliar. Further, a contextual *manhaj* is developed by al-Ghazali juxtaposing individual *ahadith* of the same Prophetic incident into a single logical context in the search for a Shari'ah ruling. The normative ethos of Islam can be discovered, al-Ghazali argues, as a result of the meticulous study of the circumstances surrounding a narration from the Prophet: *what* was the Prophet's statement; *how* it was said; *when* it was said; and to *whom* it was said.<sup>296</sup> Extending the classical stance of *ahad hadith* (tradition with a single line of transmission), al-Ghazali argues that the transmission of this type of *ahadith* is not an absolute authoritative source of Islam in light of other sources e.g. the Qur'an.<sup>297</sup>

### *Sunnah, Ahadith and the Sirah*

Among the first Muslim community, there also appeared the *sirah*. Hitherto oral and unwritten, similar to the verbally transmitted *ahadith*, the *sirah* brought together the entire historical record of the Prophet Muhammad's life into a single continuous grand narrative.<sup>298</sup> Whereas the *ahadith* were separated into individual narrations under a title theme, a concerted effort is made to present a unity of the Prophet's lived experiences in the *sirah*. Filled with minute details

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<sup>295</sup> Al-Ghazali, *The Future of Islam in the West*, 66.

<sup>296</sup> Muhammad al-Ghazali, trans. Aslam Farouk-Ali., *Within the Boundaries of Islam: A Study on Bid'ah* (Kuala Lumpur: Islamic Book Trust, 2010), 23. This book is an English translation of al-Ghazali's book *Laysa min Islam* which is also cited in this thesis.

<sup>297</sup> Al-Ghazali, *The Sunna of the Prophet*, 112.

<sup>298</sup> Michael Mumisa, *Islamic Law: Theory and Interpretation* (Maryland: Amana, 2000), 57–58.

and punctuated with events, the classical *sirah* was organised according to chronology. Events in the early Muslim past, from battles and other decisive moments, were painstakingly recorded, preserved and transmitted in this biographical genre. The transmission of the *sirah* in the Islamic tradition was received by al-Ghazali and rewritten in a new way that echoed Numani's multi-volume epic of the Prophet. Moral and ethical themes are pondered in a recovery of the normative ethos of Islam in the interpretation of the life of the Prophet. The Prophetic experience is surveyed in its seventh century context through which the contemporary Muslim community's utmost concerns are addressed. Revision of a classical genre of writing allowed al-Ghazali to reinterpret the Muslim past in the attempt to recover the authentic ethos of Islam in the present.

#### *The Writing of the Sirah as Tajdid*

I have tried to illustrate al-Ghazali's participation in the Islamic tradition through his interpretations of the Qur'an, *ahadith* and the *sirah* in the above section. Importantly, the latter was drawn from the former two sources. *Sirah* writing in the hands of Shaykh al-Ghazali was an enterprise which engaged a past filled with a variety of moral implications for Muslims in the present. The *sirah* is an interpretation of the life of the Prophet Muhammad, as noted above, that seeks to recover the Islamic normative ethos by the contemporary reformist Muslim writer. Recorded narrations, transmitting the Prophet's statements and actions, in the *ahadith* corpus and the Qur'an are interpreted. A thread of moments and events are spun by al-Ghazali into a single narrative of the epic of the Prophet Muhammad in his *Fiqh-u-seerah*. This book follows the beaten path of classical and contemporary *sirah* authors reproducing the grand epic of the founding figure of Islam.

Prophetic reception of the Qur'an during the late sixth and early seventh centuries in the Arabian Peninsula has a weighty presence in the past to be interpreted by Muslims that is acknowledged by al-Ghazali for its importance in conveying the key moral themes of Islam.<sup>299</sup> The time and place of the early

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<sup>299</sup> Muhammad al-Ghazali, n.t., *Fiqh-u-seerah: Understanding the Life of Prophet Muhammad* (Riyadh: International Islamic Publishing House, 1997), 162–3.

Muslims acquires an authoritative frame of reference in the interpretation of Islam. Writing the *sirah* becomes an undertaking which constructs a past that is continuously reinterpreted. Al-Ghazali brings together and analyses the various fragments that make up the *sirah* of a 'living past'. The period of the revelation of the Qur'an and the location of the Arabian Peninsula are brought into a single frame of the past where time and place, of both the interpreted and the interpreter, are negotiated in the act of interpreting the recorded material about the first Muslim community. Biography writing in the genre of *sirah* seeks to envelop the entirety of the Prophet's life in a monumental epic set against the background of the *jahiliyah* (pre-Islamic ignorance) Arabs in the seventh century. *Jahiliyah* Arabia and the objective of reform in the beginning of the *dawah* (propagation of Islam) of the Prophet Muhammad are the key themes in al-Ghazali's *sirah*.<sup>300</sup> The trials and tribulations facing the founder of Islam are recorded in the *ahadith* and verses from the Qur'an.

Distant precursors in the writing of the *sirah* to al-Ghazali such as Ibn Ishaq act as sources alongside the *ahadith*.<sup>301</sup> Relevant events in the *sirah* were selected from authoritative texts such as the Qur'an, *ahadith* and the classical *siyar* (epics of the Prophet). Foremost in authority on matters pertaining to the Prophet's life was the Qur'an. A sacred text is invoked to provide a past with immediate and broad implications for contemporary Muslims. For al-Ghazali, the verses from the Qur'an are a running commentary on the Prophet's biography. Incidents of the *sirah* are derived from the normative commands of revelation directly addressing the Prophet's person. The *ahadith* is in a supplementary position to the Qur'an in the writing of the grand epic of the Prophet.

During the late classical period, the renewalist efforts of the Waliyullah, al-Shawkani and ibn Abd al-Wahhab recovered the study of *ahadith* and the practice of *ijtihad*. Combination of these two elements in the juristic account contributed to a revival of the direct interpretation of the sacred texts of Islam among post-classical Muslim scholars and thinkers. Numani's *sirah*, noted previously, is the first revised thematic composition of the Prophet's life that was

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<sup>300</sup> Ibid., 99–111.

<sup>301</sup> Ibid., 125, 202, 423–4.

followed by other noteworthy biographies in the twentieth century among Muslims.<sup>302</sup> Although opposition to applying *ijtihad* within the *madhahib* existed in the Islamic tradition, the study of *ahadith* for this purpose once again appeared in the foreground of interpretation.

Major genres of literary religious expression were not isolated from the call and revival of *ijtihad* in the twentieth century among reformers. The writing of *Fiqh al-sirah* by al-Ghazali perhaps represents a novel elaboration in the genre of the *sirah*. A thematic method adopted by al-Ghazali combines classical and post-classical of writing about the past applied to the Islamic sacred texts.<sup>303</sup> Al-Ghazali analyses the ideal past of the early Muslim community and the Prophet found in the *ahadith* and the Qur'an relying on classical techniques from the *turath* (Arabo-Islamic heritage). Examination of the Prophet Muhammad's life consisted of directly interpreting the *ahadith* with a renewed impetus given towards their *matn* in the search for the early Muslim past. Previous scholarship and in some concurrent quarters, what al-Ghazali called *ahl al-hadith* (people of the *hadith*), focused disproportionately on the *sanad*. The efforts of ibn Abd al-Wahhab on *ahadith* were driven by the objective to revive its study and interpretation in matters of Islam. A large number of texts would enable construction of Islamic law without human interpretation unduly intervening in the process. Adherence to the literal text of the *ahadith* characterised this position espoused by ibn Abd al-Wahhab and shared to an extent by Waliyullah and al-Shawkani as they derived their rulings.

Defined by a multitude of narrations and its attendant sciences, Muslim scholars delved into and interpreted the reports about the Prophet Muhammad's actions and sayings. Moreover, the rules of interpretation of *ahadith* were also applied by *sirah* writers. Events in the Prophet's lifetime needed to be authenticated through a process requiring the utmost scholarly investigation. *Ahadith* categorisations of narrations are employed in the search for factually correct sayings and actions of the Prophet to be included into the *sirah*. The new dimensions introduced by al-Ghazali changed the methodological attitude towards the *ahadith*. Reports were no longer to be understood in their literal

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<sup>302</sup> Ziauddin Sardar, *Islamic Futures: The Shape of Ideas to Come* (London: Mansell, 1985), 245–6.

<sup>303</sup> Al-Ghazali, *Fiqh-u-seerah*, 8.

sense: rather, the text was to be subjected to a critical combination of *sanad* (lines of transmission), *matn* and *ilm al-rijal* (science of transmitters). Thus, al-Ghazali was able to venture a bold analytical reading and writing of the *sirah*. Traditional methods of interpretation were systematically restructured whereupon the Qur'an is the context in order to read the *ahadith*. Substantial developments to the reformist projects of late classical scholars brought out new elements that were effected by al-Ghazali on his interpretation of the life of the Prophet Muhammad. Broad themes, fundamental values and norms, would shape the approach to the Islamic sacred texts for al-Ghazali in a radical divergence from the literalism of ibn Abd al-Wahhab and al-Shawkani on the one hand and Waliyullah's ethical legalism on the other hand.

Narrations putatively describing the Prophet's deeds and words are subjected by al-Ghazali to a scrutiny of their *sanad*. The number of those who transmitted *ahadith* is taken into consideration to assess the veracity of what was transmitted. A correlation exists between the quantity of *ahadith* transmitters at every stage of the *sanad* all the way to the moment of the utterance or action by the Prophet and its authoritativeness for matters of religious import. Further inquiry into the *sanad* is complemented by close examination of the individuals who appear in them. In al-Ghazali's *sirah*, the biography of the Prophet is scattered with *ahadith* from the canonical collections. *Ahadith* in al-Ghazali's *sirah* were also critically inspected according to their *sanad* by a fellow Muslim scholar, Nasruddin al-Albani, where his comments litter the footnotes of the text. Qur'anic passages seemingly responding to the struggle experienced by the Prophet are interpreted to create a reasoned normative context. Thorough study of the *matn* of the *ahadith* forms a central element in the proposing interpretations with moral significance. Actions and sayings reputedly from the Prophet present in the text of *ahadith* are to be probed in their literal and implied expressions.

A moral perspective informs the contemporary writing of the *sirah* which is also an act of interpreting the past recorded in the form of texts. Thus, *sirah*-writing was a venture in the interpretation of the past from the point of view of the author's present. Rediscovery of the early Muslim past in the process of ascertaining the events to be found therein also lent itself to being a moral

enterprise aiming to recover the Prophet's *sunnah*. Recorded moments of the past revealed in the course of interpreting the sources are also sources for Islamic law and principles.

Urgent calls for reform by al-Ghazali are expressed in the unfolding of the *sirah* where the past is employed to critique and offer alternatives to the predicaments of the present.<sup>304</sup> Immediacy of the early Muslim past is intimately felt in al-Ghazali's writing of the *sirah*. Its consideration of the life of the Prophet inevitably seeks to renew the content of the normative ethos interpreted from a past experienced in the here-and-the-now. I think al-Ghazali sought to achieve, by way of a reinterpretation of the Muslim sacred texts, a faithful approximation of the founding essence of Islam. Rediscovery of the ideal Muslim past clarified by a pronounced emphasis on the *matn* of *ahadith* also implied the *tajdid* of the foundational Islamic ideals. Alternative interpretations of the texts of the Qur'an, *ahadith* and comparable *siyar* are made possible as a result of the consideration of the open-ended act of interpretation. Because of the standing of the Qur'an in the *manhaj* of al-Ghazali, he departed from the archetypal renditions of the biography of the Prophet. First and foremost in the hierarchy of authority of interpretation is the Qur'an followed by the *sunnah* of the Prophet transmitted in the form of *ahadith* or *sirah*. The latter genre suffused the life of the Prophet with a normative vision. *Sirah* writing is an investigation into the past and the present by al-Ghazali to realise a Godly-revealed ethos.

The transmission of the *sirah* in the Islamic tradition affords reformist Muslim scholars such as al-Ghazali to produce innovative treatises on the Prophet's life. Breaking new ground, the application of a new approach to the sacred texts of Islam in this genre brought together the disparate elements of the juristic account. Revival of the *ahadith* played a pivotal role in supplying the texts to articulate a religious interpretation that focused on the discontent about the current malaise of the Muslim community in the twentieth century. Authenticity of the interpretation contained in al-Ghazali's *sirah* is premised on recovering the Islamic normative ethos from the Qur'an, *ahadith* and the classical *siyar*.

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<sup>304</sup> Ibid., 9.

## ***Maqasid al-Shari'ah: Reform through the Mabda al-Haraka***

### *Ghayat and Wasa'el*

The Muslim reformer situates the universal and the particular between the objects of the *ghayat* (ends) and the forms of the *wasa'el* (means). In al-Ghazali's juristic account, the *wasa'el* continuously change in the search to fulfil the fixed *ghayat* of Islam.<sup>305</sup> Enhanced recognition of the ethical ends of Islam worked out by al-Ghazali was a breakthrough derived from the classical body of juristic texts. Particular reference to the *maqasid al-Shari'ah* conceived by al-Shatibi is a ubiquitous feature of most reformist projects. Although the trend that has developed from the venture of ibn Abd al-Wahhab has completely ignored al-Shatibi's *maqasid al-Shari'ah* so far. Significantly, al-Ghazali's reformulation of the *ghayat* and *wasa'el* elevated the *maqasid* in greatly expanding the scope to come up with new rulings or laws. Applying the dichotomy between the *ghayat* and *wasa'el* to Islamic law by al-Ghazali was a distinctive contribution to the reformist trend. An unambiguous mutual relationship was established between general Islamic ethical imperatives and various and specific forms of implementation.

Creativity in the Islamic tradition was generated by the continuity of norms and methods of *ijtihad* according to time and place. The texts that were sacred in provenance constituted the roots of the Islamic tradition. Thus, the Qur'an and *ahadith* were its enduring elements. The *ghayat* are defined by their general, foundational and constant nature. Texts, principles and methods are the anchor that allows a revision of the accounts in the Islamic tradition in an engagement with a changing world. Establishment of the *ghayat* leads to the exploration of the various *wasa'el* required to fulfil them in al-Ghazali's *manhaj*. A task firmly situated in the present looking to the past as a departure point for how Muslims can adequately address the problems that exist. Elements from foreign traditions can be authentically accepted in the Islamic tradition into pursue a diversity of *wasa'el* to fulfil the universal *ghayat*.

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<sup>305</sup> Muhammad al-Ghazali, *al-Sunna al-nabawiya bayn ahl-fiqh wa ahl al-hadith* [The *sunnah* of the Prophet: between the People of *fiqh* and the People of *hadith*] (Cairo: Dar al-Shorouq, 2005), 160.

## *Shari'ah and Fiqh*

The juristic account of the Shari'ah was the main frame of reference for most reformers, except Abu Hamid al-Ghazali, in the classical and post-classical periods. A criterion of authenticity was to be found in the Shari'ah providing the legitimacy to espouse and carry out *tajdid*. However, the issue concerning which elements of tradition could be altered and changed emerges. Explicitly addressing this dilemma, al-Ghazali distinguishes between an immutable Islam and a changing *al-fikr al-Islamiya* (Islamic thought) citing Ibn Khaldun to identify *fiqh* as part of the latter.<sup>306</sup> Acknowledgement of the provisional nature of interpretation in the Islamic tradition allowed al-Ghazali to formulate a legitimate and indigenous notion of innovation. A distinction endures between the transcendental *Shari'ah* and the humanly conceived *fiqh* in its past formation.

The classical trends of the Islamic tradition were agreeable to modification by the reforming and discerning Muslim scholar. Disparate facets of a vast repertoire provided al-Ghazali with the opportunity to carry out a venture of innovation. Tradition was epitomised by its clusters of elements and accounts continually accumulated over time. Once established, these elements and accounts acquired an authoritative mantle that were either contested or reaffirmed. Greater interest in the work of Ibn Khaldun by reformers since the nineteenth century fits into the category of simultaneous transmission and innovation. Contemporary reformers such as al-Ghazali have sought to cautiously modify the complex web of rulings, methods and principles lying at the centre of this distinction in a major revision of tradition. Since there was indeed an accepted juristic practice of distinguishing between the *Shari'ah*, particularly the texts of Qur'an and *sunnah*, and *fiqh*, al-Ghazali undertook the wholesale rethinking of laws under the umbrella of the *Shari'ah*.

Contending reformist accounts of the *Shari'ah*, examined in detail in chapter 5, advocated their own projects of change to address the social ills of the present and to recover the Islamic normative ethos of the past. Primacy of the *Shari'ah* in the Islamic tradition was shared by most of the reformers in the Islamic tradition that was extended by al-Ghazali to fit his specific venture of

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<sup>306</sup> Muhammad al-Ghazali, *Laysa min al-Islam* [Not From Islam] (Cairo: Dar al-Shorouq, 2002), 113–5.

*tajdid*. Citation of Ibn Qayyim al-Jawziya, a student of Ibn Taymiya, allows al-Ghazali to situate the Shari'ah in the classical juristic account rooted in the notions of *adl* (justice), *samahah* (tolerance) and *hubb* (love).<sup>307</sup> Filled with normative implications, the Shari'ah is the epitome of what Islam is. The Islamic tradition possesses the core elements of the juristic account that is revised by al-Ghazali to invoke the normative ethos of the Shari'ah. Furthermore, this core fuelled the discovery of Islamic law in the Shari'ah aimed at human beings.<sup>308</sup> From Ibn Taymiya to al-Shawkani, the juristic pre-occupation of Shari'ah and its texts, the Qur'an and *ahadith*, to be interpreted contributed to recovering the ethos of *tajdid* for later reformers.

Different ways of engaging with the texts of the Shari'ah could reaffirm and displace the internal elements of the Islamic tradition. Thus, various options from within tradition were at the disposal of al-Ghazali. Dissatisfaction with the plight of Muslims and perceived unauthentic elements in tradition galvanised al-Ghazali to interpret the distant past of the first Muslim community. The Shari'ah was a key element in the search for an authentic interpretation of Islam in an alternative present. Continuity with the recent past witnessed the transmission and revision of norms of *tajdid* with the demand of directly interpreting the Shari'ah's texts in response to the current Muslim state of affairs. Embarking on *ijtihad* involved employing the elements in the juristic account of the Islamic tradition. What is formulated in the process of interpretation is not the Shari'ah itself but its humanly conceived counterpart *fiqh*. Time and place inevitably impinge on how *fiqh* is produced. So if the *Shari'ah* was the embodiment of the transcendental in Islam on the one hand then *fiqh* was its profanely immanent understanding on the other hand. Furthermore, the former belongs to the realm of the *ghayat* and the latter is part of the *wasa'el*. Past interpretations of Islamic law became *fiqh* directly derived from the *usul* (foundations) of the Shari'ah.

The spread of the first Muslim polity and increasing number of conversions to Islam, al-Ghazali observes, compelled the creation of *fiqh* and *usul al-fiqh*.<sup>309</sup> Early formation of the Islamic tradition was an organic process of Muslims responding to new contexts through the extension and application of this

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<sup>307</sup> Ibid., 9–10.

<sup>308</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 723.

<sup>309</sup> Al-Ghazali, *Within the Boundaries of Islam*, 78–9.

tradition in the making. Henceforth the interpretation of Islamic law seeking to guide and administer Muslim life was based on the practice of *usul al-fiqh*. Ibn Khaldun's commentary of the development of jurisprudence is restated by al-Ghazali to demonstrate the continuous human construction of the classical Islamic tradition. Different elements of the Islamic tradition were selected and adapted in al-Ghazali's venture of *tajdid* to situate it within a legitimate framework. Classifying the range of human actions, the interpreted *fiqh* rules were applied to *ibadah* (worship), solely based on the text, and *mu'amalat* (social transactions), in part derived from extra-textual tools, in a comprehensive fashion.<sup>310</sup> The classical dichotomy between *ibadat* and *mu'amalat* expounded by Abu Hamid al-Ghazali and al-Shatibi was modified by al-Ghazali in an innovative fashion. The latter was significantly rethought within its boundaries but expanded to make more space for revisable interpretations. Indigenous factors impinged on the formation and primacy of the juristic account in the Islamic tradition based on the self-conscious need to interpret the Islamic sacred texts to conceive of Islam as a holistic worldview.

### *Ijtihad and Taqlid*

Changing interpretations of the roots of the Islamic tradition were based on an authentic principle of innovation articulated by jurists in the early classical period. Thus, the ability of Muslim scholars to successfully formulate an interpretation that would be considered to be orthodox and authentic was dependent on the primary texts of the Muslim past. Simultaneous transmission of the sacred texts and the principle of innovation constituted a reconciling of continuity and creativity in the Islamic tradition relying on the notion of *ijtihad*. Al-Shafi'i's restriction of *ijtihad* to *qiyas* dependent on an authoritative text, chiefly the *ahadith*, narrowed the scope of reinterpretation which was continually expanded by jurists such as Abu Hamid al-Ghazali and Waliyullah. Other efforts to recover the employment of *ijtihad* witnessed the outright rejection of this restriction. Al-Shawkani in particular advocated the resumption of the application of *ijtihad* to the texts of the Shari'ah without the uncertainty surrounding a method such as *qiyas*. Perhaps more revolutionary, although less

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<sup>310</sup> Ibid., 42, 46. In this book, al-Ghazali states that in the sphere of *mu'amalat* most jurists employ *qiyas* in 'the transfer of a ruling on a particular issue, for which a text provided by the Lawgiver is known, to another and similar issue, because the two issues are linked by the same underlying cause.', 42.

dimissive, was al-Ghazali's reordering of the classical description of al-Shafi'i's *usul al-fiqh*. The established primary of the *ahadith* was contested by al-Ghazali with it no longer being synonymous with the *sunnah*. However, *qiyas* is retained in al-Ghazali's *manhaj* as a tool capable of adapting existing rules to new contexts. Analogy is considered to be one instrument of many at the disposal of the jurist interpreting Islamic law. Multiple elements are brought together in al-Ghazali's renewalism that simultaneously affirm, modify, reject or innovate the various facets of tradition.

Considerable changes within the juristic account of the Islamic tradition in the twentieth century put al-Ghazali in a position to rearticulate *ijtihad* in a broadly defined *manhaj*. Modifying the Islamic tradition in the sphere of interpretation also implied its revision. A return to applying *ijtihad* to the Qur'an and *ahadith* in the juristic account was advocated by al-Ghazali underpinned by the *mabda al-haraka*.<sup>311</sup> Continuous change created the various accounts of the Islamic tradition known as *al-fikr al-Islamiya*. Antecedents to al-Ghazali's *mabda al-haraka* contributed to shaping the reformist trend. Muslim thinkers and scholars at the turn of the twentieth century re-introduced the discussions about *ijtihad* invoking the classical ideas of al-Shatibi, ibn Abd al-Wahhab and al-Shawkani. Islamic revelation conferred, Waliyullah argued, the authority to exercise *ijtihad* to interpret its texts. Against this backdrop, al-Ghazali's reformist language is identical to Muhammad Iqbal's 'principle of movement'. In both ventures of *tajdid*, the case of *ijtihad* is cogently stated on a similar premise: the relationship between immutable and the changing. What was certainly novel in al-Ghazali's *manhaj* was his adoption of the terms *ghayat* and *wasa'el* to illustrate the ability of Islamic law to change. Neither al-Ghazali's contemporaries nor his predecessors laid as much emphasis on the dualism of these terms as he did. It was an advancement on the existing body of concepts and values primarily from the scholarship on the *maqasid* developed by previous jurists and thinkers. Radical yet subtle change was articulated in a language of continuity.

Unauthentic accretions to the Islamic tradition in the past interrupted the continuity of the *mabda al-haraka* thereby neglecting the practice of *ijtihad* in the

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<sup>311</sup> Al-Ghazali, *Laysa min al-Islam*, 121–2.

juristic account. The objective of *tajdid* was appropriately informed by the scholarly impulse to recover this authentic principle of innovation. Al-Afghani and Abduh framed their discussion of reviving *ijtihad* in direct opposition to *taqlid*. The previous chapter recounted the process of the formation of the Islamic tradition and the gradual emergence of a principle of continuity, *taqlid*, in the juristic account. More emphasis was put on the transmission of the rulings formulated by *ijtihad* than the practice of *ijtihad* itself. These rulings were accepted to be the orthodox positions of the texts of the Shari'ah. Alternative meanings could not be proposed in the restriction of the scope of *ijtihad* with the duty laid upon Muslims, scholarly or lay, to obey the transmitted body of rules. Simultaneous rejection of *taqlid* and recovery of *ijtihad* is clearly evident in al-Ghazali's notion of *al-mabda al-haraka* following the renewalist tendency towards continuous change. A scathing critique of *taqlid* by al-Ghazali is primarily concerned with the uncritical reception of transmitted rulings without a necessary questioning of their contents.<sup>312</sup> Further, al-Ghazali cites the statement "*al-aql a'sas al-naql*" (the intellect is the basis for the transmitted) to advocate the authenticity of *ijtihad*.<sup>313</sup>

The body of Islamic law accepted to be undisputed in the Islamic tradition was no longer to be treated with the authoritative deference due to the sacred texts. Revisions of existing of the rulings enshrined in the *madhahib* were carried out. Practical monopoly of the juristic accounts by the *madhahib*, transmission of one rite of jurisprudence to the exclusion of others, was challenged and the orthodoxy of their roles questioned in al-Ghazali's call for a return to the Shari'ah's texts.<sup>314</sup> Formulation of Islamic law was motivated by the *ijtihad* of the past preserved in the Islamic tradition – specifically the sacred texts transmitted. Islamic authenticity could only be revived in the rejection of *taqlid* in favour of *ijtihad* in a creative continuity of tradition aware of time and place, and informed by the conscience of a Muslim.

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<sup>312</sup> Al-Ghazali, *Within the Boundaries of Islam*, 5.

<sup>313</sup> Al-Ghazali, *Laysa min al-Islam*, 12.

<sup>314</sup> Al-Ghazali, *Within the Boundaries of Islam*, 96.

## *A Manhaj for Tajdid: the Maqasid al-Shari'ah*

The Islamic tradition was partly determined by the reformist trend's emphasis on remaking the various accounts of jurisprudence, mysticism and theology in the classical era. Nonetheless, *tajdid* began with the juristic account as its frame of reference. Expression of this tendency also took a markedly juristic language in the adoption of the *maqasid al-Shari'ah*. Abu Hamid al-Ghazali and al-Shatibi were the classical pioneers of a profound interpretation of the sacred texts of Islam that sought to recover the Islamic original ethos. Late classical scholars such as Waliyullah, demonstrating his inclination towards the ideas of Abu Hamid al-Ghazali, retained the notion of the inner dimensions of Islamic law in the direct interpretation of the Qur'an and particularly the *ahadith*. The recovery of al-Shatibi's formulation of the *maqasid al-Shari'ah* in the beginning of the twentieth century was conspicuous in the works of Abduh and Iqbal. Numani bases his interpretation of Islamic law on the division of *mu'amalat* and *ibadah* in a juristic account alert to the contingency of the former and immutability of the latter. Similarly, al-Ghazali turns to the juristic of account of the Shari'ah to adapt al-Shatibi's division of *adat* (customs) and *ibadah* to put forward the authentic claims of change in matters not directly related to the ritual core of Islam.<sup>315</sup> A *manhaj* recognising the immutable spirit of Islam, the normative ethos and roots of the Islamic tradition, also needed to be aware of the sphere of change in the formulation of Islamic law.

The acquisition of authenticity in an interpretation begins with the Qur'an and *sunnah*. The primacy of the Shari'ah is undergirded for al-Ghazali by the uninterrupted and exact transmission of the Qur'an and *sunnah*.<sup>316</sup> Absolute deference is afforded to the Qur'an. Precedence for the Qur'an and *sunnah* by al-Ghazali is due to their embodiment of the ideal application of Islamic law.<sup>317</sup> However, the interpretation of the *sunnah* is rendered more complex by al-Ghazali's recognition, noted previously, that the *ahadith* transmitted the meaning of what was said or done in the situation reported. Consultation of the *ahadith* examining closely their *matn* and *sanad* aimed to establish the authenticity, through its relatively uninterrupted transmission, and meaning,

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<sup>315</sup> Al-Ghazali, *Laysa min al-Islam*, 97.

<sup>316</sup> Al-Ghazali, *The Sunna of the Prophet*, 55.

<sup>317</sup> Al-Ghazali, *Fiqh-u-seerah*, 40.

discovered through interpretation, of the *sunnah* of the Prophet. *Ahadith* from the Prophet were to be investigated for a set of moral objects to identify their significance in the sphere of Islamic law. And where none existed in the *ahadith*, the issue reported was recognised to be within the sphere of freedom enjoyed by human interpretation.<sup>318</sup> Differences in the interpretations of rules among the early Muslims, during the Prophet's lifetime, contained in the *ahadith* demonstrate various yet equally authentic realisations of the Islamic normative ethos. Differences in *ijtihad* derive from two approaches, equally authentic for al-Ghazali, towards identical objects or themes: the first is restricted to the boundaries of *al-nusus al-zahir* (the apparent text); the second discovers the *hikma* (wisdom) and *ghayat* underlying it.<sup>319</sup> Underlying purposes of the *maqasid al-Shari'ah* can be discerned through the interpretation of the *ahadith*. Prospective changes in the interpretations of the Islamic tradition are determined by the knowledge of the *maqasid* latent in the text.

Interpretations of Islamic law were cognisant of moral imperatives interwoven into the sacred texts of Islam. For al-Ghazali, the *maqasid al-Shari'ah* embodied the protection of the *al-kulliyat al-khams* (the five universals) of *al-din*, *al-nafs*, *al-ard* (honour), *al-aql* (intellect) and *al-mal* (wealth).<sup>320</sup> This normative ethos, also known as the *daruriyat*, laid down the fixed foundations for the construction of a changing Islamic law in the sphere of the *mu'amalat*. Authoritative texts were to be interpreted for the purpose of stating a set of legitimate interests for human beings to be protected. The Islamic tradition, in particular the juristic account, was primarily focused on safeguarding the integrity of the Muslim community and the individuals that composed it. Al-Shatibi's ideas on the *maqasid al-Shari'ah* proved to be remarkable resilient, within the constricted corporate institutions of the *madhahib*, enjoying a revival of heightened interest among contemporary Muslim scholars since the early nineteenth century recovery of his works. A profound normative reading of the foremost authoritative texts in the Islamic tradition leads al-Ghazali's to formulate of a juristic account recognising the comprehensive nature of the *maqasid al-Shari'ah* in the public and private spheres of the individual.<sup>321</sup> Wider

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<sup>318</sup> *Ibid.*, 237.

<sup>319</sup> Muhammad al-Ghazali, *Fiqh al-sirah* [Knowledge of the Epic of the Prophet Muhammad] (Cairo: Dar al-Shorouq, 2003), 239.

<sup>320</sup> Al-Ghazali, *Laysa min al-Islam*, 82.

<sup>321</sup> Al-Ghazali, *Stop Worrying, Relax*, 25–6.

issues are included in al-Ghazali's reinterpretation of the Shari'ah that seeks to resolve the difficulties affecting contemporary Muslims.

The distant past preserved in the sacred texts of Islam allows for the superseding of the recent past recorded in classical works of interpretations by jurists. Acceptance of tradition was primarily, although certainly not exclusively, situated in the authority of the Qur'an and *ahadith*. Reconciling continuity with creativity by al-Ghazali was made possible as a result of the notion of the *mabda al-haraka* in a *manhaj* derived from tradition. Throughout the Muslim past, the Islamic tradition was continuously in the making – disruption of this intellectual momentum resulted from the thwarting of the original ethos of Islam. In the present, *tajdid* entails the modification of tradition in a return to the foundational spirit of Islam unimpeded by unauthentic or fallible interpretations. The rulings produced by the early classical scholars, eponyms of the *madhahib*, are open to being revised and improved upon based on the saying of the Prophet that the *mujtihad* (practitioner of *ijtihad*) gains one reward in the search for a ruling and once again if it is correct.<sup>322</sup> In the same spirit, their apparent mistakes in the rules they formulated did not stand in the way of al-Ghazali to employ the juristic account of the past. Authority to pursue *ijtihad* was itself validated by the path well travelled by al-Ghazali's predecessors and peers to understand the Shari'ah. Religious sciences such as *usul al-fiqh* offer a methodology identifying the ideal objectives of Islam. The capacity of the process of *ijtihad* to put forward a deep reading of the Shari'ah texts culminates in the discovery of the *maqasid*. Enshrined in the very texts of the Qur'an and *sunnah* are the *maqasid* subject to the particulars of the time and place of an interpreter. In the process of formulating an authentic *fiqh*, the *manhaj* of al-Ghazali primarily relies on the Qur'an and the experiences of human beings in the present as sources of knowledge.<sup>323</sup>

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<sup>322</sup> Al-Ghazali, *The Sunna of the Prophet*, 132.

<sup>323</sup> *Ibid.*, 23.

## The Heart of Islam: *Din*

### *Tawhid*

The central notion of *tawhid* has determined the boundaries of theological, juristic, mystical and philosophical discourses articulated by Muslims. Occupying an influential role in the Islamic tradition, this notion was variously interpreted in a context that sought to realise its moral implications. Muslim scholars who were concerned with *tajdid* located their claims of authenticity in the notion of *tawhid* as enumerated in the Qur'an and *sunnah*. The juristic account treated the Shari'ah as an expression of *tawhid* that negates the autonomous authority of other sources in the interpretation of Islamic law. Sacred texts are the principal frames of reference within which the religious exposition of the doctrines and laws of Islam were to be based and elucidated. Muslim jurists such as Ibn Taymiya and al-Shatibi understood *tawhid* in a juristic setting while Abu Hamid al-Ghazali conceived this notion in Sufi terms. Mystical and juristic accounts vied over the meanings of *tawhid* in the late classical period. Ibn Abd al-Wahhab and al-Shawkani were critics of Sufi interpretations of *tawhid* and proposed an alternative conception adapted from Ibn Taymiya. In a remarkable departure from this exclusively juristic account, Waliyullah preserves the Sufi view of *tawhid*, inspired by Abu Hamid al-Ghazali, in a broadly conceived syncretism based on the various accounts of theology, jurisprudence, Sufism and philosophy. Post-classical scholars and thinkers such as Afghani, Abduh and Numani espoused the transcendentalist dimensions of *tawhid* in their ventures of renewal. Authoritative sacred texts provide the sources to interpret and the language to articulate an authentic idea of God in the Islamic tradition.

For al-Ghazali, the sacred text of the Qur'an proceeds to unequivocally alert the faculty of the intellect to the certainty of *tawhid*.<sup>324</sup> The text recalls the capacity of human beings to comprehend it. When the Qur'an speaks of God's names, al-Ghazali observes the recurrence of *Rahman* (Lord of Mercy).<sup>325</sup> Defined from the principal text of the *Shari'ah*, the idea of God is loaded with

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<sup>324</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 333.

<sup>325</sup> *Ibid.*, 323–4, 389.

normative significance for worldly purposes. To know God is to identify the descriptions of *tawhid* offered in the Qur'an and other supplementary texts. In the theological account of the Islamic tradition, many differing interpretations exist in the past and continue unabated into the present. These interpretations contested each others' claims of religious authenticity mainly between the anthropomorphists and transcendentalists. Seeking to resolve the differences, al-Ghazali consciously circumvents this controversy by proposing the criterion of the Qur'an for the foundation of theology aware of its implications for the social integrity of the Muslim community.<sup>326</sup> Comparable efforts were made by Ibn Taymiya and al-Shawkani to rest the common objects and themes contested by theological, Sufi and juristic accounts on the juristic conception of the Shari'ah. An appeal by al-Ghazali is also made to the authority of the early Muslims.<sup>327</sup> The most authoritative sacred text and the ideal past of the first Muslim community are interpreted to reformulate *tawhid* in a self-conscious act of breaking away from the classical account of Muslim theology. Radical interruption with this past paradoxically implied the recovery and continuity of another past preserved in latent and manifest forms in a transmitted tradition.

Theological discourse is rooted in the texts of the Shari'ah for al-Ghazali in an extension of the juristic account to include elements from other contending accounts. Authentic interpretation of the *tawhid* acquired a broader normative relevance. Theological discourse for al-Ghazali was a coherent expression of the immutable tenets from the Islamic sacred texts authoritatively known as the *usul*. Within this Godly-revealed framework the notion of *tawhid* as the core of Islam preached by the Prophet Muhammad.<sup>328</sup> If the quest for *tajdid* is to constantly emulate the original spirit of the *aqeedah* espoused by the first Muslim community, transmitted generation by generation, from its foundational sources then al-Ghazali's thought is an effort to rediscover the essence of Islam. Only the sacred texts of Islam could supply the content of *aqeedah* and *ibadah*.<sup>329</sup> No other basis for the statement of the *aqeedah* could be relied on that was not the *usul* of the Qur'an and *sunnah*. Authoritative in the presumption of their sacred provenance, the idiom of the Qur'an is the language of Muslim

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<sup>326</sup> Al-Ghazali, *The Sunna of the Prophet*, 120.

<sup>327</sup> *Ibid.*, 120–1.

<sup>328</sup> Al-Ghazali, *Stop Worrying, Relax*, 217–219.

<sup>329</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 633.

theological discourses. Complete dependence on the text of the Qur'an concerning the essential purpose of *Din* (way of life) allows al-Ghazali to revise the basic articles of Muslim theology. It was to be a purposeful restatement of the spirit of Islam similar to Ibn Taymiya's conception of the Shari'ah as an expression of the intent of God. From the Qur'an, *surah 2*, verse 129, *surah 2*, verses 151–2, *surah 3*, verse 164, *surah 60*, verses 2–4 attest to the three fundamental objects of *Din*: knowledge by way of the Qur'an, moral education, and Islamic law.<sup>330</sup> Islam is understood to have an authentic normative core interpreted from the authoritative *usul*.

A broad canvas for the interpretation of *Din* exists. Silence in the sacred texts on a whole gamut of matters demonstrates for al-Ghazali a wilful divine sanction for interpretation that is at once provisional and fallible – not synonymous with *Din*.<sup>331</sup> Further, this silence does not detract from the Shari'ah's comprehensive nature in *ibadah* and *mu'amalat*. Islam is a comprehensive framework of rights and obligations whereby a Muslim participates in the world to fulfil both.<sup>332</sup> Preponderance for the juristic account informs the internal syncretism of al-Ghazali's *tajdid* in a judicious appraisal of the different accounts of the Islamic tradition. Obedience to a moral law, derived from the Shari'ah, formulated by human interpretation lies within *Din*. Orthodox formulation of the five pillars of Islam is considered to be theological core of the Islamic tradition transmitted uninterrupted since the epoch of the first Muslim community. These pillars that are central to Muslim practice were expounded by ibn Abd al-Wahhab to constitute, in a narrow conception, Islam. Further their political ramifications were addressed by Ibn Taymiya and al-Shawkani, to be discussed in the next chapter, in a communal setting. The authenticity of the five pillars is also an expression of the orthopraxy of Islam that does not neatly distinguish between religious thought and practice – the two are intertwined. Yet again for al-Ghazali, the Qur'an lucidly states the core pillars of Islam in the verses of *surah al-Baqara*.<sup>333</sup> Pertaining to the sphere of pious practices, al-Ghazali recognises the five pillars of Islam dwelling in a complex worldview. The notion of *ibadah* clearly articulated by the Prophet is composed chiefly by *salat*

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<sup>330</sup> Al-Ghazali, *The Sunna of the Prophet*, 101–2.

<sup>331</sup> *Ibid.*, 41.

<sup>332</sup> Al-Ghazali, *Stop Worrying, Relax*, 199.

<sup>333</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 8.

(prayer), *zakat* (alms-tax), *sawm* (fasting), *hajj* (pilgrimage) seeking to cultivate the virtue of a Muslim society.<sup>334</sup>

Genuine engagement with the Islamic tradition was a source of continuity and provided the impetus to be innovative in rapidly changing contexts. When the contexts of Muslims vary according to the time and place, *ijtihad* is employed to propose new interpretations of the Shari'ah. The practitioner of *ijtihad* is in essence a human being who is charged with the duty of *khilafah* (vice-gerency) of God. While *tawhid* stressed the transcendence of God, the notion of *khilafah* emphasises that human beings are ennobled by divine writ. For al-Ghazali, it is established in the Qur'an by the *surah* 20, verse 41's declaration that "Those who, if We establish them firmly on the earth, will establish the prayer and pay zakat, and command the right and forbid the wrong."<sup>335</sup> Thus, the awareness of a divinely-revealed role for human beings motivates the recovery of the original ethos of Islam to be found in the transmitted sacred texts of the Islamic tradition. Further testimony of the ennobled position human beings occupy for al-Ghazali is that they were created by God's breath blowing life into them.<sup>336</sup> The Qur'an recognises the inherent capacity of human beings to partake in a process of thinking as the basis for faith. To be able to grasp religious truths according to al-Ghazali is performed by one's *fitrah* (elemental human sense) supported by the thirtieth verse of *surah al-Rum*.<sup>337</sup> *Fitrah* comprehends the notion of *tawhid* located in the Qur'an and *sunnah*.

Intellectual and cultural resources in al-Ghazali's syncretism were not limited within the boundaries of the Islamic tradition. Demonstrating the dynamic pattern of the construction of a tradition, al-Ghazali identifies other traditions and other pasts as sources for *tajdid*.<sup>338</sup> Transcultural exchanges are seen as profitable ventures by indigenous cultures to learn from foreign traditions. Post-classical reformers such as al-Tahtawi introduced a new scholarly attitude among Muslim scholars that actively sought to learn from the West. Amalgamation of new elements for al-Ghazali does not preclude the

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<sup>334</sup> Muhammad al-Ghazali, *Muslim's Character* (n.c.: World Assembly of Muslim Youth, n.d.), 1–6.

<sup>335</sup> Al-Ghazali, *The Sunna of the Prophet*, 3.

<sup>336</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 525, 734–5.

<sup>337</sup> *Ibid.*, 435.

<sup>338</sup> Muhammad al-Ghazali, *Stop Worrying, Relax*, 9–10.

preservation and continuity of the authentic core of the Islamic tradition. The *manhaj* constructed and proposed by al-Ghazali addresses the connection between *iman* (faith) to *al-amal al-salih* (good deeds) expressed in the verses of the Qur'an leading to the pious state of *ihsan* (excellence).<sup>339</sup> In the late classical Islamic tradition, *ihsan* was interpreted differently by ibn Abd al-Wahhab and Waliyullah in accordance with the overall thrust of their renewalist ventures. While ibn Abd al-Wahhab subsumes *ihsan* within a purist notion of *tawhid*, Waliyullah brings into relief its mystical connotations. Eschewing the narrowly defined or theosophical conceptions of these two reformist antecedents, al-Ghazali submits the elements and accounts of the Islamic tradition to a broadly-conceived Shari'ah. I have argued in this chapter that al-Ghazali subscribed to the preponderance of the juristic account of the Islamic tradition to be the orthodox *manhaj* for interpretation. Construction of tradition thus occurs within the Shari'ah – internal and external syncretism was progressively carried out rooted in the sacred texts. By way of the Shari'ah, religious truths are to be discerned using the elements from its juristic account. Al-Ghazali proposes a cognitive construct of human beings in part determined by *fitrah*.<sup>340</sup> The various parts of this construct portend to the faculty of the intellect. Acquisition of knowledge is based on the three main foundations of “the human intellect, the five human senses, and the divine revelation or inspiration which God bestows upon select individuals.”<sup>341</sup> Various means are present within a human being to know about the world and religion. Moral truths in Islam can also be comprehended through the faculty of intuition. Citation by al-Ghazali of a *hadith* (tradition of the Prophet) evoking the authority of the Prophet to support the notion of intuition to be able to know moral truths points to another source of tradition.<sup>342</sup> Importantly, the texts of the Shari'ah contain the sources of Islamic law for identifying the *maqasid al-Shari'ah* and the exhortations to know these *maqasid* through various faculties available to human beings.

The reinterpretation of the Shari'ah was complemented by the revision of the account of *tasawuuf* (science of mysticism) in al-Ghazali's thought. Many

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<sup>339</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 199–200.

<sup>340</sup> Al-Ghazali, *Stop Worrying, Relax*, 172–3.

<sup>341</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 594.

<sup>342</sup> Muhammad al-Ghazali, trans. Yusuf Talal DeLorenzo., *Remembrance and Prayer: The Way of Prophet Muhammad* (Markfield: The Islamic Foundation, 2006), 164.

classical and post-classical Sufi treatises privilege the role of *al-qalb* (the heart) to understand religion and its inner dimensions. Contests ensued with other accounts over common objects and themes fuelling opposing claims by practitioners of jurisprudence, theologians and mystics. Abu Hamid al-Ghazali's juxtaposition of the accounts of *tasawwuf* and Shari'ah, and its acceptance into the fold of orthodoxy was challenged not only by al-Ghazali but previous scholars such as Ibn Taymiya and al-Shawkani who both argued for a thoroughly sober conception of *zuhd* (asceticism). However, al-Ghazali's challenge was more considered and incisive vis-à-vis the main bone of contention – reconciling of these contending claims in a syncretism elevating the normative Shari'ah in this sphere. It is in this spirit of revision that the basic Sufi pantheistic notion of *wahdah al-wujud* (the unity of being) is discarded for the more Shari'ah inspired notion of *wahdah al-shuhud* (the unity of witness).<sup>343</sup> Fulfilment of *wahdah al-shuhud* is concerned with the heightened ability of the heart to recover and adhere to the original ethos of Islam present in the Shari'ah's texts.

## Conclusion

The search for *tajdid* in al-Ghazali's *manhaj* is authoritatively premised on the roots of the Islamic tradition animated by *mabda al-haraka*. A project of *tajdid* which did not begin with the Qur'an and *ahadith* would perpetually evade the claim of authenticity in Islam. Thus, al-Ghazali justifies the innovation of interpretation based on these texts. It is noteworthy that al-Ghazali was not unique in advocating the need for reform based on the Islamic sacred texts. Past antecedents ranging from Ibn Taymiya to Muhammad Abduh provide the methods to conceive of change. However, al-Ghazali's renewal differs in a few and important aspects. Since the late classical period, the renewed sense of importance of the study of *ahadith* arose among reformists who expanded the body of texts needed to reinterpret the juristic, theological and mystical accounts from the perspective of jurisprudence. In this area, al-Ghazali adapted and considerably revised the element of *ahadith* in the juristic account of the Shari'ah – the *ahadith* do not convey the literal wording of the action and saying ascribed in the recorded texts but simply contain their meaning. Further, the

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<sup>343</sup> Al-Ghazali, *Within the Boundaries of Islam*, 164–5.

Qur'an is the primary text to discern the veracity of the *ahadith*. Al-Ghazali's *manhaj* was firmly a juristic account of the Shari'ah that, although not unique in spirit, challenged existing interpretations of the *usul* of the Islamic tradition. These interpretations can in principle be revised and rejected if found to be contrary to the original ethos of Islam transmitted from the past preserved in the Islamic sacred texts.

Invoking the metaphor of a tree, al-Ghazali conceives of Islam as the roots and Islamic jurisprudence as the tree – the former never changes in an immutable state and the latter continuously grows over time.<sup>344</sup> The priority of the *usul* was accompanied by a thematic reading of their contents. Even the *sirah* with its countless events of the Prophet's life was organised around the novel literary rule of themes. The *sirah* was appropriately revised, emphasising social, political and moral themes, to address al-Ghazali's concerns of Muslims in the present echoing Numani's wide-ranging efforts in this genre. Classical elements of the Islamic tradition provide the resources to reinterpret the sacred texts of Islam bringing the early Muslim past in close proximity to the present. Revival of the authentic Islamic ethos was an act of *ijtihad*. In the *manhaj* of al-Ghazali, the Godly-revealed Shari'ah was the prism to explicate the *sunnah* from the Qur'an and the *ahadith*. The adoption of al-Shatibi's *maqasid al-Shari'ah* in al-Ghazali's thought, especially *al-kulliyat al-khams*, allows the construction of a juristic account that distinguishes between the *ghayat* and the *wasal*. A distinction is made between the *Shari'ah* and the attempts to interpret its texts to make rules. *Fiqh* is the term applied to these rules denoting the provisional and fallible nature of their contents. The *usul* of the Shari'ah are the authoritative sources for change expressed in *mabda al-haraka* and to discern the authenticity of the elements and accounts of the Islamic tradition. This resembles the ventures of Ibn Taymiya and al-Shawkani in the classical period. The theological notion of *tawhid*, the pillars of Islam and Sufi concept of *al-wahdah al-shuhud* are reinterpreted in al-Ghazali's *manhaj* in a revision of their classical connotations against a juristic scholarly background. The project

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<sup>344</sup> Ibid., 48. In the same passage, al-Ghazali also makes an analogy with a printing press. He writes, 'The bond between these new horizons in Islamic jurisprudence and the reality of Islam is like the bond between a tree and its living roots, or like the bond between consumable commodities and the production mechanism. If we were to imagine a printing press grew bigger because it had printed thousands of books, it would then be correct to say that Islam has added to its origins, or has expanded with time because its jurisprudence has increased in volume since the era of the Prophet (s) and his companions.'

of *tajdid* for al-Ghazali was endowed with authenticity by the Shari'ah in the recovery of the original ethos of Islam preserved and transmitted in the texts of the Qur'an and *sunnah*.

## CHAPTER 4

### The Shari'ah and Politics in Muhammad al-Ghazali's Thought

#### Introduction

The previous chapter outlined and examined the foundations of Muhammad al-Ghazali's thought. I proceeded to demonstrate that ventures of *tajdid* were rooted in the Islamic tradition. Continuity and innovation were intertwined in the transmission of sacred texts in al-Ghazali's *manhaj* (methodology) that sought to self-consciously articulate change in the language of authenticity. This chapter continues the investigation into the *manhaj* of al-Ghazali by exploring its political thought. Varying from the role of religion in the modern state to the compatibility of Islam and nationalism, these facets are all nonetheless united in acknowledging the primacy of the Shari'ah (the way). Elevation of the Shari'ah in the Islamic tradition was a recurrent element in the juristic accounts of classical reformers. Criteria for the authenticity of interpretations included authoritative texts. A distinction between the *Shari'ah* and *fiqh* (jurisprudence) influenced by time and place was a central theme. From Ibn Taymiya to Rashid Rida, the direct interpretation of the Qur'an and *ahadith* (traditions of the Prophet) aimed to identify and fulfil a Godly-revealed normative ethos. Chapter 4 is divided in six sections each exploring the following facets of al-Ghazali's political thought: the Islamic state; oppression and tyranny; democracy and *shura* (consultation); social justice, women, and non-Muslims; *jihad* (to struggle); and nationalism, Arabism and the *ummah* (Muslim community).

Section one examines al-Ghazali's conception of an Islamic state. The role of the state among reformers was focused on communal stability and the application of Islamic law. Classical scholars emphasised these two aspects for a state or a ruler to be considered legitimate in Islamic terms. Ibn Taymiya's reintegration of the Shari'ah and *siyasa* in the classical period proved to be influential on later reformers including al-Ghazali. Recent contributions to the juristic account by Muhammad Abduh retained and modified certain elements of the notion of the *khilafah* (office of *khalifah*). Against this scholarly backdrop, al-Ghazali was influenced by the introduction of the modern state into the

contemporary Arab Middle East shaping his juristic reappraisal of the Islamic state.

Section two focuses on the critique of oppression and tyranny by al-Ghazali through the Qur'anic narrative of Pharaoh. Striking at the core of most discussions of political power and religious legitimacy, the reality of the pernicious presence of dictatorships needed to be confronted. For al-Ghazali, tyranny in the exercise of power robbed human beings of the inviolable rights due to them. Section three is concerned with the solution proposed by al-Ghazali to the predicament of tyranny among Muslims – the principle of democracy. As a political notion originating from the West, democracy was adapted to the Muslim principle of the practice of *shura*. Analogies between democracy and *shura* were originally made in the middle of the nineteenth century by Rifa'a Rafi al-Tahtawi and Khayr al-Din al-Tunisi. Further elaboration of this relationship was carried out in al-Ghazali's interpretation of *shura* in the Islamic sacred texts.

In section four, the facets of social justice, women and non-Muslims in al-Ghazali's thought will be illustrated. The aim of *tajdid*, particularly with Ibn Taymiya continuing to Muhammad al-Shawkani and Jamal al-Din al-Afghani, sought to place socio-economic justice within the framework of the Shari'ah. Expansion of the juristic account of the Islamic tradition by al-Ghazali aimed to include elements of gender participation and religious equality in a context of citizenship. Section five analyses the notion of *jihad* in the *tajdid* of al-Ghazali in the context of classical and post-classical reformers. Comprehensive in meaning and scope, the notion of *jihad* occupies a central position in al-Ghazali's interpretation. Its multifarious nature applies to the highly charged debate on the legitimate exercise of violence to the lesser known and yet no less pivotal idea of *jihad* as moral reform of Muslims.

Section six explores al-Ghazali's intellectual positions towards nationalism. Hitherto juristic accounts in the classical period did not broach the debated themes of Arabism or nationalism. These themes have become an integral part of the contemporary Muslim world. A variant of nationalism, Arabism had its roots in the *islah* (reform) of al-Tahtawi and the pan-Islamic activism of al-

Afghani. Inheriting the repertoire of Arabism and nationalism, al-Ghazali viewed both as potentially supporting the wider affiliation of the *ummah*. The internal dynamic which drove the *ummah* was based on the idea of it being a normative community. A moral order of the collective belonging of all Muslims presupposed all other forms of identity. Individual and communal moral imperatives defined what the *ummah* is and the responsibilities ensuing from these imperatives for the purpose of wider reform in the world.

## **A Changing Islamic State**

### *Unity of Religion and Politics*

Political concepts and institutions are reinterpreted by al-Ghazali through a *manhaj* rooted in the juristic account of the Shari'ah. The Qur'an, *ahadith* and *maqasid al-Shari'ah* (objectives of the Shari'ah) were authoritatively invoked in the renewalist tendency to revise the juristic account's themes and objects on politics. Jurisprudence provided the tools, content and experience of negotiating the Muslim past, present and future. Legitimacy of rulers and political institutions was dependent on the communal stability of the Muslim community and the application of Islamic law within the boundaries of its territories. Religious necessity demanded the application of Islamic law by the ruler in the capacity of *imam* (political ruler) or *khalifah* (head of the Muslim community). Thus, legitimacy to rule was primarily dependent on this pious obligation. Social necessity was also an essential element in the recognition of the ruler as legitimate in ensuring the existence and stability of Muslim society. Notions of political rule expounded by Muslim scholars portend to institutions such as the *imamah* (Muslim government) or *khalifah* applying interpretations of the Shari'ah formulated by these jurists themselves. Orthodox acceptance of the authority of the *imam* or *khalifah* was consolidated in the Sunni *madhahib* (rites of jurisprudence) whereby the application of jurisprudence to all spheres of Muslim life mirrored the comprehensive nature of the Shari'ah. Inevitably, the notion of *siyasa* (politics) emerged as an important object of interpretation aimed at realising the ideal Muslim social order in the present.

Change was implicitly acknowledged in the classical ventures of *tajdid* by Muslim scholars preceding al-Ghazali's writing on politics. Present developments in the forms of political institutions are recognised in the reinterpretation of the Qur'an to advocate an Islamic ethical exhortation to dialogue.<sup>345</sup> A world of increased interaction descending from the global to the local introduces a new factor for Muslims to negotiate difference through a Godly-revealed framework. Exegesis of the Qur'an by al-Ghazali was an attempt to express a morally-informed political thought. States are to be guided by the normative ethos contained in the Qur'an contrary to the spirit of an expansionist ideology e.g. colonialism.<sup>346</sup> The Muslim community is the main addressee for the message of the Qur'an and the Islamic state is the moral corollary of this message. An agenda of reform characterises the functions of this state. Significantly, for al-Ghazali worship is distinguished from the duties owed to a political institution.<sup>347</sup> Politics and religion may belong to a single framework regulated by the moral imperatives of Islam but a pivotal distinction exists between the two. Obedience to public policy is enacted with a certain degree of coercive authority while faith in Islam can only be realised through voluntary consent

### *Reform of State and Society*

From the very beginning, the need for a tolerant and free communal space to practice Islam was the motivating force behind the creation of the first Muslim polity. For al-Ghazali, the Prophet's journey of *hijra* (migration) to *Yathrib*, later known as Medina, to take up the role of the town's arbitrator was an escape from oppression.<sup>348</sup> Medina was the focal point for the emergence of this polity and the Muslim community opposed by a hostile Mecca. The legitimacy of the religious identity of the state was intertwined with the ability to freely adhere to Islam: a nascent state allowing the practice of religion.<sup>349</sup> Tribal affiliations gave way to a single political entity in Medina led by the Prophet Muhammad. During the inception of Islam, especially since the *hijra* to Medina, it played the

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<sup>345</sup> Muhammad al-Ghazali, trans. Ashur A. Shamis, *A Thematic Commentary on the Qur'an* (Herndon and London: The International Institute of Islamic Thought, 2000), 520–1.

<sup>346</sup> *Ibid.*, 718.

<sup>347</sup> Muhammad al-Ghazali, n.t., *Fiqh-u-seerah: Understanding the Life of Prophet Muhammad* (Riyadh: International Islamic Publishing House, 1997), 206.

<sup>348</sup> *Ibid.*, 178.

<sup>349</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 75.

important role of providing a political framework for the first Muslim community.<sup>350</sup> The original moral imperatives of reform were concerned with the broader object of creating a new social order. Different tribal and religious groups were united under an ethos of religious freedom for all parties in the new Muslim communal setting.<sup>351</sup> A mutually agreed contract among the inhabitants of Medina, known as *Sahifat al-Medina* (Charter of Medina), underpinned the basis of the first Islamic polity and defined the nature of communal relations.<sup>352</sup> Recovery of the characteristic traits of the first Muslim community through the interpretation of the Islamic sacred texts identifies the foundational status of *amr bil ma'ruf wa nahy an al-munkar* (enjoining the good and forbidding the evil).<sup>353</sup> Precedence was awarded to this notion by Ibn Taymiya and ibn Abd al-Wahhab in the classical period. Exhortation of *amr bil ma'ruf wa nahy an al-munkar* was based on the authoritative sources of Islam seeking to renew the beliefs and practices of the Muslim community in the present.

Allusion to the early Muslim past is a common theme for Muslim reformers. For al-Ghazali, the Prophet Muhammad's settlement in Medina witnessed the beginning of the Islamic polity when revelation became increasingly concerned with explicit social affairs. Further citations of Medina demonstrate the construction of the foundations of the Islamic tradition within a Muslim living community embodying the Qur'anic attribute of *umatan wasatan* (middle nation).<sup>354</sup> The original recipients of the unfolding sequence of revelation, the early Muslim community, provide a valuable precedent for the realisation of the Islamic normative ethos. Al-Shatibi's formulation of the *maqasid al-Shari'ah* proposes the *tariq al-wasat* (the middle path) to be moral aim of the Muslim community in the authentic application of Islamic law. Norms such as the moderate path, veering neither into one extreme nor another, defined al-Ghazali's *manhaj* in his adaptation of the Islamic tradition. The Muslim community in the early Muslim past was synonymous with the *umatan wasatan* after the reform of pre-Islamic Arabs was undertaken. The Qur'an spoke directly to the Muslim community in Medina promulgating legal rules and moral principles. These were to be applied by the Prophet in his capacity as a

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<sup>350</sup> Ibid., 192.

<sup>351</sup> Al-Ghazali, *Fiqh-u-seerah*, 165.

<sup>352</sup> Ibid., 195–6.

<sup>353</sup> Ibid., 131, 148.

<sup>354</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 26–7.

recipient of divine revelation and the head of the rapidly growing Islamic polity based in Medina.

However, al-Ghazali argued that the succession of political authority of the Muslim community was intentionally left by the Prophet to the disposal of Muslims.<sup>355</sup> Neither the *ahadith* nor the Qur'an contained exact stipulations on the way political authority was to be managed and exercised in a time when the Prophet was no longer in their company. A conspicuous silence on the precise details of an Islamic state is counterbalanced by the broad framework supplied by the sacred texts. Political authority and religious morality are blended into a single prism in al-Ghazali's thought with the Monotheistic prophet-kings David and Solomon cited.<sup>356</sup> Ibn Taymiya's integration of the Shari'ah and *siyasah* resonates with the unity of the political and religious spheres for al-Ghazali in the formulation of an Islamic state. A *manhaj* based on the juristic account of the Shari'ah dominates al-Ghazali's *tajdid* in the recovery and continuation of the past of the monotheistic Prophets. The Qur'an is the foremost authority and source in the interpretation of a state based on Islamic precepts. As a universal principle, ethical conduct is the only worthy means to acquire political authority for al-Ghazali in his citation of the Qur'anic verses about the Prophet David who was also the King of the Israelites.<sup>357</sup> The monotheistic past supplies many appropriate examples about the purposes of politics – protection of religion and freedom. Human beings possess rights which are to be respected if the preconditions of the legitimate exercise of power are to be fulfilled.

Politics was an accepted object of interpretation in the juristic accounts of the Islamic tradition. Rules and principles on the conduct of the state fell under the remit of Islamic law. Previously, it was noted that Ibn Taymiya consciously revived and extended the authority of the Shari'ah to the realm of *siyasah*. The *imamah* and *khilafah* were acknowledged to be the orthodox custodians of the implementation of Islam within the Muslim community. Despite the formal status of these two institutions Ibn Taymiya was dissatisfied with his contemporaries' inability to live up to the ideal normative ethos of the early Muslim past. This was a sentiment strongly shared by later reformers and al-Ghazali in his

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<sup>355</sup> Al-Ghazali, *Fiqh-u-seerah*, 464.

<sup>356</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 477, 494–8.

<sup>357</sup> *Ibid.*, 352.

formulation of an Islamic state. For al-Ghazali, the rules derived from the Shari'ah embodied a close approximation of the moral values guaranteeing the interests and rights of human beings. Restraint in the exercise of power by those in political authority al-Ghazali states can be found in the statements of Umar bin Abdelaziz who was designated as the fifth rightly guided *khalifah* by Sunni orthodoxy.<sup>358</sup> Direct recourse to the authority of the Qur'an by al-Ghazali was an integral element of his *manhaj*. Tensions between innovation and continuity were reconciled by al-Ghazali in the distinction between Islam and *al-fikr al-Islamiya*. The *mabda al-haraka* (principle of movement) introduced new elements into the expanding *al-fikr al-Islamiya*.

The Qur'an is the *dustur* (constitution), not necessarily in the contemporary legal and political sense, in Islam which is the source of rights and duties for a Muslim to be authentically understood in the spirit of moderation.<sup>359</sup> Placing the Qur'an as the 'constitution' or foundation stone of Islam, al-Ghazali grants it a position of precedence in the *manhaj* employed to interpret the Shari'ah. Al-Ghazali's prescription that the *dustur* of Islam applies in a moderate way, echoing al-Shatibi, is anchored in the interdependent relationship between worship and the world in every sphere of life. A distinction exists between these two domains of human existence with al-Ghazali prepared to prioritise, conditionally to a degree, the world over worship. The normative criterion for worldliness in the form of the Shari'ah is derived from Islam's sacred constitution. *Al-amanah* (trust) is a notion pregnant with multiple meanings: according to al-Ghazali it is to be comprehended by reference to the duty of responsibility of the human agent.<sup>360</sup> He cites a *hadith* (tradition of the Prophet) describing the rule of the *imam* as *al-ra'i* (shepherd) over the *al-ra'iyya* (sheep) to be regulated by the Shari'ah norm of *al-amanah*. Furthermore,

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<sup>358</sup> Muhammad al-Ghazali, trans. Abdullah Elaceri, *Stop Worrying, Relax... Be Happy: Renew your Life* (London: Al-Firdous Ltd, 2002), 136.

<sup>359</sup> Muhammad al-Ghazali, *Fiqh al-sirah* [Knowledge of the Epic of the Prophet Muhammad] (Cairo: Dar al-Shorouq, 2003), 32. It must be noted there are two meanings of *dustur* which al-Ghazali refers to: firstly, the Qur'an as the source for the comprehensive rights and duties of a Muslim; secondly, the contemporary legal and political document which is a foundation of the modern state. *Dustur* in this sentence denotes the first meaning of the term. Cf. Bernard Lewis, *The Political Language of Islam* (Chicago and London: The University of Chicago Press, 1991), 113–4. Bernard Lewis observes the reformist tendency to create a syncretism between two different traditions in rooting the notion of constitutional government in the Shari'ah. Although according to Lewis, the word *dustur* does not have its origins in the terminology of Islamic law but rather in the language of Ottoman bureaucracy.

<sup>360</sup> Muhammad al-Ghazali, *Khulq al-Muslim* [Character of the Muslim] (Cairo: Nahdet Misr, 2005), 41–2. See Abdur Rashid Siddiqui, *Qur'anic Keywords: A Reference Guide* (Markfield: The Islamic Foundation, 2008), 20–2.

justice, following the meaning attributed to it by the classical tradition, is conflated with this norm where “everything should be placed at its proper and deserving place.”<sup>361</sup>

Notions from the Shari’ah are the core and authentic values of Islam that guide politics. Islamic law is thus interpreted in al-Ghazali’s *tajdid*, accepting the general positions of the Islamic tradition, seeking to revive the possibility of change. Its interpretation is to be led by the dictum “The basic legal position regarding all things is that they are permitted and there is no prohibition except by a definite text.”<sup>362</sup> A less bounded and more open-ended tendency towards interpreting the range of human actions not dictated by fixed legal commands is present in al-Ghazali’s words in the previous quote. Islamic law is not simply a list of a set of immutable rules. The fixed rules in the Qur’an uphold the integrity of the Shari’ah throughout time with al-Ghazali citing justice as the normative ideal holding together the immutable with the changing.<sup>363</sup> Examination of the sources of the Shari’ah is conducted within al-Ghazali’s *manhaj* focusing on recovering the original ethos of the early Muslim past. Applying this *manhaj* is a necessary prelude for the construction of an Islamic state in the present. Laws of the *hudud* (boundaries) from the Qur’an are also an integral aspect of this state. Their normative purposes give rise to the discussion as to whether they should be applied and under what circumstances. Social justice and the redistribution of wealth, a duty falling on to the shoulders of a Muslim society, are essential prerequisites for applying the *hudud*. However, the absence of these conditions provides the extenuating factors precluding the application of punishments when the boundaries of the *hudud* have been transgressed.<sup>364</sup> The underlying motivation of Islamic law is the reform of Muslim society: a task which requires the judicious and gradual implementation of Islam in its entirety.

Complete application of Islamic law for ibn Abd al-Wahhab not only endowed a political authority with legitimacy but ensured the territory that was ruled to be under the domain of *dar al-Islam* (abode of Islam) – consisting of

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<sup>361</sup> Muhammad al-Ghazali, n.t., *Muslim’s Character* (n.c.: World Assembly of Muslim Youth, n.d.), 74.

<sup>362</sup> Muhammad al-Ghazali, trans. Aisha Bewley, *The Sunna of the Prophet: the People of Fiqh versus the People of Hadith* (London: Dar Al Taqwa, 2009), 74.

<sup>363</sup> Al-Ghazali, *A Thematic Commentary on the Qur’an*, 97–8.

<sup>364</sup> Al-Ghazali, *Muslim’s Character*, 40–1.

Muslims. Uncompromising, Islamic law is the primary instrument of reform. Failure to apply all of its rules would make that authority illegitimate and the ruled territory outside the fold of Islam. I contend this position was subverted by al-Ghazali in posing the reform of the Muslim community before the application of Islamic law. The original ethos of Islam as contained in the Qur'an is to be revived in the present through the method of gradual and comprehensive reform.<sup>365</sup> In this instance, al-Ghazali and al-Shawkani share a similar attitude towards the nature of reform.

Time and place are the contingent factors, according to al-Ghazali, that can and do determine the viability of the project of reform. The *sirah* (epic of the Prophet) provides al-Ghazali the example and authority for the reform of the Muslim community. Reform of Islam is to accompany the development of the Muslim community.<sup>366</sup> Recent reformers, beginning with al-Afghani, articulated robust arguments for *tajdid* in terms of social, economic and political change. Widely comprehensive ventures of *tajdid*, echoing Waliyullah's *irtifaqat*, submitted a vision of authentic Islam to be realised in a radical revision of the Islamic tradition. For al-Ghazali, innovation is not limited to strictly religious matters of interpretation. It sought to revise and expand the classical definition of *ilm* (knowledge) which contrasted the study of religion in opposition to non-religious disciplines.<sup>367</sup> Elements of tradition that stand as an obstacle to progress are to be discarded and substituted with a reinterpretation of the Qur'an that emphasises a reform-oriented agency on the part of Muslims.

### **Oppression and Tyranny: Pharaoh in the Qur'an**

Confrontation of oppression and tyranny was a central part of the Islamic ethos of the first Muslim community in al-Ghazali's thought. Pharaoh is a potent symbol of tyranny in Qur'an. The texts of the Qur'an speak at length about the violence and persecutions committed by this symbol of injustice. Analogies between the pre-Islamic Arabian past, prior and during the inception of Islam,

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<sup>365</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 295–6.

<sup>366</sup> *Ibid.*, 299.

<sup>367</sup> See Munawar Ahmad Anees, 'Illuminating Ilm', in Ziauddin Sardar (ed.), *How Do We Know: Ilm and the Revival of Knowledge* (London: Grey Seal Books, 1991), 10–23. The contentious theme of regarding the juristic account as a 'worldly' science emerges in Abu Hamid al-Ghazali's venture of *ihya* (revival) elevating *tasawwuf* to be the most authentic 'religious' science while, crucially, not neglecting the prerogatives of Islamic law.

and Pharaonic Egypt demonstrate the persistence of tyranny against the mission of monotheism.<sup>368</sup> The Prophet Muhammad was a victim of its worst excesses as the Meccan aristocracy proceeded to persecute him and his followers for their professed faith in Islam. Pre-Islamic Arabia and Pharaonic Egypt were not dissimilar according to the Qur'an where Muhammad and Moses respectively were both victims of violence, persecution and finally migrated to a safe haven. The interpretation of the verses detailing the inhumane treatment of the Israelites at the hands of Pharaoh by al-Ghazali is to be located in a tendency to draw parallels between the living present and different episodes in the past acting as the criterion of justice. What Pharaoh represents for al-Ghazali is the quintessential expression of tyranny which the Qur'an clearly elaborates in its verses.<sup>369</sup>

Tyranny is the undermining of the normative objects of Islam that are owed to human beings which is evident in various times and places throughout the world. Present conundrums experienced by Muslims are fully intelligible as a result of interpreting the normative dimensions of the passages of the Qur'an. Holistic interpretations of the Qur'an, a departure from traditional commentaries of its text, allowed al-Ghazali to formulate compositions of specific themes that recovered the ideal Islamic moral dimensions. Muhammad Abduh was an early exponent of this approach followed by Abdullah Draz, who developed a fully fledged argument of elaboration of the unity of each *surah* in the Qur'an, and Mahmud Shaltut, examined in detail in the next chapter, in the middle of the twentieth century.

I submit that the employment of a holistic approach by al-Ghazali allowed him to identify two elements of the Qur'anic narrative of Pharaoh. The first is the persecution suffered by the Israelites emanating from Pharaoh's intolerant attitude toward their customs and religion.<sup>370</sup> The second observes Moses' encounters with Pharaoh recounted in the Qur'an: a tale of bravery in the face of a powerful and despotic ruler.<sup>371</sup> Persecution followed by the pious duty of speaking truth to power is the normative object extracted by al-Ghazali from the

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<sup>368</sup> Al-Ghazali, *Fiqh-u-seerah*, 27–28.

<sup>369</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 697.

<sup>370</sup> *Ibid.*, 152–3, 547, 587.

<sup>371</sup> *Ibid.*, 334–6, 396–8, 413–9, 542–3.

Monotheistic narrative of the clash between Pharaoh and Moses in ancient Egypt. Contemporary Egypt and the rest of the Muslim world, al-Ghazali notes, are caught in a downward spiral of decline.<sup>372</sup> States and their citizens are not immune to the problem that afflicts them both in different ways with equal intensity. Decline begins chiefly due to the internal condition of the Muslim community that leads to a tyranny which is self-destructive signalling a shift from consent to coercion in politics.<sup>373</sup>

The priority of *tajdid* for al-Ghazali entailed safeguarding the interests of human beings within the *manhaj* employed to identify the *maqasid al-Shari'ah* in the Islamic sacred texts. Gradual social reform was advocated to be a method of *tajdid*. An Islamic normative communal ethos in contradistinction to tyranny was espoused in the creation of the ideal Muslim social order. Justice is the motivating force of a Muslim community founded by the Prophet Muhammad upon the ideal of resisting all forms of tyranny.<sup>374</sup> Al-Ghazali cites a *hadith* about the notoriously despotic figure of al-Hajjaj ibn Yusuf and Salim bin Abdullah whereupon the former had instructed the latter to execute an individual. However, bin Abdullah refused to carry out the order in an action that could be considered a 'quietist' pious stance against tyranny.<sup>375</sup> Innovation in al-Ghazali's *manhaj* is a dynamic effort to recover the ethos of confronting tyranny, aided by the interpretation of the text of the Qur'an and the experience of the first Muslim community, making it relevant to the current state of the Muslim community.

### **Democracy and *Shura*: Citizen Participation**

Arbitrary forms of politics were condemned by al-Ghazali for flouting Islam's moral imperatives concerning the rights of human beings embodied in the *maqasid al-Shari'ah*. An enduring tendency against tyranny and oppression existed in the Islamic tradition. Precedents in the form of sacred texts and authoritative scholars cited by al-Ghazali implied a directly accountable ruler or state. The ruler and ruled, Ibn Taymiya proposed, were bound in a contractual

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<sup>372</sup> Al-Ghazali, *The Sunna of the Prophet*, 102.

<sup>373</sup> Al-Ghazali, *Fiqh-u-seerah*, 59–60.

<sup>374</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 201.

<sup>375</sup> Al-Ghazali, *Stop Worrying, Relax*, 224–5.

relationship between them – political authority was exercised in the function of *ajir* (employee) as opposed to *amir* (commander). Thus, those who occupied positions of power were public servants of the communities they governed. Accountability of the ruler or state was premised on the notion that political authority was, in large part, dependent on the consent of the subjects. Re-emergence of this theme in the post-classical period was articulated in a familiar language adopting foreign elements.

Islam defines the basic 'constitution' of the entirety of the Muslim community. However, I think al-Ghazali's distinction between Islam and *al-fikr al-Islamiya* is an extremely helpful cornerstone to discern how he envisaged innovation. Religion in this backdrop can thus be understood in two ways. Loosely defined it encompasses both the secular and the sacred in binding the human being to a normative criterion extracted from religious texts – *al-fikr al-Islamiya*. In its narrowest sense it refers to the areas of *ibadah* and *aqeedah* – Islam. A difference is thus engendered as a result of this distinction which allowed al-Ghazali to emphasise *maslahah* (public interest) in the creation of legitimate political institutions without the holy garb of religion.<sup>376</sup> Islam does not endow any individual or one institution with a monopoly on its interpretation. This was a view shared by al-Ghazali's forebears such as Abduh and Numani about the nature and forms of political authority in Islam. A wide variety of issues are posed as legitimate areas for changing interpretations. The Qur'an and other texts serve as the basic foundation for the formulation of the content that makes up *al-fikr al-Islamiya*. This content changed according to the influences of time and place impacting on the selection of *wasa'el* (means) to accomplish the *ghayat* (ends).

At first, the first attempts at syncretism between democracy and *shura* within the Islamic tradition were begun by al-Tahtawi and al-Tunisi. Both of these two individuals based the main thrust of their arguments on the sacred texts of Islam and the Muslim past, recent and distant. Analogies between the present ideals and practices of Europe, particularly France, on the one hand and past notions and practices among Muslims on the other hand established a link between democracy and *shura* in the Islamic tradition. Originally conceived,

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<sup>376</sup> Al-Ghazali, *Within the Boundaries of Islam*, 140–1.

in Greek antiquity, democracy and its very public politics combined rule by the people with the binding outcome of collective decision-making.<sup>377</sup> The legitimacy to govern was firmly located, despite the discriminatory conception, in the Athenian people. For al-Tahtawi and al-Tunisi, the democracy of their day was similarly a deeply qualified affair based on race, class and gender. The notion of *shura* was interpreted to possess democratic possibilities accompanied by comparisons with parliamentary institutions, to wit, in France. Successive projects of *tajdid* by Abduh and Rida further elaborated this theme by firmly situating its authority in *surah* 3, verse 159. Diverging somewhat from the analogy between democracy and *shura*, Numani proposed an internal revision without reference to external sources. Over two millennia had to pass, into the twentieth century, before the definition of democracy was fully expanded to enfranchise a citizenry without racial, class or gender bias. Democracy stamped by the hallmark of national citizenship was the version of the concept al-Ghazali was aware of during his lifetime. Inheriting a diverse and contested heritage on the matter of democracy and *shura*, al-Ghazali was able to adapt these two notions in a shared intellectual space.<sup>378</sup> Elsewhere, the fundamental nature of democracy in the modern nation-state has been expounded by Abdulaziz Sachedina for whom it exerts an inevitable influence on the "modern interpretation" of Islam on the issues of human rights and political participation.<sup>379</sup>

The notion of principle of movement, based on *ijtihad*, articulated by Muhammad Iqbal distinguished between the immutable ideals of Islam and the changing nature of its realisation. Hitherto legitimate institutions like the *khilafah* could be, in theory, abandoned for more contemporary and authentic interpretations of the Shari'ah. Retaining the political concept of the *khilafah*, Abduh and Numani expand the basis of its legitimacy on the consent of the Muslim community. Against this background of varied reinterpretations, al-Ghazali raises the primacy of *shura* to be one of the *ghayat* in the juristic account of politics interpreting the *khilafah* as part of the *wasa'el*.<sup>380</sup> Previous

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<sup>377</sup> M. I. Finley, *Democracy: Ancient and Modern* (London: Chatto and Windus, 1973), 12-4.

<sup>378</sup> Larbi Sadiki, *The Search for Arab Democracy: Discourses and Counter-Discourses* (London: Hurst & Company, 2004), 238-45.

<sup>379</sup> Abdulaziz Sachedina, *The Islamic Roots of Democratic Pluralism* (Oxford: Oxford University Press, 2001), 14-5.

<sup>380</sup> Al-Ghazali, *The Sunna of the Prophet*, 127. See Siddiqui, *Qur'anic Keywords*, 223-5.

manifestations of political authority for al-Ghazali are part of a changing past where Muslims seek the most suitable *wasa'el* to realise the normative ethos of Islam. What matters in breathing life into the notion of *shura* is the ability of selected forms of governments to deliver the normative ends of the Shari'ah for the benefit of human beings. For al-Ghazali, *shura* is pre-eminently in the sphere of the *ghayat* to be continuously interpreted in a specific context. In this regard, al-Ghazali differs markedly from Rashid Rida that while the normative ethos of Islam remains unchanged by time and place, political institutions such as the *khilafah* do and are expected to change.

The adaptation of democracy within the notion of *shura* for al-Ghazali was motivated by the acknowledgement of the normative ethos of the legitimacy of dissent in the form of the opposition to an incumbent government.<sup>381</sup> Espousal of the *maqasid al-Shari'ah* by al-Ghazali was a key point of reference in his efforts to adapt the notion of democracy. The *maqasid* guarantees the fundamental interests and rights of human beings, regardless of time and place, forming the basis for the adaption of democracy according to a *Shari'ah* framework. I agree with Fazlur Rahman's assessment of al-Ghazali's position on *shura* as compulsory involving citizens in the decision-making mechanisms of society especially concerning matters directly affecting them e.g. taxation.<sup>382</sup> A Qur'anic derived concept struck a chord with democracy thanks to the *maqasid*. Thus, *maslahah* of people dominates the rethinking of *shura* to formulate a specifically Islamic position on democracy. The people emerge with absolute interests, or rights, complemented by their ability to participate in public life to safeguard them. Consent of the citizenry, in the form of a *bay'ah* (oath), al-Ghazali argues is a necessary prerequisite of the legitimacy for an Islamic state where the practice of *shura* is *mulzimah* (binding).<sup>383</sup>

The Muslim past gives positive indications for contemporary emulation but there is not a single institution which must be blindly followed without concern of a changing context. A universal *ghayat* derived from the Qur'an directs

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<sup>381</sup> Ibid., 128.

<sup>382</sup> Fazlur Rahman, 'A Recent Controversy over the Interpretation of *Shura*', *History of Religions*, 20/1–2 (August and November 1980), 298–300.

<sup>383</sup> Muhammad al-Ghazali, trans. Jasser Auda., *The Future of Islam in the West: How to Approach it?* (n.c.: n.p., 2001), 57.

contemporary Muslims to the potential scope of *shura* in a variety of times and places. Precluding the tendency toward either theocracy or dictatorship, the application of *shura* in an Islamic state is binding on politicians in the decision-making functions of the state. Inclusion of the citizenry opens up *shura*'s democratic possibilities leading to a more inclusive polity on matters relating to the state and the public interest. Divine sanction for the right of freedom of opinion is found in the Qur'an to preclude the rise of tyranny.<sup>384</sup> In a situation where the spectre of tyranny raises its head, this right creates the conditions where public criticism, considered to be a virtuous act, is possible.

Critical appropriation of features of democracy into an Islamic polity aims at the implementation of the founding Islamic normative criteria in a new form. Moreover, democracy can be adapted when the written *dustur* stipulates the religion of *al-dawla* (the state) is Islam and the Shari'ah is *al-masdar al-awhad* (the sole source) of the *qawanin* (laws).<sup>385</sup> An Islamic state for al-Ghazali is par excellence the Shari'ah polity. Interestingly, this state participates in the broader process of interpretation seeking to reconcile the juristic account of the Shari'ah and the legislative capacity of *al-dawla*. I think al-Ghazali's invocation of the Shari'ah refers to the sources of the Qur'an and *sunnah* (example of the Prophet) and is part of the classical juristic account's emphasis on politics as a social contract between the state and its subjects reinterpreted by al-Ghazali, echoing Ibn Taymiya and al-Tahtawi, to bring into relief the constitutional character of this state. Further, al-Tunisi's *al-wazi al-dini* anticipates the role of the Shari'ah in the constitution outlined by al-Ghazali. Exegetical interpretation of the Qur'an played a pivotal role in endowing this notion with an authoritative base in the Shari'ah.

Applying a reformist lens to the Qur'an, Abduh and Rida interpreted *shura* to be a core notion of Islam. The central ideals of Muslim political thought, a construction of the juristic account, are a product of the interpretation of the Islamic sacred texts. An important corollary of al-Ghazali's *manhaj* was that the Shari'ah was not a fully fledged code of laws ready to be implemented by a regime purportedly to be Islamic. Rather it is a process requiring the utmost

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<sup>384</sup> Al-Ghazali, *Stop Worrying, Relax*, 174–5.

<sup>385</sup> Muhammad al-Ghazali, *al-Sunna al-nabawiya bayn ahl-fiqh wa ahl al-hadith* [The *sunnah* of the Prophet: between the People of *fiqh* and the People of *hadith*] (Cairo: Dar al-Shorouq, 2005), 165.

diligence on the part of the jurist to locate the *maqasid al-Shari'ah* in multiple texts. *Surah* 42, verses 36–8 provide the proof-texts where the principle of *shura* is understood by al-Ghazali to be a duty for the Muslim community to stave off decline.<sup>386</sup> The observance of normative ideals in politics derived from the Shari'ah lead to the path of revival. Details of how *shura* has been practiced in the community of the first Muslims further cement its ethical dimensions. *Shura*'s participatory element is confirmed in the Prophet's own conduct regarding public affairs. Exchanges of opinions and consultations with members of the Muslim community are commonplace events in the *sirah*.<sup>387</sup> Independent thinking and the freedom to express the viewpoints arrived at between the Prophet and his companions were indispensable in the process of consultation.<sup>388</sup> In a moment of crisis affecting the early Muslim community, the *ahadith* record the Prophet consulting Umm Salamah and applying the advice she offered in an attempt to successfully resolve the issue.<sup>389</sup> Early Islam attests the existence of *shura* on a day-to-day basis grounded in the Qur'an.

## **Social Justice, Women, and non-Muslims**

### *Social Justice as a Divine Imperative*

The continuity of the juristic account of the *maqasid al-Shari'ah* since al-Shatibi's coherent formulation re-invigorated justice as a core notion among jurists. Ibn Khaldun, a younger contemporary of al-Shatibi, perceived justice to emanate from the correct application of the Shari'ah establishing the foundations of civilisation. Collectively, Muslim jurists helped to shape the preponderance of justice in the Islamic tradition. Wide acceptance of this orthodox principle and particular reformist emphasis on justice recognised that reform of the Muslim community was essential for the fulfilment of the Islamic normative ethos. In the post-classical period, the conception of the *maqasid al-Shari'ah* was broadened into a holistic framework to address a whole variety of new social, political and economic issues.

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<sup>386</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 535.

<sup>387</sup> Al-Ghazali, *Fiqh-u-seerah*,. 235–7, 265–6; Muhammad al-Ghazali, *Stop Worrying, Relax*, 67–9.

<sup>388</sup> Al-Ghazali, *Stop Worrying, Relax*, 166–7.

<sup>389</sup> Al-Ghazali, *Fiqh-u-seerah*, 347.

The *manhaj* of al-Ghazali extended the juristic account of the Islamic tradition to the problems experienced by contemporary Muslims. Searching for a social ideal inspired by Islam, al-Ghazali finds the appropriate proof-text in *surah* 7, verses 28–9 which ends with the words “My Lord has enjoined justice.”<sup>390</sup> An individual enjoys the rights and protections affirmed in the Qur’an. Divine injunctions outline the normative worth of human beings. A set of rights directly flow from the criterion derived from the sacred texts of Islam and past precedents of their implementation in the Muslim community. Social justice in Islam recognises the demands of the rights of the individual from society to protect him or her against crimes including torture.<sup>391</sup> Communal responsibility exists on the part of a society charged with the duty of restoring the usurped rights of any its members.

The Enlightenment tradition was adapted by al-Tahtawi and al-Tunisi in an interpretation of the notion of *huriya* (freedom) within a syncretic account. In a robust exegesis, al-Ghazali puts forward a juristic description of this notion. Coercion in matters of conscience or conviction negates the principle of responsibility – freedom is a necessary foundation for the creation of a community of the faithful which tolerates differences.<sup>392</sup> Genuine faith in Islam can only be acquired when individuals choose out of their own volition to observe its rules and principles. A situation where Islam is imposed against the wishes of society would amount to an unmistakable violation of Islam’s stance on the rights of the individual and the *maqasid al-Shari’ah*.

Social justice when understood through al-Ghazali’s *manhaj* based on the *maqasid al-Shari’ah* also possessed economic dimensions related to freedom. Economic exploitation of ordinary people is an issue associated with the fifth righteous *khalifah* Umar II who is cited to have repealed the imposition of taxes in Umayyad Egypt as he argued Islam was concerned with ensuring the interests of human beings as opposed to the accumulation of wealth.<sup>393</sup> Imposition of taxes not derived from the Islamic sacred texts, e.g. *zakat*, were firmly held by al-Shawkani to be a manifest contravention of the Shari’ah. Poverty is a social ill

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<sup>390</sup> Al-Ghazali, *A Thematic Commentary on the Qur’an*, 146.

<sup>391</sup> Al-Ghazali, *Fiqh-u-seerah*, 101–2.

<sup>392</sup> Al-Ghazali, *Khulq al-Muslim*, 29.

<sup>393</sup> Al-Ghazali, *A Thematic Commentary on the Qur’an*, 253.

to be confronted from within al-Ghazali's *manhaj*. It is incumbent upon Muslims to combat the existence of economic inequalities through the redistribution of their wealth. To tolerate the endemic poverty that exists in society is contrary to the spirit of Islam. The actual practice of the Prophet Muhammad is filled with examples where he gave the wealth he acquired to the poorer sections of the first Muslim community in what was considered to be in the way of God.<sup>394</sup>

Numerous citations of the Prophet, supporting the redistribution of wealth, indicate not only its central role for al-Ghazali in realising social justice but also how the immediacy of the Muslim past can be brought into the contemporary Muslim present. Dispensing of *zakat* by a Muslim fulfils a duty owed to the religious bond among the community of the Muslim faithful.<sup>395</sup> One of the five pillars, *zakat* is a core principle in Islam that makes obligatory the act of charity for the objective of lessening the inequalities in a society. Redistribution of wealth from the more prosperous members of society ought to reach the rest of society. The political centre, Waliyullah proposed, is to undertake the fiscal responsibility of redistributing wealth from the more affluent members in its territory. This view is also restated by Abduh that the redistribution of wealth can combat social ills and creates a sense of solidarity among the different members of a community. For al-Ghazali, economic inequalities need to be resolved actively through the normative ethos of social justice. Furthermore, with this notion guiding the quest for creating a just Muslim society al-Ghazali argues for the primacy of the worldly, sanctioned by religion itself, over the purely religious.<sup>396</sup> Matters of religion are clearly the universal objectives for a community defined by Islam but attention is to be devoted to creating a just society when decline plagues it. Paradoxically, the secondary focus afforded to Islam emerges from Islam's sacred text: the Qur'an's status as the constitution, broadly defined, permits the qualified priority of the world over worship as noted earlier.

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<sup>394</sup> Muhammad al-Ghazali, trans. Yusuf Talal DeLorenzo., *Remembrance and Prayer: The Way of Prophet Muhammad* (Markfield: The Islamic Foundation, 2006), 68, 70–3, 160.

<sup>395</sup> Muhammad al-Ghazali, t.n., *Muslim's Character* (n.c.: World Assembly of Muslim Youth, n.d.), 221–2.

<sup>396</sup> Muhammad al-Ghazali, trans. Ismail R. Faruqi, *Our Beginning in Wisdom* (New York: Octagon, 1975), 134–5.

## *The Rule of Gender Equality*

Scholarly treatment devoted entirely to the role of women in the Muslim community is a relatively recent occurrence. The substantial contribution of women to the classical Islamic tradition has been documented, although not yet in an exhaustive fashion, by Muslims scholars in the early twenty-first century.<sup>397</sup> Issues of gender relations were not self-consciously articulated in deliberate terms during the classical period such as that by Muslims in the last two centuries in the Muslim world. Muhammad Iqbal tackled this issue, in the first part of the twentieth century revealing an ambivalence of continuity and innovation using the *maqasid al-Shari'ah* to formulate a solution. Gender relations have become a bone of contention in discourses of *tajdid* with a variety of positions ranging from antagonism to empowerment. Issues of women's rights constantly reappear in al-Ghazali's writings on the subject of the re-interpretation of the Qur'an and the *ahadith*. A marked change in the treatment of women in his writings over the time span of five decades beginning with *Min huna nalam* and ending in *al-Sunnah al-nabawiya* is clearly perceptible.<sup>398</sup> Increasingly, the role of women acquires a more conspicuous presence in the founding and defining moments of the first Muslim community in al-Ghazali's works.

Proof-texts within al-Ghazali's *manhaj* are closely examined providing the ideal normative ethos for the relations between men and women. There arises a common set of duties and rights within an Islamic moral framework. Legal rules regarding the rights of women that form the fixed limits of Islamic law, the *hudud*, are underpinned by the Qur'anic ideal of justice.<sup>399</sup> The misinterpretation of Islamic texts has led to the dire condition of decline and the appalling state of women in contemporary Muslim societies. The latter situation is a bane to the process of *tajdid* as Muslims begin to reformulate their

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<sup>397</sup> Cf. Mohammad Akram Nadwi, *Al-Muhaddithat: The Women Scholars in Islam* (Oxford: Interface Publications, 2007). A monumental encyclopaedic project to collect biographies of female scholars of *ahadith*, known as *muhaddithat*, has begun under the auspices of Mohammad Akram Nadawi in a bid to recover the integral role of women in the transmission, as transmitters and recipients, of the classical Islamic tradition in 40 volumes. Ottomanists such as Suraiya Farooqhi have also waded into this discussion citing examples of women scholars who studied a broad range of the Muslim religious with male theologians and Sufis in the late classical period. See Farooqhi's *Subjects of the Sultan: Culture and Daily Life in the Ottoman Empire* (London and New York: I.B. Tauris, 2005), 114–6.

<sup>398</sup> Al-Ghazali, *Our Beginning in Wisdom*, 121–2.

<sup>399</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 22–3.

understanding of Islam in opposition to the mistaken, however piously intended, positions repressing women in society.<sup>400</sup> Commonly accepted parts of the Islamic tradition that are contrary to the authentic spirit of Islam are rejected and replaced by al-Ghazali in his reinterpretation of the Islamic sacred texts. Al-Ghazali faced the negative imposition of ideas that placed less emphasis on the rights owed to human beings from the *maqasid* confirmed by the early Muslim past.

Searching for a more pronounced role for women was firmly rooted in the interpretation of the Qur'an. A juristic approach, similar to the one adopted in other issues, was employed to establish the normative standard of Islam to free the space in society for greater female agency. The rights due to women are commensurate with the scope of their actions recognised in the Qur'an which for al-Ghazali manifestly upholds the rule of gender equality.<sup>401</sup> Women and men are equal in society. In social relations, the reciprocity of rights and duties apply equally for both men and women. Recorded texts unambiguously document the participation of women in public affairs of the first Muslim community. Challenges experienced in this period to the nascent collective of those who professed the faith of Islam were jointly managed by Muslims of both genders. Looking back to the Muslim past before the Prophetic *hijra* (migration) to Medina, al-Ghazali observes that women gave *bay'ah* to protect the cause of Islam to the Prophet Muhammad – a deviation from this practice in later periods precluded such roles for women.<sup>402</sup> Women were present in the first meetings, promoting the enjoining of the good, with the Prophet that eventually led to the migration from Mecca to Medina and the laying down of the first Islamic polity.<sup>403</sup>

A past permeated with precedents of the contributions by women to the creation of the Muslim community is a valuable essential intellectual and moral resource for contemporary Muslims. Muslim women are mentioned in the earliest sources in the *ahadith* struggling alongside men on the battlefield which

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<sup>400</sup> Ibid., 58–9.

<sup>401</sup> Muhammad al-Ghazali, trans. Jasser Auda, *Muslim Women between Backward Traditions and Modern Innovations* (n.c.: n.p., 2002), 10.

<sup>402</sup> Ibid., 14.

<sup>403</sup> Al-Ghazali, *Fiqh-u-seerah*, 160.

al-Ghazali cites approvingly.<sup>404</sup> An alternative to the repression of women in Muslim societies in the present is articulated by al-Ghazali that empowers all members of the Muslim community not dependent on the criterion of gender. Pursuing this logic of competence in all matters, al-Ghazali quotes Ayesha, the Prophet's wife, for authority in matters of interpretation.<sup>405</sup> Al-Ghazali's insistence on the primacy of the Qur'an in *ijtihad* is directly based on the appeal to this esteemed authority who, poignantly in al-Ghazali's present dominated by gender subjugation, is a woman. Several examples of powerful women in the Muslim past demonstrate the efficacy of the agency of women that may usefully be utilised in an age of decline for the Muslim community.

The Islamic sacred texts retain their authoritative status in al-Ghazali's thorough critique of its interpretations that egregiously circumscribe the rights of women citing favourably the example of Indira Gandhi in a democratic India.<sup>406</sup> Actions do not acquire normative worth depending on the gender of its agents. Actions in the political sphere are assessed according to its means and ends as outlined by Islam's normative criterion. No conclusive proof-texts exist in the sacred sources of Islam barring women from participating in the affairs of the state: intimations in the Qur'an point to the capacity of female leaders being more just and competent than their male counterparts.<sup>407</sup> Senior positions of power are equally accessible to both men and women in al-Ghazali's interpretation. Directly singling out Bilqis, the Queen of Sheba in the Qur'an, and Gandhi, well-known as Prime Minister of India, al-Ghazali seems to propose that the criterion to be head of state is competence not gender.

### *The Position of Non-Muslims in an Islamic Polity*

The *maqasid al-Shari'ah* specified the interests of human beings to be maintained and protected. Universally applicable, throughout time and place, Islamic law was to be interpreted in acknowledgement of these interests. Classical scholars broached the subject of non-Muslims in a territory ruled by a Muslim sovereign state through the recognition of their status as *ahl al-dhimma*

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<sup>404</sup> Ibid., 47–50, 317.

<sup>405</sup> Al-Ghazali, *The Sunna of the Prophet*, 13–4.

<sup>406</sup> Al-Ghazali, *The Future of Islam in the West*, 23.

<sup>407</sup> Al-Ghazali, *The Sunna of the Prophet*, 40–4.

(protected people). Legal acknowledgement of non-Muslim individuals and communities in lieu of the *jizya* (poll tax) also extended to the protection of the freedom to practice their religions. Shibli Numani in his *sirah* finds texts that record the extending of social welfare to non-Muslims in fulfilment of the *daruriyat* of the *maqasid al-Shari'ah*. Muhammad Abduh in the late nineteenth century argued that the institution of *ahl al-dhimma* demonstrated the correspondence of the duties and obligations between non-Muslims and Muslims espoused by Islam. Contemporary *tajdid* in the context of the nation-state has revised this element in the juristic account of the Islamic tradition with reference to the *maqasid al-Shari'ah's* normative ethos. The Shari'ah's recognition of the interests of human beings was an important cornerstone for the reinterpretation of the rights of citizens in an Islamic state. Gender differences do not stop women from taking part in the public life of the Muslim community and in the same spirit non-Muslims are also acknowledged as moral agents. Contribution to the common good of a community or society is the ethical criterion to assess the actions of human beings.

Both Muslims and non-Muslims possess the same moral obligations and rights derived from Islam. Reciprocity is the predominant rule, al-Ghazali argues, animating the duties and rights stated in the Qur'an for Muslims which is extended to non-Muslims.<sup>408</sup> Absolute moral imperatives, not constrained by qualifications based on differences of religion, apply to all human beings. Ethical conduct for Muslims is informed by the search with non-Muslims for the common good. When the Prophet arrived at Medina a set of laws in the contract, *Sahifat al-Medina*, drawn up among its various inhabitants, composed by non-Muslim Arabs, Jewish Arab tribes, and Muslims who migrated to Mecca and those native to the town, was premised on a multi-faith conception of the community.<sup>409</sup> The capacity to practice religion unhindered and free from coercion was at the heart of the Islamic polity in its early existence. The Muslim past is the source of corroboration for the mutual nature of relations in the present between Muslims and non-Muslims.

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<sup>408</sup> Al-Ghazali, *Muslim's Character*, 45.

<sup>409</sup> Al-Ghazali, *Fiqh-u-seerah*, 196.

Another treaty quoted by al-Ghazali between the early Islamic polity and a Christian community begins with the enshrining of the *maqasid*.<sup>410</sup> Absolute and non-negotiable, the five interests of the *maqasid* underpin how Muslims ought to interact with others. Non-Muslims are to be treated according to the principles of Islam that apply to Muslims. *Surah* 60, verse 8 is cited as a *Shari'ah* proof-text for the normative position where "Throughout the ages, Muslim theologians have agreed that the basis for the regulation of the relations of Muslims with non-Muslims is the principle of equal rights and obligations."<sup>411</sup> The Qur'an's influence on how Muslims, past and present, have formulated an Islamic moral order provides al-Ghazali with further support for his own position. A set of moral rules dictates the direction of interfaith relations guaranteeing human beings, regardless of religious denomination, the rights needed to secure their interests expressed through the *maqasid al-Shari'ah*. At the core of the rights outlined by al-Ghazali are the texts of the *Shari'ah* containing the normative objects aimed, without any exceptions, at humanity. Thus, the primary text of the *Shari'ah*, al-Ghazali citing *surah* 11, verse 118, mandates difference as part of the divine will.<sup>412</sup> A corollary of the injunction is the interpretation that tolerance of this difference is the underlying principle which regulates multi-faith relations. Coercion is negated by al-Ghazali for a distinctive Islamic approach characterised with the recognition of the inviolability of the normative interests of non-Muslims. Violence in the preaching of religion would only beget violence thus undermining the purposes of religion itself: the *maqasid al-Shari'ah*.

Does a state need to be led by a Muslim for it to be legitimate? An unequivocal no is given by al-Ghazali qualified with the judgement that a non-Muslim regime may implement a public policy commensurate with Islam. Al-Ghazali goes on to quote Ibn Taymiyyah's statement: "Allah guards the justice-loving government, even if it is the government of infidels, and destroys the tyrant government, even if it is the government of Muslims."<sup>413</sup> The legitimacy of a state, including the Islamic state, depends on the consent of the people. Ruling in the public interest ensures this legitimacy. Furthermore, al-Ghazali cites favourably the Qur'anic narrative of the Prophet Joseph when he was a

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<sup>410</sup> Ibid., 434.

<sup>411</sup> Al-Ghazali, *Our Beginning in Wisdom*, 100.

<sup>412</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 760–1.

<sup>413</sup> Al-Ghazali, *Muslim's Character*, 50.

senior member of a non-Muslim government in ancient Egypt.<sup>414</sup> The Shari'ah prescribing universal norms that apply equally to both Muslims and non-Muslims, and the existence of the nation-state combine to create a new political order. Positions of power are accessible to non-Muslims. For al-Ghazali, along with a few of his peers in a newspaper statement published during the middle of the 1990s, the Shari'ah permitted Muslims to vote for non-Muslims in elections.<sup>415</sup> Good government can be achieved by all states irrespective of religious affiliations of those in power. The frame of reference of the nation-state changes the relevance of the classical conception of Islamic political authority leading to changes in how political representation is to be organised. Differing contexts in time and place demand revisions to the *wasa'e'l* to better fulfil the universal moral imperatives of Islam that apply without discrimination to Muslims and non-Muslims.

### **Progress and Resistance in *Jihad***

The notion of *jihad* in the Islamic tradition possessed dual connotations of inward and outward struggle for change. Inner spiritual effort and external military actions were the two dominant definitions of *jihad* Muslim scholars had agreed upon. However, the meanings of this notion were contested in its expansion or restriction across a variety of elements and accounts. Inevitably, the ability to interpret *jihad* was based on the sacred texts of Islam and influenced by the immediate concerns of the interpreter. A notion rooted both in the Qur'an and the experience of the Muslim community, *jihad* is a product of the tools used to interpret the text and the past. It possesses a multifaceted array of meanings and applications. In a process where the interpretation of texts is the harbinger of what can, or cannot, be considered legitimate readings of key Islamic terms, differences of opinion may arise. *Jihad* has not been the exception to this rule.

Al-Ghazali applies his *manhaj* to the third verse of *surah al-Tawbab* in outlining the additional conditions from the following fourth verse limiting the scope of *jihad* mentioned in the injunction to the occasion of its revelation.<sup>416</sup>

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<sup>414</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 516.

<sup>415</sup> Baker, *Islam without Fear*, 166-7.

<sup>416</sup> *Ibid.*, 177-8.

The particular context of the revelation of these verses is brought into the interpretation of verses that stress the duty of *jihad* on Muslims that gives rise to the subtle discrimination between the eternal and the temporary. However, for al-Ghazali its main import lies at the centre of reform in Islam partly based on *jihad's* classical understanding: the internal *jihad* and the external *jihad*.<sup>417</sup> The former is the struggle for moral reform within an individual while the latter is the resistance waged against tyranny. They are both intertwined into a single *jihad* that preserves the dynamic character of the Muslim community. Decline will inevitably follow any deviation from its path. Among the first Muslim community *jihad* was undertaken against injustice and tyranny.<sup>418</sup> Tyranny was a threat to the very existence of a community who sought to find a space to freely practice Islam. The external *jihad* was an obligation when persecution and violence were being perpetrated against the early Muslims.

Universal in its objectives, al-Ghazali contends “*jihad* is for the defence of *tawhid* against *shirk* [polytheism], for the defence of human rights against the forces of tyranny, and for the defence of justice against naked aggression.”<sup>419</sup> A balance between the *ghayat* and *wasal* allows the pursuing of *jihad* to be determined by the immediate environment of interpreters. Flexibility in the variety of ways to implement external *jihad* moves in tandem with an evolving context. Whereas *jihad* was undertaken on an individual basis in the past al-Ghazali proposes the state to manage it according to new rules of conduct.<sup>420</sup> Previously decentralised, prior to the introduction of the modern state, al-Ghazali recognises the state’s monopoly of violence. New conceptions of the state require even newer conceptions of *jihad*. For al-Ghazali, Islam provides the suitable ideology for a standing army.<sup>421</sup> However, priority is awarded to the universal ends of Islam as opposed to the narrowly conceived interests of the national state. Compatibility of the classical notion of *jihad* with the modern state is contingent on the broader changes taking place in the world. It is the task of juristic interpretation to distinguish between the eternal and the temporary elements of this essential normative obligation for Muslims. Through time, changes that occur are to be assimilated in a process of identifying the

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<sup>417</sup> Al-Ghazali, *Stop Worrying, Relax*, 80–1.

<sup>418</sup> A-Ghazali, *Fqh-u-seerah*, 221–2.

<sup>419</sup> A-Ghazali, *Remembrance and Prayer*, 188.

<sup>420</sup> Al-Ghazali, *The Sunna of the Prophet*, 125.

<sup>421</sup> Al-Ghazali, *Muslim’s Character*, 125.

contemporary means and problems plaguing Muslims. I think the classical notion of *jihad* was expanded by al-Ghazali to accommodate a third definition. He conceives of it as a struggle for progress in civilisation.<sup>422</sup> Defined by a pragmatic approach to tackle issues of concern to human beings, acquisition of knowledge is at the centre of the drive to revive the Muslim community. Revival is not confined to strictly religious matters. A holistic worldview is put forward by al-Ghazali that seeks to inculcate the ethic of *jihad* as a spiritual and moral struggle that looks to the future as much as it seeks inspiration from the past.

### **Nationalism, Arabism and the Ummah**

An ambiguous relationship exists between contemporary Islam and nationalism. Religion has been an influential, if not determining, factor in the emergence of Arab nationalism. Islam provided the basis, and the language, for a territorial and linguistic conception of identity. Across the Middle East, nationalism emerged from a vocabulary derived directly from a worldview which eschewed the boundaries of states and transcended racial, ethnic and linguistic differences. Early renewalist efforts by al-Tahtawi broached the notion of *watan* (nation) to a specific territory with religious overtones. The pan-Islamic universalism articulated by al-Afghani also adopted the themes of *watan* alongside the idea of *jins* (nationality) for Muslims. Although Islam and nationalism have stood at different poles of the spectrum in terms of the role of religion in the contemporary Arab world, Islam was recognised as the foundation of Arabism by all, whether secular or religious. Arab identity was essentially a legacy of both Islam as a religion and the Arabic-speaking Islamic civilisation of the past.

Of the Arabs, Al-Ghazali asserts, “Islam is the *raison d’être* of Arab civilisation and standing in the world; it has been revealed in their tongue and they were given the unique honor of passing it on to the rest of humanity.”<sup>423</sup> The instant and remarkable rise of Islam is attributed to the Prophet Muhammad who is referred to as the “Arab Prophet” by al-Ghazali.<sup>424</sup> Monotheism thus became part of the religious undertaking of the Arabs among whom a Prophet

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<sup>422</sup> Al-Ghazali, *A Thematic Commentary on the Qur’an*, 263.

<sup>423</sup> *Ibid.*, 542.

<sup>424</sup> Al-Ghazali, *Fiqh-u-seerah*, 66, 142.

had emerged to preach this message. It was Islam which united the Arabs thus becoming its most ardent followers in the early days of the faith.<sup>425</sup> Islam played a foundational role in changing previously disparate tribes and clans into a single normative community. Al-Ghazali asserts pre-Islamic tribal loyalties were recast with the Arabs becoming members of an overarching spiritual community.<sup>426</sup> Greatness of the Arabs in the past was tied to the observance of Islam. Moreover, in the distant past, Islam was able to galvanise the Arabs into a force for social change. The Arab nation was a crucial element in the Muslim community during the time of the Prophet and subsequent generations. Implicit acknowledgement of the factors of time and place shaping the unfolding of Islamic civilisation seems to indicate the existence of an expanding and dynamic Arab nation.<sup>427</sup> An interpretation of the notion of the nation by al-Ghazali precludes a fixed and static cultural entity. Rather expansion and contraction takes place over time and place.

Belonging to a discrete and specific nation is a plane of identity subordinated to that of Islam. Language is the main feature of Arabism al-Ghazali argues that can justifiably participate in the project of authenticity in the Arab world.<sup>428</sup> Arab society is also experiencing decline and a concrete solution can be found in advocating an indigenous form of Arabism, chiefly linguistic, to assist the overall venture of *tajdid*. A coherent and authentic Islamic worldview among the Arabs is the only panacea for the current backwardness of the Arab nation. And only through Islam can the Arabs reclaim their former glory at the height of Islamic civilisation. Nationalism's attitude towards religion in the Arab world is the object of a scathing critique by al-Ghazali for neglecting the pan-Islamic ethos of Muslims.<sup>429</sup> Unable to reconcile the essential religious heritage of the Arabs and their causes of decline, nationalism articulated in the twentieth century was too parochial for al-Ghazali.<sup>430</sup> Following this line of reasoning, narrow conceptions of identity based on territory and borders are not compatible with the wider affiliation of the Muslim community, especially when injustice is meted out to Muslims.<sup>431</sup> Tensions do certainly arise between the universalism

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<sup>425</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 346.

<sup>426</sup> *Ibid.*, 276.

<sup>427</sup> *Ibid.*, 253.

<sup>428</sup> Al-Ghazali, *Stop Worrying, Relax*, 18.

<sup>429</sup> Al-Ghazali, *Within the Boundaries of Islam*, 182.

<sup>430</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 136.

<sup>431</sup> *Ibid.*, 171.

of Islam and the particular aspects of the nation-state. They are produced from the divergence of the universal applicability of the *maqasid*, recognising no borders, races or religions, and the contemporary notions of the state and the nation whose logics demote these normative concerns.

An egalitarian frame of reference based on the Qur'an defines the direction and content of al-Ghazali's worldview.<sup>432</sup> Contraction and expansion of Islam is intertwined with the fate of the Muslim community. An Islamic normative order found its worldly expression in a community subject to the dynamics of time and place.<sup>433</sup> Contemporary decline has replaced the growth of the Muslim community in the past and the next step for this community is the project of *tajdid* informed by a critical vista into the present. The first Muslim community was shaped by an attitude that "did not give any thought to gold or silver but all they were concerned with – firstly and lastly – was the establishment of prayer, the payment of Zakat and the enjoinder of right and prohibition of evil."<sup>434</sup> A religious morality was conceived aimed at fostering a worldview inspired by spirituality, charity and social reform. Arabia before and during the birth of Islam is known pejoratively as the *jahiliyah* (pre-Islamic ignorance). Reform in all spheres of society was a precursor to the creation of the ideal Muslim community. This ideal was achieved by the first Muslim community who are the objects of emulation.

Initiation of *tajdid* within the Muslim community is a necessary task for the aim of progress that is preceded by an introspective search for the solution to the causes and results of decline. Repeatedly, it is within the texts of the Qur'an that al-Ghazali constructs his *manhaj* in the process of formulating *tajdid's* normative ethos. For the Qur'an outlines the characteristics of a community faithful to a Godly-revealed message to be implemented with the clear aim of enacting spiritual reform in society.<sup>435</sup> As a spiritually guided community, Muslims are enjoined to adhere to a moral order. Al-Ghazali locates the source of this order in Islam supplying Muslims with their primary identity.<sup>436</sup> It creates a worldview which shapes how Muslims relate to another and also with other

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<sup>432</sup> Al-Ghazali, *Fiqh-u-seerah*, 190–1.

<sup>433</sup> Al-Ghazali, *The Future of Islam in the West*, 53.

<sup>434</sup> Al-Ghazali, *Fiqh-u-seerah*, 131.

<sup>435</sup> Al-Ghazali, *A Thematic Commentary on the Qur'an*, 391–3.

<sup>436</sup> Al-Ghazali, *Fiqh-u-seerah*, 187.

communities. Islam directs the moral vision that regulates these relations. The community is the social plane that unites all Muslims for the purpose of worldly reform. Human beings are the custodians of the universe as defined by the term *khilafah* (vice-gerency). For al-Ghazali this term has spiritual connotations, rather than the political one discussed earlier, identifying all human beings in a world where participation in a virtuous social order is a moral duty required of them.<sup>437</sup> Spirituality, charity and social reform are intertwined into a single Godly-revealed framework that places the function of the *khalifah* (vice-gerent), potentially every human being, on a path towards the normative vision expounded at length in the Qur'an and residing in the *sunnah* of the Prophet.

## Conclusion

Questions of *tajdid* have been provoked by the dawning realisation that the Muslim world is in a state of decline, moral, social, political and economic. In the last two centuries, and previously, Muslim scholars have been concerned with how social change could be undertaken in their societies. Problems of the causes of decline were identified in a process, influenced by their diverse intellectual backgrounds, initiated by Muslim reformers. Islam provided the anchor and the worldview through which to assess the nature of the conundrum afflicting the Muslim community and the tools needed to formulate solutions. From the middle until the last decade of the twentieth century, Muhammad al-Ghazali took a vigorous part in these efforts. I have sought to argue in this chapter that a sharp awareness of the spiritual nature of worldly revival as a result of the *maqasid al-Shari'ah* informed al-Ghazali's *manhaj*. Many of his works show an urgent concern with the Muslim community experiencing a predicament that cut to the roots of its existence. Social change motivated by a *tajdid* of the Islamic tradition was the solution suggested by al-Ghazali. However, the boundaries of al-Ghazali's *manhaj* were based on an immutable set of sacred texts: principally the Qur'an. *Tajdid* was a challenge motivated by the need to fulfil the *ghayat* while employing a variety of changing *wasal*. Thus, al-Ghazali's political thought was characterised by a forward motion into the future as opposed to a simple enactment of a golden age from the past. Al-Ghazali was able to negotiate the religious commitments accompanying a

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<sup>437</sup> Al-Ghazali, *The Sunna of the Prophet*, 3.

religious worldview and the rapidly changing nature of the world through *ijtihad*. The Islamic tradition was reinterpreted to propose an alternative reading of the Muslim past that was both authentic and innovative.

Classical accounts such the *khilafah* were reinterpreted in the renewalist ventures in accordance with the overall character of the normative ethos espoused. An important watershed moment in this tendency was Ibn Taymiya's syncretism of Shari'ah and *siyasa* that sought to revive the reinterpretation of Islamic law in the exercise of political authority. For al-Ghazali, an Islamic state was also to be derived from the texts of the Shari'ah – the Qur'an and the *ahadith*. These norms are elaborated into the institutions required to organise the Muslim community. Politics is the space where, from the founding moment of the Islamic polity in seventh century Medina, freedom of religion supplied a criterion for the legitimacy of rulers and governments. Elaborating further on the idea that the *khilafah* was a humanly conceived institution by Abduh and Numani, al-Ghazali also views legitimate political authority in this regard. The duty to protect the rights granted to individuals to freely practice their religion was a central function of an Islamic state. Importantly, *al-amanah* underpins the functions of political office to ensure justice is indisputably observed for citizens.

Vehement objections to oppression and tyranny in the Muslim world appear in al-Ghazali's works. It is an extreme violation of the spirit of Islam. The perennial existence of oppression is documented in the Qur'an as al-Ghazali demonstrates in his scathing critique of the injustices that flow from it. Pharaoh is the archetype of tyranny in Islam and a figure with whom Moses was struggling against to liberate the Israelites. An analogy is made by al-Ghazali between the ancient Israelites and the first Muslim community. The *manhaj* of al-Ghazali enables him to apply a thematic approach to the sacred texts of Islam to formulate a coherent conception in direct opposition to oppression. Experience of tyranny and persecution and the flight to freedom through *hijra* underlies the shared features of a normatively-guided community escaping tyranny to preserve its very existence.

The *maqasid al-Shari'ah* dominates al-Ghazali's *manhaj* in his syncretic conception of democracy and *shura*. Moral imperatives and their accompanying

rights inform the space where Islam's normative core, the *maqasid al-Shari'ah*, determines a system of politics. Comparisons between parliamentary democracy and *shura* by al-Tahtawi and al-Tunisi provide examples in the Islamic tradition of the possibilities for *tajdid* to engage in transcultural exchanges with foreign traditions. Indeed, al-Ghazali undertakes a reinterpretation of the notion of *shura* in the Qur'an and the texts that record the experiences of the first Muslim community, particularly the Prophet Muhammad, to propose an authentic Islamic conception of politics. For al-Ghazali, *shura* is a *ghayat* that remains fixed and is *mulzimah* with changing *wasal* to be employed to fulfil its normative ethos – participation of citizens in the decision-making process that affects them. Democracy and *shura* are certainly compatible. However, an essential distinction is made between the two notions with the latter being grounded in a Shari'ah text and a binding divine mandate for human beings to conduct their public affairs.

The principal thread uniting the various facets of al-Ghazali's thought is the *maqasid al-Shari'ah*. Applying a *manhaj* influenced by al-Shatibi, al-Ghazali's emphasis on justice emulates the tendency to elevate justice in the juristic account. The previous ventures of *islah* by al-Tahtawi and al-Tunisi equate *huriya* with justice, although preserving their distinctive meanings, in support of an enlightened political centre. The centrality of *zakat* expressed by al-Shawkani is repeated by al-Ghazali alongside the priority to redistribute wealth in a communal setting that he shares with Waliyullah. On the issue of the role of women in public affairs, al-Ghazali eschews Iqbal's ambivalence in his unequivocal conviction that a rule of gender equality exists between men and women. The position of non-Muslims is also regarded by al-Ghazali on the premise of reciprocity of the duties and obligations of Muslims and non-Muslims similarly echoed by Abduh a century earlier. Social justice, the fundamental rule of equality between men and women and the absolute correspondence between Muslims and non-Muslims in terms of rights and duties is premised on the egalitarian spirit of Islam and the universal interests of *al-din* (religion), *al-nafs* (life), *al-ard* (honour), *al-aql* (intellect) and *al-mal* (wealth).

A markedly changing world has transformed the various ways and the broad scope of *jihad* in the twentieth century. New political institutions demand

new forms of *jihad*. From the individual to the state, the practice of one of Islam's core notions has become, according to al-Ghazali, a responsibility of the modern state to implement in a fashion that is in harmony with Islam's emphasis on human rights and contrary to any form of irredentism. Differing from ibn Abd al-Wahhab, for whom outward jihad was a tool for reform, al-Ghazali perceives it to be primarily a defensive act when the rights of Muslims are violated. Other facets of *jihad* also appear in al-Ghazali's interpretation of this notion. Spiritual and worldly connotations are associated with its practice. On the spiritual plane, *jihad*, in accordance with its classical meaning, pertains to the internal and moral reform of Muslims. Al-Ghazali's exposition of a third meaning of *jihad* alludes to social change and the achievement of material progress in the contemporary Muslim world.

Islam transcends the specific boundaries of identity and politics based on ethnicity and territory. Al-Afghani was perhaps one of the first reformers to restate this conception that anticipated later nationalist discourses in the Muslim world. However, al-Afghani was preceded by al-Tahtawi's notion of *watan* to denote affiliation to one's land in the context of a reformist political centre. For al-Ghazali, religion and political identity intertwine in a universal worldview that refuses to be limited to a specific state or set of borders. Although the Muslim past and present does give an example of a socio-cultural entity bounded to time and place. The Arab nation is seen by al-Ghazali to have been the recipients of divine revelation, the Qur'an, and their mission is to propagate the normative purposes of this message. Furthermore, al-Ghazali expounds a linguistic definition of Arabism which is compatible with Islam's universalism. Moving on to the subject of the Muslim community or the *ummah*, al-Ghazali argues that it is an entity defined by spirituality, charity and social reform. All these three elements culminate, based on the Qur'an, in each individual human being a *khalifah*.

## CHAPTER 5

### The Tendency of Renewal and Muhammad al-Ghazali's Peers

#### Introduction

Chapters 3 and 4 initiated the examination of the main facets of Muhammad al-Ghazali's thought. From the foundations of his intellectual thought to the conception of an Islamic state, they dealt with the *manhaj* (methodology) of a hugely influential Muslim reformer in the second part of the twentieth century. The Islamic tradition provided the context to situate al-Ghazali's thought in the recurring ventures of *tajdid* (renewal) located within it. Further exploration of al-Ghazali's ideas through the scrutiny of his contemporaries' works will be carried out in chapter 5. Moreover, this chapter follows this line of enquiry by illustrating arguments articulated by al-Ghazali's peers beginning from the 1950s until the present. Reformist thinking in the twentieth century was animated by a variety of currents that have continued to grow unabated into the early twenty-first century.

The thinkers and scholars surveyed in this chapter are tied to al-Ghazali in a set of overlapping relationships. Three broad, although not mutually exclusive, categories have been identified: Azhar University students, graduates and teachers; broader *maqasid* approach to Islamic law supported by transnational reformist think-tanks like the International Institute of Islamic Thought (IIIT); and the Islamist trend. Firstly, al-Azhar University produced a diversity of scholars trained in the Muslim religious sciences which were chiefly made up of theology, jurisprudence and the Arabic language. Muhammad al-Ghazali's fellow students in the 1940s at this eminent institution were Zaki Badawi, Muhammad Mitwali al-Sha'rawi and Yusuf al-Qaradawi. Later Azhari graduates also include Omar Abdur Rahman who would become the senior leader of militant group of Jama'a al-Islamiya. At al-Azhar, Mahmoud Shaltut, later occupying the position of Shaykh al-Azhar, taught al-Ghazali as a student. The impact of the scholarly environment of al-Azhar would lead to a continuation of the reformist efforts of Muhammad Abduh, the renowned Azhari scholar, by Badawi in his adopted home of Great Britain as its unofficial 'Grand Mufti' of Muslims and al-Qaradawi who is an enormously influential figure on

international councils of Muslim scholars. Television preaching led to the popularity of al-Sha'rawi thanks to his easily comprehensible style of combining colloquial Egyptian and Qur'anic Arabic. The impact of Abdur Rahman on Egypt was the religious guidance he offered to militant Islamist groups locked in a conflict with the government during the 1990s that led al-Ghazali to condemn and question his credentials as a Muslim scholar.

Secondly, the scholarship on the *maqasid al-Shari'ah* (objectives of the Shari'ah) was revived in part by Abduh and a senior peer of al-Ghazali, Muhammad al-Tahir ibn Ashur. From his native Tunisia, during the former part of the twentieth century, ibn Ashur articulated an entirely separate discipline devoted to the *maqasid - ilm maqasid al-Shari'ah* (science of the objectives of the Shari'ah). A greater part of this project was based on the writings of Abu Ishaq al-Shatibi which also supplied the juristic resources adapted by al-Ghazali in his own works. Ahmed al-Raysuni is a Moroccan jurist, teaching at the Muhammad V University, who was also associated with Islamist movements advocating reform. His work on the *maqasid*, published by IIIT which al-Ghazali was a member of, represents one possible avenue of its rethinking among like-minded reformers. Khaled Abou El Fadl, one of the foremost Muslim scholars on Islamic law, was a student of al-Ghazali in his study circles. Currently a professor of law in the United States of America, Abou El Fadl's writings express a humanistic venture as authentically and authoritatively Islamic.

Thirdly, the fairly recent rise of Islamism compared to the longer duration of the trend of *tajdid* may obscure its roots in the latter. Hasan al-Banna, a school teacher educated at the *Dar al-uloom*, established the Muslim Brotherhood during the late 1920s in Ismailia. Very rapidly the movement spread throughout Egypt and the Muslim world. The broader Islamist wave was mainly driven by the Brotherhood with its influence being felt among other reformist and renewalist groups and individuals. Within the Brotherhood, after the death of al-Banna, the emergence of Abdul Qadir al-Auda and Sayyid Qutb as its senior leaders and ideologues reflected one orientation. They were both imprisoned and executed for their opposition to the Nasser regime. Al-Auda, a judge, and Qutb, a writer, shared with al-Ghazali the status of being among the leading

Islamist thinkers of the Brotherhood, even after al-Ghazali left the movement, having a considerable influence on its members.

After Qutb joined the Brotherhood, his rise in its ranks culminated in becoming one of its vocal thinkers. The early 1950s, the period of Qutb's early membership, was characterised by the coup that overthrew the Egyptian monarchy. A republican system was introduced that initially elevated the previously persecuted Brotherhood from political obscurity to a position of power. Qutb was close to the group of young officers who carried out the coup: Anwar al-Sadat was personally involved, if not a member, and Muhammad Najuib sympathised with the Islamist group. However, this influence was short-lived. Political machinations, perceived or actual, served to put a wedge between the Brotherhood and the Egyptian regime led by Jamal Abdel Nasser who removed and succeeded Najuib as president. In a series of arrests aimed at the Brotherhood, Qutb was repeatedly imprisoned in the 1950s and 1960s. The writings of Qutb are a forceful reflection of his thoughts on Egyptian society bringing together the perceived essence of Islam and an immediate awareness of injustice. Earlier influences on Qutb, especially his *Social Justice in Islam*, can be clearly traced to Muhammad al-Ghazali's own writings on social justice.<sup>438</sup> A comprehensive conception of Islam informed Qutb's thought as early as 1949. Subsequently, after his membership of the Brotherhood, Qutb launched a sweeping critique of Egyptian state and society. This critique was articulated in Qutb's *tafsir* (Qur'anic commentary) which according to al-Ghazali did not hold any scholarly weight: instead it reflected his own personal experiences.<sup>439</sup>

The later works of Yusuf al-Qaradawi, belonging to the Brotherhood in his youth, would also include him in this list of pioneering individuals on the Islamic reformist path. Salim al-Bahnasawy, a Brotherhood member and thinker, was a prolific writer who offered a reinterpretation of Islamic law. Imprisonment for al-Qaradawi and al-Bahnasawy was part of their journey in the Islamic movement during Nasser's reign. Throughout the Middle East, the ideas

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<sup>438</sup> Jean-Francois Mayer, 'Sayyid Qutb and His Influence: Interview with Professor Ibrahim Abu Rabi', *Religioscope*, 26/1/2002, [http://www.religioscope.com/info/dossiers/textislamism/qutb\\_aburabi.htm](http://www.religioscope.com/info/dossiers/textislamism/qutb_aburabi.htm).

<sup>439</sup> John Calvert, *Sayyid Qutb and the Origins of Radical Islamism* (New York: Columbia University Press, 2010), 205-6.

of the movement influenced Hasan al-Turabi and Rachid al-Ghannoushi in Sudan and Tunisia respectively. The case of al-Turabi demonstrates the adaptation the Sudanese Brotherhood underwent in response to national conditions. Al-Ghannoushi, now back in Tunisia after the fall of Zine Al Abidine Ben Ali, was a co-founder of *Harakat al-ittijah al-Islami* (the Islamic Tendency Movement) which was subsequently renamed en-Nahda. Repression in the hands of two successive dictators forced him into overseas exile. Part of a broad and loosely connected group of thinkers and scholars, al-Turabi and al-Ghannoushi were linked to al-Ghazali: they often appeared together in public forums on Islam and reform. Islamism as a broader movement was not exclusive only to the Brotherhood and its members. Muhammad al-Awa, a high-profile lawyer, and Ahmed Kamal Abul al-Majd, a constitutional scholar and jurist, were Egyptian co-nationals of al-Ghazali and closely associated with the wider trend of the *waseteya* (centrism). The positions of al-Awa and Abul al-Majd complemented al-Ghazali's arguments on Islamic reform and its implications in Egypt and beyond. Prominent in Malaysian national politics, Anwar Ibrahim was in his younger days a leader of ABIM, a popular Islamist youth organisation, eventually climbing to political office in government. Books written by al-Ghazali were read avidly by him and other Malaysian Islamist activists. Currently, Ibrahim leads a coalition of both non-religious and religious political parties challenging the half-century dominance of the ruling party, Barison Nasional, in Malaysia.

Chapter 5 seeks to examine the key themes articulated by several contemporaries of al-Ghazali against the backdrop of the Islamic tradition divided in seven sections devoted to each theme. These themes are the following: the distinction between Shari'ah (the way) and *fiqh* (jurisprudence); the nature of an Islamic state; the critique of oppression and tyranny as un-Islamic; the role of democracy and *shura* (consultation); social justice, the rights of women, and the position of non-Muslims in an Islamic polity; the objects and composition of *jihad* (to struggle); and the nexus between nationalism, Arabism and the *ummah* (Muslim community).

Section one examines the distinction between Shari'ah and *fiqh* among a few prominent peers of al-Ghazali. Muslim scholars from within the Islamic

tradition have continued to distinguish between an eternal and unchanging ideal and time and place bound juristic constructions. Islamic law belongs to the realm of human interpretations determined by the distinction between Shari'ah and *fiqh*. The focus on al-Ghazali's peers in section two is concerned with the contested notion of the Islamic state. A *manhaj* provides the framework for al-Ghazali to formulate his views on politics. Religious discourse determines the language and ethics of politics. Section three looks at the accounts against tyranny and injustice proposed by al-Ghazali and a few of his contemporaries. Tyranny constitutes the persistent violation of the normative worth of human beings. In the Qur'an, Moses, at the lead of the Israelites, faces the quintessential expression of an invidious tyranny in the person of Pharaoh.

Syncretism between the Islamic tradition and the Enlightenment which introduced a new impetus within the former is illustrated in section four. Questions of authenticity were posed by Muslim scholars in a cultural milieu in an encounter with other foreign traditions. Democracy is identified by al-Ghazali and other Muslim scholars and thinkers as a system that can be adapted to an Islamic conception of politics. At the same time, democracy resonates with the Qur'anic precept of *shura* that is essentially demotic and participatory in nature. Section five highlights the themes of social justice, the rights of women and the position of non-Muslims in an Islamic polity in the writings of al-Ghazali and some of his peers. These themes are informed by an intellectual disposition aimed at the urgent reform of Muslim society. They are addressed by al-Ghazali in his *manhaj* which raises the importance of the *maqasid al-Shari'ah* in delineating the rights and duties that proceed from its fundamental normative assumptions – protection of *al-din* (religion), *al-nafs* (life), *al-ard* (honour), *al-aql* (intellect) and *al-mal* (wealth).

The notion of *jihad* interpreted by some of al-Ghazali's peers is the object of examination in section six. Classical interpretations of this contested notion impinge upon al-Ghazali's understanding. Internal and external *jihad* as two distinguishable spheres are retained and re-formulated. Nonetheless, *jihad* is expanded to include a third meaning with the path towards development at the heart of its objects. The final section scrutinises the relationship between nationalism and Islam in the ideas of a few of al-Ghazali's peers. In the last two

centuries, identities grounded in specific yet changing political contexts have shaped the nexus of nationalism, Arabism and the *ummah*. Awareness of the past role of Islam in the creation of Arab civilisation and identity is present in al-Ghazali's thought. However, an ambivalent relationship exists between Arabism and Islam in the age of the nation-state.

### **Shari'ah and *Fiqh*: Human Encounters with the Divine Will**

Contemporary discourses on the Shari'ah are a natural corollary of the Islamic tradition about the diverse formulations of *fiqh*. Muslim jurists treated the scriptural texts of Islam in a fashion commensurate with the rules of interpretation based on *fiqh* and *usul al-fiqh*. A boundary was created specifically to demarcate the authority of the texts and the licence afforded to human beings to interpret these texts. For al-Ghazali, the texts of the Shari'ah were the roots of the Islam that inspired the continuously growing body of tradition known as *al-fikr al-Islamiya* over time. The Qur'an and the *ahadith* (traditions of the Prophet) were classified as the *usul* and due to their posited divine origins were regarded as authoritative. However, a caveat must be made about the *ahadith*: despite the rigorous methods of collection, verification and transmission of narrations purportedly documenting the Prophet Muhammad's actions and speech, uncertainty was nonetheless not ruled out in terms of the origins and meanings of the content of these narrations. For Zaki Badawi, this ambiguity does not detract from the singularity of Islam that was specifically spelled out by the Prophet Muhammad in the early defining moments of the Muslim community which affirm a tolerance of pluralism.<sup>440</sup> These moments supply Badawi with an exemplary model e.g. *sunnah* (example of the Prophet), from the past to situate a normative order within a variety of ways to realise its objects in the present. The past and the present intersect in the act of interpretation of the *ahadith*. Thus, the notion of *sunnah* appears as one of the *usul* as distinct from the *ahadith* but not entirely separate from the *ahadith*. The Qur'an and the *sunnah* are the authoritative sources of the juristic account on the Shari'ah.

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<sup>440</sup> Zaki Badawi, *The Reformers of Egypt* (The Muslim Institute, London, 1978), 8–9.

Muhammad al-Ghazali's acceptance of the premise that the Shari'ah and its interpreted rules were interdependent, nonetheless, also recognised they were different in origins. The Shari'ah was the normative beginning of Islam as revealed by God for the well-being of human beings al-Ghazali argues citing ibn Qayyim al-Jawziya. Time and place necessarily determined the *fiqh* derived from the Shari'ah. An obfuscation emerged despite of the juristic dichotomy between these two notions in the Islamic tradition that required rectification in the form of a revision of the juristic account. According to Badawi, "human effort" and "cultural context" in the construction of *fiqh* denuded it of any semblance of being the divine Shari'ah.<sup>441</sup> Badawi goes on to cite the example of Muhammad Idris al-Shafi'i's variations of rulings in Egypt and Iraq during the eighth and ninth centuries to highlight these two factors as the very cornerstones of the adaptability of the Shari'ah to a variety of different contexts. Change does not detract from the immutability of the Shari'ah which is primarily located in its sources – the Qur'an and the *sunnah*.

The interpretation of the divine ideal contained in the Shari'ah for Abou El Fadl is a thoroughly contested affair where even unequivocally stated rules unavoidably undergo the transition from the divine to the mundane in the process of interpretation culminating in *fiqh*.<sup>442</sup> What binds the interpreter to the immutable in Islam is the juristic engagement with the *usul* to formulate *fiqh*. From the earliest stages of the interpretation of the foundational texts, Abou El Fadl posits, the human encounter with the divine produces *fiqh* which is absolutely distinct from the ideal Shari'ah. The Shari'ah, without the blemishes that accompany human agency, only exists in perfect form in God's mind.<sup>443</sup>

In his adoption of a deep normative reading of Islam, in part influenced by al-Shatibi's general formulation of the *maqasid* based on sacred texts, Abou El Fadl goes much further than his classical juristic predecessor in arguing that "If these specific legal injunctions [in scripture] lead to results that are contrary to the Islamic moral values, then, depending on the circumstances, they should be

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<sup>441</sup> Zaki Badawi, 'Muslim Justice in a Secular Sate', in Michael King (ed.), *God's Law versus State Law: Construction of an Islamic Identity in Western Europe* (London: Grey Seal Books, 1995), 73.

<sup>442</sup> Khaled Abou El Fadl, 'Islam and the Challenge of Democracy', in Joshua Cohen and Deborah Chasman (eds.), *Islam and the Challenge of Democracy* (Princeton and Oxford: Princeton University Press, 2003), 30–1.

<sup>443</sup> Khaled Abou El Fadl, *The Great Theft: Wrestling Islam from the Extremists*, (New York: HarperSanFrancisco, 2005), 150.

re-interpreted, suspended, or negated.”<sup>444</sup> Change in *fiqh* is driven by a set of overriding moral imperatives located in a particular time and place to be worked out deploying *ijtihad*. Yusuf al-Qaradawi echoes this attitude in his description of the Shari’ah as the collective efforts that make up the juristic heritage based on the Qur’an and the *sunnah* with the principle of change one of its major underpinnings.<sup>445</sup> Badawi, Abou El Fadl and Qaradawi articulate a conception of Shari’ah that al-Ghazali also perceived to distinguish between a divine ideal and subsequent human efforts to interpret it situated in time and place driven by a set of immutable normative concerns.

### *Expansion of the Maqasid al-Shari’ah*

The Islamic tradition’s normative ethos of *maslahah* (public interest) is clearly expressed in the *maqasid al-Shari’ah*. Al-Ghazali’s interpretation of the sacred texts of Islam was guided by a *manhaj* determined by a juristic account privileging the protection and preservation of *al-din*, *al-nafs*, *al-ard*, *al-aql* and *al-mal*. Thus, *ijtihad* is applied to the *usul* of Shari’ah. Muhammad al-Tahir ibn Ashur penned, in the middle of the twentieth century, a text devoted entirely to the creation of a separate discipline to formulate the moral imperatives ensuing from the Shari’ah which was to be called *ilm maqasid al-Shari’ah*. Concerted scholarly attention was paid to expounding the relevance of the *maqasid* to all facets of Muslim life in the transition from colonial rule to independence in Tunisia. Division of the Shari’ah into the two domains of *maqasid*, with its connotation of ends, and *wasa’el* allowed ibn Ashur to explore both in juristic interpretation. The wide scope that exists to realise the *maqasid* in the Shari’ah, ibn Ashur argues, is encompassed by the variety of means at the disposal of the Muslim community and individuals.<sup>446</sup> Primacy is given to the normative objectives whereas the employment of *wasa’el* is contingent on its ability to fulfil these objectives. Thus, it may be surmised that rules formulated in the interpretation of the *maqasid*, in principle, change according to their ability to implement the Shari’ah’s norms.

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<sup>444</sup> Khaled Abou El Fadl, *And God Knows the Soldiers: The Authoritative and Authoritarian in Islamic Discourses*, (Lanham and Oxford: University Press of America, 2001), 148.

<sup>445</sup> Yusuf al-Qaradawi, trans. Hanan Amer, *Legislation and Law in Islam*, (Cairo: Islamic INC., n.d.), 27–8.

<sup>446</sup> Muhammad al-Tahir ibn Ashur, trans. Mohamed el-Tahir el-Mesawi, *Ibn Ashur: Treatise on Maqasid al-Shari’ah* (London and Washington: The International Institute of Islamic Thought, 2006), 236.

The distinction between *ghayat* and *wasa'el* is similarly proposed by al-Ghazali to argue for the innovative dimension of the latter in fulfilling the fixed objectives of the former. The list of moral imperatives outlined in the systematic form of the *al-kulliyat al-khams* (the five universals) was not uncontested. Ahmad al-Raysuni quoting al-Shatibi states that the normative objects of Islamic law are rooted in the Qur'an and the *sunnah*.<sup>447</sup> Moreover, al-Raysuni proceeds to document the formulations by classical jurists of the five interests as the 'essentials' or *daruriyat* which are to be rethought and perhaps expanded in the contemporary era.<sup>448</sup> Likewise, Abou El Fadl makes an observation about the expansion of these interests, rooted in the Qur'an and *ahadith*, invoking the classical juristic dictum "*in accordance with the shifting demands of the circumstances and changing times*" to reformulate the *daruriyat*, *hajiyyat* (exigencies) and *tahsinayat* (embellishments) into a system of contemporary rights.<sup>449</sup> Adaptability is a key feature of the *hajiyyat* as Badawi notes that they "are the application of the universal to contingent. In other words within the framework of the universal there is a space for different applications."<sup>450</sup> Different contexts offer the opportunity for Muslims to explore the wide range of ways to apply and interpret the Shari'ah in a principled fashion. The essentials of the *maqasid al-Shari'ah* are supplemented by the *hajiyyat* to enable multiple interpretations of the Shari'ah according to the requirements of a given context – all acutely responsive to time and place.

Explicit acknowledgement of al-Shatibi by Rachid al-Ghannoushi enables him to argue that the Shari'ah's primary normative objectives are the maintenance of the well-being of human beings especially in politics.<sup>451</sup> Each period with its attendant problems is to be approached using the *maqasid's* normative criteria to formulate solutions. Islam is a frame of reference by which concerns and issues arising from a particular social setting is to be confronted.

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<sup>447</sup> Ahmad al-Raysuni, trans. Nancy Roberts, *Imam al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law* (London and Washington: The International Institute of Islamic Thought, 2005), 140–2.

<sup>448</sup> *Ibid.*, 24, 36–7. The *daruriyat* constitute the core of the *maqasid al-Shari'ah* and supply Muslim jurists and scholars with a collection of moral objectives determining Islamic law. Accompanying the essentials are two more levels of the *hajiyyat* (exigencies) and the *tahsinayat* (embellishments) within the *maqasid*. They are also incorporated into the interpretation of Islamic scripture. Rules are formulated from the *daruriyat* also take into account the *hajiyyat*.

<sup>449</sup> Abou El Fadl, *The Great Theft*, 187–90. Emphasis in the original.

<sup>450</sup> Zaki Badawi, 'The Challenge of Living Together', *Learning to Live Together Lecture Series*, Liverpool John Moores University (17 October 2005).

<sup>451</sup> Rachid al-Ghannoushi, 'The Participation of Islamists in a non-Islamic Government', in Azzam Tamimi (ed.), *Power-sharing Islam* (London: Liberty for Muslim World Publications, 1993), 54.

And it is the overwhelmingly normative *maqasid* that allows contemporary Muslims to readily identify and resolve the predicaments facing them. In this section, I have tried to demonstrate how the Islamic tradition, especially the classical juristic account, influenced the common frame of reference of al-Ghazali and his peers in their deployment of the *maqasid al-Shari'ah* to propose innovation and a rights-based discourse.

### **The Contested Islamic State**

Politics and religion in the Muslim past and present have both been approached according to a common frame of reference – Islam. The juristic account in the Islamic tradition has presupposed the religious basis of politics. Language and ethics in politics are determined by interpretations of the Islamic scriptural texts. Application of Islamic law by the state has been debated with implications for the meaning and role of Shari'ah in this state. *Siyasah* (politics) is informed by Islamic normative criteria. An Islamic state for al-Ghazali is a constitutional body-politic. Additionally, it is also a normative polity. Shari'ah is the primary criterion against which the foundations and institutions of an Islamic state is to be created and in turn assessed. Principles and rules derived from *ijtihad* enable Muslim scholars to formulate a moral conception of politics. Under the auspices of the juristic account, Yusuf al-Qaradawi has written profusely on the subject of *fiqh al-dawlah fi al-Islam* (jurisprudence of the state in Islam).<sup>452</sup> Questions of political thought are answered through an interpretation of Islamic sacred texts and the early Muslim past. The latter is understood to contain the founding moments of the Islamic state. On this point, al-Qaradawi observes the *hijra* (migration) from Mecca, where the fledging Muslim community was subjected to religious persecution, to Medina signalled a marked transformation of the nature of this community.<sup>453</sup> Public affairs were now explicitly in the charge of the Prophet Muhammad where the different authorities of the sacred and the secular were blended in his person. All facets of the existence of the emerging Muslim community, including its public affairs, were to be referred to it's newly agreed upon leader, the Prophet.

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<sup>452</sup> Yusuf al-Qaradawi, trans. El-Falah, *State in Islam* (Cairo: El-Falah, 1998), 1.

<sup>453</sup> *Ibid.*, 15.

This was accompanied by the creation of a written document stipulating the rights due and duties to be discharged by all members of the new political entity based in Medina. Alternatively known as *Dustur al-Medina* (Constitution of Medina) and *Sahifat al-Medina* (Charter of Medina), it served as the basis of this new state. Muhammad al-Awa notes the first Muslim community and the Islamic state in Medina was governed according to an all-encompassing conception of Islam expressed in the *dustur*.<sup>454</sup> In al-Ghazali's project of *tajdid*, this document elucidated the beginning of a multi-religious community in Medina seeking to preserve the rights of all to practice their religion. Furthermore, the aforementioned period also ushered in the beginning of the first Islamic polity. Religion supplies the basis for politics in Islam and the precedents are found in the early Muslim past in order to lay down the foundations for a contemporary Islamic state. Concerning this topic, al-Qaradawi argues that the *raison d'être* of the Islamic state is to protect the *ummah* and to achieve the normative objectives of Islam.<sup>455</sup> The realisation of Islam in a concrete context falls on to the shoulders of this state. Values and concepts ensuing from an Islamic 'ideological' frame of reference guide the existence and purposes of the Islamic state. A reformist agenda determines the state's role within a particular social setting.

The essence of an Islamic state, al-Ghazali argues, is neither colonial nor tyrannical – it is a body-politic guided by the normative ethos of the Qur'an. Al-Turabi adds his own arguments on this theme placing *tawhid* (monotheism) as the underpinning of the Islamic state where its application of the Shari'ah seeks to fulfil Islam's normative ethos.<sup>456</sup> The Islamic state is beholden to the application of the Shari'ah. Islam is the ideological anchor to guide the ship of the state. However, al-Turabi does offer an important caveat for his notion of the Islamic state: although the Shari'ah is the essential basis for the state it is by no means exclusive to it.<sup>457</sup> Its rules are broader in scope than the domain of politics mainly falling outside the remit of the state within the spheres of society and the individual. Al-Turabi envisages a multifaceted and nuanced Shari'ah

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<sup>454</sup> Muhammad S. El-Awa, trans. Ahmed Naji al-Imam, *On the Political System of the Islamic State* (Indiana: American Trust Publications, 1980), 22 – 3.

<sup>455</sup> Al-Qaradawi, *State in Islam*, 21.

<sup>456</sup> Hasan Turabi, 'The Islamic State', John L. Esposito (ed.), *Voices of Resurgent Islam* (New York and London: Oxford University Press, 1983), 241–2.

<sup>457</sup> *Ibid.*, 243.

composed of law, moral imperatives and social norms. Islamic law also provides the criterion for a state to be regarded as Islamic. Mohammad al-Awa identifies these and bases them on the classical jurist al-Mawardi's ten prerequisites for a ruler to be considered legitimate dependent on the establishment of Islam and the protection of the interests of citizens.<sup>458</sup>

The same ten prerequisites are also cited by Omar Abdur Rahman to elicit absolute obedience on the part of Muslims to their rulers.<sup>459</sup> However, al-Awa departs from Abdur Rahman in his emphasis on *al-din*, *al-nafs*, *al-ard*, *al-aql* and *al-mal* as part of the policy pursued by the state. Citizens residing within the boundaries of the Islamic state are to be governed in line with the *maqasid al-Shari'ah*'s emphasis on the universal interests of human beings. Furthermore, the *maqasid* facilitates, on the part of the state, *al-Siyasat al-Shari'iyah* (Shari'ah Policies) to borrow from non-Muslim sources to realise the welfare of Muslims.<sup>460</sup> Al-Awa cites ibn Qayyim al-Jawziya in the reformulation of politics within the rubric of the Shari'ah that was similarly articulated by ibn Taymiya in the classical period. The revision of politics in the juristic account of Muslim reformists involved the extension of the Shari'ah to its themes and objects which al-Ghazali undertook in his own work. Continuously interpreted, the Islamic state for al-Ghazali, al-Awa, al-Turabi and al-Qaradawi is a normative body-politic that ensures the welfare and rights of its citizens.

Change and adaptation in the interpretation of the Shari'ah were contested whether cultural exchange would undermine the ethos of Islam. A polarised view between Islamic law and other laws is expressed by al-Auda precluding any substantial venture of syncretism within the Islamic tradition.<sup>461</sup> Such an occurrence would inevitably lead to the usurpation of sovereignty of a nation. Although al-Auda does recognise a margin of adaptation for Islamic law to borrow from non-Muslim sources he staunchly defends a divinely-revealed Shari'ah against efforts of adapting Islamic law.<sup>462</sup> Human intervention is to be negated or at the very least contained. Replaced with an eternal Shari'ah, time

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<sup>458</sup> El-Awa, *On the Political System of the Islamic State*, 77–8.

<sup>459</sup> Omar Ahmed Ali Abdurrahman, trans. Omar Johnstone, *The Present Rulers and Islam: Are they Muslims or not?* (London: Al-Firdous, 1990), 4–5.

<sup>460</sup> El-Awa, *On the Political System of the Islamic State*, 79–80.

<sup>461</sup> Abdul Qadir 'Audah, trans. S.M. Hasnain, *Islamic System of Justice* (New Delhi: Kitab Bhavan, 1994), 14.

<sup>462</sup> *Ibid.*, 32–3.

and place are rendered passive. The narrow margin of adaptation al-Auda grants to the Islamic state to compose laws can only take place when the Shari'ah is silent on such matters.<sup>463</sup> Abdur Rahman further elaborates al-Auda's position, articulated in the 1940s, about the polarised relationship between Shari'ah and 'man-made' laws. Abdur Rahman contrasts the hypothetical scenario of a ruler who does not apply Islamic law to the letter, who nonetheless recognises the authority of the Shari'ah, with a ruler who holds firm to the sovereign principle to legislate independently from the Shari'ah. Whereas the former is still to be recognised as legitimate, the latter loses the right to rule irreconcilably pitting the Shari'ah against secular laws.<sup>464</sup> States and rulers enjoy their right to govern dependent on the adherence to the variously defined and demarcated Shari'ah. In this section, I have tried to demonstrate how the Muslim past preserved in the Islamic tradition is interpreted in a selection of its elements and accounts to address present concerns and issues in the Muslim world. Classical tracts provide the wherewithal to revise in the very transmission of conceptions of political institutions regulated by Islamic norms recorded in them.

### **Oppression and Tyranny: Rejoinders Against Exploitation**

Political oppression and economic exploitation are considered to be aspects of tyranny. Rejection of the normative content of the Shari'ah, including the flouting of its injunctions, is also perceived to be an act of tyranny against a divinely-revealed moral order. Oppression, exploitation and the rejection of the Shari'ah combine to violate the normative worth of human beings. Islamic scripture and the Muslim past give pertinent illustrations of tyranny against individuals and groups. The Qur'an is rich with narratives that condemn tyranny. Examples include Pharaoh's persecution of the Israelites and Moses' act of defiance and deliverance of his people from oppression. This facet of the Qur'an has been interpreted by contemporary Muslim scholars and thinkers in an attempt to articulate a discourse that highlights the negative aspects of tyranny in the present. Pharaoh who incessantly persecutes the Israelites and arrogates to

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<sup>463</sup> Ibid., 59–60.

<sup>464</sup> Abdurrahman, *The Present Rulers and Islam*, 54–56.

himself the mantle of divinity is seen by al-Ghazali to be the quintessential expression of tyranny.

Qaroun, Pharaoh and Haman are identified by al-Qaradawi to represent the different types of tyranny demonstrated in the Qur'an and to be found in reality. Oppression is approached by Sha'rawi through the prism of a more orthodox reading of divine justice. Al-Auda and Qutb in their writings about tyranny contrast the tyranny of un-Godliness with the divine sovereignty of God. Traditionally, those who rebel against tyranny enjoy legal rights and are bound by normative conditions expressed in the *ahkam al-baghah*. This sub-discipline of Muslim jurisprudence is employed by Abou El Fadl to clarify the rules and ethic of rebellion when it occurs against an oppressive regime.

Narratives from the Qur'an present tyranny recorded in the Monotheistic tradition. These narratives are directly interpreted by al-Qaradawi to demonstrate the different types of tyranny that exist. Persecution of the faithful of God is accompanied by a political and economic order which perpetrates the oppression of individuals and groups. For al-Qaradawi, Pharaoh is the archetypical tyrant, Haman is the corrupt politician who disposes of his office for tyranny and the exploiting capitalist or feudal classes are personified in Qaroun, all of whom unite to obdurately undermine Moses' struggle against oppression.<sup>465</sup> The established Pharaonic order relies on the exercise of political injustice and the economic exploitation of the people. Pharaoh, Haman and Qaroun are different aspects of the same reality of tyranny making the abuse of power a multifaceted phenomenon. Each occupies a central position in the Pharaonic order against which Moses seeks to liberate the Israelites from their political and economic oppression. Al-Qaradawi sees tyranny to be defined by the respective characteristics of Pharaoh, Haman and Qaroun within a ruling system of privilege and power which persecutes, enslaves and exploits people. The welfare of the people is protected by a set of normative objects. Critiques of tyranny were formulated in the interpretation of the Islamic sacred texts, primarily the Qur'an, identifying Pharaoh to be its quintessential exemplification. This was a theme elaborated by al-Ghazali and al-Qaradawi in their ventures of renewal aiming to stem the decline of Muslims.

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<sup>465</sup> Al-Qaradawi, *State in Islam*, 200–1.

Two types of injustice emerge from al-Sha'rawi's interpretation of the Qur'an: the first arises from a lack of faithfulness in God; and the second is concerned with the usurpation of the rights of individuals.<sup>466</sup> Elaborating further on this latter point, al-Sha'rawi contends that injustice spreads from the individual to society when the moral and legal rights of people are violated.<sup>467</sup> When the abuse of power by those in positions of authority against the weak takes place its effects disrupt the very fabric of society. Oppression becomes a hallmark feature of a society where the divinely-revealed set of rights is not enforced. Observance of the Shari'ah, Auda argues, ensured the strength of the Muslim community against tyranny and oppression.<sup>468</sup> This strength also precluded the appearance of tyranny within the community. However, the eventual abandonment of the Shari'ah led to tyranny. One that is, according to Auda, synonymous with the era of *jahiliyah*. A contrast is made between the Islamic-guided community in the past and the era of *jahiliyah* in both the pre-Islamic era and more recently. For Sayyid Qutb, Islam animated by the notion of *tawhid* is a break from a pernicious pre-Islamic *jahiliyah* that nonetheless persists to plague the contemporary Muslim world.<sup>469</sup> Two worldviews are endlessly pitted against one another. Qutb situates *surah* 85, verses 1–16 from the Qur'an against the background of the conflict between the divine sovereignty of God and the ungodly *jahiliyah*.

Violent persecution of a group of people because of their firm commitment to religion, Islam, in this narrative compels Qutb to advocate an unflinching religious faith in the struggle against tyranny.<sup>470</sup> An existential challenge emerges where the faithful, despite of the asymmetry of power, resist tyranny through their consciences. Religion and freedom are inextricably linked according to Qutb who in this particular instance expounds a 'quietist' stance towards tyranny based on the above mentioned verses of the Qur'an. The monotheistic past invoked by Qutb also proffers a variety of responses against tyranny which testify to its vanquishing and the victorious realisation of the

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<sup>466</sup> Muhammad Mitwali al-Sha'rawi, trans. Aisha Bewley, *Injustice and the Unjust* (London: Dar al-Taqwa, 2005), 24–5.

<sup>467</sup> Al-Sha'rawi, *Injustice and the Unjust*, 40–1.

<sup>468</sup> 'Audah, *Islamic System of Justice*, 41.

<sup>469</sup> Sayyid Qutb, n.t., A. B. al-Mehri (ed.), *Milestones* (Birmingham: Maktabah, 2006), 33–5.

<sup>470</sup> *Ibid.*, 168.

*dawah* (propagation of Islam) of Islam in societies.<sup>471</sup> Scriptural texts and an ideal past supply Muslim scholars with the cultural resources needed to demarcate the lines between a just society and its counterpart where tyranny dominates. Islam in this scenario represents the Godly-revealed moral order that confronts tyranny with antecedents in the person of Pharaoh or the *jahiliyah* era.

A juristic path responding to tyranny in the protection of those who rebel is pursued by Abou El Fadl. The forms and objects of a rebellion for Abou El Fadl raise numerous issues when attempting to ascertain its different manifestations.<sup>472</sup> Ambiguity on this weighty topic reigns in a discourse situated in a wider juristic account concerned with the *maqasid al-Shari'ah* and its application to the various facets of human existence. *Ahkam al-bughah's* pertinence to the current milieu for Abou El Fadl is founded on the premise of an ethic of resisting tyranny.<sup>473</sup> The authoritarian exercise of power that is a contested and yet entrenched notion in Muslim political thought can be curbed in outlining of the moral objectives underlying the rules of rebellion and the rules themselves. Rebels who rise up employing either violent or passive means are to be protected according to the *maqasid*. *Raison d'état* is thus subject to a theologically pronounced set of norms which awards rebels of different hues and shades rights at the expense of the potential repressive policies of the state.

### **Democracy and *Shura*: Changing Means, Fixed Ends**

Democratic concerns among Muslims have found a counterpart in the discourses on *shura*. The notion of *shura* is derived from Islamic scriptural texts and the ideal example of the first Muslim community by al-Ghazali to propose the democratic ethos of the Islamic state. Interpretations of texts and the past are deployed to empower the Muslim community in the present. Power relations between the ruler or the state and society is defined and demarcated at the expense of the former for the benefit of the latter. The decision-making process

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<sup>471</sup> Ibid., 172–3.

<sup>472</sup> Khaled Abou El Fadl, *Rebellion and Violence in Islamic Law* (Cambridge: Cambridge University Press, 2006), 4.

<sup>473</sup> Ibid., 336–7.

at the heart of all forms of politics ought to include the individuals directly affected by the end product of this process. Al-Awa construes this norm to be scripturally derived and supported by the exemplary conduct of the Prophet Muhammad and the *sahaba* (companions) who depended on the recourse to *shura* in public matters affecting the first Muslim community.<sup>474</sup> Political legitimacy Qaradawi argues is dependent on the implementation of *shura* by rulers or states.<sup>475</sup>

*Shura's* presence in the reformist Islamic framework and the early Muslim past has led several Muslim scholars to stress its *mulzimah* (binding) nature. Debates about the relationship between democracy and Islam tend to focus on the notion of the *shura*. Muhammad al-Awa, Yusuf al-Qaradawi and Khaled Abou El Fadl put forward the view that *shura* is certainly *mulzimah* in public affairs according to Islam in agreement with al-Ghazali. Participation of Muslims or individuals in the decision-making process of their societies fulfils a divinely-revealed command practiced by the Prophet Muhammad in public affairs. For al-Awa, although Islamic texts do not specify the exact form of *shura*, granting wide latitude of interpretation for Muslims, its focus is prescribed by injunctions in the Qur'an.<sup>476</sup> Nonetheless, this focus does encompass a broad sway of questions about the decision-making process on issues of common interest. Interpretations of Islamic law incorporate *shura* aware of the pressing issues current in society.

No unequivocal model exists which precludes a variety of formulations and applications of *shura* in an Islamic polity. For al-Ghazali, *shura* constitutes one of the *ghayat* enabling different *wasal* cognisant of time and place – especially foreign traditions and elements that can be adapted and incorporated into the Islamic tradition. Such an absence is understood by Abou El Fadl to be the wilful command of a divinely-revealed principle allowing a syncretism that interprets *shura* with a democratic thrust.<sup>477</sup> Abou El Fadl proposes the incorporation of the liberal concept of individual rights in the interpretation of *shura* as one way to fulfil the *maqasid*. Godly-sanctioned individual rights are

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<sup>474</sup> El-Awa, *On the Political System of the Islamic State*, 89–90.

<sup>475</sup> Al-Qaradawi, *State in Islam*, 205.

<sup>476</sup> El-Awa, *On the Political System of the Islamic State*, 91.

<sup>477</sup> Abou El Fadl, 'Islam and the Challenge of Democracy', 18.

arrived at through a profound *maqasid* reading of the Qur'an.<sup>478</sup> In this process, *shura* is to be treated as a core moral notion affirming the interests of human beings in the form of political rights for the individual.

## **Social Justice, Women and non-Muslims**

### *Divinely-Sanctioned Social Justice*

Social justice has been a topical concern for Muslim scholars and thinkers seeking to reform the contemporary Muslim community. Objectives directly related to social justice were articulated by Muslim reformists as they grappled with the perceived existence of injustice in society. Scriptural texts not only pointed to the desirability of social justice but enjoined it as an integral component of the divine will. A Godly-guided society ensures the rights of all its members. Social justice is a divine imperative al-Ghazali locates in the twenty-eighth and twenty-ninth verses of *surah al-A'raf*. It is a moral imperative which encompasses a holistic conception of the relationship among human beings in the quest of implementing justice in society. The *maqasid al-Shari'ah* also influenced how al-Ghazali's contemporaries highlighted and scrutinised their contexts and its attendant problems.

Anwar Ibrahim resolutely invokes the *maqasid al-Shari'ah* to serve as the basis to approach the socio-economic issues plaguing Muslims in the contemporary age.<sup>479</sup> A juristic explicated set of norms in large part derived from al-Shatibi informs Ibrahim's call to solve the problems afflicting the Muslim world. Comprehensive in scope, this set of norms tackles each aspect of the problems human beings face. Qutb expresses a holistic definition of justice that includes the various aspects of human existence in the notion of "human justice."<sup>480</sup> Premised on a dual foundation, the human actor and legislation are instruments towards the fulfilment of justice according to Qutb. An explicit political reading of the Qur'an's proviso for justice is enunciated by al-Awa

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<sup>478</sup> Ibid., 29.

<sup>479</sup> Anwar Ibrahim, *The Asian Renaissance* (Singapore: Marshall Cavendish Editions, 2008), 118–9.

<sup>480</sup> Sayyid Qutb, trans. John B. Hardie, *Social Justice in Islam* (Oneonta: Islamic Publications International, 2000), 93–94.

based on the verse of *surah* 4, verse 58.<sup>481</sup> Rulers and states are subject to the criterion of justice in their conduct with citizens.

Justice is a moral value which has important implications in the attempt to combat poverty in a society. Essential to the fulfilment of social justice is the redistribution of wealth in a society. *Zakat* (almsgiving) appears in the orthodox formulation in Islam to be one of the key pillars of the faith. Re-interpreted in the normative context of human justice, Qutb endows it with the responsibility to carry out the redistribution of wealth in the ideal Muslim community.<sup>482</sup> Redistribution of wealth in society as a result of *zakat* for al-Ghazali fulfils one of the pillars of Islam. Commonly accepted practices of orthodoxy such *zakat* were reformulated by Qutb and al-Ghazali emphasising the impact on the welfare of human beings. Justice is a universal value according to Ibrahim in a transcultural syncretism that reformulates indigenous notions of justice within an Islamic framework.<sup>483</sup> The Prophetic past recorded in the *ahadith* gives Ibrahim the cultural resources to articulate an authentic understanding of justice with contemporary and immediate social relevance. I contend that between particular traditions and universal values, there exist interstices where a subtle moral and creative engagement has occurred among Muslim thinkers and scholars. Further, al-Ghazali was part of a broader and diverse group of reformists who extended the *maqasid al-Shari'ah* into the language of social justice.

### *The Public Role of Women*

Independent agency on the part of women has been discussed within the boundaries of proposing an authentic interpretation of Islam. Characterised by a markedly contested discourse, the rights and responsibilities of women expounded within an Islamic framework was an urgent concern for al-Ghazali. Sacred texts and precedents from the Muslim past were reinterpreted and highlighted in al-Ghazali's *manhaj* to support the fundamental principle of equality between women and men. Rights were commensurate with actions applying equally to both genders. The Qur'an, *ahadith* and the Muslim past and

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<sup>481</sup> El-Awa, *On the Political System of the Islamic State*, 97–8.

<sup>482</sup> Qutb, *Social Justice in Islam*, 97–9.

<sup>483</sup> Ibrahim, *The Asian Renaissance*, 69.

present demonstrated the moral necessity for the reciprocity of rights between men and women in a Muslim society. Public roles of women were actually in step with the Islamic spirit of justice pervading the Qur'an and Prophet Muhammad's example.

The revision of the Islamic tradition through al-Ghazali's *manhaj* driven by *mabda al-haraka* was also found among his peers in the articulation of the rights and responsibilities of women as an authentic interpretation of Islam. In essence, this was derived from scriptural texts. *Ijtihad* permitted the reading of the Qur'an in a fashion which coherently advocates the principle of gender equality. Pursuing both this method and purpose, Abou El Fadl arrives at the conclusion that equality is premised on a notion of agency which is neither determined nor hindered by gender.<sup>484</sup> Crucially, a divinely-revealed criterion expresses the equivalence between an act and its consequences or rather the rights and responsibilities of individuals. Men and women are subject to an identical set of rules derived from the same principles of the Shari'ah. The contested issue of female agency is tackled by al-Turabi in his stance that women enjoy rights and responsibilities intrinsic to their beings independent of men.<sup>485</sup> Thus, women are autonomous actors according to Islam. Competence of women is also tackled by al-Ghazali in his invoking of Indira Gandhi to forcefully argue that they are indeed able to participate in public life – moreover successfully doing so. Evidence of this principle is rooted in the Quran's direct manner in addressing women precluding the possibility of patriarchal authority. Scriptural texts provide a palpable collection of examples pointing to gender equality. Both the content and form of the Qur'an, alongside the *ahadith*, confirm this normative stance. The early Muslim past recorded in the *ahadith* supply al-Ghazali with the precedents needed to support his position on the rule of reciprocity of duties and obligations between men and women in society.

Similar arguments by al-Qaradawi cite narratives from the Qur'an with examples of gender equity especially that of the Queen of Sheba in the thirty-third verse of *surah al-Naml*. The Qur'an records an instance of a just ruler who happens to be a woman which provides an instructive and substantial narrative

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<sup>484</sup> Abou El Fadl, *The Great Theft*, 261.

<sup>485</sup> Hasan Turabi, n.t., *Emancipation of Women: An Islamic Perspective* (London: Muslim Information Centre, 2000), 1.

of female agency in the Islamic tradition.<sup>486</sup> It is identified by al-Qaradawi to support a contemporary interpretation of the rights of women in the public sphere – including occupying senior political offices. Participation for women, al-Turabi argues, is also supported by the principle of *shura* about matters of common concern in a society.<sup>487</sup> The presence and voice of women as autonomous agents are integral to realise the moral objectives of Islam. Precedents found in the Muslim past, more specifically during the period of the first Muslim community, where the public involvement of women was a ubiquitous feature allows al-Turabi to advocate the notion of female agency embedded in the interpretation of the Qur'an. I think elements from the Islamic tradition in al-Ghazali's *manhaj* have also been deployed by Abou El Fadl, al-Turabi and al-Qaradawi to select and interpret the Qur'an, *ahadith* and the early Muslim past to formulate a contemporary and critical stance on women's rights and responsibilities. Islamic scriptural texts provide the roots of tradition serving as a source for reading other supplementary texts in the normative spirit of the *maqasid al-Shari'ah* so to expound the autonomous agency of women.

#### *The Rights of Non-Muslims from the Past to the Present*

The influence of the notion of a Godly-revealed Shari'ah informed the *manhaj* of al-Ghazali and his contemporaries on the relationship between Muslims and non-Muslims. Reciprocity was the principal rule in this relationship for al-Ghazali in a context where multiple interpretations vied for the hallmark of authenticity in the Islamic tradition. Invocations of scriptural texts and the past of the first Muslim community constitute the sources of authority for the enunciation of the position of non-Muslims in an Islamic state. An ethos of tolerance and diversity present in the Qur'an is eloquently stated in *surah* 11, verse 118 for al-Ghazali. Primacy is given to the authority and text of the Qur'an in the formulation of concepts and principles defining the position of non-Muslims in an Islamic polity. Interpretations of the Qur'an enable Muslim reformers to interact with a multilayered text using the juristic account to construct a system of meanings. These meanings are premised on the normative objects of the Shari'ah. Rules

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<sup>486</sup> Al-Qaradawi, *State in Islam*, 259.

<sup>487</sup> Turabi, *Emancipation of Women*, 20–1.

and principles purporting to be Islamic are derived from the language and themes of the Qur'an.

Ethical norms such as the divine decree of diversity are identified in the scriptural texts. Applying a *maqasid*-oriented interpretation of the Qur'an, al-Bahnasawy points to the *surah* 30, verse 22, *surah* 49, verse 13, *surah* 11, verses 118–9 and *surah* 5, verse 48 as the collective evidence of the clear and unequivocal expression of the divine pronouncement of pluralism.<sup>488</sup> Difference and other-ness portend to a theological principle directly interpreted from sacred texts. Al-Bahnasawy is joined by Abou El Fadl in identifying key passages of the Qur'an to highlight the divinely-revealed instruction for the recognition of difference as a permanent aspect of human existence. Two particular verses stand out for Abou El Fadl, *surah* 49, verse 13 and *surah* 11, verse 118, anchoring the normative ethos of pluralism in the Qur'an.<sup>489</sup> Pluralism in the text and the notion of justice together create a space for the dynamic interpretation of the existence of difference in society. Recognition of this difference can manifest itself into a coherent notion prescribing the moral elevation of other-ness whether religious or not. Formal rights ensue as a result of the interpretation of the moral rule of the recognition and acceptance of difference.

Prescriptive rules and notions derived from transmitted texts are complemented by a reading of the Muslim past, both early and classical, where the position of non-Muslims in Islamic polities demonstrates their subjecthood. Consequently, moral rules are translated into rights for non-Muslims. Singling out the first Muslim community, al-Bahnasawy cites the *Sahifat al-Medina* stipulation of the rights of non-Muslims in the recovery of an ethos of egalitarianism located in the early Muslim past. Each of its main articles ensures the rights of all the citizens of the first Islamic polity whether Muslim or non-Muslim – significantly also including non-religious members.<sup>490</sup> Equality is the underlying normative principle for a multi-faith community composed of different groups. In a comparable interpretation of the *Sahifat al-Medina*, al-Ghazali argues along similar lines as al-Bahnasawy, that this document recognised the

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<sup>488</sup> Salim al-Bahnasawy, trans. Aisha Adel and Said Traore, *Non-Muslims in the Shari'ah of Islam* (Cairo: Dar An-Nashr Liljami'at, 2004), 6–7.

<sup>489</sup> Abou El Fadl, 'Islam and the Challenge of Democracy', 20–1.

<sup>490</sup> Al-Bahnasawy, *Non-Muslims in the Shari'ah of Islam*, 31–2.

existence of a multi-religious community based in Medina and sought to defend the rights of all its members. It demonstrates the first Islamic state's commitment to freedom of religion. A principle of equal rights and obligations between non-Muslims and Muslims is also present among some of al-Ghazali's contemporaries based on the normative imperatives of the Shari'ah contained in the Qur'an and important documents such as the *Sahifat al-Medina*. The recovery of the moral values of tolerance and equality from one of the earliest recorded testaments of the Prophetic era is an attempt to acquire authenticity for the revision of the Islamic tradition.

Al-Qaradawi is cognisant of the early Islamic state's continuing relevance for the position of non-Muslims in the contemporary period. Non-Muslims were awarded the status of *ahl al-dhimma* (protected people) that al-Qaradawi argues granted them rights and citizenship.<sup>491</sup> An Islamic state is bound to its non-Muslim citizens in a contract. The provisos of this contract require the state to ensure the freedom of religion and public participation of non-Muslims. Classical and contemporary accounts within the Islamic tradition have recognised this facet of interfaith relations. Noteworthy is al-Qaradawi's retention of the classical notion of *ahl al-dhimma* and his revision of it in the contemporary idiom of citizenship. Certain qualifications exist which are incorporated into this revision which excludes the access of non-Muslims to positions of overt religious import.<sup>492</sup> Nonetheless, al-Qaradawi does advocate the public office of elected legislators in a parliamentary system to be accessible to non-Muslims. Texts form the foundation for the articulation of a set of notions and values recognising the rights of non-Muslims that empower them in the public sphere. Qur'anic verses expressing the pluralism inherent in cultures, religions and ethnicities are cited to be evidence for the spirit of egalitarianism applying to non-Muslims. The concept of citizenship and the classical notion of *ahl al-dhimma* are reinterpreted where democratic and nation-based polities predominate in the present context. A syncretism of two different traditions is constructed in the juristic account of the Islamic tradition that simultaneously adapts these two objects of political status in addressing a changed context.

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<sup>491</sup> Yusuf al-Qaradawi, trans. Khalil Muhammad Hamad and Sayed Mahboob Ali Shah, *Non-Muslims in the Islamic Society* (n.c.: American Trust Publications, 2005), 2–3.

<sup>492</sup> *Ibid.*, 13.

## The Transcending of *Jihad* and Resistance

In the Islamic tradition, the notion of *jihad* was the object of numerous reinterpretations based on a transmitted body of texts. Post-classical reformers grappled with a variety of themes previously ignored or did not exist. Exegesis has been deployed to revise the meaning and applicability of *jihad* in a changing world. Classical methods such as *ijtihad* are adapted into the contemporary interpreter's approach to the Qur'an, *ahadith*, the Muslim past and classical rulings. Principally, the Qur'an is the foundation of the process to derive the meaning of Islam's key notions. *Jihad's* rules and principles are thus formulated in the interpretation of scriptural texts. Mahmud Shaltut employed an innovative approach to tease out these rules and principles based on a thematic organisation of the verses of the Qur'an as opposed to the classical atomistic reading of scriptural texts.<sup>493</sup> An ethical inter-textual relationship among these verses indicates the internal coherence of the Qur'an and by extension of the notion of *jihad*. The *manhaj* adopted by al-Ghazali similarly applies a thematic exegesis of the Qur'an to derive an elaborate moral framework whereby themes such as *jihad* recover the normative path of Islam. Each verse of the Qur'an which is about or related to *jihad* complement one another. This approach to Islam's primary scriptural text enables Abou El Fadl to distinguish between an unequivocally normative *jihad* and the practice of war categorised as *qital* (fighting) which is conditional and subject to restrictions.<sup>494</sup> These two categories are not to be conflated. Rather, Abou El Fadl points out that the latter is designated as *qital*. Entirely distinct from *jihad*, *qital* is an act qualified by the overriding moral imperatives of Islam which include *jihad*.<sup>495</sup> Violence in a context of war is regulated by the Godly-defined normative criterion of *jihad* present in the Qur'an. I suggest that al-Shaltut, al-Ghazali and Abou El Fadl arrive at the similar conclusion that *jihad* is a Godly-revealed object or *ghayat* which is pre-eminently normative.

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<sup>493</sup> Mahmud Shaltut, 'The Koran and Fighting', in Rudolph Peters, *The Jihad in Classical and Modern Times* (Princeton: Markus Wiener Publishers, 1996), 61. See Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach* (London and Washington: The International Institute of Islamic Thought, 2008), 171–3, for a brief yet astute discussion of the origins and development of the thematic approach to the Qur'an by Sunni and Shia Muslim scholars that includes Muhammad al-Ghazali.

<sup>494</sup> Abou El Fadl, *The Great Theft*, 223.

<sup>495</sup> See Abdur Rashid Siddiqui, *Qur'anic Keywords: A Reference Guide* (Markfield: The Islamic Foundation, 2008), 132–5.

For Qutb, passages from *surah al-Nisa*, *surah al-Anfaal* and *surat al-Tawbah* prescribe the conditions which drive *jihad* striving for *tawhid*.<sup>496</sup> Moreover, it is a struggle accompanied by implementing the normative order of Islam in a context where antagonism persists. No other legal system but the Shari'ah's moral rules and laws possess legitimacy. Liberation from a legal system which fails to recognise the sovereignty of God is to be realised through *jihad's* unwavering commitment to freedom. The topic of resistance is discussed by al-Qaradawi with reference to passages of the Qur'an. Tyranny constitutes the pervasive existence of corruption and the oppression of people in a society with *jihad's* primary objective to challenge them.<sup>497</sup> This interpretation of the Qur'an and *ahadith* critiques the arbitrariness of political power and raises the moral commitment of speaking truth to power on behalf of the oppressed. Justice is subsumed within the broader notion of *jihad* and its concern with fulfilling the objectives of an Islamic ethical order.

A pronounced emphasis on how *jihad* is to be conducted informs Hasan al-Banna's account of its obligatory nature. *Surah 2*, verse 190 and *surah 5*, verse 8 are interpreted to symbolise its normatively-guided means where qualified conditions are imposed on the waging of war.<sup>498</sup> Restrictions on actions related to war are the Islamic norm. Normative imperatives regulate the nature and the extent of violence in a conflict. The resumption of peaceful relations in war undergirds the conduct of *jihad*. Ethical rules regarding warfare are part of a broader rethinking of *jihad* in a world of nation-states. Contemporarily, the undertaking of warfare motivated by *jihad*, al-Ghazali argues, is under the responsibility of the state rather than of individuals in a society. Reinterpretation of the principal texts enables the incorporation of changing contexts into the notion of *jihad*. This is a process that constantly responds to the social necessities and moral questions arising from the Muslim community in a diversity of contexts. Certainly for al-Ghazali, his novel reading of *jihad* was based on the classical juristic account while I agree with Sherman

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<sup>496</sup> Qutb, *Milestones*, 81.

<sup>497</sup> Al-Qaradawi, *State in Islam*, 259.

<sup>498</sup> Hasan al-Banna, trans. S. A. Qureshi, *Selected Writings of Hasan al Banna Shaheed* (New Delhi: Millat Book Centre, 1999), 51.

Jackson that Qutb relegates it to the silent margins of his works.<sup>499</sup> Further, al-Ghazali offers a third meaning of *jihad* pertaining to the achievement of progress in the Muslim world. Current demands are duly incorporated into the interpretation of the key notions of Islam whereby context is a factor to be identified and explored in the scholarly endeavour to realise the ethical vision of the Shari'ah.

A collection of passages in the Qur'an known as the 'Verses of Forgiveness' has vigorously contributed to the juristic account of *jihad's* sanction of warfare. Abrogation of these passages was one method adopted by Muslim jurists to expand the scope of violence in a situation of warfare.<sup>500</sup> However, the material demands of war were always balanced by ethical considerations. The latter were based on injunctions from the Qur'an and the Prophet Muhammad's ideal moral example. More recently, the revision of the methods of Qur'anic commentary reduced the applicability of the principle of abrogation on verses which were hitherto interpreted to be no longer valid. This tendency is demonstrated in Shaltut's thematic reading of the Qur'an. Violence is rigorously qualified and regulated by Shaltut through the thematic interpretation of the Qur'an minimising the principle of abrogation.<sup>501</sup> Certain situations set in motion the moral rules and laws pertaining to war. Injunctions contained in the Verses of Forgiveness carry a heavy normative weight in the formulation of the notion of *jihad* derived from the Qur'an.

The principle of *salam* (peace) is treated by Abou El Fadl as a core normative imperative based on these verses. His interpretation extends this principle supplemented by other ethical concepts grounded in the scriptural texts of Islam which are intertwined, yet distinct from, *jihad's* moral imperatives.<sup>502</sup> *Salam* is to be realised by one of the primary Qur'anic themes of mercy in public and private life. A moral effort on the part of human agents charged with striving for mercy against injustice is expounded. For Abou El Fadl, overriding imperatives animate the normative nexus where *salam*,

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<sup>499</sup> Sherman A. Jackson, 'Jihad and the Modern World', *The Journal of Islamic Law and Culture*, 7/1 (Spring/Summer 2002), 22–4.

<sup>500</sup> *Nasikh* (abrogating) and *mansukh* (abrogated) verses of the Qur'an were developed into an exegetical tool in Qur'anic *tafsir* (commentary) known as *naskh* (abrogation) to ascertain the rulings or principles in its text still possessing continuing divine sanction or irrevocably suspended in later revealed passages.

<sup>501</sup> Shaltut, 'The Koran and Fighting', 81–2.

<sup>502</sup> Abou El Fadl, *The Great Theft*, 234–5.

forgiveness and mercy become a living reality for Muslims as they strive for *jihad* in pursuit of a range of causes perceived to be just.

### **Nationalism, Arabism and the *Ummah***

Contending political identities continue to shape the definition of Arabism. Recently constructed ethnic conceptions are framed, in part, by longstanding influences stemming from Islam. Two hundred years have lapsed since al-Tahtawi's attempt to create a proto-nationalism during the early period of the *nahda* (Renaissance). A religiously formulated notion of patriotism was articulated by al-Tahtawi as he negotiated two different traditions emanating from the West and his own in the Muslim world. Thus, the European notion of nationalism was adapted and precedents found in the Muslim past. Ambivalence characterised the accounts juxtaposing nationalism and Islam. The religious origins of nationalism did not preclude its eventual secularist overtones during the twentieth century. A strong awareness of the central role of Islam for the Arabs in the Muslim past is shared by Muslim scholars and thinkers in the Arab world. New forces came into existence thus reshaping the direction of human civilisation. For al-Ghannoushi, the unification of the disparate Arab tribes in the seventh century was based on Islam preached by the Prophet Muhammad.<sup>503</sup> A multifaceted process of change took place with the Arab tribes becoming a single normative community. Religious faith transformed the social relations of the Arabs as they rapidly created a society and a polity influenced by Islam. The Muslim past, especially the Prophetic era, point to the efficacy of Islam in providing the common point of reference for identity and politics for the pre-dominantly Arab tribes which composed the nascent Muslim community.

Divergent discourses and a shared set of Islamic scriptural texts create a space to discuss the relationship between nationalism and Islam. A striking ambivalence about nationalism and Islam has been a hallmark feature of Muslim discourses for much of the twentieth century and continuing into the first decade of the twenty-first century. Broaching the relevance of the notion of

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<sup>503</sup> Rashid al-Ghannoushi, 'On the Dilemma of the Islamic Movement: A Political Party or a Reformist Organisation?', in Abdelwahab el-Affendi (ed.), *Rethinking Islam and Modernity* (Leicester: The Islamic Foundation, 2001), 111.

nationalism to Islam, al-Bahnasawy argues Prophetic exhortations contained in the *ahadith* and the Qur'an underpin the spirit of solidarity contained terms associated with nationalism such patriotism.<sup>504</sup> Islam offers an identical normative language as nationalism subsuming a particular national identity within a broader religious identity. The re-interpretation of the scriptural texts of Islam by al-Bahnasawy creates an opportunity to draw analogies between Islam and nationalism in a context where national boundaries dominate and politics is primarily conducted among nation-states. A bone of contention negotiated by Muslim reformers in their critiques of nationalism in this period. Foremost in the effort to negotiate the ambivalence between nationalism and Islam is al-Ghazali's decrying of secular nationalism's parochial worldview at the expense of the wider *ummah*.

Other thinkers such as Ahmed Kamal Abul Majd have gone much further on the themes of identity, politics and religion. Significantly, Abul Majd argues the formation of Arab culture in the past was based on Islamic culture and its normative ethos.<sup>505</sup> The past demonstrates the persistent religious influence of Islam on the formation of Arab culture. Moreover, the present confirms Islam's compatibility with Arabism. Religion and national identity in the Arab cultural context are two elements intertwined in a wider Islamic normative process unfolding in time and place. Specificity of cultural identities constructed around Arabism does not preclude derivation from a universal Islamic moral system. Abul Majd seems to suggest that proponents of a seemingly secular Arabism and a putative religious Islamism in fact meet on the common ground of the heritage of an Islamic-inspired Arab culture.

Foundational texts such as the *ahadith* demonstrate for al-Banna the religious underpinnings of a mutually reinforcing relationship between Islam and Arabism.<sup>506</sup> The Arab nation is perceived to be the primary actor in reviving the Muslim community from decline. Present formations of political identities rely on a religiously sanctioned conception of Arab identity. A linguistic definition of Arabism is adopted by al-Banna to unite the fragmented territories of the Arab

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<sup>504</sup> Al-Bahnasawy, *Non-Muslims in the Shari'ah of Islam*, 53.

<sup>505</sup> Ahmed Kamal Abul Majd, 'An Attempt to Employ Islamic Culture in the Realisation of Social and Political Change in Arab and Islamic Societies', in Derek Hopwood (ed.), *Euro-Arab Dialogue: Relationships Between the Two Cultures* (Kent: Deutsches Orient Institut 1985), 278.

<sup>506</sup> Al-Banna, *Selected Writings of Hasan al Banna Shaheed*, 62-3.

world.<sup>507</sup> Political unity derived from an ethnic identity, based on language, is compatible with a broader Islamic conception of identity. Arabism is understood by al-Banna and al-Ghazali to be a linguistic element of a broader Islamic identity. However, this leads to the recognition of the desirability to bring into relief the linguistic dimension of Arabism whilst at the same time eschewing its putative irreligious elements.

Primary allegiance by Muslims to the *ummah* is a religious commitment to an Islamic normative order. However, Qutb's reflections on nationalism are less accommodating than the previous thinkers discussed. In an outspoken fashion Qutb declares that the implementation of Islamic law is the basis for the political identity of a Muslim.<sup>508</sup> No other identities are recognised which detract from the religiously-grounded conception of belonging to the *ummah*. It is the faithful application of the laws of the Shari'ah in a territory which creates a legitimate political identity for a Muslim. This territory is known as *dar al-Islam* (abode of Islam). A divinely-revealed system of moral rules and laws is the normative identity for a Muslim with existing identities marginalised. In direct opposition to Qutb, Abul Majd elaborates on the religious conception of identity which finds common ground between Arabism and Islam. Although arriving at different conclusions, both Abul Majd and Qutb carry out a direct interpretation of the Qur'an. The Muslim community is the main focus of this interpretation which takes into consideration its immediate context. From an ethical standpoint, Abul Majd recognises the past and present Muslim community as the *umatan wasatan* (middle nation).<sup>509</sup> This recognition was an important element of al-Ghazali's thought of the continuation of a Godly-guided communal unity composed of Muslims in direct emulation of the first generation of Muslims. A purposeful moral mission is to be discharged leading to an Islamic renaissance in the context where decline afflicts the contemporary Muslim community. Abul Majd situates the ethos of internal reform within Islam.<sup>510</sup> A universal normative framework outlines the intellectual and social factors involved in creating reform

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<sup>507</sup> Ibid., 63.

<sup>508</sup> Sayyid Qutb, *Milestones*, 132–3.

<sup>509</sup> Ahmad Kamal Abul Majd, 'Preparing the Muslim Nation for a Cultural Role in the World of Tomorrow', A Selection of Scholars and Authors, trans. Nabil A. Haroun et al., *Civilizational Role of the Muslim Nation in the World of Tomorrow* (Doha: Ministry of Awqaf and Islamic Affairs [State of Qatar], 2000), 68.

<sup>510</sup> Abul Majd, 'An Attempt to Employ Islamic Culture in the Realisation of Social and Political Change in Arab and Islamic Societies', 270.

which is then followed by a renaissance. Internal reform is to be accompanied by transforming the religious understanding of Muslims.

## Conclusion

Chapter 5 undertook a survey of the ideas and conceptions of Muhammad al-Ghazali's contemporaries, many of whom were his colleagues, students and teachers. The principal aim of this chapter was a comparative survey of these thinkers and scholars who have engaged with the plethora of themes al-Ghazali wrote about in his works. Attention was paid to the period from the middle of the twentieth century, when al-Ghazali rose in prominence, to the early twenty-first century. A vast number of scholarly peers exist who supported and opposed the interpretations articulated by al-Ghazali during this period from within the Islamic tradition. Thus, a selected limited choice of scholars was made based on an assessment of the impact of their works on the Islamic tradition and the proximity of ideas between al-Ghazali and these scholars.

The collective positions of al-Ghazali, Badawi, Abou El Fadl, al-Qaradawi, ibn Ashur, Raysuni and al-Ghannoushi contributed to a juristic account of an eternal Shari'ah and a changing *fiqh* which constantly responds to the ethical imperatives of the *maqasid al-Shari'ah* in a variety of contexts. A dichotomy exists between Shari'ah and *fiqh* affirming the central role of human interpretation in changing understandings of Islam. Islam determines the conception of the state for al-Qaradawi, al-Turabi, al-Awa, Abdur Rahman and al-Auda. While al-Ghazali along with al-Qaradawi, al-Turabi and al-Awa granted a greater margin for the construction of the Islamic state as a process of interpretation, Abdur Rahman and al-Auda argued that the state in Islam implements, without any undue human interference, the laws of a divinely-revealed Shari'ah. Scriptural texts such as the Qur'an offer examples of tyranny through Pharaoh and other narratives for al-Qaradawi and Qutb. Al-Sha'rawi locates in the Qur'an a set of Godly-sanctioned norms against tyranny as justice for the individual and society. The classical juristic account of the Islamic tradition is deployed by Abou El Fadl to recover and attest to the existence of discourses within the Islamic tradition on tyranny focused on the rights of those who rebelled against such rulers or states.

Popular participation in the decision-making process sanctioned by *shura* is established, through the interpretation of the Qur'an and *ahadith*, as *mulzimah* by al-Ghazali, al-Qaradwi, al-Awa and Abou El Fadl. Justice is a universal value transcending cultures according to Ibrahim and is supported by Qutb's reformulation of *zakat* as a fiscal institution achieving social justice. Islamic norms and the early Muslim past show that women did enjoy identical rights and responsibilities as men with a clearly articulated notion of female agency expounded by al-Turabi and al-Qaradawi. Non-Muslims are to be treated in the spirit of the pluralism expressed in the Qur'an argue al-Bahnasawy and Abou El Fadl. Citizenship rights ensue as a consequence of this interpretation with al-Qaradawi making an analogy between the classical institution of *ahl al-dhimma* and the contemporary notion of citizenship. In sections three and four, the views expressed by al-Ghazali and his peers on democracy and *shura*, social justice, women and non-Muslims are anchored in the *maqasid al-Shari'ah*'s emphasis on the inviolable interests of human beings. Theologically derived conceptions of human worth provide Muslim scholars with a repertoire to speak to the values and notions considered to be Islamic. From these values and notions, the themes of the compatibility between democracy and *shura*, the demand for social justice, the rights of women and the position of non-Muslims in an Islamic polity have been discussed.

Various motivations drive the reformulation of *jihad* by al-Ghazali, Shaltut, Abou El Fadl, Qutb and al-Banna. New exegeses of the Qur'an allow this group of Muslim thinkers and scholars to restate the rules and nature of *jihad*. Both Shaltut and Abou El Fadl identify an intimate connection between the moral imperatives of the Verses of Forgiveness and the aims of *jihad*. *Tawhid* is the principal motivation for the act of *jihad* according to Qutb. The waging of warfare in the context of *jihad* is regulated by classical juristic qualifications for al-Banna where violence is strictly restrained. Arab unity has a precursor in the early Muslim past according to al-Ghannoushi. Nationalism and Arabism have an ambivalent relationship with the notion of the *ummah* in Islam. Al-Ghazali, Abul Majd and al-Banna put forward the view that Arabism and Islam share a religious cultural reference – for al-Ghazali and al-Banna it is a predominantly common linguistic element. Solidarity of the nation can also be found in Islam, al-Bahnasawy argues with reference to Islamic scriptural texts. However, this

ambivalence is confronted by Qutb who privileges the implementation of the Shari'ah to be the sole legitimate foundation for the political identity of Muslims. The *ummah*, a diverse collection of Muslims residing in a fragmented world, is interpreted by Abul Majd and al-Ghazali to be a normative social order. A normative-ness awarded to it by the Qur'an's designation of *umatan wasatan*. Reform of a Muslim community in decline depends on applying the moral imperatives stipulated in the scriptural texts of Islam that would act as a prelude to its renaissance.

Each section of this chapter has attempted to identify and explore the key contributions of al-Ghazali's contemporaries to the Islamic tradition. Thematic Qur'anic exegeses and the emphasis on the *al-maqasid al-Shari'ah* have contributed to the practice of *ijtihad* by al-Ghazali and some of his peers, with the notable examples of Abou El Fadl and Ibrahim, to carry out the reinterpretation of elements of the Islamic tradition in a transcultural encounter with other foreign traditions. Non-Muslim traditions, both old and new, are considered and appropriated through the normative prism of Islam based on a *manhaj* derived from the Islamic scriptural texts and the Muslim past. Transcultural syncretism occurs within the Islamic tradition thus ensuring the indigenous authenticity of interpretations in a dialogue with other cultures. Accommodation of the other is a core Islamic notion in the texts of the Qur'an highlighted and elaborated by contemporary Muslim reformers. For the majority of al-Ghazali's contemporaries examined here, the act of *ijtihad* is instrumental in articulating a conception of the Shari'ah that unequivocally recognises the moral worth of human beings in a context of change.

## CONCLUSION

### Further Reflections on Muhammad al-Ghazali and the Islamic Tradition

#### Introduction

Contemporary Islam in this thesis was examined as a dynamic continuity of the past. Transmission of the Islamic tradition since the founding of Islam has not merely been a process of undisturbed reception but also its interpretation and modification. Shaykh Muhammad al-Ghazali has been the principal author of examination in the attempt to apply the concept of tradition to identify continuity and innovation in contemporary Islam. This conclusion seeks to provide a set of reflections on the key facets of al-Ghazali's thought against the backdrop of the past and the present. The Islamic tradition thus provides an essential context required to explicate the foundations and substance of the thought of al-Ghazali. I will reflect on the inferences made throughout each chapter framed around a few key and interrelated topics of discussion. An evaluation of the strengths and weaknesses of this study will be undertaken using the criteria of consistency, credibility and transferability. The evaluation seeks to establish to what extent this study offers a 'think description' of al-Ghazali's thought. Works written by al-Ghazali, his predecessors and contemporaries provided the primary source texts to be interpreted. This conclusion reflects on the following topics situating al-Ghazali in their discussion: the Islamic tradition, the tendency of *tajdid* (renewal) and the rethinking of Islam.

Classical and more recent contributions to this tradition were inherited and in turn accepted, modified or rejected in numerous ways by al-Ghazali and his peers. Monumental figures and seminal works were subjected to a thorough interpretation in the search for the authentic normative ethos of Islam by al-Ghazali in his venture of *tajdid*. The Islamic tradition was a dynamic and diverse body of cultures, ideas, rituals and institutions transmitted and interpreted at the very same moment of reception. Continuity of the juristic account is clearly evident in the employment of the *maqasid al-Shari'ah* (objectives of the Shari'ah) in al-Ghazali's thought.

The tendency of *tajdid* is deeply rooted in the transmission of the Islamic tradition among Muslim scholars and thinkers. The language of authentic change expressed in terms such as *ihya* (revival), *tajdid* and *islah* (reform) implies the recovery of an abandoned or neglected spirit of authenticity. Since the formation of the Islamic tradition, *tajdid* was understood to involve this recovery and was carried out by Muslim scholars with different temperaments and intellectual backgrounds. Thus, al-Ghazali was certainly preceded in his efforts at renewal by Abu Hamid al-Ghazali, Muhammad al-Shawkani, Jamal al-Din al-Afghani and Muhammad Iqbal whose expositions were focused on the unhindered direct interpretation of the sacred texts of Islam and reform of the Muslim community.

Legitimate political authority for al-Ghazali was based on the fulfilment of normative commands to be interpreted from the sacred texts of the Shari'ah. An Islamic state was not a pre-conceived and fixed model merely to be implemented. Rather, this state was to be constructed upon the ideals of Islam, particularly *shura* (consultation), for the benefit of its citizens. The democratic implications of *shura* are pursued by al-Ghazali in his espousal of the former notion and the mandatory nature of the latter. Central to al-Ghazali's political thought, was the juristic conception of the contractual nature of politics between the ruler and the ruled. The notion of *amanah* (trust) informs the ruler's responsibilities in a state constrained by the Shari'ah, whose role is enshrined in the *dustur* (constitution), which is interpreted to provide the principles and rules by which it exercises legitimate authority.

Evaluation of this study's employment of discourse analysis seeks to weigh its strengths and weaknesses. This study has carried out an interpretation of the works by Muhammad al-Ghazali, including several of predecessors and peers, through the prism of the concept of tradition. One of the primary aims of this study has been to offer a thick description of al-Ghazali's thought based on the concept of tradition and the application of the method of discourse analysis. I will evaluate to what extent this has been realised in a set of criteria looking at the consistency, credibility and transferability of the study undertaken on al-Ghazali. The first criterion of consistency looks at the level of rigour in the collection and interpretation of

texts. Credibility of this study discusses to what extent the category of tradition and the deployment of discourse analysis were applicable to the author examined in this study. Transferability of the framework of interpretation and the conclusions arrived at to other examples will be assessed in the last criterion. I will also suggest future areas of study for the application of the concept of tradition and discourse analysis. These three-fold criteria will be applied to the study undertaken in this thesis to ascertain the level of thick description in my interpretation of al-Ghazali's works.

### **Reflections on Tradition, *Tajdid* and Muhammad al-Ghazali**

I will now reflect on the inferences made in chapters 2, 3, 4 and 5 identifying three topics of interest: the Islamic tradition, the tendency of *tajdid* and rethinking Islam. Thus, this section discusses further the arguments and interpretations made in this thesis on these key points. Furthermore, the attempt to situate al-Ghazali's thought as an example of *tajdid* within the Islamic tradition is aware of the opportunities for innovation that ensue as a result of the continuity of a broad and diverse body of cultures, ideas, rituals and institutions – known in Muslim parlance as the *turath* (Arabo-Islamic heritage).

#### *The Classical Islamic Tradition*

The Islamic tradition was the received *turath* for al-Ghazali in the exposition of his thought. In the twentieth century, the transmission of tradition was accompanied by the enduring presence of the past. Scholarly transmission of the Islamic tradition required the instruction and learning of the Muslim religious sciences, although personal readings of past and present works were also inevitable, for al-Ghazali at al-Azhar University. A body of texts by numerous Muslim authors from a variety of intellectual and religious orientations existed during al-Ghazali's lifetime. Many of these orientations acquired a corporate identity and became loosely defined accounts which were locations of intense interpretation of their basic elements. From the *madhahib* (rites of jurisprudence) to the *turuq* (Sufi brotherhoods), lay and scholarly Muslims, often the lines were blurred between the two, could draw on the different accounts at the same time. Abu Hamid al-Ghazali, whom al-Ghazali was named after, was

able to weave his *ihya* from the disparate elements of the Islamic tradition. Profound interpretations of rituals and texts allowed the reconciling of different and opposing elements in a syncretism which decentred the stability of orthodoxy to conceive of innovation. According to Ebrahim Moosa, creativity occurs in a liminal space he calls the *dihliz* (threshold position) which sustains different narratives within a coherent framework.<sup>511</sup> This interpretation of one of the most influential scholars of Islam may also be extended to Waliyullah, who faithfully reproduces Abu Hamid al-Ghazali's intellectual programme of *ihya*, in his multifaceted venture of *tajdid* accommodating seemingly contradictory elements from the various accounts of theology, jurisprudence, *tasawuuf* (science of mysticism) and *hikma* (philosophy). I contend that the existence of this patchwork tradition sustained and gave expression to a *turath* which al-Ghazali was able to incorporate into his thought.

Tradition has been used in this thesis as a framework to analyse contemporary Islam. The focus on al-Ghazali, his peers and predecessors allow the following observation to be made about the Islamic tradition: there are numerous clusters of elements and accounts revolving around a set of Islamic sacred texts. Many Muslim scholars and thinkers, during the classical and post-classical periods, have contributed to shaping this tradition. Interpretations created the initial conditions for a tradition to be conceived. Further accumulations of interpretations, especially in the classical era, established authoritative institutions such as the *madhahib*. Changes were effected through the rise and persistence of the chief accounts of mysticism, jurisprudence and theology. Philosophy itself became a latent and forgotten account among Sunni Muslim scholars while in Shi'ite religious circles it has persisted until the present. Interestingly, however, Seyyed Hossein Nasr alerts us to the informal character of the survival of philosophy away from the *madrassa* (religious seminary) in the Muslim world.<sup>512</sup> The Islamic tradition can be understood to embody a long term process preserving cultural and intellectual resources that are transmitted through a variety of channels.

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<sup>511</sup> Ebrahim Moosa, *Ghazali and the Poetics of Imagination* (Chapel Hill and London: The University of North Carolina Press, 2005).

<sup>512</sup> Seyyed Hossein Nasr, *Islamic Philosophy from its Origin to the Present: Philosophy in the Land of Prophecy* (New York: State University of New York, 2006), 44.

Past and present Muslim scholars and thinkers have been able to modify the patchwork characteristic of tradition's elements and accounts. Transmission across generations has served to reinforce these resources to simultaneously sustain continuities and changes. The role of al-Ghazali as an authoritative figure was largely dependent on his reception of the Islamic tradition's dominant accounts. Heterogeneous elements were reinterpreted in al-Ghazali's own project of *tajdid* in his acceptance of the various facets of the Islamic tradition – its founding, classical and contemporary elements. The diverse accounts of this tradition were also revised in a novel fashion although al-Ghazali affords primacy to the *usul* (foundations) of the Shari'ah. Without the Islamic tradition, al-Ghazali could not have written in a longstanding practice using the Arabo-Islamic idiom to argue the case for the continuing relevance of the Muslim past in the present. Further, the case for innovation as authentically Islamic was also expressed in this idiom.

The Muslim past, not just the founding moments of Islam embodied in the first Muslim community, was reinterpreted by al-Ghazali for the purpose of recovering and preserving the Islamic normative ethos. Sacred texts and their interpretations formed the substance of scholarship transmitted in the Islamic tradition. Acceptance of these interpretations into the fold of tradition ranged from laudatory approval to tacit acknowledgement to vehement rejection yet retention. The latter would ambiguously persist between the fluid realms of orthodoxy and heterodoxy – this is a theme I will examine later. I have argued al-Ghazali's thought was rooted in the scriptural texts of Islam, transmitted over a time-span of over 14 centuries, which were unanimously accepted to be the authoritative sources for continued interpretations. For al-Ghazali, the sacred texts of Islam were not only the perennial elements of the Islamic tradition. *Ibadah* (worship) was also transmitted uninterrupted without any revisions of its rituals.

The Islamic tradition was distinguished by two planes: Islam and *al-fikr al-Islamiya* (Islamic thought). While the former was unchanging to be transmitted in an unrevised form, although different interpretations of their acts and rituals did in fact occur, the latter grew throughout the past culminating in the classical accounts of *tasawwuf*, jurisprudence and theology. A chain of authority existed

from the transmitted sacred texts and *ibadah*, whose definitiveness was established by multiple lines of transmission, to the explanations of their meanings. Conceptions that proposed the divine roots of the Islamic tradition, also known as the *usul*, included a veritable human dimension – interpretations, although necessarily based on the texts of the Qur'an and *ahadith* (traditions of the Prophet), only reflected a particular grasp of the eternal will of God. Thus, a classical division between the *usul* and *furu* (branches) shaped how and what could be authoritative written, thought and said on Islam. I argue al-Ghazali's distinction between Islam and *al-fikr al-Islamiya* reproduces the demands of authority in the Islamic tradition in revising and expanding the remit of interpretation. The Islamic tradition provided al-Ghazali with the resources needed to modify its various facets to suggest new ways of understanding continuity and innovation. Demarcating what was Islam and *al-fikr al-Islamiya* enabled a larger space for reinterpreting tradition as both sacred texts and as a body of interpretations. Moreover, the dual conception of tradition as sacred texts and interpretations mirrors al-Ghazali's own categories of Islam and *al-fikr al-Islamiya*.

The act of interpretation, in light of the existence of a vast body of previous interpretations, was also a reinterpretation of existing themes and objects. However, new experiences themselves often spurred on the expansion of juristic or theological accounts thus producing novel elements. I think the transmission of tradition, particularly its juristic account, provided al-Ghazali the tools, language and worldview to interpret reality. Three prominent classical figures from this account have unmistakably influenced al-Ghazali: Abu Ishaq al-Shatibi, Ibn Khaldun and Ibn Taymiya. The conception of the *maqasid al-Shari'ah*, initially expounded in some detail by Abu Hamid al-Ghazali, was elaborated into a systematic method of interpretation by al-Shatibi in the fourteenth century. Inductive in approach, the *maqasid al-Shari'ah* sought to interpret the Islamic sacred texts according to a set of normative criteria. Consequently, its systematic, inductive and ethical dimensions were adapted by al-Ghazali in his pursuit for the original and ideal ethos of Islam in the texts of the Qur'an and *ahadith*. I consider the *al-kulliyat al-khams* (the five universals) to be the moral core of al-Ghazali's reinterpretation of the roots of the Islamic tradition. Contemporary precedents in the adaptation of the *maqasid al-Shari'ah*

could be found in Muhammad Abduh's application of its principles and Muhammad al-Tahir ibn Ashur theorising of the *maqasid al-Shari'ah* into a discrete discipline in its own right. As such, the *maqasid al-Shari'ah*, elaborated across the various *madhahib*, was an accepted part of the juristic account of the Islamic tradition throughout the distant past and in living memory. For Muslim jurists, the notion of *maslahah* (public interest) was expanded into a methodology affiliated to the existing tools of interpretation stipulated in the ninth century by Muhammad Idris al-Shafi'i in his four-step methodological approach. Al-Shafi'i sought reconcile the disparate elements of the juristic account through his formulation of the *usul al-fiqh* (foundations of jurisprudence). The *naql* (transmitted) in the Shari'ah enjoyed primacy in al-Shafi'i's methodology who nonetheless conceded the prospect of reinterpretations without being hindered by his own previous rulings.<sup>513</sup> I note al-Ghazali's recognition of the authority to directly interpret the Islamic sacred texts without due hindrance from equally authoritative interpretations without rejecting the extant vast juristic literature.

The development of the juristic account is treated as part of the growth of the broader *al-fikr al-Islamiya* among Muslims. Ibn Khaldun is cited and quoted at length by al-Ghazali in the scrutiny of the Muslim past. I submit that al-Ghazali's reinterpretation of tradition incorporated its major elements, especially the *maqasid al-Shari'ah*, which were also substantially modified in the recovery of the classical principle of *ijtihad* (independent judgement). Observations about the emergence of *fiqh* (jurisprudence) from Ibn Khaldun were incorporated by al-Ghazali in his *manhaj* (methodology). Continuous development is the hallmark feature of the Islamic tradition. *Fiqh* was a humanly conceived and constructed phenomenon open to revision in the reconstruction of the process of formulating Islamic law. The methodology of interpretation dominant in the classical juristic account was subject to the influences of time and place. I suggest al-Ghazali's awareness of the construction of the juristic account in the past affirmed the legitimacy of further constructions or fundamental revisions. Moreover, al-Ghazali's *manhaj* incorporated the Qur'an and *ahadith*, and juristic elements such as the *maqasid al-Shari'ah*. The distinction between Shari'ah

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<sup>513</sup> Muhammad Abu Zahra, trans. Aisha Bewley, *The Four Imams: Their Lives, Works and Schools of Jurisprudence* (London: Dar al-Taqwa, 2010), 190–1, 340 – 2.

and *fiqh* in al-Ghazali's thought allows tradition to be modified in an act of reinterpretation sanctioned by this tradition – particularly the Islamic sacred texts. Essentially, the authoritative status of the Qur'an and *ahadith* was an undisputed and transmitted element of the Islamic tradition. These foundational texts were subjected to al-Ghazali's application of the tools of interpretation from the juristic account.

Muslim scholars in the past were taught in the Muslim religious sciences involving the memorisation and instruction of the Qur'an. *Ahadith* was a major element of the transmission of Islam for the purpose of formulating Islamic law. The primacy of the study of the Qur'an and *ahadith* was advocated by Ibn Taymiya, including many of his students, in the recovery of the normative ethos of the Shari'ah in a period of Muslim decline. Ethical concerns such as justice animated the works of Ibn Taymiya and Ibn Qayyim al-Jawziya in their attempts to revive the moral ideal of the first Muslim community. Subsequent efforts to re-emphasise the roots of the Islamic tradition at the expense of interpretations that acquired authoritative status within the *madhahib* preceded al-Ghazali's own reformist venture. Muhammad ibn Abd al-Wahhab and Muhammad al-Shawkani favoured the transmitted sacred texts in direct and explicit opposition to classical interpretations expressed in theology, Sufism and jurisprudence. Pronounced stress on the canonical *ahadith* was a key feature of this re-emphasis by these two scholars. I tentatively also add the name of Shah Waliyullah al-Dihlawi to the general tendency to directly interpret the Islamic scriptural texts unencumbered by existing interpretations although he retained, albeit in a syncretic form, the classical accounts of theology, Sufism and *hikma*.

Against this scholarly backdrop, al-Ghazali did not break with tradition. To the contrary, he reinforced the elements of this tradition seeking to revive the moral imperatives of Islam present in its foundational texts. The *ahadith* containing the meaning of the actions and speech of the Prophet Muhammad was rigorously interpreted. From this transmitted body of texts, al-Ghazali sought to recover the *sunnah* (example of the Prophet) as a source of law and ethics. I think al-Ghazali shared Ibn Taymiya's and al-Shawkani's pre-occupation with the texts of the Shari'ah supplemented by a concern with its inner dimensions, akin to Abu Hamid al-Ghazali and Waliyullah, thanks to al-

Shatibi's *maqasid al-Shari'ah*. Core aspects of the classical Islamic tradition seem to have influenced how al-Ghazali managed the contentious issues of continuity and innovation. The cultural resources of tradition were recognised to have authoritative weight in the novel contribution of al-Ghazali among his contemporaries. Novelty in his thought can be discerned around the new *combination* of the different elements of tradition to produce new *understandings*. Thus, the latent potential of the Islamic tradition offers enterprising and imaginative reformers with the tools to modify the combination of resources to advance fresh understandings on existing or new issues. How tradition is modified was one of the primary novel facets of al-Ghazali's contribution. Furthermore, innovation was presented as a recovery of the ideal ethos of Islam from the past: not the actual past itself. Breaking tradition would have entailed negating not only the Islamic ethos of sacred texts and monotheism but also subordinating or neglecting the cultural and intellectual resources of the Islamic tradition. However, al-Ghazali delved into this tradition selecting several elements that conceived of innovation as part of the transmission of tradition emanating from its sacred roots. Crucially, tradition afforded al-Ghazali the resources to construct a project of *tajdid* that expanded the boundaries of what could be spoken, thought and written about Islam. Further, al-Ghazali's contribution can be distinguished from classical scholarship in his elaboration of the inner dimensions of Islamic law into the discrete categories of the *was'a'el* (means) and *ghayat* (ends).

Authenticity of innovation was to be achieved in al-Ghazali's *manhaj* through the application of *ijtihad* to the Islamic sacred texts. Human interpretation acquired its authority, noted above, from the authoritative status of the sacred texts. Classical juristic rules on this question of the contested relationship between the primacy of the text and the limits of interpretation supplied the legal aphorism of *al-aql a'sas al-naql* (the intellect is the basis for the transmitted). I think al-Ghazali has ventured forth a position that self-consciously humanises the process of the transmission of the Islamic tradition. Additionally, I would argue that he places human interpretation as the foundation of understanding the Shari'ah's texts. For al-Ghazali, the exercise of the human intellect is necessary for the transmission of the sacred texts regarded as the *naql*. Relying upon classical texts, not simply the Qur'an and

*ahadith*, from a variety of *madhahib*, al-Ghazali was able to construct a *manhaj* privileging the normative *al-kulliyat al-khams*.

Different influences from Ibn Khaldun and al-Shatibi, I would argue are palpable in al-Ghazali's thought whereby the Islamic tradition is modified according to the objective of recovery of the moral élan of the Prophetic era. However, the acceptance of the authority of the founding moments of Islam is premised on the continual unfolding of tradition. Further or more authentic interpretations are possible and necessary to constantly revive the spirit of Islam in a constantly changing world. The past was neither a passive body of texts waiting for an interpreter to endow it with meaning nor unaffected, noted earlier, to changing understandings. I argue the past transmitted in the Islamic tradition provided an example of a diverse, nonetheless not perplexing, set of meanings contained in recorded and codified texts. Muslim scholars thus engaged with a broad presence of texts, ranging from the Qur'an to classical theological tracts, conveying the intangible dimensions of a tradition – values, norms and ideas. This moral and intellectual dimension of the Islamic tradition acquired weight in the authority enjoyed by the Islamic sacred texts, juristic, theological and Sufi interpretations.

Engaging with the Muslim past was invariably an act of reinterpreting recorded moments and events already imbued with normative significance. In the case of al-Ghazali, I contend, this past was perceived to be dynamic and multifaceted requiring the tools of juristic interpretation to identify the meanings contained therein and explicate its relevance in the present. The application of a juristic *manhaj* by al-Ghazali directed towards the distant past possessed an urgent sense of immediacy. Continuity of the past was premised upon the criteria of authoritativeness acknowledging the uninterrupted transmission of its contents, ideas, rituals and values, and their profound ethical significance. A rich account of the past was offered by al-Ghazali as a result of adapting the complex composition of the Muslim past preserved and transmitted in the juristic account.

Contemporaries of al-Ghazali were similarly engaged with the Islamic tradition. Many responses were proposed by Muslim scholars and thinkers

during the twentieth and early twenty-first centuries in this engagement. Generally, outright rejection of tradition except for its sacred texts or modification of the Sufi, theological and juristic accounts dominated how *tajdid* was undertaken. I locate al-Ghazali and several of his peers, a selected number of whom were examined in chapter 5, in the latter trend. From the aforementioned role of tradition in al-Ghazali's thought I have sought to argue that continuity of the past was a dynamic process. The dynamism of the past also characterises the works of al-Ghazali's colleagues and students. Contemporary Muslim scholars, instructed in the traditional Muslim religious sciences, have reinterpreted the juristic account, alongside other accounts, to formulate their own reformist ventures. I submit that the works of Abou El Fadl demonstrate an erudite grasp of the Islamic tradition seeking to recover the profound normative ethos of a self-conscious human engagement with the perennial in Islam, the will of God, embodied in the ideal Shari'ah. Furthermore, the limitations of interpretation were acknowledged to allow continuous interpretations grounded in the *maqasid al-Shari'ah's* juristic imperatives.

Similarly, Zaki Badawi, al-Ghazali's fellow Azhari, observed a distinction between the Shari'ah and *fiqh* to expound the reinterpretation of tradition aiming to revive its ethical content embodied in the *maqasid al-Shari'ah's* norms. The insistence on directly interpreting the *usul* of the Islamic tradition facilitated its substantial modification for the purpose of searching for an authentic understanding of its founding moments and ethos. During the twentieth century, the ethos of *tajdid* was contested by diverging trends struggling over the preservation and modification of the classical tradition on the one hand and the exclusive reliance on the scriptural texts on the other hand. However, the former trend was characterised by a diversity of positions that aimed to reconcile the classical juristic account and the sacred texts within the *maqasid al-Shari'ah's* framework of interpretation. In this section, I have tried to show how the classical Islamic tradition is fundamentally a dynamic entity with the ideas, norms, values and events of the past transmitted and interpreted in the present.

## *The Contemporary Tendency of Tajdid*

While the previous discussion focused on the classical Islamic tradition, I shall now reflect in more detail on the tendency of *tajdid* during the late classical period and thereafter. The Islamic tradition preserved the ethos of *tajdid* in its transmission of seminal works that proved to be germane in the construction of subsequent reformist projects. From the eighteenth century, the works of the late classical renewalists surveyed in chapter 2 bore the unmistakable traces of Ibn Taymiya and Abu Hamid al-Ghazali. I argue that Waliyullah, Muhammad al-Shawkani and Muhammad ibn Abd al-Wahhab received an Islamic tradition which provided a broad and diverse frame of reference to think and speak about change. Reformist thinking varied in content and thrust according to specific intellectual ventures. However, these late classical Muslim scholars shared a common interest in the revival of the study of the *usul* of the Shari'ah with particular emphasis on the *ahadith*.

The general tendency of *tajdid* was characterised by a call to return to the sacred sources of Islam for the purpose of recovering the authentic spirit of the first Muslim community. Thus, the revival of Islam presupposed the existence of an ideal and original ethos that was indeed recoverable from the past by Muslims in the present. I think this normative thread runs through the Islamic tradition and has kindled numerous ventures of *tajdid* within it. The past is experienced in the present in its recorded and transmitted form – primarily through texts. I situate Muhammad al-Ghazali in a tendency of *tajdid* which constructively engages with the Muslim past to produce a nuanced reformist programme both in its theoretical and practical dimensions.

The ethos of *tajdid* was premised on the direct interpretation of the Qur'an and *ahadith*. Other facets of the Islamic tradition, noted previously, were also adapted by al-Ghazali in the construction of his *manhaj*. Tradition provided a heterogeneous body of ideas, values and norms from which al-Ghazali was able to select and adapt to express his own conception of *tajdid*. The traces of the arguments and insights of Ibn Taymiya and Abu Hamid al-Ghazali can be discerned in the venture of al-Ghazali in his critical engagement with the Islamic tradition. I would like to point out that throughout the classical period and

thereafter, the influence of Abu Hamid al-Ghazali on the notion and composition of orthodoxy was palpable. As such, any effort to rethink the content of tradition or the idea of *tajdid* was either an indirect or direct engagement with the eclectic substance of Abu Hamid al-Ghazali's works. However, it is interesting to observe that al-Ghazali's criteria of orthodoxy was located in the sacred texts supplemented by the *maqasid al-Shari'ah*, partly influenced by Abu Hamid al-Ghazali, in their interpretation. The primacy of the sacred texts was a pressing demand for Ibn Taymiya whose influence on contemporary reformers, not necessarily through Ibn Abd al-Wahhab, is evident. Generally, a novel restatement of this demand was expressed by Jamal al-Din al-Afghani and later Muslim reformers. I have identified, in chapter 2, al-Afghani to be a vehement proponent of *falsafa* (philosophy), known also as *hikma*, in its application to human existence particularly *mu'amalat*. Remarkably, this was accompanied by the claim that the absence of the study of *hikma* in the reformist schools in the Ottoman Empire and Khedivial Egypt was responsible for the slow pace of progress in knowledge – philosophy was the pivot for the organisation of the latter.<sup>514</sup>

*Tajdid* was contested and debated at length among Muslim scholars and thinkers from the beginning of the nineteenth century in the rethinking of the Islamic tradition. Al-Ghazali was preceded in his reformist efforts by the contributions of Rifa'a Rafi al-Tahtawi and Khayr al-Din al-Tunisi in their agenda of *islah*. Reform was perceived to emanate from the political centre which derived its legitimacy to enact changes through the upholding of the Shari'ah's norms. *Ijtihad* was the tool to be applied to carve out a greater space to reform the structure of the state thus reinforcing the political centre. I submit that although al-Ghazali was similarly concerned with applying *ijtihad* in a changing context, he was primarily concerned with expounding juristic foundations for a legitimate polity. Thus, al-Ghazali differs from these two pioneers of the early *nahda* (Renaissance) period in carrying out a more profound exegesis of the Qur'an and *ahadith* with broader implications for the Islamic tradition in its present state. Jurisprudence, not politics, determined the primacy of the Shari'ah in constructing a programme of *tajdid* not governed by the primacy of

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<sup>514</sup> Jamal al-Din al-Afghani, trans. Nikki R. Keddie, 'Lecture on Teaching and Learning', in Nikki R. Keddie, *An Islamic Response to Imperialism: Political and Religious Writing of Sayyid Jamal ad-Din "al-Afghani"* (Berkeley and Los Angeles: University of California Press, 1968), 104.

political issues. Gradual reform seems to have been a hallmark feature of al-Ghazali's programme. I propose this position, expressed in his works, demonstrates a concern with implementing a radical interpretation of the sacred texts through the vehicles of preaching, education and writing. In the recent Muslim past, al-Shawkani, as I have argued in chapter 2, adopted a measured venture of *tajdid* in providing counsel to rulers and preaching to the ruled. More recently, at the turn of the twentieth century, Muhammad Abduh developed an exegesis of the Islamic sacred texts which accompanied his attempts at educational reform, as the Grand Mufti of Egypt, in both the then seminary of al-Azhar and newly established *Dar al-uloom*.

I contend that the path of reform pursued by al-Ghazali stressed the changing dimensions of human existence. A link between the interpretation of texts and the experiences of the Muslim community laid the foundations for change within al-Ghazali's *manhaj*. The ability to conceive of change in juristic parlance was an integral element in classical and post-classical Muslim reformism. Al-Ghazali's awareness of the factor of change in the formation of the Islamic tradition allowed him to distinguish between its different domains open to continued interpretation and those to be left untouched by exegesis. Unambiguous demarcations between Islam and *al-fikr al-Islamiya* in al-Ghazali's reformist thinking contributed to expanding the spheres of interpretation. Apart from the divinely-revealed texts and rituals of *ibadah* (worship), the Islamic tradition was and could be modified in ways which did not disrupt the continuity of its normative ethos. *Ibadah* is contrasted with the changing elements of *adat* (conventions) and *mu'amalat* (social transactions). Similarly, nearly half a century earlier before al-Ghazali first began writing, Shibli Numani cites Shatibi's division in his exposition of the *mu'amalat* which is divided into three general areas: social, economic and political. For al-Ghazali, cultural and social *adat* could serve as sources of Islamic law as long as they do not contradict Islam's essential moral core.

Change in these spheres of human existence, recognised by juristic theory, was inevitable for al-Ghazali similar to al-Shatibi. Further, the context of an interpreter provides valuable indications to relate the universal ethical dimensions of Islam to a specific time and place. This context that is

experienced by Muslims for al-Ghazali is a legitimate source of knowledge in producing Islamic law. Time and place, the lived experiences of Muslims, thus impact upon the process of interpreting the sacred texts of Islam in the present. I propose that the present, the concerns, insights and values of the Muslim scholar, contributes to inscribing the diverse possibilities contained in the past. Against this backdrop, I locate al-Ghazali in the transmission, reception and modification of the juristic account in the post-classical period. This modification was focused, as observed earlier, on directly interpreting the scriptural texts of Islam employing the *maqasid al-Shari'ah* to propose a new interpretation. Important consideration was given to the imperatives of this juristic methodology. Thus, the protection and maintenance of *al-din* (religion), *al-nafs* (life), *al-ard* (honour), *al-aql* (intellect) and *al-mal* (wealth) informed the formulation of Islamic law. These imperatives, designated as *daruriyat* (essentials), were the starting point, not the closing stages, of the process of interpretation based on the Qur'an and *ahadith* seeking to recover Islam's original principles. Applying *ijtihad* was indispensable in their recovery.

New interpretations displacing existing interpretations were a natural corollary of a fresh reading of the Shari'ah's sources. I argue al-Ghazali's employment of *ijtihad*, complemented by the *maqasid al-Shari'ah*, confronted the perceived lack of dynamism in the juristic practice of *taqlid*. Recovery of the original ethos of Islam contained in the earliest stages of the Muslim past also implied a rejection of the continuity of rules interpreted in the classical period. For al-Ghazali, *taqlid* was a symptom of a steady deviation from the authentic Islamic spirit since the classical period. Adherence of rules considered to be authoritative, in principle with no possibility of change, was deemed to be an obstacle for genuine reform of the Muslim community in the current age. However, the rules contained in Islamic law were elements in an expanding *al-fikr al-Islamiya*. Thus, I argue, that the distinction between Islam and *al-fikr al-Islamiya* allowed al-Ghazali to modify most of the Islamic tradition in a conscious act of introducing change among its various elements – at times discarding existing or selecting previously marginal rules. Interestingly, the act of *ijtihad* was designated as *mabda al-haraka* (principle of movement) by al-Ghazali in his thought.

The theoretical foundations of juristic interpretation were implicated in the notion of the *usul*, the moral imperatives protecting the interests of human beings and the concept of subjective interpretation. Through al-Ghazali's integration of the *usul*, *al-kulliyat al-khams* and *ijtihad*, his own project of reform adapted the insights of al-Shatibi and in an important fashion echoed Muhammad Iqbal's principle of movement. Both al-Ghazali and Iqbal refer to *ijtihad* as the principle of movement which is rendered in Arabic and English in their respective ventures. Additionally, they also cite and utilise al-Shatibi's classification of the *daruriyat*. The preservation and protection of these five interests are a hallmark feature of the post-classical Muslim tendency of renewal. I have discussed Muhammad al-Tahir ibn Ashur's attempt to expand the scope of al-Shatibi's *maqasid al-Shari'ah*, in the first part of the twentieth century, into a separate discipline from *usul al-fiqh*. Such efforts by Muslim jurists to accord the juristic account with primacy in the interpretation of the sacred texts were accompanied by an ethical reading applicable to changing times. In the second part of the twentieth century, the appearance of an explicitly social engagement with the problems experienced by Muslims shaped how the *maqasid al-Shari'ah* was modified.

I examined the arguments and positions articulated by several of al-Ghazali's contemporaries in chapter 5. Further, it seemed to me that their works demonstrated an utmost concern with recovering the ideal norms of Islam contained in the three planes of the *maqasid al-Shari'ah* characterised by the *daruriyat*, *hajiyat* (exigencies) and *tahsinayat* (embellishments). The recovery of these norms began with its universal core, the *al-kulliyat al-khams*, to be interpreted, Zaki Badawi suggests, in a variety of ways supplemented by the *hajiyat* in a specific time and place. Additionally, for Ahmad al-Raysuni, a prominent Moroccan jurist, the *daruriyat* can be expanded to include more interests in a changing context fulfilling the Shari'ah's ideals. Previously, I noted that al-Ghazali recognised the context of the interpreter as a valid source of Islamic law which introduced an important dimension of change in the application of his *manhaj*. Following this reading of the status of context for al-Ghazali, I would argue time and place were similarly treated by his peers examined here as an essential source for the *maqasid al-Shari'ah* in the expansion of its norms or confronting the contemporary problems of Muslims.

The factors of time and place presented Abou El Fadl, a student of al-Ghazali, with the opportunity to propose transforming the interests of the *maqasid* into a formal system of rights.

I submit that the tendency of *tajdid* among al-Ghazali and his contemporaries was a diverse collection of ventures united around modifying the application of the norms of the *maqasid al-Shari'ah* in the contemporary era. The *maqasid al-Shari'ah* was transmitted in the last two centuries as an essential element of the Islamic tradition. Prominence of its moral imperatives translated itself into the works of Muslim scholars who adopted a reformist tendency in their immediate contexts. Since the nineteenth century, projects of reform have been premised on reviving the authentic spirit of Islam primarily located in the Islamic sacred texts which was supplemented by the need to be interpreted. Introduction of the notion of a changing Islamic law, in the spheres of *mu'amalat* and *adat*, as a result of the adaptation of the juristic theory of al-Shatibi allowed al-Ghazali and other Muslim scholars and intellectuals to reinterpret the existing body of rules.

Tentative applications of the *maqasid al-Shari'ah* by Abduh in the late nineteenth and early twentieth centuries witnessed the interrogation of the Islamic texts for their underlying purposes of rules or meanings. What is noteworthy in these applications is Abduh's use of the word *hikma* (wisdom), merely one of its connotations apart from the study of philosophy, to refer to purposes identical to al-Shatibi's *maqasid* or objectives. A century after Abduh, al-Ghazali also refers to the meanings of rules contained in the Qur'an and *ahadith* as *hikma*. Two levels of meaning are discernable from reading these texts. I submit that al-Ghazali identified the two levels of comprehension through a direct interpretation of the passages authoritative Shari'ah sources: initially, surface and literal; and latterly, deep and pragmatic. Further, both are equally valid interpretations. Conjunctions seem to characterise the thought of al-Ghazali in reconciling different approaches in the Islamic tradition thus creating a syncretism of its internal elements. Morality and law, under the umbrella of the Shari'ah, are juxtaposed to revise existing elements or produce new elements. Within the texts of the Qur'an and *ahadith*, the search for conjunctions between rulings and their objectives culminate in the identification of the *hikma* or *ghayat*

(ends). I argue that both *hikma* and *ghayat* for al-Ghazali pertain to the inner dimensions of Islam discernable as a result of the interpretation of language and rituals. In chapter 4, I highlighted the application of the term *ghayat* by al-Ghazali to interpret the purposes of *shura* and *jihad*, to be discussed further later, which were fixed and perennial. Once established, the *ghayat* does not open itself up to modification. However, its fulfilment certainly does.

The *wasā'el* (means) vary with time and place, and are to be formulated, explored and adopted with the objective of realising the *ghayat* in any context. I argue that the inner dimensions necessarily presuppose the existence of outward forms open to human discernment. The outward forms could be found in the literal language of a text or the *wasā'el* accepted and implemented in the context of Muslims in the past or present. An important facet of al-Ghazali's *manhaj* is its ability to adopt, discard or modify various forms to realise the Islamic normative ethos. Existing forms or those in the process of construction by Muslims are interpreted through the *maqasid al-Shari'ah* to ascertain their ethical weight. I have sought to establish in chapter 3, with further examination in chapter 4, al-Ghazali's openness to different cultures in his recognition of the validity of transcultural exchanges in the Islamic tradition. Critical adoption of a wide variety of ideas, values and concepts from other cultures was not determined by their origins – it was the content of these elements examined against the criterion of the *ghayat* that allowed their inclusion into al-Ghazali's thought.

Adoption or rejection of elements was mitigated by the act of interpretation in light of Islamic ethical concerns. The project of renewal in the early efforts of al-Tahtawi and al-Tunisi has always engaged in an explicit or tacit encounter with other cultures, namely the West. Crucially, for both of these pioneers in the nineteenth century, their direct experience of Europe created an opportunity for intellectual adaptation from the traditions of the Enlightenment. Likewise, the travels of al-Ghazali across the world, including England, inculcated a predisposition to interact with other cultures and traditions, not necessarily Islamic. I think al-Ghazali did indeed follow the footsteps of al-Tahtawi, al-Tunisi, al-Afghani and Abduh who regarded the West as a valid source of knowledge for the progress of the Muslim community. However, I also contend

that al-Ghazali, with insights and the depth of experience that this assortment of scholars and thinkers from the nineteenth century did not possess, confronted the question of change through what could be considered an unequivocal orthodox framework – applying *ijtihad* to the texts of the Shari’ah. Displacement of existing elements and their substitution from a foreign tradition was enacted through the *maqasid al-Shari’ah*’s language and norms.

### *Rethinking Islam and Politics*

Among classical Muslim jurists, the *mu’amalat* included the sphere of politics. Thus, I contend that politics was open to *ijtihad* on the part of Muslims in the classical and post-classical periods. Further, I submit this was the case for al-Ghazali in his thought. The role of the *ghayat* in al-Ghazali’s *manhaj* created the intellectual conditions for the reinterpretation of politics in a variety of contexts. Emphasis on the fulfilment of the perennial objectives of Islam contained in the *maqasid al-Shari’ah* informed this reinterpretation. Normative values and conceptions discovered in the texts of Islam were the universal objectives, *hikma* and *ghayat*, which permitted rejection of transmitted elements regarded as *wasa’el* for the adoption of new elements more appropriate to safeguard the interests of human beings. Discontinuity with the past was simultaneously accompanied by the recovery of an ideal ethos also contained in the past. In the dominant juristic account, politics belonged to the realm of *mu’amalat* thus conceding a large margin of interpretation for Muslim jurists. One of the major implications for the theoretical discussion of politics was the application of the *maqasid al-Shari’ah* to its elements. Another noteworthy classical effort to rethink the relationship between politics and religion was carried out by Ibn Taymiya. In the preceding discussions about the formation of the Islamic tradition, I have argued that Ibn Taymiya privileged the juristic account of the Shari’ah in his modification of the body of tradition. The privileging of the Shari’ah had significant ramifications for the role and basis of political authority. Ibn Taymiya juxtaposed the two notions of Shari’ah and *siyasa* (politics) to argue for their reintegration to replace the status quo where a gulf had emerged between them. Contending yet complementary elements on the objects and themes of politics enabled a diversity of interpretations among jurists in the classical era.

Concerns about the integrity and stability of the Muslim community also impinged on how Muslim scholars engaged with questions posed about the purposes of political institutions. Alongside the application of Islamic law and the pragmatic interest of stability, there also arose the issue of the preservation of the fundamental interests of the subjects of a territory. Political authority was thus dependent on a conception of the Shari'ah which subsumed law, power and morality. The early classical exposition by al-Mawardi on the *imamah* (Muslim government) located its legitimacy in the implementation of Islamic law. Ibn Khaldun highlighted the role of the sovereign to uphold the *maslahah* of those under his rule. It would be apt to note that Ibn Khaldun's theory about the rise and fall of dynasties betrays the true nature of classical political authority – their legitimacy, perpetually contested, often extended much further than the material power they exercised. Shah Waliyullah al-Dihlawi's conception of the *khilafah* (office of *khalifah*) illustrates the role of the nexus of law, power and morality in late classical renewalism. However, he also modifies the conception of the *khilafah* in its incorporation into his intellectual system of *irtifaqat* (stages of socio-economic development). Nonetheless, the primacy of the *khilafah* is recognised in an ascending sequence of evolution in human civilisation.

I propose that the combination of Ibn Taymiya's primacy of the Shari'ah and al-Shatibi's *maqasid al-Shari'ah* in al-Ghazali's works influenced his intellectual positions on politics. A juristic approach to the issues of an Islamic state, social justice, gender relations and the role of non-Muslims is apparent in the arguments of al-Ghazali. *Mu'amalat* and *siyasah* are the spheres of interpretation where the norms of Islam are to be applied. I have tried to show above that the broader category of *mu'amalat* easily lent itself to an expanded territory of *ijtihad* while *siyasah* was newly conceived as a distinct sphere also subject to the Shari'ah's norms. I argue al-Ghazali developed both these facets of the Islamic tradition to realise the moral objectives of Islam in response to his particular context. A state's legitimacy is conceived in largely juristic terms. In Abou El Fadl's works, examined in chapter 5, the state is to be interpreted in light of the ideal Shari'ah where the former is merely a subjective and constantly changing attempt to approximate the latter. The principles and norms of the juristic account define the reformist framework of interpretation which can be

revised to accommodate further reinterpretations and new elements from different sources. Contemporary notions were linked to classical conceptions in al-Ghazali's *manhaj* through reconciling, modifying and revising disparate elements. Islam as the religion of the *dawla* (state) and the status of the Shari'ah as the *al-masdar al-awhad* (the sole source) for the enactment of the *qawanin* (laws) demonstrate substantial modification of the classical conception of the state. However, this change does not undermine the classical nexus of law, power and morality of legitimate political authority.

I think the role of the Shari'ah for al-Ghazali is comparable to al-Tunisi's *al-wazi al-dini* (the religious restrainer) by which ruler and ruled alike must adhere to. Vitally, the preservation of the interests of human beings, the citizenry, the implementation of Islamic law, albeit revisable, and the maintenance of law and order can be realised through a diversity of forms. These forms can be changed according to the ethical demands of the *maqasid al-Shari'ah* adopting more appropriate instruments of government from one's immediate time and place. This position was elaborated upon by Muhammad Iqbal in his departure from the institution of *khilafah* in favour of more contemporary forms to govern the affairs of a diverse transnational Muslim community: a Muslim league of nations. Rachid al-Ghannoushi demonstrates how the novel application of the conception of the *maqasid al-Shari'ah* to politics is possible. The norms flowing from this conception endow human beings with certain interests considered to be inviolable from state interference by Islam which for Abou El Fadl, as I have already stated, can be turned in political and legal rights. Transcultural encounters between Europe and the Muslim world, from the early nineteenth century became significant sources of knowledge for Muslim scholars. The reconciling of political ideas from non-Muslim traditions presented itself as a challenge when confronted with the continuity of key notions and values. A preponderant focus on the capacity of the ruler among Muslim jurists simultaneously enabled and limited the work of reformers to expound a specifically Muslim and revised interpretation of politics. I previously alluded to the emphasis on the political centre by al-Tahtawi and al-Tunisi. They both borrowed from the tradition of the Enlightenment and added new elements to the revisions made in their ventures of *islah. Tanzimat* (reorganisation) of the state created the conditions for al-Tunisi to propose an equivalence of terms

between *liberté* and *huriya* (freedom). He was preceded by al-Tahtawi's attempts to make parallels between the Enlightenment tradition and the Islamic tradition with *adl* (justice) and *insaf* (equity) corresponding to justice. Further, al-Tahtawi identified correspondences between the recent Muslim past and the contemporary European notion of *jumhuriya* (republic) in the rule of the Upper Egyptian chieftain Shaykh al-Hammam. Parallels were made to sustain a programme of *islah* that anticipated and prepared the bold intellectual moves on the part of Muhammad al-Ghazali to accept, although critically, the notion of democracy alongside the norms of the Shari'ah. Incorporation of new elements from foreign traditions involved the exercise of *ijtihad* in the scrutiny of these concepts or values.

I have argued that an Islamic state for al-Ghazali was essentially a democratic and constitutional entity. A *dustur* (constitution) enshrines the status of Islam and the role of the Shari'ah while ensuring its democratic nature. *Shura* (consultation) is located in the *ghayat* with its practice considered to be *mulzimah* (mandatory) by al-Ghazali. This is the moral confluence where democracy and *shura* meet. Participation of citizens has precedents in the leadership of the first Muslim community: communal decision-making was an essential attribute of the Muslim distant past. Classical positions are also incorporated by al-Ghazali in revising their interpretations of other foundational texts such as the *ahadith*. The relationship between the ruler and ruled in a *hadith* (tradition of the Prophet) is described as that between *al-ra'i* (shepherd) over the *al-ra'iyya* (sheep) which al-Ghazali reinterprets to imply to be a social contract based on *al-amanah* (trust). Striking parallels with the position of Ibn Taymiya that the ruler is an *ajir* (employee), not an *amir* (commander), of the people can be discerned in al-Ghazali's interpretation. The programmes of *islah* espoused by al-Tahtawi and al-Tunisi also use the terms of *al-ra'i* and *al-ra'iyya* in support of representative politics and participation of Muslims in public affairs respectively. Other novel elements characterise al-Ghazali's brand of reformism in the realm of politics with a social contract between citizens and the state.

I propose that al-Ghazali was joined by his contemporaries, examined in chapter 5, in stressing the social role of *zakat* (almsgiving). Concerning the emergence of reformist conception of *zakat*, Yasushi Kosugi locates this

change in the aim of “re-Islamization” away from the state.<sup>515</sup> I think that al-Ghazali reformulation of *zakat* aimed to fulfil the demands of social justice undertaken by the state. Concerning this aspect of justice, Sayyid Qutb seems to have also accorded an indispensable role to *zakat* in redistributing the wealth of a society, anticipated by Waliyullah in the late classical period, to implement justice. A later contemporary of al-Ghazali, Anwar Ibrahim, a prominent Malaysian political activist, espouses a conception of justice combining elements from the Enlightenment, the *maqasid al-Shari’ah* and the Prophetic *ahadith* within a diverse syncretism. The immediate contexts of these scholars and thinkers duly influenced and determined the primacy awarded to the ability of social justice to address the predicaments experienced by Muslims. Dislike of the imposition of taxes beyond the scope of the Shari’ah was shared by al-Shawkani and al-Ghazali in the latter’s citation of Umar II’s repealing of taxes that infringed on the interests of the inhabitants in Egypt.

I shall now reflect on an equally contested topic of debate among Muslim thinkers and scholars: the role of women in the Muslim community. Continual invoking of the first Muslim community and the Qur’an by al-Ghazali in arguing for not only the participation of women, similar to Hasan al-Turabi, supported his espousal of the position that they are capable of occupying the highest offices of the state. The past and present provided al-Ghazali with evidence to support this argument: the former, the highly esteem Queen of Sheba is held in the Qur’an; and the latter, the case of Indira Gandhi as a competent and democratically elected stateswoman. I contend this was not a mere selective and tendentious approach to either the past or present – it was motivated by a ethical core cultivated in a religious conscience negotiating the disparate elements of tradition in a specific context. It is important to note that the rule of equality between women and men was eloquently and audaciously expressed by al-Ghazali with reference to the Islamic sacred texts. Previous attempts, in first part of the twentieth century, to confront the question of gender equality were tentative. Although Iqbal did embark upon discussing the problems ensuing as a result of existing interpretations, not shying away from engaging constructively with Ziya Gokalp, his own position did not allow him to resolve the

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<sup>515</sup> Yasushi Kosugi, ‘*Al-Manar* revisited: the “lighthouse” of the Islamic revival’, in Stephane A. Dudoignon et al (eds.), *Intellectuals in the Modern Islamic World: Transmission, transformation, communication* (New York: Routledge, 2006), 5–6.

ambiguity between the latter's arguments and the condition of Muslim women in colonial India. An ambiguity during the early twentieth century that was present elsewhere. I mention in passing the case of Qasim Amin who authored a book, reputedly under the influence of Abduh, imploring the situation of Muslim women in a critique supported by the equality of men and women in the Shari'ah which was later followed by a second book minimising his original Islamic reference.<sup>516</sup>

The moral imperative of equality was pursued by al-Ghazali in the realm of Muslim and non-Muslim relations in the Arab world. Revision of the juristic positions on non-Muslims was undertaken by al-Ghazali in the application of the *maqasid al-Shari'ah* to this pressing issue. Several elements concerning the position of non-Muslims were reinterpreted to advocate their participatory role. Adaptation of the notion of *ahl al-dhimma* by Yusuf al-Qaradawi incorporating the concept of citizenship expanded the role of non-Muslims in a democratic Islamic state. A principle of reciprocity is argued by al-Ghazali whereby Muslims and non-Muslims share the identical moral obligations and rights. Islam provides a universal set of rights and interests that transcends religious affiliation. Ibn Taymiya is directly cited by al-Ghazali that a non-Muslim ruler who governs dispensing justice possesses more legitimacy than a Muslim ruler who is authoritarian. Passages of the Qur'an and examples from the early Muslim past once again demonstrate the rule of reciprocity among human beings regardless of gender, religion or race. A similar approach to the past is adopted by Numani who finds precedents in the Muslim past, in the reign of the Umar, second *khalifah* (head of the Muslim community), in the dispensing of charity to the underprivileged among non-Muslims seeking to maintain their welfare. Another instance cited by Numani concerning non-Muslims supplies proof for the exemption of the *jizya* (poll-tax) when they served in the Muslim armies of the past. Subtle changes in the positions of Muslim scholars from the reformist tendency were due to the application of the *maqasid al-Shari'ah* to the Islamic tradition's cultural and intellectual resources. Beginning with the

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<sup>516</sup> Zaki Badawi, *The Reformers of Egypt: A Critique of al-Afghani, Abduh and Ridha* (Slough: The Open Press, 1976), 43; See Qasim Amin, trans. Samiha Sidhom Peterson, *The Liberation of Women and The New Women: Two Documents in the History of Egyptian Feminism* (Cairo: American University Press, 2000).

foundational texts of Islam, the process of the revision and modification of existing elements could be undertaken within the mantle of orthodoxy.

The classical position of the jurists on *jihad* was based on a division between *al-jihad al asghar* (the lesser *jihad*) and *al-jihad al-akbar* (the greater *jihad*). The former was concerned with outward forms of actions maintaining Islam or protecting the interests of Muslims and the latter pertained to the spiritual and moral discipline of Muslims. Muhammad al-Ghazali revised and retained this dichotomy between the two interrelated variants of *jihad* (to struggle) to propose a new interpretation based on the sacred texts of Islam. The notion of *jihad* is expanded to respond to the new realities of Muslims: the appearance of the modern state and the need for progress to ameliorate the conditions of the Muslim world. The modern state has changed how warfare is conducted and thus renders the individual act of preparing and leaving for war no longer necessary. A third meaning of *jihad* seems to arise from al-Ghazali's revision of this notion. Afflicted with decline, the Muslim community requires a concerted effort to stem this predicament with *jihad* considered to be the acquisition of knowledge to achieve progress in human civilisation. I think al-Ghazali formulated a broader conception of *jihad* to accommodate the challenges facing the Muslim community within the boundaries of the nation-state. The means of warfare were to be legitimately exercised by the modern state in a radically changed context. However, al-Ghazali does not restrict the performance of *jihad* to either warfare or personal piety of Muslims – development appears to be a priority for the Muslim world.

Other contributions by al-Ghazali's peers to the waging of *jihad* equally tackle the changes Muslims have experienced. I point to the not too dissimilar forays into the texts of the Qur'an by Mahmoud Shaltut and Abou El Fadl. A nuanced and thematic understanding is proposed thus preserving the normative ethos of Islam – the performance of warfare is greatly qualified by conditions with emphasis on the 'Verses of Forgiveness' from the Qur'an. For Abou El Fadl, the principle of *salam* (peace) and the distinction between *jihad* and *qital* (fighting) are vital dimensions to be properly comprehended. Whereas *jihad* is an absolute imperative transcending time and place, *qital* is regulated and restricted in its specific context. I think al-Ghazali and most of his

contemporaries, surveyed in chapter 5, approach the notion of *jihad* in a juristic fashion seeking to tease out the moral implications of warfare on human beings. Preceding these reinterpretations, Ibn Taymiya's 'Mardin *fatwa*' demonstrates the broad scope to reinterpret the necessary conditions to carry out *jihad* where the *hal* (situation) of non-Muslim rule and Muslim subjects negates its exercise. The binary between *dar al-Islam* (abode of Islam) and *dar al-Harb* (abode of War) is revised to accommodate this new interpretation – change in one element affects another.

The advent of nationalism in the Muslim world is recent compared to the 14 century existence of the *ummah* (Muslim community). As the *ummah* expanded, the Islamic tradition necessarily grew over time. I contend al-Ghazali recognised this symbiotic relationship between Islamic civilisation on the one hand and the constantly changing interpretations of Islam on the other hand. Islam was the primary frame of reference for the identity of Muslims which did not preclude the existence of other identities. Nationalism is thus assessed against the criterion of Islam. I think al-Ghazali was extremely aware of the cultural resources of Arabism and proceeded to modify its elements. The linguistic dimension of Arabism was accepted by al-Ghazali matching Hasan al-Banna's own position. Ahmed Kamal Abul Majd, a prominent reformer, concedes greater space to Arabism within the Islamic tradition than al-Ghazali and al-Banna. He argues that the moral underpinnings of Arab culture, and by extension Arabism, are located in the broader Islamic culture. The primacy of Islam is stressed vis-à-vis Arabism, to varying degrees, by al-Ghazali's contemporaries whereby the *ummah's* main attribute is that of the *umatun wasatan* (middle nation).

### **Evaluative Criteria of a Qualitative Study into the Past**

My study of Shaykh Muhammad al-Ghazali's thought has focused on several of its facets. Throughout the chapters present in this thesis, I have tried to demonstrate the importance of situating Muslim authors, particularly reformers, in the contests taking place within the Islamic tradition. One central assumption, possessing far-reaching implications for other areas of research, is that tradition is a dynamic entity. Tradition is interpreted in the actual process of its

transmission necessitating a reconstruction of its elements and accounts by human beings. In the introduction, I outlined a framework of interpretation based on this set of assumptions. The insights and arguments of Edward Shils, Ashis Nandy and T.S. Eliot were incorporated and adapted into this framework. From within the Islamic tradition itself, the diversity of the readings of the Islamic tradition by Seyyed Hossein Nasr and Ziauddin Sardar affirms the efficacy of tradition as an explanatory concept. Thus, the concept of tradition was adapted into a complex framework complemented by the application of discourse analysis to the authors and works examined in the previous chapters. What follows is the evaluation of this thesis using the criteria of consistency, credibility and transferability.

### *Consistency*

In the preceding chapters, including the conclusion, I have argued that the Islamic tradition is composed of a patchwork of cultures, ideas, rituals and institutions. Importantly, these elements were transmitted orally and textually as well as by practical example. What was pertinent in this study was the focus on the transmission of the tendency of *tajdid* in a web of texts, scholars and students. The works of Muslim scholars, who were actively reformist, adopting a direct interpretation of the sacred texts of Islam and advocating the reform of the Muslim community, formed the source material for interpretation. Discourse analysis was applied to the works of scholars ranging from Ibn Taymiya to Mahmoud Shaltut. I think the patchwork nature of tradition has been amenable to the notion of discourse. In the introduction, I discussed the relevant theoretical issues to tradition – the dispersion of power coincides with the heterogeneity of a tradition. The authoritative character of discourse is acquired in a similar pattern to my treatment of the Islamic tradition. Works by Muslim authors were accordingly situated in a tradition whose internal elements could be modified in acts requiring authoritative sanction. For Muslim scholars, *ijtihad* was the legitimate act of innovation.

I must also raise the issue of the difficulties that necessarily ensue in tackling a tradition that is over 14 centuries old. Due to the vast number of works written by Muslim scholars in this period I was required to be diligently

selective in choosing authors to be examined. Secondary sources proved to be indispensable in surveying the seemingly countless authors who have contributed to the formation of the Islamic tradition. Fazlur Rahman, Seyyed Hossein Nasr and Larbi Sadiki have written profusely on the phenomenon of *tajdid*, the Islamic tradition and contemporary Political Islam respectively. Their works allowed me to make informed and judicious selections of past and present Muslim scholars and thinkers. General books and articles thus served as an essential reference.

The choice of Muhammad al-Ghazali as the main author to be examined also provided important suggestions for the inclusion of other authors. Al-Ghazali in his multifaceted role as a Muslim scholar, preacher, author and teacher, influenced and was influenced by other Muslim scholars. High profile reformers were tied to al-Ghazali in important ways. Hasan al-Banna, the *murshid* of the Muslim Brotherhood when he was a member, Mahmoud Shaltut, his teacher at al-Azhar University, Yusuf al-Qaradawi, his fellow Azhari compatriot, and Khaled Abou El Fadl, his student, demonstrate the strength of the reception and transmission of the Islamic tradition by al-Ghazali throughout the twentieth century. The inclusion of these individuals, and others, is in large part motivated by their close proximity to al-Ghazali and contributions to the Islamic tradition continuing into the present. The tendency of *tajdid* in the Islamic tradition was highlighted and approached in this study with the intention of applying discourse analysis to arrive at a thick description of al-Ghazali's thought.

### *Credibility*

Importantly, the credibility of my study is ascertained through examining whether its findings accurate and fairly 'represent' the positions and argument of the authors singled out for analysis. Representative-ness of the reformist tendency within the Islamic tradition is a priority in this thesis. I used both English translations of works and Arabic books written by Muslim scholars. Reliance upon English translations may lead to a distortion of the meaning intended by the original author replaced by the translators' own understanding. This is a legitimate issue of concern when interpreting translated texts. Certain

weaknesses were detected in the English translations of original books. The quality of some of the translations was questionable. However, the majority of the translated books were of a very high standard. Often, content words or nouns in English were accompanied by the transliterated original Arabic term. I was able to establish the accuracy of the meaning in the translated books based on the consultation of the original Arabic books, when possible, using an Arabic-English bilingual dictionary and general reference books. Examination of the English translations rested upon reading the translated texts in light of the bilingual dictionary, other primary sources and general reference books such as Abdur Rashid Siddiqui's *Qur'anic Keywords: A Reference Guide*. Siddiqui's book was an indispensable general dictionary on the major terms found in the Qur'an. Further, I discovered that al-Ghazali was directly affiliated with a few of the organisations and individuals that produced the translations of his Arabic books. Al-Ghazali was a senior figure, based in Cairo, involved with the International Institute of Islamic Thought (IIIT) which translated *Nahwa tafsir al-mawdu' li suwar al-qur'an al-karim* into English under the title *A Thematic Commentary on the Qur'an* – the same book was translated by Dar al-Taqwa as *Journey Through the Qur'an: The Content and Context of the Suras* (London: Dar al-Taqwa, 1998). I was aware of the differences between the two translations which I tried to reconcile through a critical reading of the quality of language, approximate accuracy in light of al-Ghazali's thought and authoritative secondary sources. However, I preferred to use IIIT's translation in this study for the sake of consistency and due to the shared intellectual ground between al-Ghazali and this organisation.

*Remembrance and Prayer: The Way of the Prophet Muhammad* was a translation of al-Ghazali's *Fann al-dhikr wa al-dua inda khatam al-anbiya* carried out by Yusuf Talal DeLorenzo at his request. I have tried to somewhat mitigate the risk of misinterpretation in this study through reference to authoritative books, of a general and specific character, concerning the various dimensions of Islam and al-Ghazali. A solution was also found in the works of al-Ghazali's students who have written in English such as Jasser Auda and Abou El Fadl. I think the incorporation of this written material, functioning both as primary and secondary sources, has enriched a study on the reformist venture of al-Ghazali

within the Islamic tradition. These authors occupy the position of being devout participants in the Islamic tradition and rigorous observers of this tradition.

Multiple sources were compared in the process of their collection and interpretation. The study identified differences and similarities in the works of al-Ghazali and his peers which were scrutinised in light of each other and secondary sources. Different voices from the Islamic tradition were acknowledged and interpreted. It was a principal objective of this study to give ample space to contemporary Muslim scholars and intellectuals to express their positions in the context of *tajdid* and the Islamic tradition. Constant re-evaluation of my formative interpretations occurred as I revisited individual books from the primary sources when I was interpreting other books. I think the application of discourse analysis was a suitable method for the study concerned with language and ideas contained in published written material.

### *Transferability*

As I have noted previously, the vast corpus of works by a lesser, although still immense, number of Muslim scholars presented some obstacles in charting this period since the inception of the Islamic tradition until the present. I was able to avoid this issue through consulting scholarly and authoritative works on Islam in the past and present. Muhammad Hamidullah's *The Emergence of Islam*, Kemal A. Faruki's *Islamic Jurisprudence*, Taha Jabir al-Alwani's *Issues in Contemporary Islamic Thought* and Marshall Hodgson's *Rethinking World History* provided extremely valuable and informative accounts about the early formation and classical period of the Islamic tradition. The application of discourse analysis to al-Ghazali and other Muslim scholars sought to map out the continuities from the past and innovations in the present. Continuity and innovation seem to have shaped the intellectual dynamics of the Islamic tradition in ways enabling Muslim scholars to reinterpret not only the sacred texts but also other interpretations. The past recorded and transmitted in tradition is susceptible to innovation in the process of transmission.

I think the framework of interpretation in this study, based on the concept of a dynamic tradition, can be usefully applied to other Muslim scholars. Further,

I have indeed applied this framework to Muslim scholars from the past and present including Rifa'a Rafi al-Tahtawi, Shibli Numani and Zaki Badawi. Similarities and differences among contemporary Muslims established in this study were discussed at length focusing on several interconnected themes. The variety of authors examined in this study does demonstrate the transferability of the framework of interpretation deployed here. The key categories in this study are: tradition and the tendency of *tajdid*. Further examination in the form of monographs or comparative examinations of Muslim scholars can be undertaken in the future. Precedents to the interpretation of the past and present of Islam in this study getting away from the Eurocentric notion of history undoubtedly do exist.

An incisive book by Ziauddin Sardar, although published in 1979, still possesses enormous relevance in contributing to the emergence of a critical and nuanced approach to the past of Muslims as a living and dynamic entity.<sup>517</sup> The notion of a living past where human beings are able to cultivate a meaningful present, a principal premise of this study, can be adapted to understand the Islamic tradition's various facets such as the ethos of justice. Other attempts to derive insights from other cultural contexts about the potential applicability of tradition to Islam have appeared. In this vein of thought, I would like to mention a terse yet insightful contribution by Yasushi Kosugi that juxtaposes tradition and modernisation in a mutually compatible relationship. He puts forward a conception of tradition applied to Japanese society with its dominant Confucian values that played an essential role in the process of modernisation, the adaptation of the most recent advances in civilisation, which could allow us to better understand contemporary Islam.<sup>518</sup>

My own study on al-Ghazali can be situated in previous scholarship aiming to reconcile the categories of tradition and change, including syncretism of different cultures, thus offering a rich description of the Islamic tradition in the twentieth century. I think indigenous voices such Muhammad Iqbal, Fazlur Rahman and Abdolkarim Soroush can be convincingly brought into the range of

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<sup>517</sup> Ziauddin Sardar, *The Future of Muslim Civilisation* (London: Croom Helm, 1979), 167–88.

<sup>518</sup> Yasushi Kosugi, 'Tradition and Modernization: Reflections on Islam and Confucianism in Japan', in Osman Bakar and Cheng Gek Nai (eds.), *Islam and Confucianism: a Civilizational Dialogue* (Kuala Lumpur: University of Malaya, 1997), 163–71.

interpretation of tradition through the application of discourse analysis. Moreover, their works straddle multiple traditions while still being firmly grounded within the Islamic tradition. I would like to further pursue investigating how these Muslim scholars have negotiated more than one tradition in a transcultural context. The elucidation of the construction of syncretism according to a reformist ethos can offer new insights into the various facets of authority, morality and jurisprudence in reconciling continuity and innovation.

Finally, concerning internal syncretism, the boundaries between orthodoxy and heterodoxy in the Islamic tradition did not imply the absence of the latter in the process of transmission. In the Islamic tradition, although the *ulama* (Muslim scholars) enjoyed widespread authority, they belonged to many schools of thought that consolidated themselves by emphasising specific interpretations of the sacred texts and of the Muslim past. Differences thus ensued which may help explain the shifting boundaries of orthodoxy, including and excluding particular practices, beliefs and values. I refer to Muhammad al-Ghazali's efforts in the twentieth century to foster an ecumenical space between Sunni and Shia Muslims in works such as *Laysa min Islam*. Future scholarship within an interdisciplinary framework would be enriched by studies into the continuously dynamic normative space of the Islamic tradition that sustains differences.

## GLOSSARY

<p><i>adl</i>  <i>adab</i>  <i>adat</i>  <i>ahad hadith</i>  <i>ahadith</i>; sing. <i>hadith</i></p> <p><i>ahkam</i>  <i>ahkam al-baghah</i>  <i>ahl al-dhimmah</i></p> <p><i>ahl al-hall wa l'aqd</i></p> <p><i>ahrar</i>  <i>ajir</i>  <i>al-amal al-salih</i>  <i>al-amanah</i>  <i>alamiyah</i></p> <p>Al-Azhar University</p> <p><i>amir</i>  <i>amr bil ma'ruf wa nahy an al-munkar</i>  <i>aqeedah</i>  <i>aql</i>  <i>asabiya</i>  <i>asala</i>  <i>bab-ul-ijtihad</i>  <i>al-badeel al-Islami</i>  <i>bay'ah</i>  <i>Dar al-uloom</i></p> <p><i>dar al-Harb</i>  <i>dar al-Islam</i>  <i>daruriyat</i>  <i>dawah</i>  <i>al-dawla</i>  <i>dihliz</i></p> <p><i>Din</i>  <i>al-din</i></p>	<p>justice  etiquette  customs  <i>hadith</i> with a single line of transmission  tradition of the action or speech of the Prophet Muhammad  rulings  legal doctrines of rebellion  non-Muslims who received the status of protected people under Islamic law  literally those who loose and bind, refers to the influential and powerful members of the Muslim community  free person  employee  good deeds  trust  scholarly certificate of graduation from one of the faculties of religion at al-Azhar University  one of the most authoritative religious seminaries for the study of the Muslim religious sciences in Egypt until reforms passed in the twentieth century transformed it into a university with religious and non-religious faculties  commander  enjoining the good and forbidding the evil</p> <p>beliefs  human intellect  group-solidarity  authenticity  closing the doors of <i>ijtihad</i>  the Islamic Alternative  oath of fealty to a ruler  the Abode of Learning was established in Egypt by Ali Mubarak in 1872 with a reformist-based curriculum combining the instruction of traditional religious and new non-religious subjects  abode of War  abode of Islam  necessities  propagation of Islam  the state  a threshold position employed by Ebrahim Moosa to describe Abu Hamid al-Ghazali's intellectual syncretism  Islam, way of life  religion</p>
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<i>dustur</i>	constitution, in al-Ghazali's parlance it possesses two meanings: comprehensive source for a Muslim's rights and duties and a political document of the constitution
<i>Dustur al-Medina</i>	see <i>Sahifat al-Medina</i>
<i>falsafa</i>	philosophy
<i>fard ayn</i>	individual duty that is mandatory for all Muslims to undertake
<i>fard kifaya</i>	collective duty that when undertaken by some members of the Muslim community exempts the rest from it
<i>fatwa</i>	legal ruling issued by a Muslim scholar
<i>al-fikr al-Islamiya</i>	Islamic thought
<i>fiqh</i>	jurisprudence
<i>fiqh al-dawlah fi al-Islam</i>	jurisprudence of the state in Islam
<i>al-fiqh al-Islamiya</i>	Islamic jurisprudence
<i>fitrah</i>	elemental human sense
<i>ghayat</i>	ends to be accomplished
<i>hajiyat</i>	exigencies
<i>hajj</i>	pilgrimage to Islam's holiest holy places to be performed at least once in a Muslim's lifetime
<i>hal</i>	situation
<i>harakat al-Islami</i>	the Islamic movement
<i>hayah ta siyasa</i>	constituent body within the <i>Jama'at al-Ikhwān al-Muslimun</i>
<i>hijra</i>	migration from territory deemed to be hostile to Muslims to a place of refuge and security
<i>hikma</i>	literally wisdom, refers to the purposes of Islamic law or philosophy
<i>hubb</i>	love
<i>hubb al-watan</i>	love of the nation
<i>hudud</i>	boundaries of the Shari'ah pronounced in the Qur'an
<i>hukm al-jumhuriya</i>	government by the masses
<i>huriya</i>	freedom
<i>Ibadat</i> , sing. <i>ibadah</i>	forms of worship
<i>ihsan</i>	excellence
<i>ihya</i>	revival
<i>Ihya ulum al-din</i>	Abu Hamid al-Ghazali's <i>opus magnum</i> of <i>The Revival of the Religious Sciences</i> elucidates the inner dimensions of Islam
<i>ijma</i>	consensus
<i>ijtihad</i>	independent judgement in matters of Islamic law
<i>al-Ikhwān al-Muslimun</i>	Weekly magazine published by the Muslim Brotherhood in the 1940s
<i>ilm</i>	literally knowledge, alluding to the Muslim religious sciences
<i>ilm al-rijal</i>	science of transmitters of <i>ahadith</i>
<i>al-'ilmaniyya</i>	Secularism
<i>imam</i>	prayer leader in mosque or political ruler
<i>imamah</i>	legitimate form of Muslim government
<i>iman</i>	faith
<i>insaf</i>	equity

<i>irshad</i>	guidance
<i>islah</i>	reform
<i>islam</i>	submission
<i>irtifaqat</i> ; sing. <i>irtifaq</i>	stages of socio-economic development expounded by Shah Waliyullah al-Dihlawi to illustrate the evolution of human civilisation
<i>jahiliyah</i>	age of pre-Islamic ignorance
<i>jalb al-masalih wa daf al-mafasid</i>	promotion of welfare and removal of harm
<i>Jama'at al-Ikhwan al-Muslimun</i>	Society of the Muslim Brotherhood
<i>jihad</i>	to struggle for a noble cause pertaining to inner spiritual discipline or outward martial acts
<i>jins</i>	nationality
<i>jizya</i>	poll tax paid by <i>ahl al-dhimma</i> in lieu of military service
<i>jumhuriya iltizamiyya</i>	tax-farming government of the masses
<i>jumhuriya</i>	republic
<i>kalam</i>	classical Muslim dialectical theology
<i>khalifah</i>	vice-gerent of God or head of the Muslim community
<i>khatib</i>	person who gives the mosque sermon on Friday communal prayer
<i>khilafah</i>	literally deputy, human vice-gerency of God on earth or office of <i>khalifah</i>
<i>al-kulliyat al-khams</i>	the five universals constituting the <i>daruriyat</i>
<i>kuttab</i>	mosque school for adolescents to learn the recitation of the Qur'an
<i>mabda al-haraka</i>	principle of movement
<i>madhahib</i> ; sing. <i>madhhab</i>	classical rites of jurisprudence each with its own canon of methods, principles and rules which nonetheless have remarkable similarities
<i>madina</i>	city-state
<i>al madina al-fadila</i>	al-Farabi's ideal polity of the virtuous city
<i>madrasa</i>	religious seminary
<i>al-mal</i>	wealth
<i>manhaj</i>	Muslim methodology composed of elements of interpretation and norms
<i>maqasid</i>	see <i>maqasid al-Shari'ah</i>
<i>maqasid al-Shari'ah</i>	objectives of the Shari'ah
<i>masalih</i> ; sing. <i>maslahah</i>	public interests
<i>al-maslahah al-mursalah</i>	the unrestricted public interest
<i>matn</i>	content of tradition reporting actions and sayings of the Prophet Muhammad
<i>mo'asser</i>	modernist
<i>mu'amalat</i>	social transactions
<i>mufassirin</i>	Qur'anic commentators
<i>mujtahidun</i> ; sing. <i>mujtahid</i>	practitioners of <i>ijtihad</i>
<i>mulzimah</i>	mandatory nature of <i>shura</i>
<i>al-Muqaddimah</i>	<i>The Prolegomena</i> authored by Ibn Khaldun is the first part of a multivolume commentary and interpretation of human civilisation

<i>murakkab</i>	composite of different characteristics in single entity
<i>murshid</i>	term of Sufi guide adopted by the Muslim Brotherhood to denote leadership of the movement
<i>al-nafs</i>	life
<i>nahda</i>	Renaissance
<i>naql</i>	transmitted
<i>al-nasl</i>	progeny
<i>qadar</i>	pre-destination
<i>al-qalb</i>	literally the heart, refers to the faculty of acquiring spiritual knowledge
<i>qawanin</i> ; sing. <i>qanun</i>	state laws
<i>qital</i>	narrowly defined to mean fighting in contradistinction to <i>jihad</i> which has a broader and normative meaning
<i>qiyas</i>	analogy in <i>usul al-fiqh</i> to extrapolate rules for new cases from existing rules in the Qur'an or <i>ahadith</i>
<i>al-ra'i</i>	literally the shepherd, those who exercise political authority
<i>al-ra'iyya</i>	literally the flock of sheep, the subjects
<i>sadaqa</i>	charity
<i>sahaba</i>	companions of the Prophet Muhammad who accompanied him after the initiation of Islam
<i>Sahifat al-Medina</i>	Charter of Medina drafted after the Prophet Muhammad arrived in Yathrib, later called Medina al-Nabi shortened to Medina, stipulating the rights and duties of its inhabitants on the freedom to practice their religions and live without persecution.
<i>al-sahwa al-Islamiya</i>	the Islamic Awakening
<i>salafi</i>	advocate of the emulation of the righteous forebears, including <i>sahaba</i> and the generation following them or <i>tabi'un</i> , without the hindrance of the classical tradition
<i>salah</i>	the five daily prayers a Muslim performs
<i>Salaf</i>	see <i>al-salaf al-salih</i>
<i>al-salaf al-salih</i> ;	the righteous forebears of the <i>sahaba</i> of the Prophet Muhammad and the <i>tabi'un</i> (followers)
<i>salam</i>	peace as a Qur'anic normative value and it is also linked to one of the <i>asma al-husna</i> (the beautiful names) of God, <i>al-Salam</i>
<i>samahah</i>	tolerance
<i>sanad</i> ; sing. <i>isnad</i>	lines of transmission of a <i>hadith</i>
<i>sawm</i>	fasting during the month of Ramadan
Shari'ah	literally the way, the divine law in Islam
shaykh	title for a tribal elder or one who is learned in religious knowledge
Shiism	beliefs and practices of a branch within Islam characterised by the idea that the succession of leadership of the Muslim community fell to the Prophet's son-in-law Ali ibn Abu Talib and, through Fatima, his descendents.
<i>shura</i>	consultation
<i>sirah</i> ; plural <i>siyar</i>	the epic of the Prophet Muhammad
<i>siyasah</i>	politics

<i>al-Siyasat al-Shari'iyah</i>	the Shari'ah policies
Sufism	mysticism in Islam referring to the practices and beliefs of the many different <i>turuq</i>
<i>sunnah</i>	normative example of the Prophet Muhammad possessing immense legal and moral weight for a wide range of issues
Sunni	Muslims who espouse the view that the political succession of the Prophet Muhammad was a matter of choosing the person who was considered to be most capable to lead the Muslim community
Sunnism	beliefs and practices of a branch within Islam stressing the legitimacy of the <i>al-khulafa al-rashidun</i> (the rightly-guided successors) and the consensus of the majority of Muslims
<i>suwar</i> ; sing. <i>surah</i>	chapters in the Qur'an
<i>taghiyr al-munkar</i>	to change any wrong
<i>tahsiniyat</i>	embellishments
<i>tajdid</i>	renewal
<i>takfir</i>	practice of declaring apostasy
<i>tanzimat</i>	reorganisation of the state based on the reforms enacted by successive Ottoman Sultans in the nineteenth century
<i>taqlid</i>	imitation or emulation in matters of Islamic law
<i>tasawuuf</i>	science of mysticism
<i>tawhid</i>	unity of God
<i>turath</i>	Arabo-Islamic heritage
<i>turuq</i>	Sufi brotherhoods
<i>ummah</i>	the Muslim community
<i>umatan wasatan</i>	Qur'anic description of the Muslim community as a middle nation
<i>ulama</i> ; sing. <i>alim</i>	Muslim religious scholars
<i>usul</i>	foundations
<i>usul al-din</i>	science of the principles of religion
<i>usul al-fiqh</i>	science of the foundations of jurisprudence
<i>al-usul al-ushroon</i>	Hasan al-Banna's The Twenty Principles expounding the tenets of unifying and reviving the Muslim community
<i>usur</i>	undue difficulty
Wafd movement	literally delegation, political movement founded after 1919 for the independence of Egypt from the British protectorate status and colonial military occupation
<i>wahdah al-shuhud</i>	the unity of witness
<i>wahdah al-wujud</i>	the unity of being
<i>wasal</i>	means employed to fulfil the <i>ghayat</i>
<i>waseteya</i>	centrism
<i>watan</i>	nation
<i>wa'z</i>	preaching
<i>al-wazi al-dini</i>	the religious restrainer referring to role of the Shari'ah in politics
<i>yusr</i>	extreme ease
<i>zakat</i>	almsgiving
<i>zuhd</i>	asceticism

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