Centring the Islamicate: New Understandings of Religious/Secular and Traditional/Modern Dichotomies

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Acknowledgements

Abstract

This thesis is an exploration of the impact that Orientalist/colonial epistemologies have had on contemporary understandings of Islam. Specifically, this work will look at the effect that two dichotomies have had on the Islamicate worldview: religion/secularism and the traditional/modern. Whilst the effects of the religion/secularism dichotomy have been well documented in previous literature, the traditional/modern dichotomy has been relatively neglected. A detailed mapping of the imposition, and subsequent function, of the two dichotomies both from Orientalists, as well as an importing of the dichotomies by members of the Islamicate is needed. This will show why both of these dichotomies need to be replaced by concepts which place the Islamic(ate) at their heart. This process will begin by introducing the categories of (fundamentalist) declinism and ethicism to replace traditionalism and modernism. A series of foundational questions for declinism and ethicism will also be advanced. The second part of this process will be the invention of replacement for religion/secularism. For religion, an already existing alternative, Islam as language, will be adopted. As for secularism, Reconstructionism, a concept whose main purpose will be to manage intra-Islamicate difference, shall replace it. The implications of all of these changes will be discussed with pointers towards further research.

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Introduction

Islam is itself Destiny and will not suffer a destiny (Iqbal, 1930)

"Islam", declares Ansary (2009: 49), "was not just an abstract ideal of community, but one particular community with a world-changing destiny". So what happened? The title of Ansary's (2009) work gives a succinct answer. *Destiny Disrupted*. A blind eye to developments in Europe as well as increasingly fractious internal politics led to destiny being pulled from under the Islamicate world.[1] Islam was no longer destiny but suffered a destiny.

This work inserts itself into this story about destiny. Or more specifically, this work groups itself with those who wish to recover a lost destiny. Whilst Ansary (2009: xxi) believes the Islamicate narrative to be "flail[ing] in its effort not to die", this work argues that the Islamicate narrative is alive but simply turned into a scandal. This work provides a contribution to a coming world in which Islam is neither a residue nor a scandal but has a place (Sayyid, 2014a: 1).

The disruption of Islamicate destiny takes two forms: through colonial governance and through the insertion of a new epistemology. This work will focus on the new epistemology. The contribution of this work will be based around the displacing of two dichotomies central to colonial epistemology: that

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[1] Whilst the distinction between Islam and Islamicate has its origins in Hodgson ([1974] 1977 :57-59) its usage here is somewhat different. Islam is seen to be a language comprised of the Text, Pre-Text and Con-Text as explained in Ahmed's (2016) work. Islamicate, as used in this work, is seen as synonymous with Ahmed's (2016) idea of the Con-Text of Islam. The Con-Text is the name given to all the interpretive activity that has gathered around the Text (Quran) and the Pre-Text (the Truth "beyond and behind" the Quran of which the Quran is a single part) (Ahmed, 2016: 346-347, 359-360).

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of religion/secularism and traditionalism/modernism. This thesis starts from a point that centres Islam and the Islamicate experience. With this backdrop in mind, this work places at the centre the following question: What is the best way for the Islamicate to project itself in the contemporary world?

From this broad research aim, three subsidiary questions are drawn out:

1) How did the religion/secularism and traditional/modern dichotomies help the disruption of destiny? How can we reverse this disruption?
2) Can these dichotomies be adopted by the Islamicate world?
3) If it is found these dichotomies cannot be applied to the Islamicate without it being scandalised, then what takes their place?

Each of these questions in turn can be unpacked in order to show the reasoning behind their selection.

The first subsidiary research question centres on how the two dichotomies were part of the effort to disrupt the destiny of Islam. In essence, what this piece wishes to know is how the two dichotomies played their part in turning Islam from destiny into something that suffers destiny. For this research question, we find that existing literature covers the question of the imposition of the religious/secular thoroughly. The imposition of the traditional/modern dichotomy in shaping the Islamicate and the subsequent debates has not been adequately covered.

The second of our subsidiary research questions concerns the validity of the concepts of religion/secularism and traditional/modern outside of the West. Much has been written on the religious/secular dichotomy and this vast body of literature will be drawn upon to inform the conclusions of this work. The reason why the religious/secular dichotomy has been chosen, despite so much being written on it, is that not many alternatives to it have been offered. When we look at the alternatives generated from a point that centres on the Islamicate, the list becomes even smaller.

The traditional/modern dichotomy has not been as focused on in recent literature on Islam and the Islamicate. Whilst there is literature on one or the other side of this dichotomy, it is very rare to find a piece that deals with the traditional/modern dichotomy in relation to the Islamicate. This is surprising given the close link this dichotomy has with the religious/secular and the masses of literature written on the latter. This work seeks to remedy the relative neglect shown to the traditional/modern dichotomy, in relation to the Islamicate, in recent scholarship.

The third subsidiary research question relates to the two dichotomies and the place of Islam in the present world. If it is found that these dichotomies simply continue the scandalisation of Islam then they must be replaced. If we get rid of these dichotomies then we begin operating in a vacuum. Ground must first be staked in this vacuum before we can start building concepts with the Islamicate

at their heart. This research question serves to bring together a number of key

debates that inform this entire piece. These debates will be discussed in the

following section.

Formation and Projection of the Islamicate in the Contemporary World

This work positions itself at the intersection of four major debates about the formation and projection of the Islamicate in the contemporary. The first, and most foundational, is that debate which is centred around Orientalism and the various responses to it. The debate centred on the validity of the concepts of religion and secularism is the second debate. The next central debate is that between the Islamicate traditionalists and modernists. The fourth is the debate around which political system would be best for the Islamicate (especially in terms of managing difference).

Why these debates? All four of these debates speak to the main aim of this thesis: how best to form and project the Islamicate in the contemporary world. At the base of these debates is the debate around Said's *Orientalism*. It is only by the Islamicate producing independent knowledge that it can be free to project itself. The next two debates, around religion/secularism and traditional/modernism, arise out of our consideration of Orientalism. These two dichotomies are two of the foundational pillars of the Orient constructed by the West. As such they need to replaced (Dabashi 2013: 4, 8).[2]

The last debate centres on the post-western world.[3] Once the gaze of the West

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[2] See Sayyid (2014a: 42-44) for how secularism is deployed to combat "the articulation of Muslim identity". This justifies the choosing of the secularism, and finding a replacement for it, as the main focus of this thesis.

[3] Post-Western is understood here as Dabashi (2013) deploys it.

is met and removed from its hegemonic position, the debate concerning the best way to govern the Islamicate takes on more urgency. It is into this debate that this thesis will insert its main contribution, reconstructionism.

Orientalism

In 1950, Michel Leiris wrote on the relationship between anthropological knowledge and colonialism. The questions that formed the basis of his investigation have continued to form the basis of the debate to this day. What is the relationship between European knowledge about the rest of the planet and the Western will to power? How have Western writers been immersed in colonial and neo-colonial situations? How have Western writers reacted to the prevailing conditions of inequality? (Clifford, 1980: 204).

Leiris's work pointed to one basic truth. Whilst the West had written about and studied the rest of the world, the opposite is not true. Leiris thereby announced a new order in his work; those who had been studied will write back. The Western gaze would not only be met but would be blinded by the breaking out of multiple communities from Western hegemony.

It is in this context that Edward Said wrote *Orientalism*. Clifford (1980: 205) argues that *Orientalism* should not be seen as a simple anti-imperial project but also as reflective of the uncertainties following Leiris's work. *Orientalism* is the first of a trilogy of works and could be said to have helped found the field of postcolonial studies (Bazian, 2016; McLeod, 2010: 24, 32). In addition, Said has

been credited with being the first to apply the theories of Foucault in cultural analysis and in the English-speaking academy in general (Goodwin-Smith, 2010: 587; Clifford, 1980: 212).

In *Orientalism*, Said devotes himself to uncovering the means by which orientalism operates. In the first instance, he writes that Orientalism constructs a binary between West and non-West, a theoretical tool commonly referred to as the idea of "the West and the Rest". The non-West, in this binary, is always seen as that which the West is not and this distinction is replayed through various mediums.[4] So whereas the West has democracy and progress, the Orient is plagued with backwardness and despotism (Said, 2003: 2-3).

Said (2003: 3, 6) also argues that orientalism is institutional. By this, he means that the fantasies of orientalism are used and circulated within academic and other institutional infrastructures and, in this way, gain legitimacy as "true knowledge". It is in this way that the Orient becomes an object of study in the academy and it is for this reason that orientalism has played out over a broad range of subject fields such as anthropology, biology and linguistics. By "knowing" the Orient, the West was able to construct an "Orient" which allowed the Western elites to place themselves at the top of the civilizational hierarchy. This "knowing", Said argues, is constitutive of an archive of knowledge which orientalists draw upon when talking about the Orient (Said,

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[4] A particularly notable example is Frank Miller's "300" (2006) in which the savage Orient is seen as a threat to the freedoms of the civilized Occident. The movie led to complaints by Iranians and the Iranian diaspora across the world (Golsorkhi, 2007).

2003: 12-13).[5] Connected to this idea of the archive is the split Said makes between latent orientalism and manifest orientalism. Latent orientalism refers to those pieces of knowledge that make up the archive of knowledge about the Orient. Manifest orientalism is the deployment of this archive over many genres and differing historical periods. Thus, it can be surmised that Said believes latent orientalism to be the unchanging core of orientalism and manifest orientalism to be the way this unchanging core is produced based on its historical context and on the peculiarities of the specific author (Said, 2003: 222-223).

In addition to being present within academic circles, Said (2003; 1994) argues that orientalism appears within the creative arts also. In his later work, "Culture and Imperialism", Said (1994) looks at the orientalism and imperialism implicit in the stories and poems of Austen, Conrad and Yeats. It is through this appropriation of the creative arts that orientalism gave birth to a new genre of writing, one which celebrates Western experience both at home and abroad. Whilst Said looks primarily to novel writing and lyric poetry, it could be said that orientalism has adapted to new forms of media such as video games (see Komel, 2014; Hoglund, 2008; Sisler, 2008; Tucker, 2006).[6]

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[5] Hall ([1992] 1995: 206-207) identifies four sources that make up the archive: classical knowledge, religious and biblical texts, mythology and travellers' tales.

[6] Komel focuses on the game, Assassin's Creed and argues that the protagonist represents a "Occidentalized Oriental hero" (Komel, 2014: 77). Hoglund (2008) engages in a study of various military shooter games and how they portray the Arab world. He argues that these games are representative of an "American neo-Orientalism" (Hoglund, 2008). Sisler (2008) looks at a wide variety of European and American games in order to see how they construct the Muslim/Arab

There have been many responses to Orientalism. We shall split the responses into two: denial and acceptance.

The denial camp of this debate asserts that Said's work is full of methodological errors, misinterpretations and historical inaccuracies. These critiques have come from both the academic world as well as that of public intellectuals (see Ibn Warraq, 2007; Kamiya, 2006; Irwin, 2006; Halliday, 1993).[7] Others have argued, sometimes in addition to the above critiques, that Said, whilst arguing against the essentialisation of the East, essentialises the West (Achcar, 2013: 91; Al-Azm, 1980).

According to Sayyid (1997: 35) these criticisms come from the "blank spaces and ambiguities within Said's text". Sayyid points to the limits of Said's text by considering the "fate of Islam after *Orientalism*". However as Sayyid (1997: 35) notes, Said seems to be aware of this ambiguity in his work. As we have seen, Said believes that Orientalism constructs the Orient (this is what Sayyid (1997: 32-33) calls "strong Orientalism"). Since orientalism fully constitutes Islam, if Said spoke about it he would be reinserting himself into orientalism. In order to speak about Islam, one must 'de-orientalize' first; that is, one must find another

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Other. He finds that different genres portray the Muslim/Arab through different lenses (either through Orientalism or a "conflictual framework") (Sisler, 2008: 214). Tucker (2006) looks at Japanese games and their reception in the Western world. He argues, "...orientalism persists as the default framework through which gaming depicts Eastern cultures" (Tucker, 2006).

[7] Ibn Warraq (2007: 20) argues that *Orientalism* is "peppered with meaningless sentences" and contradictions. Kamiya (2006) argues that Said use of historical evidence was "tendentious and distorted" and that he omitted certain orientalists because they proved his thesis wrong. Irwin (2006) argues that Said grossly misrepresents the figures that he writes about. Halliday (1993) focuses on critiquing the methodology of Said (in particular his reliance on discourse analysis).

point from which to speak. It is this "impasse" which Sayyid (ibid) argues has led

to the rise of the first of the acceptance camp: antiorientalism.

Antiorientalism has tended to focus on the role of Islam and also emphasise

guarding against essentialism (Sayyid, 1997: 37). The role of Islam for the

antiorientalist is the direct opposite of that of the orientalist. Noting the

orientalist fixation with Islam and its place, the antiorientalist dismisses the role

of Islam as "simply nominalism" (Ibid). The other prong of antiorientalism is to

conceive of an account of Islam, which rejects essentialism (ibid). This account is

centred on the polysemic nature of Islam and the creation of "multiple Islams".

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Sayyid's (Ibid) main critique is focused on the "problem of identifying these

'little Islams'". He uncovers two categories to which Islam is displaced: ethnicity

and ideology.

Sayyid (Ibid) find two problems with Islam as ethnicity. The first is that Islam

only marks ethnicity in certain contexts. Thus if Islam does not mark all ethnic

identities then it is an addition. This line of thinking assumes that ethnic

identities are incomplete. This then leads us to the conclusion that Islam cannot

simply be an addition to ethnic identities as it is required to complete them. The

second problem is that there is no justification given for the primacy of ethnic

identities. All identities are as equally constructed as each other. As such one

cannot determine which identity is more constructed by simply "examining the

nature of these identifications" (Ibid).

Sayyid (Ibid: 39) argues that to see Islam as ideology is to see it as a "system of

beliefs which... is a reflection of socioeconomic processes and struggles". Thus

Islam serves to cloud the real interests lurking underneath it. It is seen as the

vocabulary through which the real underlying concerns are voiced. Sayyid (Ibid)

argues that even if we do consider Islam as a vocabulary, it cannot simply be a

vehicle for a set of demands. Vocabularies are constitutive as well as

representational and, as such, the representation that vocabulary gives is itself

constitutive of what is being represented.

In order to explicate an antiorientalist position here, and to expand Sayyid's

(1997) framework to new thinkers, a liberal antiorientalist will be discussed:

Hamid Dabashi.[8]

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[8] The reason Dabashi has been chosen is because he provides an interesting case study in that he seemingly cuts across both of the roles antiorientalists usually give to Islam. In addition, a lot of work has been done on positions and critiques that come from a Marxist perspective (see for example Halliday (1993), Al-Azm (1980), El-Zein (1977)) while not much has been done on the liberal antiorientalist position which this work will argue that Dabashi represents.

Dabashi is writing in a context in which the West is exhausted and is in its

twilight years. This, along side his liberal tendencies, makes Dabashi's

antiorientalism different to his Marxist counterparts. Sayyid (1997: 38-39)

identifies two main roles that antiorientalists give to Islam, as ethnicity and

ideology. It can be suggested that the work of Dabashi gives the latter role to

Islam but also has an interesting relationship with the former.

> We should no longer address a dead interlocutor. Europe is dead. Long live
> Europeans. The Islam they had invented in their Orientalism is dead. Long
> live Muslims (Dabashi, 2015: 10-11).[9]

This quote provides the starting point of Dabashi's thought. The West is dead

and so are the categories and tools that the West deployed onto the Rest. So

the question becomes what to do with Islam.

Dabashi (2010) argues that Islam cannot be essentialised. In order to avoid this,

Dabashi focuses on Muslims and not Islam. This leads to him to argue that there

are many different kinds of Islam that are tied to various geographical locations

(Dabashi, 2010).[10]

On this basis, Dabashi is convinced that Muslims will create a European Islam.

This impetus to create a European Islam will not come from Islam itself but from

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[9] Similar sentiments regarding the death of Europe and the West can be found in Dabashi (2015:29), Dabashi (2013: 2-4,18).

[10] This phenomenon has been referred to as the "little Islams" view (Sayyid, 1997: 38) or the "islams approach" (Ahmed, 2016: 130). Both Sayyid (1997) and Ahmed (2016) critique this approach. Sayyid (1997: 38) argues that pluralization is not a defence against essentialization. Ahmed (2016: 135) argues that the islams approach operates in a zero-sum-game which constrains our options. Cf. Dabashi's argument with that of Al-Azmeh (1993) and El-Zein (1977).

"social forces". Examples of these social forces include peer pressure, forces of the market and globalised culture (Ibid). These social forces form the basis of the view Dabashi has of Islam and its place.

For Dabashi (2013: 7, 9-11, 14-17), Islam must restore the "cosmopolitan worldliness" which characterised the pre-colonial Islamicate. What this entails is a polyfocal, polyvocal, polylocal Islam which itself is only one voice that informs the Muslim experience (Dabashi, 2015: 177; Dabashi, 2013: 13-14, 16; Dabashi, 2010). Thus, it can be said that what constitutes both Islam and Muslims is the social forces of the area in which they find themselves

A point which Dabashi never quite fully answers is that, if Islam does not fully define what a Muslim is, what is the criteria through which we decide who is a Muslim and who is not? The fact that Dabashi believes that the categories Muslim atheist and Muslim agnostic are valid adds an urgency to this question.[11] What we find is that Dabasbi engages in circular logic. He argues that:

> Muslims, in the sanctity of their consciences, in the privacy of their hearts, and in the publicity of their normative and moral behaviours, will collectively decide what it means to be a Muslim (Dabashi, 2015: 169).[12]

So we find that Muslims will define Islam whilst themselves being at least partially defined by the social forces which surround them. This leads us to

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[11] The way Dabashi (2015:169) justifies the acceptance of these categories is based on Islamicate history. History, he states, is full of examples of Muslim atheists and agnostics.

[12] A similar focus on the lived experience of Muslims can be found in Dabashi (2013: 14, 16; Dabashi: 2010)

conclude that Islam is little more than a representation of the social forces that constitute both Muslims and Islam. It is in this way that Dabashi can be fitted in the category of antiorientalist that sees Islam as ideology. What we also find from the quote above is a slippage from the individual Muslim, and their conscience and heart, to a collective decision about how to be a Muslim. It is certain that in any collective decision, the decisions that some individual consciences and hearts make will be overruled. Any collective decision is necessarily based on a consensus and any rational consensus is based on the exclusion of some elements (Mouffe, 2006: 11). It is this tension between Dabashi's liberal focus on the individual and his need for collective decision that accounts for the slippage.

It seems that in Dabashi's attempts to make Islam a worldly religion (Dabashi, 2013: 7, 9-11, 14-17) he takes power away from Islam to affect the world. In Dabashi's framework, Islam simply becomes one of many voices in a polyvocal Muslim experience. This framework is in direct opposition to the classical orientalist framework (see for example Goldziher, Hurgronje) in which Islam explains all. Thus whilst Dabashi does not completely dissolve the category of Islam like other antiorientalists (see El-Zein (1977)) he marginalizes it to such an extent that there is not much left of it beyond the social forces which shape it.

To be Muslim is to be constituted by the social forces which prevail in the geographical location from which one hails. This cannot be seen as an example of Islam as ethnicity as Sayyid (1997: 38) understands it. However, what

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Dabashi's work does do is provide a new avenue for understanding Muslim (instead of Islam) as ethnicity.

A critique of Dabashi's position can be found in Sayyid's (1997) critique of El-Zein. Sayyid (1997: 37) argues that showing a variety or "multiplicity" within Islam is not a refutation of the orientalist idea that Islam is a single, monolithic entity. In addition, Sayyid (Ibid: 38) critiques El-Zein's assumption that pluralisation is a guard against essentialism.

These points of critique lead Sayyid to conclude that antiorientalism does not mark a break from orientalism but rather reverses its core assumptions. He argues that what is needed is an account of Islam which does not reduce itself to the "multiple Islam" phenomenon (Sayyid, 1997: 38-39).

Religion and Secularism

Many other debates have arisen from the debate around *Orientalism,* in particular in response to the notion of a constructed Orient. If we accept that orientalism constructs the Orient, we must attempt to find and interrogate those concepts that provide the foundations for orientalism's Orient. In the present work, the role of the secular/religious and traditional/modern dichotomies will be focused upon. These particular dichotomies have been chosen because of their high visibility, both in the West and in the Islamicate, and because through these dichotomies we can show the centrality of the West in orientalism's Orient. Thus this work is primarily about the place (or lack

thereof) of Western constructed/appropriated concepts. Within the Islamicate, notions such as liberalism, democracy, feminism and human rights have all at one point been decried as part of the West and alien to Islam. In this constructed Orient it is the West that speaks for the Orient. In order to remedy this situation, so the argument goes, the Orient must decolonize and invent its own concepts and language in which to frame them.

This work is interested in one of these debates; between the advocates of religion and secularism and those who do not believe these categories are valid.

The case against religion (and secularism) largely rests on whether it is a truly universal concept. This necessitates an investigation into whether this concept can apply outside of the Western Christian experience. It is asserted by some that religion arises purely out of the Western experience of religion and that it is only with rise of the West that religion was fashioned out of a set of attitudes and beliefs (Nongbri, 2013: 2-4, 6-7; Dubuisson, 2003: 9-12). This line of argument rests upon the premise that those outside of the West are not necessarily bound by the concepts invented within the West.

Those who argue that religion is applicable across time and space counter this view. They argue that, in all ages, people have distinguished "interaction with superhuman powers from other forms of action" (Riesebrodt, 2012: xii). They argue that the critiques against religion as a universal category are "neither sufficiently grounded nor logically valid" (Ibid: 11). This is because if religion

means different things in different circumstances then surely this requires a concept called religion upon which to base this claim (Ibid). Thus religion is a universal category that is integral to human society (Davis, 1949: 509). Furthermore, others have argued that religion is universal on the basis that certain feelings and concepts that are universal are related to the concept of religion. Examples of this include Malinowksi and Durkhiem's view that the notions of scared and secular are universal (Goody, 1961: 151) and Parsons' notion that the concept "rational" is universal (Cohn and Klausner, 1962: 30).[13]

Those writing in favour of secularism usually do so for one of two reasons: the first is that they subscribe to the secularisation thesis and the second because they believe it to be essential for modernization. It is clear that these two reasons have overlap and it is left to chapter two to discuss why this overlap exists. What we will do here is to provide the background to that later discussion by exploring both reasons.

The secularisation thesis finds its most prominent and earliest proponent in Auguste Comte. He believed that the world would move through different stages of progress; eventually religion would be completely replaced by belief in science. Whilst this "extreme" form of secularization is no longer accepted it has influenced more moderate versions (Furseth and Repstad, 2006: 83-84). More moderate versions of the thesis focus on religion and society rather than simply

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[13] Goody (1961) has critiqued all three of these thinkers by showing the concepts that they believe to be universal are not.

upon individual faith. They argue that society goes through phases (or a

process) that eventually lead to the disappearance of religion from society and

culture (see Bruce 2003; Wilson, 1982; Berger, 1967; Luckmann 1967).[14]

The moderate secularisation thesis has not escaped critique. There are those

who question its central premise that modernization will lead to secularisation.

It is believed that religion arises out of social relations and thus religion will

change with the times but not be removed from the public realm (Douglas,

1988: 459). Indeed some of its former proponents have either left it for new

concepts or have joined the ranks of those who restricted its applicability. Those

who have restricted its applicability now argue that the moderate secularization

thesis only applies to Europe. In addition, secularization no longer appears to be

the norm but constitutes a unique situation in Europe (Berger, 1999: 9. See also

Casanova, 2006; Davie, 2002).[15]

Those who have left for new concepts have moved to what has been called

post-secularism. Postsecularism entails the belief that religion does have a place

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[14] Bruce (2003) bases his version of the secularisation thesis on four principles: social differentiation, structural differentiation, societalization and rationalisation. Wilson (1982: 174) believed that the increasing secularisation of society was concurrent with the increasing rationalisation of society. Berger (1967) once believed in the secularisation thesis and its applicability to the entirety of the globe. In recent times, Berger (1999: 9) has changed his mind and now argues that the secularisation thesis, in its original form, only applies to Europe. Luckmann (1967) argues that religion has not only disappeared but changed location (to things such as psychotherapy and esoteric experiences). It is this privatisation of religion that leads to secularism and the diminishing importance of religion in social science studies.

[15] Davie (2002) argues that the European model of religion is not for export and that secularity is peculiar to Europe (especially given events in the US, Africa and Latin America). Casanova (2006) compares the Europe to the US and argues that the traditional secularisation thesis still works for Europe but not for the US.

in society but needs to be translated in order to make it understandable by those outside of its framework (Habermas et al, 2010: 16, 20-21; Habermas, 2008: 27; Taylor, [1998] 2010: 34). Post secularity is not to be understood as a desecularisation or a return of religion. Religion was here all along and never left. Instead it has become fixed outside the immanent frame (i.e. organized religion) and thus less called upon than in previous times (Soeckl, 2011: n.p; Taylor, 2007: 542-545).

Postsecularism is not without its critics. Some critique the "post" in postsecular. Robbins (2013: 55-56), for example, argues that Postsecularism does not apply to him because he, as an American, has not lived in a time that was secular. Simply put, one cannot have the postsecular whilst the secular itself has never been hegemonic. Others, such as Jansen (2011: 989), have argued that Habermas conceptualizes religion in a way that is close to the concept of fanaticism. Whilst this itself is not a problem, Jansen (Ibid) argues that Habermas ignores new research in the field of fanaticism as a political concept. In addition, Jansen (2011: 990) accuses Habermas of eurocentrism when it comes to delineating religion in a postsecular society.[16]

Traditionalists and Modernists

The debate between the modernists and the traditionalists stretches back over a hundred years. Usually, (for reasons we shall get into) it is Muhammad Abduh

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[16] The seminal figures of Talal Asad and Charles Taylor are largely missing from this presentation of the debate. This is because the debate between these two figures will be presented in more detail in the second chapter as the basis of some of the assumptions that inform the rest of the thesis.

who is credited as the first true modernist. This marking is from outside the Islamicate and will be problematised in chapters one and five.

For modernists, it is clear that, relative to Europe (the West) Islam had declined and stagnated (Adam, 2014: 601; Hourani, [1962] 1989: 136). The cause of this decline and stagnation is within the Muslim world itself, rather than due to the rise of Europe. Thus Bennabi could say the Muslim world was colonized because it was "colonisable" (Amrani, 2015). This decline of the ummah, it is believed, is due to two factors: inner decay and outdated laws. It is for this reason that modernists have always placed a premium on reform both of the self and of the fiqh of Islam (Abduh, Tunisi, Tahtawi). This reform is usually followed through using a bottom up approach (exemplified by the later Abduh and Hasan Al-Banna) and is usually heavily reliant on the concepts of maslaha and the maqasid. The modernist line of thought has continued to the present day; its notable advocates include Jasser Auda and Tariq Ramadan. Both continue the modernist tradition of strong emphasis on reform, context and the maqasid. This can be shown through Auda's works (2008a; 2008b) and the proposed moratorium on hudud punishments that Ramadan (2005) advocates.

The Islamic modernists are one of the few groups who are attacked for at once being too dogmatic and being too unorthodox. Those who see them as being too dogmatic argue that their reliance on tradition holds back progress in Muslim societies (Tibi, 2009: 260; Ahmed, 2002: 93). Thus whilst they are seen as critical thinkers they are simply not "courageous" enough to deploy a far

reaching, proper critique (Tibi, 2009: 262). Those who believe them to be unorthodox argue that their breaking of centuries of consensus takes them out of the fold of orthodoxy. In addition, early modernist links to colonial powers, especially the British, are used to discredit the entirety of the modernist enterprise (Al-Andalusi, 2013a; Murad, 1999). It is often thinkers who advocate this critique who synonymize the modernist programme with liberalism and trace its lineage back to Western thought (Al-Andalusi, 2013b; Murad, 2004).

The traditionalists can trace their lineage back to Rene Guenon and his Traditionalist school. It is worth noting that this school is not unique to the Islamicate. Guenon himself converted to Islam and has wrought influence over thinkers through his works in particular his *Crisis of the Modern Mind*.

The Traditionalist school asserts that modernity is in crisis because it has let go of its traditions and become unrooted. Thus what is needed is a return to rooted Tradition. Traditionalists believe that the history of the world comes in stages and that we are now in a "dark age". This dark age is characterized by the fact that Truths which were easily accessible to earlier generations have now become hidden and inaccessible (Guenon, [1927] 2004: 7; Evola, [1969] 1995: 177). What is needed therefore is a return to the "Primordial Tradition". This Primordial Tradition is a set of wisdoms that have been with humanity since the beginning and have been restored by each new founder of a religion. This is the root of the perrenialist philosophy that is at the centre of Traditionalist thought (Fabbri, n.d.). Traditionalists pour scorn on modernity as moving away from this

Tradition and this is shown clearly through their distaste for the concepts of progress and equality (Guenon, [1924] 2001: 13, 24-27; Evola, n.d.: 133-136). Both of these concepts are seen as "empty" as progress is seen as lacking a truly intellectual component and thus leads to a "degradation of intelligence" (Guenon, [1924] 2001: 20) and inequality is better than equality as it shows a focus on quality over quantity (Evola, n.d.: 134).

The Islamicate line of this school can be traced through the work of Guenon himself, Schoun, Lings, Nasr, Eaton and then to those who now have adopted the moniker "traditional Islam". This includes thinkers such as Nuh Keller, Timothy Winter (Abdal Hakim Murad), Hamza Yusuf amongst others (Mathiesen, 2013: 191; Sedgwick, 2007). It must be said that traditional Islam differs from Traditionalism in one major aspect: the acceptance of perennialism and the subsequent search for an Urreligion (Sedgwick, 2007). Sedgwick (Ibid) argues that Yusuf and other traditionalists do not have a substantial link to the Traditionalists. Yet in his very dismissal of this link, he comes up with the term "non-Guenonian traditionalists". It could be argued that this very act of negation shows a link between the traditionalists and the Traditionalists. What it shows is that traditionalists represent a new branch of Traditionalism, one that does not necessarily adhere to all of views of Traditionalism. From traditionalist writings, it is clear that the main doctrine of Traditionalism that is rejected is their perennialism (Yusuf, 2005: 55; Keller, 1996).[17] It's here we

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[17] It must be said that Yusuf's critique of Lings' perennialism does not adequately designate him as outside those who harbor at least a sympathy for it. He writes:

come to the key of how the two are related. Whilst Traditionalism places the perennial religion at the centre of its thought, traditional Islam places the dichotomy of traditional world and modern world at its heart. The decline from the former to the latter provides the basis of all further traditional Islamic doctrines. This point will be explored further in chapter four.

Islamicate Political System: The Caliphal or Secular

The fourth debate that informs this thesis is that which can be summarized as the search for the best political system for Muslims to adopt. There are two broad schools in this debate: those who advocate for the caliphal system and those who wish for a secular state.

Those who argue for a caliphal state wish to see either a reconstruction, a restoration of the caliphate system or the implementation of the welayat i-faqih system. Within this school there are three positions regarding what exactly the caliphal system means (and indeed what it can mean).

The first position is that of those who see no problem with combining

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"Both Habib 'Ali and I felt that, while Dr. Lings' view on perennialism was not mainstream, it was not a complete rejection of the classical Islamic position which holds that previous religious dispensations were abrogated by the final message of the Prophet Muhammad, peace be upon him, and certainly his own conversion to Islam indicated this." (Yusuf, 2005: 55)

Whilst Sedgwick considers this to be sufficient to show traditional Islam's aversion to perennialism, it could be argued that it instead shows certain ambivalence towards it (at least by Yusuf). This ambivalence can be seen in more recent pronouncements on this topic in which Yusuf states that he denies the idea of perennialism but still believes all religion have validity in them (Islam Rewards, 2016a). Cf. with Timothy Winter's more severe critique of perrenialist thought (Yusuf Koehn, 2016).

democracy with the caliphal system. It is argued that mix between the two systems will adequately represent the democratic drive within Islam (Haddad, 1997: 259; Iqbal, n.d.: 157). It is believed that the caliphate is religiously obligatory upon Muslims and that the caliph must fulfil all of the prerequisites of the post that are listed in medieval treatises (Haddad, 1997: 273). This new caliph however was to be a spiritual leader who would rule over temporal Muslim leaders and their subjects. A model that is usually advanced as the best comparison with what members of this camp want is federated states much like EU (Moghul, 2015; El-Effendi, [1991] 2008: 33).

The second position houses those who believe in the caliphate system and also believe that it must be restored as it was before its abolition. This side of the fracture has no time for democracy, which is juxtaposed with sharia, as it derives from the West and is therefore incompatible with Islam (or at worst, forbidden). Thinkers on this side of the fracture frequently draw upon classical texts, such as Al-Marwadi's *Ahkam Al-Sultaniyyah*, to justify their casting of the caliphal system as obligatory. However, unlike the other side, these thinkers believe that the caliphal system cannot be changed, as it is a command from God. Since it is believed that this system is from God, proponents of this position usually present their position as that of Islam and castigate others as corrupting Islam (Badar, 2016; Huq, 2016a; Al-Andalusi, 2014).

The third position is that of the welayat i-faqih as Caliphate.[18] Thinkers who argue for this position usually draw upon Ayatollah Khomeini. As Sayyid (2014b) argues, the response to Khomeini's fatwa in response to Rushdie's work shows that Khomeini can be considered as the reviver of a type of decolonial Caliphate. The keys nodes of this understanding of the Caliphate are a minimising of the Sunni-Shi'a split, a pushing for Muslim political agency and a decolonising drive (Sayyid, 2014b).

The secular position in this debate wishes to advance the secularism (and by extension the secular state) as a solution to the problems of Muslims. There are two subgroups within this position that have considerable overlap.

The first subgroup is composed of those thinkers whom Sayyid (2014: 64; 1997:

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[18] The welayat-i-faqih is a system of governance currently used only in Iran. It is a guardianship political model in which an upright jurist is given leadership in place of the missing Twelfth Imam (Vaezi, n.d.). Ayatollah Khomeini, who was brought to power by the Iranian revolution, developed this system of governance. His views regarding the role of the faqih changed over time. Consider the following which is from an interview a year after Khomeini's return to Iran:

> "The religious scholars do not wish to become Prime Minister or President, and indeed it is not in their interest to do so. They do, however, have a role to play ... the role they have is one of supervision, not of assuming executive positions without the proper expertise ... the expertise of the religious scholars lies in the area of Islamic law ..." (Mavani, 2013: 215)

As can be seen, the faqih is not one who appropriates the positions of politics for himself. Later on in his career however, Khomeini:

> "… could find very few non-clerical people capable of governing the country in a way that would preserve Iran's sovereignty and integrity. Therefore, he decided to temporarily [*movaqqat*] allow the clergy to enter the political arena, asserting that they would abandon it and confine their role to supervision and guidance as soon as capable, righteous, and trustworthy non-clerical individuals emerged who could administer the country in the manner that God desires." (Mavani, 2013: 215)

For more on the welayat-i-faqih system of governance consult chapter three of Sabet (2008).

52) has named Kemalists. Kemalism, amongst other things, wishes to impose a form of secularism known as laicism. Laicism is defined as:

> … the policy of separating 'religion and the world in matters relating to state and the nation' (Sayyid, 1997: 64)

Laicism does not stop there however. For Kemalists, secularism does not just denote separation of religion and state but:

> ... also the liberation of the individual mind from traditional Islamic concepts and practices (Shaw, 1977: 384 cited in Sayyid, 1997: 64)

On this basis we see Mustafa Kemal of Turkey (for whom Kemalism is named) banning what was considered traditional culture and latinising the Arabic script of Ottoman Turkish. This points to a second pillar of Kemalism: westernisation (Sayyid, 1997:67). It is this belief in westernisation that provides justification for the laicism of Kemalism. Kemalists understand the world as on a linear path of progress. The end point of this journey is the West (the modern). Thus in order for Turkey to join the ranks of the modern, it had to do away with traditional culture and adopt laicism (Ibid: 68).

The second subgroup of this position houses those who subscribe to passive (negative) secularism.[19] This means that whilst they believe that state and religion should be separated, they do not object to displays of religiosity in society (Kuru, 2009: 11; McClay, 2002: 63). Thinkers of this strand put a high emphasis on individual freedom and the ability to be a Muslim out of honest

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[19] Passive secularism is used here in the same way as found in Kuru's (2009) work. Negative secularism is used as is found in McClay's work (2002). Kuru (2009: 11) points to the similarity of the two concepts thus justifying their synonymisation in this work.

conviction (Akyol, 2011: 263; An-Naim, 2008: 1). It is argued that a secular state ensures that a Muslim believes not out of fear of recriminations or pressure but because she honestly believes. Thus the secular state is seen as removing the coercive potential of the state from the realm of the religious (Akyol, 2011: 260-261; An-Naim, 2009: 1-2). There are many ways in which this position is reached by its proponents including the modernization thesis (see Hashemi, 2009) and a loss of faith in Islamism by its former adherents (see Bayat, 1996).[20]

Up to this point we have presented different views within four different debates. What remains to be presented is how these debates will be navigated by this work. The tool of navigation, Critical Muslim Studies, has a position in each of the debates above and it is the collection of these positions that forms the method of this work.

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[20] Hashemi (2009: 7-8) argues that there are a set number of goals that every society needs to fulfil in order to become democratic. At the same time, however, he is critical of those who state that those societies that have not fulfilled these goals are bereft of any kind of democracy (Ibid: 8). Bayat (1996: 45) argues that once the symbols of Islamism are exhausted, the old adherents of Islamism will resecularise Islam.

Critical Muslim Studies

In the last section we presented a number of debates within which this piece places itself. What was not shown, however, is the position that this piece itself takes in these debates. Some of the positions of this piece will overlap with ones that we have already discussed and others will not. What the following positions have in common, however, is the fact that they are all constituent parts of what Sayyid (2014: 12) calls Critical Muslim Studies.

One of the debates we presented above was that surrounding Said's *Orientalism*. The position Critical Muslim Studies takes in this debate is that of the post-orientalist (Sayyid, 2014:12). Sayyid (Ibid) argues that within Said's work there are two critiques of orientalism: strong and weak. "Weak" orientalism is a version of orientalism that simply reduces it to a discourse of power-knowledge relations, which was developed in the context of European global expansion (Sayyid, 1997: 32). Post-orientalism is a concept that has adopted the strong critique of orientalism. "Strong" orientalism refers to the belief that Orientalism has constructed the Orient and is not simply a distorted view of an actual existing Orient that can be rectified with a better understanding. Orientalism has constructed the Orient as simply a way of telling stories about the West through the prism of a constructed Orient. The position of the West as the central motif of the planet is integral to the maintenance of this constructed Orient. Once the central position of the West is disrupted, the constructed Orient itself falls away thus leaving the space for the peoples of the Earth to represent themselves rather than be represented by the supposedly

common criterion (Westernese) provided by the West.[21]

There are two main implications of the view that the Orient is that which is constructed by the West: the first is that if the Orient is constructed by the West then it follows that the categories, concepts and labels which have until now been used to describe the Orient have to be reassessed in light of the descriptions the "wretched of the Earth" (Fanon, [1961] 2001) give with regards to themselves and their own practices. This has already been discussed above. The second implication is that if the Orient is constructed then its history and the views it has regarding historical figures are also constructed. If we drop the constructed Orient then we drop this constructed history along with the views we hold of various historical figures. Thus, just as we have to test the categories of the constructed Orient to see if they fit with the "empty echo chamber" (Dabashi, 2015: 29), we must also, on the basis of the new categories which come out of this testing, reinterpret the legacy of the historical figures which have been, until now, central to telling the story of the Orient. Thus it is not only the history of the emergence of the West that needs rewriting, but also the story of the Rest.

In the debate surrounding the religious/secular and traditional/modern dichotomies, this piece places itself within the postcolonial and decolonial camp. This is another node of Critical Muslim Studies that Sayyid (2014: 12)

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[21] Westernese is the name given to the language that the West has invented in order to explain the world (Sayyid, 2014a: 19).

explains as:

> … a wider project of 'epistemic disobedience'… Decolonial thinking takes the problem of eurocentrism within the production of knowledge seriously and profoundly… Decolonial thinkers seek to demonstrate the deep imbrications between coloniality and modernity as a prelude to unraveling the 'modern/capitalist/colonial/patriarchal world system'… (Sayyid, 2014: 12-13)

Thus the decolonial is concerned with showing the modern West only enters the realm of possibility through colonialism. Sayyid (2014: 13) goes on to state that the decolonial, within Critical Muslim Studies, arises out of an attempt to provincialize the Western episteme. It does not refer to the overcoming of all power relations nor does it refer to the establishment of some future utopia to come. At base, decoloniality is the rejection of the binary between West (modern) and non-West (traditional).[22]

To this end, the decolonial has three major areas with which Critical Muslim Studies engages (Editorial Board, 2015: 7). The first, and main, area of decolonialism is to ensure that the centrality of Westernese is removed so that those who are considered "the Rest" can speak for and represent themselves rather than being spoken about and/or represented by a Western episteme. The second area, a result of this centring of those who are considered the "wretched of the Earth", (Fanon, [1961] 2001) is to ensure that the link between modernity and colonialism is never omitted and furthermore, to understand that the current world order is the result of a deliberate interweaving between colonialism and western modernity (Ibid). The third area of this decolonial

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[22] This synonymisation between the West/modern and non-West/traditional can be found in Sayyid (1997: 33).

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project, is the rewriting of history, with special focus on the emergence of western hegemony over "the Rest" as this will help towards the unravelling of the central place which western modernity has claimed for itself. (Ibid)

In the debate surrounding the best possible political system for Muslims to adopt, this piece takes a post-positivist position. What is meant by post-positivism is that thinkers must stop searching for the essence of what Islam really is and, through this manoeuvre, shift from studies of Islam ontically to studies which focus on the ontological. This preserves any study on Islam from the charge of essentialism and the common orientalist trope of giving Islam an unchanging nature (Sayyid, 2014a: 12). In addition to this, post-positivism holds a suspicion of that wish to produce "a neutral, transparent and predictive knowledge… packaged in disciplinary categories… that are supposed to have an independent validity" (Editorial Board, 2015: 6). Whilst Critical Muslim Studies does not necessarily reject the tools of positivism (i.e. empirical "facts" and data) it does require that a universal social science have substantial proof as to its universality (Editorial Board, 2015: 6). As such, and as already discussed above, it can be said that the first project, which Critical Muslim Studies should be involved in, is an appraisal of the categories and themes that have been used to describe Islam and its ancillaries in order to find out whether they are still adequate.

The implications of this view, for this work, are clear. Firstly, Critical Muslim Studies frowns upon the debates on the empirical level. The empirical is nothing

more than representations of the theoretical. The process of argumentation

thus goes from abstract to the "concrete". What is seen as the "concrete" is

nothing more than the object of knowledge, which is created by theory.

Therefore any empirical problems are in actuality problems at the theoretical

level and thus cannot be solved by appeals to other empirical facts (Laclau,

1977: 59-61). A relevant example is that the objects "caliphate" and

"democracy" are both created by theoretical schema and are not "out there"

somewhere waiting to be found. They are not independent concepts and are

therefore bound up in issues of power and knowledge.

Secondly, Critical Muslim Studies rejects the reduction of Islam to one of its

constitute parts which serves the function of giving it an essence. At present

theorists and scholars have a tendency to reduce Islam to simply the legal,

which is a result of a certain logic that will be covered in chapters one and four.

As well as expanding the scope of Islam itself, what this move does is expand

the scope of some of the concepts that have traditionally been associated with

just one aspect of Islam. For example the category "ulema" under the Critical

Muslim Studies episteme will be expanded to cover all academics of all the

hermeneutics of Islam and not just fiqhi scholars (in the case of "ulema").

Structure

This work will be split into three sections. The first section will seek to problematise both of the dichotomies under question (religious/secular and traditional/modern) and will comprise of the first three chapters. The first chapter will trace the imposition of the religious/secular and traditional/modern dichotomies back to orientalist writings on Islam. In order to show this connection in fuller detail, the works of two prominent orientalists: Ignaz Goldziher and Christiaan Hurgronje. These two orientalists have been chosen for a number of reasons. The most important of these are their prominence (Goldziher is often called the founding father of modern Islamic Studies) and their unique contributions (Hurgronje's turning of the traditional/modern from descriptors to categories of thought). It will be found that since both these dichotomies have been imposed on the Islamicate from the outside, the questions which arise form them need not be answered by the Islamicate.

The second will discuss and analyse the applicability of the religious/secular to those outside of a Western space and time. It is asserted that religion and secularism cannot survive without each other. As such if one is proven to be inapplicable, the other by extension is also inapplicable. The chapter will begin with a short genealogy of the term religion in order to show that its modern manifestation is not applicable across time. This will be followed by coverage of a debate between Charles Taylor and Talal Asad as to whether secularism can be ported across space. In order to further flesh out this debate, the ideas of Bhargava, in particular his development of a "distinct" Indian secularism will be

discussed. It is in this chapter that an already existing alternative to the concept religion will be adopted by this work.

The third chapter will revolve around the justifications of Islamicate scholars for their support of secularism. The aim of this chapter is to uncover the concerns of these thinkers and see whether they have any validity. The chapter will cover the ideas of two prominent Islamicate secularists: Abdullahi An-Naim and Abdolkarim Soroush. It will be asserted that the core justification for each of these thinkers is to find a way to manage difference between religion and politics. As such, this chapter will also focus on how this difference (and its constituent parts) is constructed. It will be found that this perceived difference rests upon the traditional/modern dichotomy.

The second section will follow through with the implications of the problematisation of the traditional/modern dichotomy and will be made up of the fourth and fifth chapters. The fourth chapter will begin to deal with the implications of the first three. If the traditional/modern and religious/secular are impositions from outside the Islamicate then they need to be replaced. This chapter will begin this process by offering an alternative to traditionalism as a category of Islamicate thought. This new category will be called declinism and will be discussed through one of its subgroups, fundamentalist declinism. Declinism is the category of thought that holds all those who place decline at the centre of their thought. Declinists usual depend on a single person, context

or institution to come about to arrest decline. This chapter will also present some problems which declinism needs to address.

The fifth chapter will provide an alternative to the category modernism, in the shape of the category ethicism. An ethicist is one who places Islamicate ethics at the centre of their thinking. Ethicism will first be presented through the works of Muhammad Abduh and Mohammad Farooq in a general sense. Next, a detailed look at one of the subgroups of ethicism, ethicist feminism, will help us explicate some of the problems that ethicism faces. This setting of problems for ethicism will be the final section of this chapter.

The third section will follow through with the problematisation of the religious/secular dichotomy and would be centred on the sixth and seventh chapters. The sixth chapter will provide a replacement for secularism as a way of managing difference for the Islamicate. This replacement shall be called Reconstructionism and will rest on four main principles. A split between the Ethical and the moral and recognition of the role of the political and politics will form the first principle. It is here that the core of Reconstruction will be discussed. The second principle will centre on the role of the Con-Text and who has the authority to make meaning in the name of Islam/the Islamicate. It is under this principle that the hermeneutical schools of classical Islam will be explicated as well as the introduction of two new hermeneutical schools. The third principle concerns the limiting of polysemy and explaining of how discourses of morality are created. This principle will be explicated with help

from thinkers such as Vattimo, Nietzsche and Najm Ad-Din Tufi. The final

principle is that of overdetermination and will explicate a Reconstructionist

view of history. Muhammad Abduh will figure heavily in our discussions of this

principle.

The seventh chapter will discuss the work that our shift from

traditionalism/modernism and secularism/religion will do. What does the

invention of declinism/ethicism and Reconstructionism do to our understanding

of Islam and its place in the political/politics. The implications of the shift to

declinism/ethicism are threefold: an answer to the question of

continuity/rupture, authenticity and authority. The work of Brown and Ali will

feature heavily in this section of the chapter. This discussion will be followed by

a treatment of the implications of Reconstructionism. Three implications in

particular will be focused on: the first is how we view debate around the

caliphate system, the second is to do with the foundations of the Islamicate

polity and the third is to do with how it achieves its "Islamic" character. The

works of Raziq and Brown will be prominent in this section. A section will follow

this discussion on the future research that this work points to.

Section One:

Chapter One: The Orientalist Construction of Islamic Studies

This chapter will look at the lives and works of the two founders of Islamic Studies in the Western academy: Ignaz Goldziher and Christiaan Hurgronje.[23] This will allow us to see the influence that their own views on the nascent concepts of religion, traditionalism and modernism had in the crafting of Islamic Studies. This chapter will analyse both the empirical evidences Goldziher and Hurgronje bring forth as well as the theoretical assumptions that form the basis of their thought.

Goldziher: Orientalism in Theory

Ignaz Goldziher's (1850-1921) early life had an immense effect upon his later academic career (Jung, 2011: 171, 176). Born in the Kingdom of Hungary, in the middle of the 19th century, Goldziher was exposed to both a secular and a Jewish education. Throughout his life, Goldziher remained closely connected with Jewish intellectual trends. The direction that this connection was set when, at the age of twelve, he published a book of prayers in which he criticised the exaggerations of orthodoxy (Jung, 2011: 171). It was his coming into contact with the earlier generation of Orientalists, primarily de Sacy and Fleischer, which orientated Goldziher towards a study of Islam. In 1871, Goldziher spent

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[23] Wokoeck's (2009: 177) objection should be noted here. She argues that Goldziher should be excluded from the "story of 'Islamic Studies'" as his work is more comparative in nature and this was not a foundational feature of what came to be known as Islamic studies.

six months at the University of Leiden, a hotbed of biblical criticism. It was at

Leiden that Goldziher was attracted to the liberal protestant theologians that

would so heavily influence his view of religion and Islam in particular. Shortly

after mastering Arabic, Goldziher travelled to the Middle East. He mostly split

his time between Damascus and Al-Azhar (Gottheil, 1922: 189-190).

The first of Goldziher's works on Islam appeared in 1884. *Die Zahiriten*,

translated as *The Zahiris,* was a ground-breaking study of Islamicate law in

which Goldziher first applied the historical-critical method for which he would

become famous (Jung, 2011: 173). Following on from this was the two volume

Muhammedanische Studien, translated as *Muhammedan Studies*, in which

Goldziher applied his method to a large collection of hadith and showed how

political and religious quarrels after the death of the Prophet are reflected in

the Sunnah (Bevan, 1922: 144). It was in 1910, however, that Goldziher would

write the work for which he is most remembered. *Vorlesungen uber den Islam,*

translated as *Introduction to Islamic Theology and Law*, is seen as the first

systematic attempt to present Islamic doctrine and tradition (Gottheil, 1922:

192). Thus with the creation of an object of study, a field started to develop

around it. As such, it is hardly surprising that not many scholars disagreed with

Martin Hartmann's summation of Goldziher as "… the real creator of Islamic

Studies as a discipline based on its own methods and problems." (Jung, 2011:

174).[24]

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[24] This sense is further supported by the writing of Hamid Dabashi who asserts that each one of Goldziher's essays have become "an entire field of inquiry, covered by an army of scholars" (Dabashi, 2009: 20).

In order to fully understand Goldziher's stance towards Islam, we must first look into his work regarding the reform of Judaism in the face of the challenge by modernity.[25] It is not surprising, given his early outburst, that Goldziher spent his life trying to develop a third way for the Jews of Europe, caught as they were between assimilation and an oppressive orthodoxy. Combined with this attempt to reform Judaism was the fact the Goldziher was faced with a world which was modernizing and this had two main impacts on his work: the first is that Goldziher lived in a world in which religion was losing ground to science. He argued that religious reform and political freedom were part of the same struggle and as such, it was imperative that the Jewish religion modernise itself in order to avoid being completely assimilated by the nation state (Jung, 2011: 174-175). The second impact that the onset of modernity had on Goldziher was the fact that most of his intellectual output is coloured by the new dichotomies which were being developed in Europe.[26] Examples of these include the religious and the secular, as well as the traditional and the modern (Jung, 2011: 176, 179). These dichotomies are explicitly present in Goldziher's *Introduction of Islamic Theology and Law* (*Introduction*) as well as his *Schools of Koranic Commentators* (*Schools*). Whilst both works provide ample examples of both

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[25] Goldziher's attitude to Islam is a matter of debate between scholars. Patai (1987: 119 quoted in Dabashi, 2009: 41) argues that Goldziher had an "anti-Jewish complex" but did not criticize Islam in the same way. Dabashi (2009: 42) disputes this and argues that Goldziher did indeed critique those parts of Islam that he disliked and/or found distasteful.

[26] The question of the affect Goldziher's volatile relationship with the Judeo-Christian tradition had on his view of Islam is covered in more detail by Conrad's (1990) article, *The Dervish's Disciple: On the Personality and Intellectual Milieu of the Young Ignaz Goldziher*. This question is also treated in Dabashi's (2009) *Post-Orientalism* with the two scholars disagreeing on the nature of Goldziher's relationship with the Judeo-Christian tradition.

dichotomies, *Introduction* will be used to show the influence of the religious/secular dichotomy and *Schools* to show the traditionalism/modernism dichotomy.

The first paragraphs of *Introduction of Islamic Theology and Law* (1981) show the extent to which the religion/secular dichotomy pervades the thought of Goldziher. Consider the following opening sentences of the first chapter:

> What is the psychological source of religion? Various answers have been suggested since religion first became the subject of an independent branch of knowledge (Goldziher, 1981: 3).

Thus the validity of religion is accepted without any qualification. All we have to do is to find the "psychological source of religion". The question of whether the category 'religion' can be applied outside of the Judeo-Christian experience is simply ignored. Once Goldziher asserts that religion cannot be reduced to one impulse, he argues that religion, whether advanced or primitive, exists in concrete forms that vary with differing political conditions. At the earliest stage of the development of religion, Goldziher asserts that there is a "single motif" which takes control of the religion and then retains its control as the religion passes through to its advanced stage (Goldziher, 1981: 3). It is here that the beginnings of Goldziher's implementation of the traditionalism/modernism dichotomy based upon a progressive view of history can be seen. This will be discussed this in more detail in the analysis of the contents of *Schools*.

In the first chapter of Goldziher's book we find an attempt to apply the religious/secular dichotomy and provide content to both sides of the dichotomy. Goldziher attempts to project the religious/secular divide onto the Islamic through a discussion of the life of Muhammad through the revelation of the Quran. In the Makkan period of the Prophet's mission, Goldziher (1981: 7) asserts that the message was concerned with the coming judgment. At this point, the message was entirely pessimistic regarding the value of this world. It was only when the believers reached paradise that they will truly be happy and free. These Makkan revelations, Goldziher (1981: 8-9) argues, do not make up a "religion" but a "religious mood" which could also be found amongst the adherents of Judaism and Christianity. It is only when the Medinan phase of the revelation is reached, that the limits of the community of believers is drawn.

Goldziher (1981: 9) argues that 622, the year of the hijra to Yathrib, was a turning point in the evolution of the Islamic religion. Whilst this itself is not novel, Goldziher's reasoning as to why the hijra represents a turning point is novel. Despite the fact that the Prophet never left his function as a "warner" against the judgment to come, the Medinan period marked the rise of the statesman and warrior Prophet. Islam as an institution began here as is evidenced by appearance of Islamic and civil law, society and political order (Ibid: 8, 11). Whilst in Makkah, the Prophet had turned away from worldly pursuits; the same Prophet was now in charge of dividing plunder between his men and instituting inheritance laws. In addition to this, the settlement of Muslims in Medina allowed the Prophet to go on the offensive against his

enemies. As Goldziher (Ibid: 11) puts it, "In sum, the decade in Medina was a time of defence and assault, with word and sword". This change from Makkan to Medinan, asserts Goldziher, brought the character of the Prophet "down into the sphere of worldliness" but also had an effect on the "higher" concepts of religion (Ibid: 24).

Goldziher's application of the religious/secular divide on the life of the Prophet is problematic on two counts. The first is that there is a tacit starting assumption that the religious cannot be worldly in any shape or form. This is the root of Goldziher's criticism of the Prophet for his descent into the "sphere of worldliness" after his focus on ethics in the Makkan period. This relegating the role of religion to privatised ethics shows the influence of modernity on Goldziher. Islam does not allow itself to simply be relegated to private sphere and there are countless traditions that show this. An example that will suffice here is the speech that the Prophet gave before the Battle of Badr. Regarding this example, one of Goldziher's main charges against the Prophet is that "war and victory become the means and end". However, what he fails to mention is that this example of worldliness is heavily affected by the ethical conduct of Islam. The speech of the Prophet immediately preceding the Battle of Badr is an act in which we see that the content that Goldziher gives to the religious (i.e. ethics) and the content that he gives to the worldly/secular (i.e. war and victory) are mixed. It seems to be becoming increasing difficult to maintain an application of the separation of the religious and secular onto the life of the Prophet.

This setting of the religious/secular divide, and the providing of content to each, occurs early in the work and continues and is deployed in various ways throughout the rest of it. In the process of applying this divide onto Islamicate history, for example, Goldziher ignores instances that make the dichotomy difficult to maintain. This can be found in the following passage:

> Especially in the heyday of the Umayyad dynasty, the secular authorities…
> were not indifferent to the religious character of Islam, but their interest lay
> more in political consolidation than in canonical organization: their chief
> attention went to maintaining what had been gained by force of arms, and to
> assuring the privilege of the Arab stock. To deal with day-to-day legal
> problems, they relied on common usage (Goldziher, 1981: 37)

The first question that must be asked is that if the Umayyad and Abbasid dynasties were seen as the secular authorities, who were the religious authorities? In the absence of a clear definition from Goldziher, we must search for a definition from other passages within his work. It becomes clear that Goldziher treats "religious authorities" and "legal scholars" as synonyms. Thus we find that the religious authorities are the jurists. It is at this point however, that we find a major problem in Goldziher's blanket application of the religious/secular divide. The jurists, far from only delineating private ethics, also legislated for that which Goldziher would place in the worldly/secular sphere. The question can be asked, on what basis can the ruling dynasty be separated from the jurists? This problem becomes even more urgent when we consider the primary example of the ruling dynasty collapsing into the category of jurist: the mihna of Al-Ma'mun.

What is surprising in this particular work of Goldziher's is the fact that the mihna of Al-Ma'mun is not mentioned at all. Historians of different persuasions have explained the mihna in various ways. Some argue that Al-Ma'mun was a religious fanatic who wished to impose his beliefs onto his people. Others have argued, with more success, that he wished to create a unified doctrine for those in his lands in order to challenge the authority of the jurists and theologians (Zaman, 1997: 107). In the end, what is known is what he did in reality and what the effects of his actions were. Al-Ma'mun adopted the Mutazila doctrine of the createdness of the Quran and made it law that this doctrine had to be adhered to (Skreslet and Skreslet, 2006: 150; Gordon, 2005: 87). Scholars who refused to profess their faith in this doctrine were subjected to severe attacks and some were forced under duress to accept the createdness of the Quran (Zaman, 1997: 106-109). This mihna was continued under Al-Ma'mun's successors, Mu'tasim and Wathiq and finally came to an end with the reign of Al-Mutawakkil (Ibid: 112-113).

How would Goldziher have understood this monumental event? It could be said that he may have simply argued that the secular authorities had taken upon themselves the role of the religious authorities. This answer to his theoretical quandary is inadequate simply because if we accept this answer, the religious/secular divide collapses entirely. In the body and actions of Al-Ma'mun that which Goldziher calls secular authority and religious authority can both be found. Thus any attempt to separate these from one another fails. The same can be said of the caliph who ended the Mihna, Al-Mutawakkil. In what sense

can his restoration of the power of the Ulema be seen as a religious or secular act? If we were to accept Goldziher's dichotomy, we would have to conclude that a secular authority is returning religious authority to those who were already supposed to have it. The confusion stems from the act of giving of authority; is this to be seen as religious or secular?

It is true that Goldziher (1981: 45) attempts to offset examples such as the mihna by characterising the Abbasids as "theocratic". Leaving aside whether this is a correct assessment of the Abbasids,[27] if, by theocratic, he means "a government grounded and constrained by a religious theology" (Sabet, 2014: 83) then this can also be applied to the Umayyads, whom Goldziher (1981: 45) does not see as theocratic. The Umayyad ruler's disinterest in the doings of the "ecclesiastical authorities" does not take away from the fact that the system, which Goldziher attributes to the Umayyads, is as theocratic as the Abbasid system. Where does this leave his religious/secular divide? One could argue that the divide could still be maintained by arguing, as Goldziher does, that the ruling dynasty is secular and the jurists and theologians are the religious. However, as Zaman (1997) points out:

> Resolving legal problems was thus not exclusively the Ulema's business but was a calling that… involved the caliph too. Whether he himself decided, or participated in the fuqaha's deliberations, or had the latter alone give the verdict or choose from their conflicting advice, the caliph was part of the process whereby such problems might be resolved and answered… Not that

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[27] Goldziher himself concedes that the term 'ecclesiastic' is an ill fit for "Muslim juridical procedures". This does not stop him from describing, somewhat bizarrely, the scholar Al-Ghazali as an "ecclesiastical authority" (Goldziher, 1981: 240-241).

every caliph necessarily exercised this function; but given the ability and inclination to do so, he might… (Zaman, 1997: 104-105)

Thus we find that another view of the system of the Abbasids which conflicts with the implementation of both the category of theocracy and the religious/secular dichotomy. In a second attempt to shield himself from criticism, Goldziher dismisses the one exception he finds to his characterisation of the Umayyads, Umar II, as not speaking "the Umayyads language" (1981: 46). This however does not adequately explain why a dynasty supposedly known for its ignoring of religious considerations would place its scion, Umar II, in the care of "pious company" whilst he was young (Ibid: 46).

Having shown the weakness of Goldziher's empirical evidence we shall now move to his theoretical arguments. The question can be asked why is it difficult for the religious/secular divide theory to account for instances such as the Mihna and the Prophet's speech? It could be argued that, in Goldziher's case, this difficulty stems from the content he ascribes to both the religious and the secular.

If we accept Goldziher's implied understanding that the religious equates to the ethical and the secular is everything else, then this leads to theoretical problems.[28] To say that the religious must be separate from the secular

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[28] This understanding of the religious and the secular is foundational to Goldziher's thought. Powers (2006: 65-66) argues that Goldziher believed religion as spirituality to be shown in Islam through the high regard given to intentions behind deeds. However, from this spiritual beginning Islam fell into decline due to "legalism" and "theologizing" (Ibid: 67). Goldziher wishes to recover an "original ethical vision" that he believes to be lacking in most of Islamicate history (Ibid: 65). Cf. Moshfegh (2012: viii).

translates to the fact that ethics should be kept out of worldly business. What this means is that people have to leave their subjective prejudices at the door when they enter the public realm. Thus we fall into the objectivity/subjectivity debate that can only end in one way. Only God is objective; the rest of us simply try our best (IHRCtv, 2014). Thus it could be argued that no matter which failsafe one puts in place, a person's subjective prejudices will always affect how they think and feel about the world. It is in recognition of this fact that the Prophet gave a speech on ethics just before the commencement of a worldly act.

One could respond that Goldziher and other orientalists have not relegated all ethics to the religious sphere. One could further argue that the secular sphere has its own ethics that are derived from exclusively worldly concerns unlike those of religion. This argument raises more questions than it answers. What are secular ethics and how are they different to religious ethics? Why should secular ethics be allowed in the public sphere but not religious ones? We will deal with these questions in the next two chapters.

The theoretical confusion, which underpins Goldziher's implementation of the religious/secular divide, is made clear in the following passages that describe Islam after the Prophet's death:

> … in Islam, religious law encompasses all legal branches: civil, criminal and constitutional… All aspects of private and public life fall within the province of the religious ethics (Goldziher, 1981: 54)

> Zealous participation in extending Muhammad's religion could on occasion suit secular considerations and fulfill worldly desires (Ibid: 119)

This confusion is multiplied even further when later in the work Goldziher (1981: 66) asserts that religious life has come to be seen from a legal point of view. How can this be if the religious encompasses the legal? How far can the religious/secular divide be applied if we construct Islam as religious law that encompasses everything? It is here that Goldziher (1981: 55-63) asserts that religion is on an evolutionary path with the legalism of lawyers coming later and arresting the development of what he thinks is true religion (i.e. religious ethics). In order to understand this evolutionary trend, Goldziher argues we must look to the history of the interpretation of the Quran because the "inner history" of Islam is "reflected in the methods applied in the interpretation of its sacred texts". Goldziher states further:

> [In] the internal history of Islamic movements we witness a continual struggle… of intransigent traditionalism against the steady expansion of the borders tradition… This conflict persisted throughout the history of Islam… (Goldziher, 1981: 236-237)

It is here that Goldziher's work *Schools* can be utilised in order to understand and ascertain the effects of the evolution of Islam, as a result of this struggle, and the categories used to understand it.

In the contents page of Goldziher's ([1920] 2006) work *Schools*, separate distinct stages and categories can be seen that are used to describe the development of Quranic interpretation. The ones we shall focus on are the early

(primitive) stage, the traditional stage and the modernist stage.[29] In the following sections an attempt shall be made to give content to these three stages.

The early stage of Quranic interpretation stretches from the first revelation to the Prophet to the beginning of the Umayyad period. The beginning of the early stage can be marked through the following passage:

> There is no uniform text of the Koran; and in its diverse composition we may recognize the first phase of Quranic interpretation. The *textus receptus*… of the Koran… goes back to the recension of Caliph Uthman… (Goldziher, [1920] 2006: 1)

Thus, for Goldziher ([1920] 2006: 14), as the quote above suggests, a major turning point in early Islam was the collection of the Quran into a single manuscript. The second major turning point was the development of the Kufan and Basran schools of thought that had their own differing viewpoints. This early period is marked with a reluctance to engage with the more difficult verses of the Quran. This was because it was considered to be work fraught with danger and as such work on interpretation was done "reluctantly and timidly" (Goldziher, [1920] 2006: 36).

The term traditionalist, in both of Goldziher's works, is used in two different senses. The first are those who were opposed to the more rationalistic interpretations of the Mutazila. The second are those who are not modernists.

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[29] This categorisation gives further weight to arguments that Goldziher, and Hurgronje for that matter, based the academic discipline of Islamic studies on "concepts which were derived from the cognitive deep structure of modernity" (Jung, 2011: 160; Simon, 1986: 128).

Attention will be focused on the former now, as the latter shall be discussed later.

The key to what the first type of traditionalist is can be seen in the following passage:

> We are dealing with a genre which, in its beginnings, not only found no encouragement from among the religious circles of Islam, rather its pious representatives were even facing discouragement… This attitude we frequently meet among the strict representatives of pious Muslims during the Umayyad period (Goldziher, [1920] 2006: 36)

Whilst there is support for reading into Goldziher a view as to when he believes the traditional period began, we also find an attribution to the signifier traditional which haunts us to this day. When one reads the above passage one is struck by the notion that to be a pious Muslim is to be a strict traditionalist; to be a strict traditionalist means to uphold what came before.[30] In a description that has implications for the second usage of the term traditionalist, the Mutazila, those who opposed the first type of traditionalist, are also described as "pious people" (Goldziher, [1920] 2006: 65). This will become important in the discussion of Goldziher's understanding of the category of modernist.

The category of modernist is introduced in the following way:

> Scholars have long been wondering whether Islam… might not be an obstacle in tackling the demands of an advancing cultural and social life, and in adjusting to its endeavors and institutions. In other words, are Islam and

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[30] Apart from this being the implied definition of traditionalist in the quote, Goldziher points to this being the definition of 'traditionalist' in his *Introduction* (1981: 230, 233, 236-237).

modern cultural life not diametrically irreconcilable contradictions? (Goldziher, [1920] 2006: 197)[31]

In this quote we find that the introduction of the category modernist into the Islamicate is accompanied by a question that continues to be the foundation of many Islamicate projects: Is Islam compatible with modernity? If not can it be made so? In order to fully analyse this category we must give content to two signifiers: modernity and modernist.

When Goldziher uses the word 'modern' or 'modernity' he is not referring to a time period but to contemporary Western civilization. Throughout both works discussed in this piece, Goldziher deploys what has come to be known as the 'West and the Rest' dichotomy. The West has progress and science; the Rest have decadence and superstition. This is explicitly stated in a section in *Schools* on the danger to Islam from modern science. In this paragraph, modern science is directly equated with the "European way". This equation between the modern and the Western is made again in Goldziher's description of Abduh as modern, a man who was "totally saturated by ideas which he received during his stay in Europe" (Goldziher, [1920] 2006: 223).

If the modern equates to Europe and the West then what is a modernist? We find our first clue in Goldziher's ([1920] 2006: 205) assertion that Abduh has to be considered the creator of Islamic modernism. Thus it can be deduced from

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[31] This is the first time the category of modernist is introduced into the Islamicate. In the first instance, Hurgronje followed Goldziher in using this terminology and then other, later orientalists did so such as Adams (1933) and Gibb (1947: 39-84).

this that Abduh possesses most if not all the qualities that makes someone a

modernist according to Goldziher. When introducing what he calls the *Manar*

school, Goldziher ([1920] 2006: 203) asserts that the attempts to protect Islam

from the challenges facing it boiled down to reform of the fossilized tradition

that had been handed down over centuries. In addition to this, he goes on to

argue that the Egyptian school of modernism focuses on a theology that is free

from alien influences and the cutting away of anything that is against the Quran

and the Hadith. This includes a slavish imitation of European ideas and customs

that Abduh continuously warned his students against. Thus, as Goldziher

([1920] 2006: 211) puts it, the Manar school called for the complete renewal of

"secular Islam". *Fiqh* and *madhahib* would be replaced with direct access to the

Book of God and the *Sunnah*. In the end, Goldziher ([1920] 2006: 215) asserts

that the Manar School has three main pillars: the ultra conservative views of Ibn

Taymiyyah, the ethical views of Al-Ghazali and the demand for progressive

development.

There are problems with this conceptualization of modernism that a deeper

discussion of the ideas of Muhammad Abduh, and Goldziher's view on his ideas,

can help us to uncover.

The best example of the theoretical confusion of Goldziher can be seen in the

following two passages:

> … for the school of Abduh-Manar… Ibn Taymiyyah and his works were
> intended to serve as example that they did not arbitrarily improvise their

theories, but that they were an honourable Islamic continuity (Goldziher, [1920] 2006: 214)

When the New School confronts the formal spirit of the prevalent orthodoxy … with the moral demands of Koran and hadith, the *loci probantes*… are derived from Al-Ghazali's writings. (Goldziher, [1920] 2006: 214)

Thus it can be seen that, despite characterising Abduh as a scholar who wished to show continuity with the classical sources, Goldziher consistently called the Manar school a "New School". When using the term "modernist", what this usually means is that the carrier of this title is advocating something new.[32] Therefore it is bizarre that Goldziher, and others subsequently, describes Abduh and his school as modernists. If we are to follow Goldziher's construction of modernism then we cannot actually point to anything modern about it. All three aspects can be found in traditional sources. In a passage that Goldziher seems to have missed, Abduh himself acknowledges his debt, and showers praise on, the classical scholar Al-Shatibi (Eickelman, 2000-2001: 389). This leads us to the question: If it is accepted that the Manar school is not new in terms of Islamic intellectual development what is it new in relation to?

It is the argument here that what is "modern" or "new" about those whom Goldziher characterises as modernists is the proximity of their thought to Westernese. Abduh and his school are situated in the category of "new" simply because Islam is inherently seen as backwards and the domain of superstition. Thus it cannot be that the concepts that Abduh is presenting, which have somewhat of a synergy with "European" concepts, came from the precolonial

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[32] As is proved by Goldziher's usage of the terms 'modernist' and 'new' as synonyms.

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Islamicate world. Hence the characterisation of Abduh and his school as new

serves to put most of the emphasis on the European influence on Abduh at the

expense of the influence of the historical Islamicate. Thus, the West can

proclaim that the only reason Islam has progressed is because of the influence

of the West and not a reform and a redeployment of Islam's own historical

sources (for example, see Ferguson, 2012).[33] This is justified by how Goldziher

describes the traditionalists (the second type discussed above) as opposed to

the modernists. In Goldziher's description of those whom he believes to be

modernist there is no mention of the "pious people" he attributes to the

traditionalists and their early rivals. Thus there is the notion inserted into the

Muslim psyche that we described as the second usage of the term traditionalist;

that to be a pious, true Muslim means to be one who follows the old.

Modernists, we can therefore conclude, are not true, pious Muslims because

they have become westernized and are now progressive (at least according to

Goldziher). This idea of the Western ownership of what is progressive and its

being opposed to being a pious Muslim can also be found in *Introduction*.

Goldziher states:

> On the whole the religious leaders of Islam, despite all pious upholding of the
> *sunna*, did not always stubbornly ignore changing needs and new
> circumstances that arose with the passage of time. (Goldziher, 1981: 233)

The implication here is that it was despite their piety that the "religious leaders"

of Islam changed with the times. Whilst Goldziher is correct in deducing from

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[33] Ferguson (2012) argues that the West developed six killer apps that gave it superiority over
the Rest. It is only because other civilizations have now taken up these apps that they are now
rising to power.

this that those who created Islamic law did not see it as "immutable from the first to the last", the implication is that Islam as whole is immutable. Thus it is only by going against pious Islam that one can make any progress (however that term is defined).

The separation between traditionalism and modernism mirrors that of religion and secularism. It is based upon the existence of an objective being who can separate the traditional from the modern in her own mind. However, what must be realized is that the application of eurocentric categories such as religion, modernism and traditionalism can cloud the way in which we see the Islamicate and reduce us to a binary in which one can only conclude either of the following: first, Muslims fuse religious and worldly authority together or, secondly, they split these authorities. This binary comes from outside the Islamicate and therefore does not warrant an answer from within the Islamicate. What does warrant inquiry is the creation of new categories that are generated from within the Islamicate that can help us understand and make sense of an Islamicate world. This will be done in the chapters four to six.

In analysing Goldziher, it can be seen how the theory of religion and secularism was applied to the Islamic in a purely theoretical sense. In order to see the development of this theory and the practical effects of its application on the Muslim subject, the work of Christiaan Hurgronje will be utilised.

Christiaan Hurgronje: Orientalism in Action

Christiaan Hurgronje (1857-1936) was a scholar of Islam and an administrator of the Dutch colonies of the East Indies. It is this dual role which allowed Hurgronje to both develop Islamic Studies and attempt to apply his constructed vision of the Orient that is of interest. As such, this section will be split into three discussions: Hurgronje's life, how he envisioned his constructed Islam, and how he applied his insights onto the increasingly volatile situation in the Dutch East Indies. His contribution to the debate surrounding Islam has been deemed to be tainted by some because of his colonial role. An example of a scholar who held this position is Benda who decried Hurgronje's proposals as "irrelevant and outdated" (Vrolijk and van Leeuwen, 2014: 144). Nevertheless, as shown above, he continued and does continue to this day to have an immense impact on those studying the Islamicate. We will discuss the ideas of Hurgronje by looking at two of his works: *Mohammedanism: Origin, Religious and Political Growth and its Present State* and *The Achehnese*. These two works have been chosen because they represent, respectively, an attempt to construct Islam and an attempt to apply that constructed Islam onto the Muslim subject.

Christiaan Hurgronje was born in 1857 to a Calvinist preacher. He began his career in academia by studying theology and moved to the University of Leiden where he fell under the wing of Protestant critical theology. Eventually, Hurgronje gave up the career of a preacher he had planned, a move that heralded the replacement of religion with science in his own life. This was to have profound implications for the people of the East Indies later in Hurgronje's

life. Well versed in biblical criticism, he now moved towards Semitic philology

and studied for his doctoral thesis under de Goeje and Dozy. Hurgronje

completed his thesis in 1880 and the following year became a lecturer at the

University of Leiden. During the period 1880-1887, Hurgronje wrote extensively

on Islamic law, this choice possibly being the influence of Goldziher (Jung, 2011:

182-183). The best example of this part of Hurgronje's life, in which he theorises

Islam, is a series of lectures that were published after his time in the Dutch

colonial administration with the title: *Islam: Origin, Religious and Political

Growth and its Present State* (hereafter *Islam*).

In *Islam*, Hurgronje tackles four main topics that make up the four different

chapters of his work: the origins of Islam, the religious development of Islam,

the political development of Islam and Islam and modern thought (Hurgronje,

1916: xi). From the contents page we can see that Hurgronje has already

committed himself to a split between the political and religious. The question

becomes: what is the content of the religious and the political in Hurgronje's

view?

In Hurgronje's section on the religious development of Islam we find clues as to

the content that is given to the religious. He describes the "spiritual goods" with

which Islam set out into the world as what are known as the five pillars and

seven beliefs of Islam (Hurgronje, 1916: 56). It would not be an over

exaggeration to say that this is the sum of the content of Hurgronje's

understanding of the religious. After having discussed some political

developments,[34] including the conquests of the early Caliphate, he argues that after a period of freely borrowing from the conquered subjects, it was felt that Islam's independent character was being threatened. As such, these borrowings were cleansed of their origins and turned into hadith to give them Islamic legitimacy. At this time, circles of "pious people" arose in the major cities of Islamdom that began to systemize the "spiritual property" of Islam (Hurgronje, 1916: 67). It was at this time that it was decided that the Sunnah of the Prophet could be seen as that which explains the Quran (Ibid). This is the beginning of a narrative that Hurgronje tells regarding the religious development of Islam. What is interesting is the categories that he uses in the telling of this narrative.

A large part of the rest of the chapter on religious development focuses on which of the previous scriptures, Christian or Jewish, Muhammad took his ideas from and a description of the political arrangements between the conquering Muslim armies and the conquered subjects.[35] This obsession with comparing Islam with Christianity leads to the imposition of certain categories which come from a Christian worldview and which lead to confusion when applied to Islam. Nowhere is this seen better than in Hurgronje's treatment of Al-Ghazali. Hurgronje writes:

> The influence which spread most widely was that of leaders like Ghazali, the Father of the Later Mohammaden Church… (Hurgronje, 1916: 76)

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[34] This coverage of the political in relation to the religious is, in of itself, a disruption of Hurgronje's split between the religious and political development of Islam.

[35] For example, see Hurgronje (1916: 60, 62-65, 70-71, 75)

In addition to the above, Hurgronje talks of the "catholic instinct" of Islam as well as "protestant elements" within Islam (Hurgronje, 1916: 73, 81). However, later in the same chapter, Hurgronje (1916: 84) asserts that Islam has no clergy. This Christocentric view through which Hurgronje analyses Islam leads to the imposition of certain categories such as "religious" and "political" or "Church" and "State". This latter dichotomy is used at the beginning of the chapter on the political development of Islam and points to further confusion on Hurgronje's part.

The chapter on the political development of Islam begins with the following sentence:

> In the first period of Islam, the functions of what we call Church and what we call State were exercised by the same authority (Hurgronje, 1916: 86)

It can be asked, what does Hurgronje mean by the "State"? Throughout the chapter on the political development of Islam, Hurgronje talks about the governance of the Muslim polity as well as the debates as to who is a Muslim and who is not. Hurgronje assumes that the function and look of the religious and the state in Islam are the same as that which one can find in Christianity and Christendom. It is this assumption that leads Hurgronje into a multitude of problems which have already been highlighted in relation to the previous chapter and which also appear in this chapter.

The first of these problems reflects a particular difficulty that was found within Goldziher: the fact that the Prophet's hijra to Medina is seen as the moment in

which politics and religion combine in Islam (Jung, 2011: 191). Together with his

assertion that law and dogma are among the sacred sciences of Islam

(Hurgronje, 1916: 77), this image of Islam as a fusion between law, politics and

religion[36] has had an immense impact upon the way in which Islam has been

viewed since, both by its own adherents as well as those who do not believe in

its precepts. What is of interests here, in light of Hurgronje's view of the fusion

at the core of Islam, is the following passage:

> The most independent scholars made no attempt to disguise the fact that
> the course which political affairs had taken was the clearest proof of the
> moral degeneration which had set in... It became a matter of course that a
> pious scholar must keep himself free from all intercourse with state
> officials... **The bridge across the gulf which separated the spiritual from the
> temporal authorities was formed by those state officials who... needed a
> knowledge of the divine law, especially the qadhis**. (Hurgronje, 1916: 98)

The attempt to simply apply religious and secular onto this arrangement shows

itself to be a fallacy. Hurgronje's view of the fusion of law, politics and religion is

undone in this small section of his own work. From a quick glance at this

passage it would seem that Muslim polities were both secular and theocratic at

the same time. This absurdity cannot be overcome if we remain within

Eurocentric explanations and categories that are rooted in modernity.

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[36] Goldziher shares this view of Islam (Stauth, 2005: 538). What interests us here is the fact that
both Goldziher and Hurgronje saw in Sufism that which bridges the gaps left by this fusion. It is
used especially to fill the gap left between "law and theology and scripturalism and individual
piety". Recent research, such as Ahmed (2016), however, has problematised the notions that
Sufism is subordinate whilst other research denies it is even a separate category within
Islamicate thinking (Stauth, 2005: 538).

A second problem that arises out of this forced imposition of Christocentric concepts upon the Islamicate is that the history of the Western Christendom is imposed onto the history of the Islamicate. To argue that there are "catholic" and "protestant" elements (Hurgronje, 1916: 73, 81) within Islam is tantamount to universalising the history of Western Christendom and assuming that all other religions have or will follow the same path. This leads to confusion, as the categories that come out of the West are not adequate enough to describe Islamicate political arrangements without falling into absurdities as seen above. The imposition of these concepts also led, in Hurgronje's case, to the setting of questions for Islam, which have not been generated from within but imposed from without.

The final chapter, entitled "Islam and modern thought", of Hurgronje's work deals with the predicament that the Islamicate found itself in during the colonial era. It is here that we find a large number of the questions that have haunted Islam up to the present day that will be discussed later. It is also in this chapter that we find Hurgronje's first sustained treatment of the traditionalist/modernist divide, something that will be discussed in more detail in relation to Hurgronje's work on the Achehnese.

Between 1891 and 1892, Hurgronje settled in Aceh and used this time to analyse the religio-social practices of the Acehnese people. Jung (2011: 184) argues that the two-volume work that resulted from this period is "paradigmatic in the emancipation of modern Islamic studies from the

domination of philology". In addition, Hurgronje introduced "historical hermeneutics" which allowed the application of new categories of the social sciences, specifically traditionalism and modernism, onto the Islamic. This introduction of new categories, much like his move away from theology to science, would play a huge part in his work about the Achehnese. Despite these innovations, there has been critique of this particular work of Hurgronje's. The critique that Fogg (2014: 51-52, 61), in particular, offers of Hurgronje's *The Achehnese* interests us. He argues that Hurgronje uses an Arab lens when looking at the Achehnese and sees Arab Orthodoxy as true Islam as opposed to the indigenous practices of the Achehnese.

By undertaking fieldwork amongst those to be studied, Hurgronje hoped to find the seeds of a better Dutch policy towards the Achehnese than had been formulated by the politicians in the Netherlands. There are two aspects of this better policy that are of interest: the view of the evolution of societies that Hurgronje subscribed to as well as the connected concepts of traditionalism and modernism. Whilst in Goldziher's work traditionalism and modernism were used explicitly, in Hurgronje's work they are used as background assumptions that make their presence known through the repeated use of certain words and phrases. Of the most common of these are "medieval" and "civilized world" respectively.

When Hurgronje uses the terms "medieval" and "civilized world" we can recognize the same metonymic work at play that we saw in Goldziher. It is

argued here that the terms "medieval" and "civilized world" are nothing but

metonyms for "non-Western" and "Western-like" respectively.[37] This sense

comes out more explicitly in the work of Hurgronje than it does in Goldziher. An

example that is particularly interesting in this regard is the following passage:

> The chief question is now no longer how much of the law of Allah is
> applicable to the adherents of Islam, but how much of it Europe deems
> compatible with the requirements of modern life (Hurgronje, 1906, Vol 2:
> 339-340)

In this way, Europe has been made the final arbiter between that which is

modern and that which is traditional or, in Hurgronje's (1916: 120) own words,

"rubbish". Hurgronje's view of the evolution of society cannot be disentangled

from his view of a linear progression from what he calls "medieval" to what he

calls "civilized" (Hurgronje, 1915: 75, 80). As such, if the Achehnese wish to join

the community of civilized nations (or be modern) they must drop the most

medieval of their doctrines. The top of this list, as far as Hurgronje is concerned,

is the doctrine of jihad that in his view denotes "holy war" (Ibid: 80).[38] The path

of evolution towards civilization, according to Hurgronje, is marked with

education. Thus he writes:

> … our conscious educational policy towards the native population which
> history has entrusted to our care; and against that, Caliphate and holy war
> and other medieval iniquities are fortunately powerless. (Hurgronje, 1915:
> 79)

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[37] This point is inspired by Sayyid (1997: 33-34).

[38] This focus on jihad, or holy war as Hurgronje understood it, has roots in his work as a colonial
officer. During WWI, Turkey fought on the side of Germany and released a proclamation to all
Muslims to rise up against their colonial overlords. Hurgronje had been convinced that the idea
of holy war was simply a "historical concept" for most Muslims. He blamed the Turkish
proclamation for the "revival of medieval, fanatical incitement of religious hatred" (Van Dijk,
2007: 297)

This quote should be contrasted with Hurgronje's (1915: 75) view of a nation (Germany) that is perceived to be further along the evolutionary scale. He argues that Germans are "far too sensible and logical to digest the enormous nonsense" that are the concepts of holy war and the caliphate. It is this view that allows Hurgronje to argue that the Achehnese can unlearn these medieval notions through being controlled by a "superior force" and "continued intercourse" (Hurgronje, 1916: 175). Hurgronje's belief in his evolutionary educational program is purportedly shown to be justified when he states that in "more civilized Mohammedan states" war is governed by those principles which are recognized by civilized nations and that "holy war" is relegated to a buzzword which simply excites "sympathy and devotion" (Hurgronje, 1916: 172).

The notions of "medieval" and "civilized" for Hurgronje also translate directly onto the streams of thought he encountered in the Islamicate world. In *Mohammedanism,* Hurgronje (1916: 136-142) contrasts the Makkah pole of thought from the Cairo pole of thought. The Makkan pole of thought represents the "medieval" school of thought and, as a result, "the faithful cultivators of medieval Mohammadan science would prefer to live in Mecca" (Ibid: 142). As such, it is only natural that *tafasir, hadith* and the other branches of Islamicate thinking are taught "in the medieval way from medieval text-books". The only modern thing in this school is the fact that they sometimes used modern text-books which simply reproduce the content from medieval ones and apply these

medieval methods to modern questions. It is because of this, that Hurgronje recommends a stay in Makkah if one wishes to see a "true vision of the Middle Ages" (Ibid: 137). This sense is heightened because if one were to leave aside the dogmatic differences, Hurgronje asserts that "we feel in their temple, the Haram… as if we were conversing with our ancestors of five or six centuries ago" (Ibid: 138). In this shrine of medieval life, what Hurgronje tellingly calls "our modern world" with its "learning and science" does not exist (Ibid: 140).

The other pole of Islamicate thought is represented by the city of Cairo, and in particular Al-Azhar University, which has stood "unrivalled as a seat of Mohammedan learning of every kind". However, Hurgronje writes, the reputation of the Azhar is said to have suffered because of the level of influence Europeans have had over Egypt. As a result of this, modern programs and methodologies have been implemented and "what is still worse, modernism itself, favoured by the late Mufti Muhammad Abduh, has made its entrance…" (Hurgronje, 1916: 140-141). What is interesting here is that Hurgronje completely ignores Abduh's description of himself as a "salafiyyun" (Naylor, 2015: 58), like Goldziher did before him, and asserts that his object was "adapting Islam… to the requirements of modern life" (Ibid: 141). Hurgronje then relates how an uncle of the Khedive of the time founded the Egyptian University which would have, as it professors, those who had studied at European universities. Thus, Hurgronje comes to the conclusion that the establishing of this university is an unmistakable sign that "intellectual Egypt" wishes to translate modern language and education to its own needs.

In the above discussion of Hurgronje's view of the concepts of evolution, medieval and civilized, much that agrees with Goldziher's more explicit treatment of traditionalism and modernism can be found. We can see how Hurgronje's "civilized" nations, much like Goldziher's modernism, is simply a metonym for the West and those nations/people that are Western-like. We can also see how "medieval" connotes those nations and/or concepts that are deemed to be outside of the standards set by civilized nations. Now that these concepts have been analysed, attention can be given to the questions their application generated for the fledging field of Islamic studies.

The main question that Hurgronje asks relates precisely to the modern/traditional divide. He writes:

> … whether a way will be found to associate the Muslim world with modern civilization, without obliging it to empty its spiritual treasury altogether (Hurgronje, 1916: 123)

This question is repeated many times, in different ways and in different works, by Hurgronje and stands at the centre of his treatment of Islam. Given Hurgronje's tendency to synonymise 'modern' with 'West/Western/European', it is obvious that what this question asks is whether Islam has a place in Western modernity. This question masks power relations which highlights the fact that these concepts were indeed imposed upon the Islamicate rather than being the result of a dialogue or other form of exchange.

The power relations in the above quote are working at two levels. The first is clear. Why is it that Islam has to think about emptying its spiritual treasury to accommodate Europe? Why does the Muslim world have to associate with European civilization? Why not the other way around? The second works in the background and is the traditional/modern divide itself which functions here as a power relation. Notice how the Muslim world is juxtaposed with "modern" civilization. It is this power relation operating in the background that provides the justification for the power relation at the fore of the question. This is because it provides the justification for the emptying of the spiritual treasury of Islam because, as it is not modern, it is not worth as much as the European spiritual treasury.

A second question that Hurgronje asks is how Europe can help the medieval Muslims attain the level of the more civilized nations of Earth. This is a question that Hurgronje answers within his own work. The following passage is especially enlightening in this regard:

> We must leave it to the Mohammadans… to reconcile the new ideas which they want with the old ones with which they cannot dispense; but we can help them in adapting their educational system to modern requirements and give them a good example… (Hurgronje, 1916: 148)

Therefore it can be found that Hurgronje's educational program, which has been touched upon in the above discussion of his work, is an answer to one of the questions at the foundation of his entire project. Much like the first question, there are two levels of power relations at play in this answer.

The foreground power relation can be seen in Hurgronje's assertion that the colonialists can "help… in adapting their educational system to modern requirements". As has already been seen in the above discussion of Hurgronje's work, modern requirements are determined by Europe. As such, Hurgronje's assertion translates as helping the non-European to become more European through adapting their educational system to European requirements.

The background power relation that justifies the foreground power relation can be seen in Hurgronje's assertion that Europe can give the Mohammadens a "good example". This assertion has at its heart an assumption that Europe has an example that is worth following and is inherently superior to all others. It naturally follows from this, since Europe has an example worth following, that Hurgronje and his fellow colonialists should help the uncivilized Mohammadens join the community of civilized nations. Writing about one part of the better example of the Europeans, the split between material and spiritual life, Hurgronje writes:

> Considering the independence of spiritual life and the liberation of its development from material compulsion as one of the greatest blessings of our civilization. We feel urged by missionary zeal of the better kind to make the Mohammaden world partake in its enjoyment (Hurgronje, 1916: 132)

Thus it can be seen that, for Hurgronje, education is the key driver of his evolutionary model of religion.[39] This view of Hurgronje's with regards to the

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[39] This can be seen further in Saleh's (2001: 31) work. He argues that Hurgronje believed that it would be only through the reduction of the influence of Islam that Indonesia would progress. At this point in his argument Saleh uses a quote, attributed to Martin (Martin, Woodward and Atmaja, 1997: 140), which states that the Dutch education system was anti-Islamic. It actively

European view of history can be contrasted with Hurgronje and Goldziher's interpretation of Islam's view of history and progress. What Goldziher and Hurgronje have in common in this regard is the notion that Islam has a view of history being in decline. However, it becomes clear quickly that "Islam" in this context is synonymous with the jurists. It is this theme that pervades the work of both Goldziher and Hurgronje: that Islam can be reduced to the work of the jurists. This will have implications for chapter four that will look at modern day traditionalists.

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emphasised the pre-Islamic past as authentic and taught that traditional Islamic learning was "medieval rubbish" (Hurgronje, 1931: 79).

Conclusion: The Implications of the Imposition

In this chapter, the lives and works of Ignaz Goldziher and Christiaan Hurgronje, two scholars who have be seen as the founders of modern Islamic Studies, have been discussed. It can be said that Goldziher and Hurgronje represent the two methods used to project the religious/secular divide onto the Islamicate. Goldziher's method attempts to assert that the Prophet's life itself exhibits the religious/secular divide and later legalistic scholars and the more pietistic Abbasid dynasty corrupted this. The second, Hurgronje's view, is that religion must modernise itself in order to become more secular. An example of this is Hurgronje's belief that religion must be made palatable to "civilised nations" through the dropping of "medieval doctrines". As such, Islam must clear out its treasuries that are mostly full of "rubbish" and which have not had a "revision deserving that name" (Hurgronje, 1916: 120). This progress began even before the advent of European superiority. Hurgronje argues:

> It was only gradually that the Arabs learned the value of good discipline and submission to a strong guidance, and adopted the forms of orderly government as they found them in the conquered lands (Hurgronje, 1916: 87)

With the problematisation of both the attempt to split Islam into religious and secular areas and the attempt to fuse them together, it has been shown that the categories of religion and secularism cannot be applied to the Islamicate. In addition to this, the application of the traditional/modern dichotomy has also been problematised. Whilst it would seem that the religious/secular divide is the most prominent for Goldziher and Hurgronje, it can be argued that their understanding of religion and secularism is inscribed upon a view of history split

into traditional and modern (or "medieval" and "civilized").[40] It is out of this foundational traditional/modern dichotomy that the questions which Goldziher and Hurgronje set for Islamic studies arise. It is also this foundational dichotomy that is the lens through which Goldziher and Hurgronje see religion and secularism. An example of the traditional/modern divide underpinning the religious/secular can be found in Goldziher's work:

> Religion… never appears as an abstraction free from specific historical conditions. Advanced or primitive, religion exists in concrete forms that vary with social conditions (Goldziher, 1981: 3)

It can be agreed, as Goldziher states, that religion can never be free from the historical conditions in which it finds itself. The implications of this shift in focus are clear. In order to combat the religious/secular divide, the traditional/modern divide that underpins it must first be cleared in order to make way for categories that are generated from within the Islamicate. It is then on the basis of these new categories that it will become apparent as to whether there is any currency in providing an Islamicate secularism.

It is in the work of Hurgronje especially, that we see how this arrangement could lead to a situation in which traditionalism and modernism became descriptive tools that were then applied to the streams of thought within the Islamicate. The implications of this for Muslim understanding of tradition have

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[40] This understanding goes against that offered by Jung (2011: 208). Whilst he argues that the traditional/modern divide was inserted into Islamic studies, it is being argued here that Islamic studies was inserted (created) in a space where the traditional/modern divide was foundational. This shift in perspective allows us to the see how a major part of the Islamicate was constructed and will have implications for chapters four and five.

been especially dire. The category "traditionalist" superimposes a monolithic character onto Islamic theological and legal thinking. To say one is a "traditionalist", without further clarification, means one must agree with views of scholars that could at times be contradictory with the views of other scholars. Both are equally part of the tradition. An example of this is the fact that there are many views regarding the validity of ijma with some putting it even higher than the Quran and Sunnah and others arguing there is no such thing as a "consensus" (Farooq, 2011: p. 159) (Farooq, 2011: 159). Thus the usage of the term "traditionalist" could be said to be confusing and allows a hegemonic appropriation of the tradition by a single grouping. Further, to describe someone as a "modernist" or a "traditionalist" is to say nothing at all. Both signifiers mean close to nothing because they can cover up the complexities of the thinkers they describe, a result of which is that we learn nothing from their usage apart from their stance on Westernese. We can say that the continued usage of the categories of "traditionalist" and "modernist" show a language and a people still living under the shadow of a constructed Orient whose main point of reference is the bifurcation of the world into "West" and "non-West". It is clear that we do have two main discourses vying for hegemony within Islamicate thought and so new, more precise terms are needed which can adequately describe them. This will be the task for chapters four to seven. The next two chapters will focus on the religious/secular dichotomy and its modern proponents. This will show a) how the influence of orientalist terminology and baggage still affects the debate around and within the Islamicate and b) how the argument for religion and secularism has updated over time.

Chapter Two: Religion and Secularism Through Time and Space

Introduction

One does not have to show that a concept is flawed in order to argue for another to take its place. One can also show how the concept(s) under question are not valid outside a particular history and space. It is this latter approach that this chapter will take when dealing with the concepts of religion and secularism.

By showing one of the two concepts as invalid, the other by extension becomes invalid. This is because, on the one hand, the modern conception of religion is based upon a secular understanding of the religious. On the other hand, the secular cannot survive without the religious category. It is for this reason that Asad (2001: 221) refers to religion and secularism as "Siamese twins". He goes on to state:

> Religion has been part of the restructuration of practical times and spaces, a rearticulation of practical knowledges and powers, of subjective behaviors, sensibilities, needs, and expectations in modernity. But that applies equally to secularism, whose function has been to try to guide that re-articulation and to define "religions" in the plural as a species of (non-rational) belief. (Asad, 2001: 221)

Thus religion and secularism are intricately related. If religion falls there is no need for secularism since there will be no "rearticulation". If secularism falls then the category of religion loses its definition and then needs to be remade/reworked. In addition to Asad, Sands (2008: 308) argues that religion and secularism cannot be seen as part of natural history and nor can they be

studied as if they have an existence separate from each other. She adds to this that religion and secularism need to be studied "as linked discourses" as "the religious and the secular are shaped in relation to each other" (Sands, 2008: 309). At this point, Sands (Ibid) continues, it is a "truism" that the secular and the religion only have meaning in relation to each other. Thus we can say that if one fails or falls then meaning is also taken from the other.

This chapter will be split into two parts: the first will be a genealogy of the concept of religion, where it originated and how it has evolved. By showing that the modern definition of religion has no applicability outside the advent of colonial modernity we shall show how secularism also has no applicability outside colonial modernity.

The second part of this chapter will detail secularism (or the lack thereof) and its applicability through space. This debate is best exemplified through the exchanges around this topic between Charles Taylor and Talal Asad.[41] As an extension of this debate, the work of Rajeev Bhargava, who attempts to create an "Indian secularism", will also be discussed. Acknowledging that all space is informed by time and by showing that secularism has no purchase outside a specific space, we can also show how religion does not have any validity outside

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[41] Talal Asad and Charles Taylor have been chosen both because they well known representatives of their respective positions. In addition, and perhaps more importantly, Taylor and Asad have been chosen because their particular iteration of this debate raises some points that are crucial for this work in a way that other debates within this field do not.

a specific area.[42]

It is in this way that this chapter will make the case that both religion and secularism must be put up for clearing. Whilst many replacements have been offered for the concept of religion, not many have been offered for secularism.[43] This chapter will delineate which of the replacement of the concept of religion this study accepts. It is then on the basis of this acceptance that the replacement for secularism will be built.

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[42] The area in mind here is the West. However, provincializing the categories and concepts of the West in no way indicates that these categories are accepted uncritically in the West itself. A more detailed discussion on attacks on the categories religion and secularism, and a response to them, consult Dubuisson (2007) and Riesebrodt (2010).

[43] This can be attributed to the fact that once one believes religion to be invalid, secularism is by extension invalid. However what this argument misses is the different functions religion and secularism serve.

Religion Through Time

One of the many claims made on behalf of the concept of religion is that it can be applied throughout time. From the earliest days, the story goes, humankind has had a religious impulse and a predilection to categorize peoples according to religion or "categories which are fully compatible with the concept of religion" (Riesebrodt, 2012: 26).[44] This can be traced all the way to modern times that gave birth to the modern conception of religion. This modern conception of religion has been exported from Europe across the world through colonial modernity. It could be said that a sign of the persistence of the colonial state of mind is the continued usage of the term "religion" to describe formations that exist outside of the experience of Western Protestant Christianity. Modern religion, according to Riesebrodt (2012: 1), is based on the distinction between religious and non-religious, between the sacred and the profane. This understanding of religion opens the way for both a privatized religiosity and secularism, a connection which is confirmed by Asad (2001: 221). It is the purpose of this section of the chapter to show that the modern conception of religion cannot be applied throughout time. As a result of the close connection between secularism and this modern understanding, if it is shown that religion cannot be applied throughout time then neither can secularism. We shall be investigating the concept of religion through a brief genealogy of the term "religion".

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[44] Despite Riesebrodt's (2012: 8) assertion that he accepts Asad's critique that religion is not a transhistorical phenomenon, he then goes on later in his work to try and trace religion/concepts "fully compatible" with religion in history. This contradiction within the structure of his argument is not accounted for or resolved.

Nongbri (2013: 2) in his work *Before Religion: A History of a Modern Concept* argues that the ancients did not have a term that corresponds comfortably with the modern meaning of the term "religion". Therefore, for example, when the ancient Greeks spoke about *ioudaismos*, they were not referring to the "religion of the Jews" but rather to the act of the practices and beliefs associated with Jews (Nongbri, 2013: 2-3). Indeed, the distinction between the religious and the non-religious, a foundational tenant of many modern definitions of religion, simply did not exist in the ancient world (Ibid). An example of this lack of distinction would be the fact that Roman temples, as well as hosting what we would call "religious" functions and events also played host to political meetings and markets. (Nongbri, 2013: 5). As a result of this collapse between the religious and non-religious, the ancient world very much saw religion as playing a major role in the public sphere. In a legal ruling which has been attributed to Marcian, a fifth century Roman emperor, "things sacred" are said to be those things which "have been consecrated by an act of the whole people" and not by anyone in "a private capacity". As such, "if someone makes a thing sacred for himself" it is not to be considered sacred but is profane. (Nongbri, 2013: 20, 165)

It is in the Roman era that the etymological ancestor of our modern term "religion" appears. It is to the *religio* of Cicero and Lucretius (Smith, [1959] 1964: 24) and the *religare* of Lactantius, that modern day proponents of "religion" point to in order to argue that religion is indeed a universal concept

that refers to the same thing through time and space (Dubuisson, 2007: 22). However, Nongbri (2013: 21) criticises this commonly held view by characterising this projecting back of religion as a redescriptive account of history, that is, a foreign system (modern religion) is being imposed onto past peoples. He defines the modern concept of religion as an "idealized, private, interior realm" which does not cover things normally contained in the public sphere such as law or social order (Ibid: 45). This leads to a discussion of the definitions of *religio/relegere* in various works in which Nongbri (Ibid: 28) establishes that *religio* could mean a variety of things from "rule" or "the practice of worship" to "excessive concern about the gods".

Christian writings from the early Middle Ages (476-799) do not support a projection of the modern concept of religion back into the past. However, Dubuisson (2007: 24-26) contends that at least some notable early Christian theologians, namely Arnobius and St. Augustine, paved the way for the modern, distinctly Christian, definition of religion by establishing two propositions: the first being that theology is the science through which we understand God and the second being that faith, and faith alone, is that which links us with the Divine. However, it could be argued that St. Augustine's role in preparing for a privatised conceptualization of religion is actually much greater than what Dubuisson believes. Consider the following passage taken from Augustine's *The City of God*:

> The word "religion" (religio) might seem to express more definitely the
> worship due to God alone, and therefore Latin translators have used this

word to represent θρησκεία yet, as not only the uneducated, but also the best instructed, use the word religion (religio) to express human ties, and relationships, and affinities, it would inevitably introduce ambiguity to use this word in discussing the worship of God, unable as we are to say that religion (religio) is nothing else than the worship of God, without contradicting the common usage which applies this word to the observance of social relationships (St. Augustine, 1890: 292).

It could be surmised that in this passage we see one of the first developments of the modern conception of religion as private, asocial and apolitical. In seeking to find a new word which denotes "worship due to God" as opposed, separate and distinct from "human ties, and relationships and affinities", St. Augustine, almost certainly unwittingly, opens the door to later interpretations of religion (most notably in the writings of John Locke and Jean Bodin) which cut away the social and political aspects of religion and confined it in a "distinct" sphere. This passage from St. Augustine also shows a bifurcated understanding of what constitutes "worship" and assumes that human relationships and social ties cannot be forms of worship. The present work argues that it is the early Christian era (with St. Augustine at the forefront) that begins the long path to the modern conception of religion rather than these trends suddenly appearing in the writings of the Enlightenment and amidst the events of the seventeenth and eighteenth centuries.

The claim that the early Christian era serves as a starting point of the modern conception of religion is bolstered when we consider the events of the Renaissance and the doctrines of the Italian Neo-Platonists and the Deists. It is not that the Neo-Platonists and Deists carried on in Augustine's footsteps and further delineated "religion" from society and politics. Rather a debate

surrounding the role of religion was started within the context of the advent of

Latin Avveroism. Some thinkers, such as the famous Italian Neo-Platonist

Marsilio Ficino did not consider anything to fall under the rubric of the "secular"

as we understand it and affirmed the all-encompassing nature of "religio"

(Nongbri, 2013: 80). There were others however, such as Marsilius of Padua

([1324] 2005), who foreshadowed the developments to be made by John Locke.

Marsilius argued that the Pope and his priests should not be considered judges

of either worldly or religious actions. The worldly law is to be judged by the

"prince" (or any other civic judges) and the religious law is to be judged by

Christ once one dies. It is clear to see how this idea could be developed into the

direction of a split in authority. Therefore, instead of being a human legislator,

Marsilius argues that the clergy should be "the faithful human legislator". In

short, instead of coercing the people to believe, the Roman church should hold

the position of "helper and advisor on the faith" (Marsilius, [1324] 2005: xxviii-

xxix).

The early beginnings of the Renaissance (1300-1600) marked the start of a

debate around St. Augustine's unwitting steps towards the modern

understanding of religion. The works of the French Neo-Platonist Jean Bodin

marks a high point in the latter stages of this debate towards the end of the

Renaissance.

Bodin lived in a France that was focused on the Huguenot branch of

Protestantism. As the Huguenots gained in number they began to openly

display their faith that led to hostility form the Catholic majority. This in turn led

to a period of time in French history known as the Wars of Religion (1562-1598).

A particularly notable point during this on and off civil war was the St.

Bartholomew Massacre in which thousands of Huguenots were massacred

across France (Garrioch, 2014: 2-5; Treasure, 2013: 167-168). Four years after

this event, Bodin would write *The Six Bookes of a Common-Weale* in which,

amongst other things, he discusses the role and place of religion.

Bodin ([1576]1606: 536) argued that the place of religion should be determined

by whether it is subject to a consensus within society or not. If religion is not a

bone of contention which will lead to violence then, "… there is nothing which

doth more uphold and maintaine the estates and Commonweals than

religion…" (Ibid). To ensure consensus, Bodin advocated the regulation of

religious discourse to ensure that arguments do not break out and, if they do,

they are kept out of the public eye as "disputations about religion bring… ruin

and destruction to the commonweal…" (Ibid). It is prudent to point out that

Bodin himself sees his views on religious consensus as optimistic and so argues

that if it so happens that religious consensus is not reached, rulers would do

well to follow the example of, "the great emperour of the Turkes" who:

> …doth with as great devotion as any prince in the world, honour and observe
> his religion, by him received from his ancestours, and yet destesteth not he
> the strange religions of others; but to the contrarie permitteth every man to
> live according to his conscience… (Bodin, [1576]1606: 537)

From his praise of the Ottoman system, we can surmise that Bodin believed that

the best way to ensure a stable state where there is no religious consensus is to

allow all the citizens to live according to their own beliefs. In a dialogue Bodin

wrote, he supports this argument by portraying a meeting between

representatives of different faiths and the conclusion to their dialogue is an

agreement not to talk about religion because "no one can be forced to believe

against his will"(Bodin, 1975: 471 cited in Nongbri, 2013: 100). Thus, in the

works of Bodin, we see the explicit placing of religion in the private sphere for

the sake of social stability and preservation of the commonweal rather than the

search for some essential "truth".[45]

It could be argued that deists, who were near contemporaries of John Locke,

furthered the train of thought that would ultimately lead to the emergence of

modern religion. A "significant step in this definitional history" was made by the

English deist, Edward, Lord Herbert of Cherbury (Asad, 1993: 40).

Herbert, commonly called the "Father of Deism" (Nongbri, 2013: 93),

contributed two ideas to the modern universal conception of religion. The first

is that he established religion as a universal concept and then developed what

are called the "Common Notions" of religion which ordinary humans

everywhere hold to be true (Herbert, 1937: 291). These notions are: there is

One God, He ought to be worshipped, virtue and piety are key parts of worship,

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[45] In Bodin, we see the beginning of what has become the modern distinction between religion as especially irrational and the realm of politics which is rational. The assumption behind Bodin's thinking seems to be that if people were to stop talking about religion and religious difference then peace would reign. This has proven to be incorrect in the centuries following Bodin as the two greatest wars, WWI and WWII, have had nothing to do with religion or religious difference.

we should repent for our sins and that God will reward good and punish evil in this life and the next. In this assertion, we see the start of an essentialised notion of both human nature and the claim that religion (in its Christian Catholic form, as Herbert understood it) is universal throughout time and space (Herbert, 1937: 291-303).

Herbert's second contribution is the fact that in his study of ancient pagan "religions", he explains away anything that is not compatible with his common notions of religion as corruptions by priests. Nongbri (2013: 95-96) argues that this removing of the original components of ancient religion contributed to the growing sense that religion was a set of beliefs distinct from rites, ceremonies and "sacred mysteries". As such, religion for Herbert was primarily a mental phenomenon, a collection of beliefs that could be either right or wrong. As could be surmised, this idea is very much compatible with the modern conception of religion as a primarily inward, private affair that does not encroach upon the social or political. Indeed, further proof for this interpretation of Herbert can be found in his *De Veritate*, where he states his task is to reconcile "Nature" with "Grace or Special Providence" so "that each may reign supreme in its own sphere" (Herbert, 1937: 75). This suggests that, far from Herbert simply setting the stage for the writings of Locke and later writers, as Nongbri (2013: 95) suggests, the separation between the secular and religion had already started at the time of Herbert (the late sixteenth and early seventeenth century), and was pronounced enough to be noticed by the writers of the time. Indeed, Asad (1993: 40) also argues that Herbert's contribution

forms the nucleus of what was later formulated under the title of "Natural Religion". The crucial difference between Herbert and the later writers, and indeed, writers from before Herbert's time such as Bodin, is the fact that Herbert, whilst he recognised both religion and "Nature" had their own spheres, wished to reconcile both spheres with each other rather than separating them fully. This seeming contradiction to the trend of privatizing religion shows that history is seldom linear. As Kuhn (1970: 17) remarks, in his *The Structure of Scientific Revolutions*, most sciences, in their infancy, are marked by a large number of competing theories or schools. This infancy then leads to normal science that is marked by a single paradigm dominating all others. If normal science comes across an anomaly that it cannot solve it breaks down and we enter revolutionary science in which many paradigms compete for hegemony. The period up to the publication of the works of John Locke can be said to correspond to the infancy period of Kuhn's framework. With the appearance of Locke's works, what can be seen is the emergence of a single paradigm of religion which, with the help of what Kuhn calls "mopping up" (Kuhn, 1970: 24), comes to dominate the field to this very day.

It could be said that Locke is representative of the period in which the birth of the twins of modern religion and secularism finally came to pass. This can be proven through looking at definitions of religion, verbalized or written many centuries after Locke, which adds/take away very little from/to his conception of religion. An example of this is William James' definition of religion, given in 1902, in which he states that:

> Religion… shall mean for us the feelings, acts, and experiences of individual men in their solitude, so far as they apprehend themselves to stand in relation to whatever they may consider divine. (James, 1902: 31)

We can say, therefore, that the study of "World Religions" as an attempt to categorize the Other, is simply an exporting of the Lockean view of religion around the world.[46] It is the discrepancies that this exporting led to which required the "mopping up" referred to earlier and which crystallized the modern concept of religion. This view is supported by Hashemi who argues that whilst Locke cannot be credited with starting these ideas, he did "play a unique role in codifying and constructing a set of rational moral arguments that eventually sank deep roots in Western political culture" (Hashemi, 2009: 109). Indeed, he argues that later thinkers, such as Mill ([1859] 1985), simply built upon Locke's works rather than offer a new perspective on religion (Hashemi, 2009).

It is to Locke's *Letter Concerning Toleration* that we turn to understand his ideas regarding religion. This is because it is in this particular work that Locke explicitly sets out what he deems religion to be and what its place is. Consider the following passage:

> I esteem it above all things necessary to distinguish exactly the Business of Civil Government from that of Religion, and to settle the just Bounds that lie between the one and the other. If this be not done, there can be no end put to the Controversies that will be always arising… (Locke, [1689] 2010: 12)

Thus, in the opening few pages of his letter, Locke explicitly calls for the

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[46] Cf. Masuzawa (2005).

separation of religion and politics. He asserts that this separation is necessary because the power of the "magistrate" consists of only "outward force" whereas the power of religion consists in the persuasion of the mind (Locke, [1689] 2010: 13). As a result of this interpretation of the relationship between religion and socio-political life, Locke felt it necessary to redefine the notion of a "church". He redefined it as a voluntary body of people who subscribe to the same set of worship rites. This is not as important as his insistence that a defining feature of the church is to conduct "the publick worshipping of God" (Locke, [1689] 2010: 15). It could be argued that this seeming contradiction to Locke's earlier remarks about the separation of religion and politics can be explained by asserting the Locke was only interested in separating religion from politics and not from society itself. The public sphere, for Locke, was open to religious acts and organisations. Indeed, further proof for this position comes in the form of Locke's explanation that the laws of the Church should be enforced through advice and exhortation which suggests that he believed that the Church should be allowed to voice its opinions on matters which affected its members (Locke, [1689] 2010: 18-19). These positions bear a striking resemblance to those of Marsilius of Padua ([1324] 2005) discussed above.

If the concept religion only has validity in the modern West then we are left with the question: what are we to do with Islam? The question this leads to is if we cannot apply the category of religion to Islam, what is it?[47]

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[47] Nongbri (2013: 39-45) has an excellent section on the Arabic word "din". He compares translations of this word in translations from 1649 and 2003. The stark difference in the

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There are many alternatives to religion that have already been developed for the Islamicate.[48] However, given the placement of this work within Critical Muslim Studies, we shall be moving forward with the understanding that Islam is a language, as explained by Sayyid (2014a: 190) and Ahmed (2016: 361, 387). Having chosen a replacement for religion from the plethora of available replacements, we now move on to a consideration of secularism and whether it can be applied across space. Given the specific Western nature of religion, can secularism be transported outside of Europe? Any answer in the affirmative would also imply that the modern definition of religion could also be exported across space. The discussion will now turn to the debate regarding the ability of secularism to be applied outside of the West, using the work of two famed thinkers, Talal Asad and Charles Taylor. Following this, the ideas of Rajeev Bhargava will be discussed in order to see how a major attempt to port secularism outside the West has fared.

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translation of "din" shows that the modern usage of religion has not always been applied to Islam.

[48] Consult Smith ([1959] 1964) for an early example of the view that religion does not apply to Islam. Examples of potential replacements for the concept of religion can be found in Geertz (1971), Asad (2009), Mok (2014), Sayyid (2014a) and Ahmed (2016).

Secularism Through Space

The debate between Asad and Taylor begins with a comment by Asad that

forms the basis of his position. In his explanation of what secularism is, Asad

writes that thinking of it as a separation between the secular and the religious is

not enough. In the abstract, evidence of this split can be found in both medieval

Christendom and the Islamicate (Asad, 2003: 1). What is distinctive about

secularism is the fact that it constructs the concepts of "religion", "ethics" and

"politics" in particular ways (Ibid: 1-2).[49]

It is because of this fact, Asad goes on to say, that the opponents of secularism

in the Rest have argued that secularism is specific to the West. The advocates of

secularism, on the other hand, claim that, despite its specific origins, secularism

is universally relevant. Asad uses the example of Charles Taylor as a scholar who

advocates for secularism. As Asad (2003: 2) himself states, Taylor's argument

"demands... attention" and as such will be laid out in full here.

For Taylor, the emergence of secularism is connected closely to the rise of the

modern nation state.[50] This connection is exemplified in the two ways in which

secularism legitimises the nation state. The first was an attempt to find

commonality between conflicting religious doctrines and the second, an

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[49] It is important to note that Asad (2003: 16) sees the secular as separate and prior to the "political doctrine" of secularism. Also note how Asad takes secularism to be the basis of the discourse in question. In this and the next chapter, we shall show that, when secularism is applied to the Islamicate, it is the binary of the traditional/modern that forms the basis of the discourse of secularism.

[50] A discussion of this link, and the implications of an Islamicate secularism for this link, will take place in the last section of this work.

attempt to define an "independent political ethic" outside the purview of religion. It is these two which provide the basis of two different versions of secularism (Taylor, [1998] 2010: 33). Taylor admits that both have problems that do not allow them to be exported outside the "heartland of secularism". Taylor advocates a third way which combines both the common ground approach and the independent ethic approach. It is only in this third configuration that secularism which can be applied worldwide but only after having "...adapted it to the Rawlsian idea of an *overlapping consensus*...".

Whilst Asad focuses his critique on the notion of overlapping consensus, there is another avenue of critique that could be directed at Taylor. This is critique of the idea of an independent political ethic. To talk of a political ethic, independent of religion, is not to talk of an ethic independent of human interpretation. Taylor argues that the independent ethic is based on human nature that is rational and sociable (Taylor, [1998] 2010: 34). Thus we come to the base of what allows secularism to be expanded across space. The existence of a common human nature. Human nature, however, is not outside human interpretation. As Sayyid (2014a: 158) reminds us, belief in Reason/rationality as a constant outside interpretation is "undermined by history". The example he uses is that, until quite recently, the idea that white people were biologically superior to all others was considered rational and reasonable. Indeed one could also draw upon the ideas of Foucault who argues that how we understand things today is not necessarily how they were understood in the past. Consider the following:

However, if the genealogist refuses to extend his faith in metaphysics, if he listens to history, he finds that there is "something altogether different" behind things: not a timeless and essential secret, but the secret that they have no essence or that their essence was fabricated in a piecemeal fashion from alien forms. Examining the history of reason, he learns that it was born in an altogether "reasonable" fashion-from chance; devotion to truth and the precision of scientific methods arose from the passion of scholars, their reciprocal hatred, their fanatical and unending discussions, and their spirit of competition-the personal conflicts that slowly forged the weapons of reason. Further, genealogical analysis shows that the concept of liberty is an "invention of the ruling classes" and not fundamental to man's nature or at the root of his attachment to being and truth (Foucault, 1977: 78-79).[51]

What Foucault is communicating here is the lack of a "timeless and essential secret" behind reason and liberty. Even these very basic human concepts are not beyond interpretation.

Taylor also uses the thought of Benedict Anderson as a pillar for his own position. In particular, Taylor uses the idea of an "imagined community" in order to highlight two features of the modern imaginary which are characteristic of democracies: the first is the placement in homogenous, secular time and second is the horizontal, direct-access nature of modern society. The latter comes from the former. A "purely secular time-understanding" allows us to think of society without reference to any "high points". This allows us to understand society without reference to any privileged persons such as kings or priests who stand as mediators between the low and high points. (Taylor, [1998] 2010: 42). As a result of this society becomes direct access as each member is "immediate to the whole". This horizontal direct access society is given shape by the people and their acts (Ibid: 43). Both of these features form

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[51] See also Foucault (1977: 83)

the boundary between the sources of political legitimacy in a modern direct

access, homogenous state and those in a traditional state that are usually

mediated. Taylor reinforces this point:

> Traditional despotisms could ask of people only that they remain passive and
> obey the laws... A democracy, ancient or modern, has to ask more. It
> requires that it's members be motivated to make the necessary
> contributions: of treasure... sometimes blood, and always some degree of
> participation in the process of governance. A free society has to substitute
> for despotic enforcement a certain degree of self-enforcement. (Taylor,
> [1998] 2010: 43, quoted in Asad, 2003:3).[52]

It is at this point in Taylor's presentation of his case that Asad makes an

intervention. Asad argues the payment of taxes ("treasure") and conscription in

the army ("blood") is enforced by the state and is not simply a case of self-

enforcement. In addition to this, Asad (2003: 3) does not believe a comparison

can be made between "ancient or modern" democracies simply because the

"problems and resources of modern society are utterly different from those of a

Greek polis". Asad (Ibid: 3-6) then goes on to problematise the two features of

democracy that Taylor claims are characteristic of democracies. He focuses

much of his efforts on problematising the notion that liberal democracies

"usher in a direct-access society..." (Ibid: 5).

Taylor goes on to argue that the state gives rise to the notion of citizenship that

then transcends all other identities (class, gender and "perhaps especially"

religion) (Taylor, [1998] 2010: 44). It is for this reason that the independent

ethic model, that provides a basis for citizens to place their allegiance, has

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[52] Cf. Chapter five in Sayyid (2014a).

tempted "state-builders". Whilst this is bound to fail, Taylor argues that it helps

to show why some form of secularism is necessary even though there may be a

great temptation to move away from it. Both the need for secularism and the

impulse to move away from it come from the same source (Taylor, [1998] 2010:

44-45).

In Taylor's next point, we find his attempt to justify the exporting of secularism

worldwide. He starts his explanation with "modern democracies require a

'people'" (Taylor, [1998] 2010: 45). A question that immediately arises is

whether one can have a traditional democracy. The answer to this question,

from Taylor's own writing, seems to be that one must be modern in order to

partake of democracy. It is within modernity that the direct access horizontal

society comes to be. It is also within modernity that the public sphere and the

"citizenship state" have arisen. Each of these is fundamental to democracy. To

further complicate matters, Taylor ([1998] 2010: 43), as we have seen, believes

that ancient democracy is a valid category but the category 'traditional' cannot

be paired with 'democracy'.[53] Some key questions now arise: can traditional

societies make the leap to becoming modern, how are traditional societies to

make this leap and how can such "modernness" be measured? In order to

answer these questions we must turn to Taylor's own response to the charge

that secularism is not universal across space.

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[53] Here in Taylor's work we are seeing the deployment of the traditional not as a marker of time
but as a category of persons and societies. The distinction between traditional as marker of time
and traditional as category will be discussed in more detail in chapters three and four and has
been touched on in chapter one.

Taylor revisits "...the charge levelled by many non-European societies against secularism, that it is an import from Christendom." (Taylor, 1998: 37). He asserts that the independent ethic model cannot be exported across space. However a third way is developed in Taylor's work which is a synthesis between the common ground approach and independent ethic approach. This synthesis, as mentioned above, is based on acceptance of Rawls' overlapping consensus. Rawls' concept of overlapping consensus states that there is no possibility of a universally agreed upon basis for the political principles of a modern society. Taylor follows Rawls in his assumption that the political ethic will be grounded in one of many interpretations of what constitutes good. However, Taylor departs from a Rawlsian understanding in his view that the background views of a person and the foreground political principles are not as intertwined as Rawls claims. Thus whilst there must be consensus on the political ethic, it does not follow that there has to be uniformity in the method that groups use to arrive at the ethic (Taylor, [1998] 2010: 38). This form of secularism is necessary in a modern democratic state.[54]

Taylor's subscription to the Rawlsian notion of "overlapping consensus", with

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[54] Again we find the notion of the modern is central in Taylor's understanding of the secular. At the outset, Taylor sets becoming/being modern as a precondition for "non-Christian" to being able to partake of secularism. However, despite its centrality, the modern is never explicitly defined in Taylor's work. However, Taylor's work *Sources of the Self*, provides some clues. In this work, Taylor proposes to construct a "...history of the modern identity... in the modern West" (Taylor,1989: ix). This immediately leads to the question as to whether a modern identity is possible outside the West (or more specifically outside westernese). A more detailed study of the relationship between the notion of the modern and the West can be found in Sayyid (1997) and Hall ([1992]1995).

the slight departure described, provides a target for Asad's critique. For Taylor,

the notion of overlapping consensus allows people to have a diverse array of

reasons for subscribing to the independent ethic. Taylor recognises that there

may be quarrels as to what forms the core political principles and what forms

the background justifications. These quarrels, he asserts, will be resolved

through negotiation and persuasion. Asad (2003: 6) is not convinced by this

view. He states that the nation-state is not "a generous agent and its law does

not deal in persuasion" (ibid). Asad then uses the example of a dispute in which

one party refuses to compromise on a matter of principle. He goes on:

> If citizens are not reasoned around in a matter deemed nationally important
> by the government and the majority that supports it, the threat of legal
> action (and the violence this implies) may be used. In that situation
> negotiation simply amounts to the exchange of unequal concessions in
> situations where the weaker party has no choice. (Asad, 2003: 6)

In other words, Asad explains, when a state enforces a particular distinction

between core principles and background assumptions this can lead to

"disaffection" (ibid). This leads Asad to state that it is not necessarily its

Europeaness that leads to difficulties with secularism. It is its integral role in the

creation of unequal capitalist nation states, each of which has a different set of

rules governing their behaviour and therefore has different measures of success

and threat (Ibid: 7). Whilst this is true, the problem many of the Islamicate have

with secularism is much deeper; the capitalist nation state model is but a

symptom.

Perhaps another critique one can level at Taylor is the fact that his entire

position is predicated on one's uncritical acceptance of the modern definition of religion. However, even this is yet another symptom of the true underlying cause of friction between the Rest and secularism. Perhaps the true cause of Islamdom's aversion towards secularism comes when we realize that one must also accept that the modern understanding of religion can be exported across space. It could be argued that this reflects an imposition of Westernese and is the only way that secularism can be exported across space. This is because since secularism separates religion (Church) and state (in its most basic form) then there must be a religion (Church) that can be separated from the state. It is this imposition of Westernese (i.e. the turning of Islam into a religion (Church) that firstly can and then is separated from state) that underlies an animosity to secularism. Thus, it is only through an act of forgetting this transformation of Islam that Western secularism and the concept of religion can be seen as universal. As such, whilst Taylor writes about imposition as a result of the independent ethic approach he does not identify the correct concept that is being imposed. This misidentification of the concept being imposed allows Taylor to argue that his third way will work without being seen as an imposition. However, the imposition that Taylor relies on (I.e. the categorization of varied systems of thought as religions by colonial modernity) is so far in the background of his thought that he does not recognise it.[55] We shall now expand

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[55] The colonial imposition of the category of religion is best shown through the European "discovery" of Buddhism and Hinduism. Masuzawa (2005: 122) argues it was only during the nineteenth century that the "divergent rites ad widely scattered institutions" that were to be found in South and East Asia were grouped together under the heading of Buddhism. She (Ibid: 133) also argues that Hinduism is in actuality Brahmanism, one of many belief systems in India, that rose to prominence because the weight European scholars gave to the Vedas. As soon as

upon this critique to show how Westernese is deployed in Taylor's thinking.

To show how Westernese is deployed in Taylor's work we must discuss another problem within Taylor's work. To his credit, he does point to this problem but does not fully address it. After he has explicated the common ground approach he writes:

> But the situation is very different if there are real live atheists in society. They will live the independent ethic not as some thought experiment, but as the basis of their moral lives. (Taylor, 1998: 36)

He goes on to say that atheists may believe their way of living the ethic is the correct one and the "unbelieving 'secularist'" may become suspicious of religious motivations (Ibid). This may lead to the secularist moving to push religion further and further out of society. He believes that by introducing the concept of overlapping consensus, this can be averted by consensus being focused on the ethic rather the method brought which we arrive at it. He writes further:

> The property of overlapping consensus view is just that it lifts the requirement of a commonly held foundation. It aims only at universal acceptance of certain political principles. But it recognises from the outset that there cannot be a universally agreed basis for these, independent or religious... I believe this model... can be usefully followed - we should better say, reinvented - almost anywhere (Taylor, [1998] 2010: 38)

Whilst Taylor argues that the common ground approach may lead to one metaphysical view being privileged over another, that this is exactly what his third way also leads to. In order to uncover which metaphysical view point

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the Europeans started to learn Sanskrit, the Vedas became the sacred books of the Hindus (ibid).

Taylor privileges we must look to the work of Sayyid (2014a) who provides us with the conceptual tools in order to describe Taylor's metaphysical worldview. Consider the following:

> ... the Western project sought to establish a language that would enable the world to be comprehended in its totality. The name of this system of significations varied with context: sometimes it was called Reason, sometimes History, sometimes Science - but I prefer to call it Westernese (Sayyid, 2014a: 19)

It could be argued that the "political principles" which must be "universally accepted" (i.e. the independent ethic) in Taylor's work are a manifestation of Westernese; an ordering of the world according to principles which contribute to view of the West as the "destiny of the planet" (Sayyid, 2014a: 19). This becomes clearer when we investigate Taylor's view regarding religion. Consider:

> Sometimes, of course, we have to do a job on these beliefs, to ensure they do not overstep their bounds, and start challenging the independent ethic. A good example is what Hobbes does to Christian revelation... The Christian demands have to be shrunk, in order to leave the independent ethic unchallenged (Taylor, [1998] 2010: 34)

A clear power dynamic can be seen here that can be translated as Westernese being privileged over a religious worldview. This is shown through the fact that the job is done on the religious beliefs rather than on the independent ethic. Thus it is the independent ethic that has the power to regulate religion rather than the other way around. In other words religion is only fit to be acted upon and not fit to act upon others. It is this "doing a job" on beliefs that would allow universal acceptance of the political principles that are the basis of to Taylor's third way. This "doing a job" is nothing more than a metonym for colonial modernity and the application of Westernese categories and labels around the

world. It is through "doing a job" on various ways of life that religion has come

to be applied to them and, subsequently, has become a worldwide

phenomenon.[56] It is only through the forgetting of this initial imposition on the

Rest, that one can assert that Westernese can account for, and explain, all.

Therefore we can say that a traditional society can become modern by "doing a

job" on its religious beliefs and this "modernness" is measured by a

commitment to Westernese under the guise of an independent ethic. An

example of this "doing a job" and subsequent forgetting can be seen in the work

of Rajeev Bhargava.

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[56] This can be linked to the assertion made earlier that the exporting of modern religion is simply the exporting of a Lockean view of religion. Taylor's "doing a job" on religious beliefs can be seen to be synonymous with the "mopping up" of anomalies mentioned earlier. See Masuzawa (2005) for an in depth treatment of the exporting of religion around the world.

Rajeev Bhargava: A "Distinct" Indian Secularism

One of the major efforts towards a non-western secularism has come in the form of the work of Rajeev Bhargava. In this section we shall analyse Indian secularism as presented by Bhargava in order to see a) whether it is a non-Westernese form of secularism and b) what it can offer to the building of an Islamicate secularism.

In a paper entitled "Giving Secularism its Due" (Bhargava, 1994), Bhargava gives himself two objectives to fulfill which will be used to evaluate his work.[57] The first is to defend secularism from its critics and give "what is due to it". The second is to construct a theory of secularism through developing arguments in favour of secularism that "any secularist may use wherever the need arises" (Bhargava, 1994: 1784).

Bhargava (1994: 1784) opens his attempt at a theory of secularism by stating that three questions must be answered: a) is it possible to separate religion and politics b) why must religion be separated from politics and c) how, after separation, must the two deal with each other. He asserts that the structure of his theory is built with the response to these questions and therefore "stands or falls with it".

In the first announcement of his aims, we already see in Bhargava a universalist

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[57] Whilst our discussion will centre on "Giving Secularism its Due", Bhargava discusses a distinct Indian secularism elsewhere (see for example Bhargava 2012; 2011; 2010; [1998] 2010; 2006 and LivingwithDiversity, 2013).

strain which proves to be his undoing. It is interesting to note however that Bhargava does not properly define the term "wherever". It is essential that Bhargava defines this term properly as one of his aims is based on the ability of his arguments to move across space to "wherever". We find that, however, Bhargava does not explain what he means by "wherever". In the absence of Bhargava's definition we can say that "wherever" could mean either one of the following (or both as the case may be): "wherever" in terms of geographic location meaning his argument can be used in every nation on Earth, or "wherever" in terms of subject position within any particular discourse which means any belief system could pick up his arguments instantly. By not defining what exactly he means by "wherever" Bhargava opens himself up to critique from two separate locations.

It also seems Bhargava is content to ignore the issues surrounding the category of religion. Over the past fifty or so years there has been a rising tide of scholars who have argued against the concept of religion, arguing for its reworking and/or argue that modern religion is not the same as medieval understandings of religion (see Nongbri, 2013; Masuzawa, 2005; Dubuisson, 2003; McCutcheon, 1997; Asad, 1993; Asad, 1986; Smith, [1959] 1964).[58] Despite this, there is no attempt on the part of Bhargava to justify his use of the category of religion in his work. As a result of this lack of engagement with the category of religion, Bhargava does not define what he means by "religion". Thus, the very least we can say is that there is a step missing from the logic he has laid out in his three

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[58] Some of the concerns and critiques in these works have been addressed in Riesebrodt (2010).

research questions. The question he misses is: Does the category of religion have utility any more? If the answer to this question is in the affirmative then we can carry on with the rest of Bhargava's inquiry. If the answer to this question is a negative, then this has profound implications for the rest of Bhargava's questions as if the category of religion falls, one cannot speak of separation as one of the categories which is being separated no longer exists. Thus we find that if Bhargava were to take this route he would be left with two choices: either find another site of separation or we simply drop the desire and the search for things to separate. He sees no problem with category of religion, however, and so this discussion is completely ignored in Bhargava's work.

So we begin with the attempted answer to the first question Bhargava sets himself. Bhargava (1994: 1784) argues that acts are only religious (or non-religious) depending upon the description afforded to them in different situations. Thus, in a Gurudwara, one does not eat "dessert" but instead eats "Kada Prasad" and in a Hindu temple one receives "charnamrit" instead of a spoonful of water. Outside of these situations, so the argument goes, these acts are non-religious.

There are two problems with Bhargava's assertion above: the first relates to discourses and the second relates to the nature of Islam.

Firstly, if acts are religious only because of the descriptions afforded to them this implies that in different discourses, there would be differing conceptions of

what counts as religion. What Bhargava has done here is that he has taken away

the universal nature of the category of religion, which undermines his later

musings as we shall see. In this case, how does one separate between the

religious and non-religious considering we have a situation in which there is no

one universal description of religion? An example of the problem of a lack of a

universal definition of religion would be Stephen Curry, the famed basketball

player. One who is non-religious would not see in Curry's basketball playing

anything of religious significance. However, looking at Curry's own view of what

he does, he is known to write Bible verses on his shoes and also dedicates every

shot he makes to Jesus. This dedication takes the form of a hand on the heart

turning into a finger pointing to the heavens (Thomasos, 2015).[59] Thus the mere

changing descriptions of acts cannot account for what is religious or non-

religious as the same exact act can be religious for one person and non-religious

for another.[60] In order for religion and state to be separated, and for this

separation to be successfully implemented "wherever", we must have a

universal definition of religion. If such a definition is not forthcoming then the

universality of secularism, which Bhargava buttresses with his claim that his

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[59] There are many athletes across sports could have been used as an example of this. However, what is special about the case of Stephen Curry is that he has gone to great lengths to explain his actions and make sure their religious significance is recognized.

[60] This point can be linked to Wittgenstein's view that different languages create different worlds. This is summed up in his assertion from the *Tractatus*:

The limits of my language mean the limits of my world. (Wittgenstein, [1922] 1961: 56)

Thus different languages will construct different worlds in which the signifier "religion" may denote different things.

arguments can be used "wherever", cannot be taken for granted as what is religious for one community may not be religious for another. This paves the way for multiple forms of secularism that may be unrecognisable to a Western viewer.

What Bhargava is missing here is a way of providing some sort of fixing point, a way of acknowledging differing descriptions within the same religious communities of the same act/concept. It could be argued that the "ummatic convention" of Sayyid (2014a: 159-160) could provide such a fixing point. However, despite this works appropriation of the concept of "ummatic convention", it is recognised that there are problems with this approach. These will be dealt with in more detail in chapter five.

Secondly, with regards to Islam, and the assertion that it is description which makes an act religious or not, Bhargava runs into a problem. With the examples that Bhargava provides above (Kada Prashad and Charnamrit), he can distinguish between a mundane act done outside the place of worship and the exact same act, which receives a religious signification based on the fact that it is done in a place of worship. Thus the only thing, which makes an act religious, is the fact that it is done within a certain place and not another. It is the place, which gives the act a new description. However in Islam this "place as descriptor" concept will not work. There are verified sayings of the Prophet in which he encourages Muslims to purposefully offer some prayers at home rather than at the mosque. Indeed, one need not go the mosque at all (apart

from on Fridays) in order to fulfill an act, which would be described as religious (Salahi, 2009). This is complicated further when we learn that a persons job and their recreational activities can be ascribed a religious description depending upon the intention one has (Nabulsi, 2012). Thus we find in Islam that it is not "place as descriptor" but rather "intention as descriptor". This is not much help to mere humans, however, as only God truly knows the intention of any person undertaking any act. In addition to this, if we accept the "intention as descriptor" premise then what we have is a very fine line between the religious and non-religious, a line which can be crossed at any time. It could be argued that thinking of the religious and non-religious as discourses will help us here. A discourse can never be fully closed, it can never attain full positivity outside a system of differences. Thus every act is never fully closed off within one discourse because the possibility always exists for it to make the migration to the other discourse (Sayyid and Zac, 1998: 259-260; Laclau and Mouffe, [1985] 2001:106).

Bhargava (1994: 1785) goes on to give his reasons for why he believes religion and politics must be separated. The first reason is because religion and politics are powerful institutions; the intermixing of both would lead to a loss of individual autonomy since both command "people's unqualified allegiance". This power can be used against dissenters to silence them and so Bhargava believes mixing politics and religion "thwarts individual autonomy more than when they are separate" (Ibid). The second is the protection of equality. Just because a person is a member of one institution should not mean automatic

membership in another. The two must be separated in order to ensure an "egalitarian system" (Bhargava, 1994: 1785). The third argument is that democracy requires that one group or institution does not have too much power. If people with religious authority exercise authority in political matters, then democratic values will inevitably be undermined. The final reason given is that people should try to live a life free from illusions. As such, given that religion is full of superstition and falsehood, a life free of illusion is a life free of religion. If this is true, Bhargava (Ibid) asserts, then it must also be true of political life.[61]

There are three main problems with Bhargava's reasons. The first relates to its relevance to his question and the second relates to the fact that religion can be replaced in his logic by a whole host of other institutions and so it is still not clear why it is religion that must be separated rather than any other powerful institution.[62] The third relates to the westernese inherent in his reasoning.

The questions, that Bhargava (1994: 1784) is meant to be answering, are "why must religion be separated from politics? What justifies the separation of religion and politics?". He answers neither and this is because he has confused the question of why should religion and politics be separated with the question of whether a theocracy is a good idea or not. This assertion is supported by the

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[61] Cf. The benefits of secularism as presented in Sayyid (2014a: 33-34)

[62] The second problem of Bhargava's is not unique to him. Many scholars (see for example Hashemi, 2009, An-Naim, 2008) who argue across similar lines can be critiqued in a similar fashion. This view that it is religion that has an "unparalleled" ability to create hostilities is discussed in Sayyid (2014a: 41).

third reason he gives, which shows that he believes that in a state that mixes

religion and politics, theocracy can be the only outcome. This could be said to

be the result of Bhargava's uncritical acceptance of the modern category of

religion. An example of how this is not necessarily the case that religion mixing

with politics leads to a theocracy is the Muslim Brotherhood's year in power

and their concept of a civil state with an Islamic reference (Habib, 2009). This

concept, if it had come to fruition, would have yielded a state which would not

have been a theocracy, but which would have been religious in nature (albeit

only on the ontic level) with the Ulema and parliament both existing on the

same level of authority.[63]

The second problem relates to the fact that religion in Bhargava's logic can be

replaced by a whole host of other institutions, which are not separated from

politics. For the purposes of this analysis, big business/big finance will be used

to replace the concept of religion. We find that Bhargava's first reason given

above applies in the case of big business/finance. The intermixing of politics and

big business has most definitely led to the loss of the autonomy of the

individual. This can be seen through the loss of choice in the marketplace for

the consumer. An example of this is the deal made between Thatcher and

Rupert Murdoch, in which Murdoch's media empire supported Thatcher in

return for her support for his bids for the Times and Sunday Times newspapers.

One commentator described this deal as "the coup that transformed the

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[63] We shall be discussing the example of the Brotherhood's year in power in more detail in chapter seven.

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relationship between British politics and journalism…" (Evans, 2015) and it led

to Murdoch controlling 40% of the British Press (Ibid). At present, Murdoch

accounts for 22.6% of all news consumed by the British people with the Daily

Mail group in second with a distant 10.5% (Anon, 2010). The second argument

of Bhargava also applies to big business/finance. Rupert Murdoch, as a member

of the institution of big business should not have the automatic membership of

the political circle that he currently enjoys. This membership has most recently

been exposed during the tenure of Cameron as Prime Minister (McSmith, 2009).

Surely, the fact that Murdoch is having his wishes granted by the government

above and beyond the British people themselves is an unstitching of the

equality that Bhargava places so much stock in. We also find that his third

argument also applies to big business/finance. The concentration of power in

the hands of the rich in the West has led to theorists starting to refer to

Western plutocracies (Sayyid 2014a: 33, 42) rather than western democracies. A

plutocracy is a form of governance in which wealth is the controlling factor

(Sumner, 1913). Western Europe, writes Sumner (1913) "has shown constant

and rapid advance of plutocracy". The central principles of plutocracy is that

money can buy whatever the consumer desires and that industry is very much

tied up with political power "in great magnitude" (Sumner, 1913). It seems

Sumner's warnings were prophetic. At the time of writing, the sitting American

president is a billionaire from industry who is facing conflict of interest claims

(Revesz 2017; Veenok, 2017). His electoral rival was also investigated for being

paid extortionate amounts by big business/finance (Dayen, 2016). In Britain, at

the time of writing, millionaires and those who have relations or connections to

big business/finance dominate the cabinet (Saner, 2017). Why not separate big

business, which has the ability to undermine democracy, and politics?

The third problem relates to the last of Bhargava's reasons given here and the

fact that we find whether or not the Indian secularism of his is non-westernese.

With his assertion that religion is full of superstition and falsehood, given

without any proof or reference, Bhargava has inserted himself and his project

into the distinction between West and non-West, between those that have

rationality and freedom and those who have religion and despotism. Coupled

with Bhargava's uncritical acceptance of the category of religion, we find that

Bhargava's Indian secularism is, not non-westernese, it is simply non-western.

Thus it is only at the ontic level that Bhargava's Indian secularism differs from

the Western version. The ontology of both remains westernese. Whilst

Bhargava's (1994: 1786) secularism deploys new concepts such as a "principled

distance" between religion and politics, the underlying conceptions of what

religion and politics are still those of westernese. In Bhargava's secularism, it is

still the religious that has to "give a little bit up" (Ibid). Thus, the same power

relation between religion and state is established as in westernese. Thus in

order for one to become secular one must become Western. This does not bode

well for the prospects of secularism as a concept that transcends space. This is

because secularism can only function in spaces that are, have become or are

forced to be in tune with westernese. Perhaps the biggest example of this

tuning into westernese in the work of Bhargava is the continued view of

Hinduism and Islam as religions. It is because of this necessary precondition of

westernese that we can assert that Western secularism has lost its universality

and thus can be confined to a few limited places.[64]

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[64] It goes without saying that if a precondition for Western secularism is westernese then those times in which westernese was non-existent cannot be said to be secular (at least not in the same way). Thus Western secularism has lost its universality both across time and space.

Conclusion

In this chapter we have discussed the validity of the concepts of religion and secularism across time and space. This was done in order to ascertain whether these concepts have any validity when it comes to spaces outside of those dominated by westernese.

Our first discussion was a brief genealogy of the concept of religion. It was found that throughout history, religion has been understood differently. As such, the modern definition of religion cannot be extended throughout time as some thinkers would tend to do (an example here being Riesebrodt (2010)). This work argues that if the modern definition of religion cannot be extended across time then neither can the modern definition of the secular. In order to provide a basis for our later discussions, this work endorsed the view, found in Sayyid (2014a: 190) and Ahmed (2016: 361, 387) that Islam is not a religion but a language. As can be expected, such a shift in category will have major implications for this work as well as the future projects this work will lead to.

Having dispensed with the category of religion, our view turned towards secularism. The discussion around secularism centred on whether it could be exported across space.[65] In order to facilitate this discussion, the debate between Asad and Taylor was used. Whilst Taylor argued that secularism could be ported across space, Asad disputed his contention. In addition, an example

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[65] Cf. Chapter 3 in Sayyid (2014a).

of a non-western secularism was discussed in the form of Bhargava's "distinct Indian Secularism". It was found that the only way Western secularism can be exported across space is through an imposition of westernese. Since secularism requires this imposition, it cannot be said to be a universal concept.

With all of the discussions above in mind, we now move to those representatives of Western secularism within the Islamicate itself. How and, more crucially for this work, why do some thinkers within the Islamicate defend the imposition of western secularism?[66] It is perhaps by uncovering the reasons why Islamicate scholars wish to impose Western secularism that clues for an Islamicate secularism may be uncovered.

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[66] As we have already discussed and proved, since the precondition of secularism is westernese, the only way secularism can be applied in the non-western world is through an imposition (either benign or authoritarian).

Chapter Three: Secularism for the Islamicate: A Series of Justifications

Introduction

When one advocates for something, one usually has reasons as to why they are advocating it. In this chapter it is not the advocating, but the reasons for advocating which interest us.

The aim of this chapter is to show the justifications those situated in the Islamicate have given for their adoption of secularism. The first chapter of this work showed the colonial origins of the secular/religious as well as the traditional/modern. It will be interesting therefore, to see how those who are aware of these origins justify their continued implementation in the Islamicate. Thus, this chapter will revolve around the Islamicate. As such, the instances of secularism in practice will be taken solely from the experiences of the Islamicate.

This chapter will focus on two thinkers who advocate the implementation of secularism and their reasons for doing so. This will be done in order to uncover why these thinkers feel it necessary to implement secularism. It may be that in the course of our investigation we find a reason that does need to be addressed from a decolonised Islamicate point of view. The thinkers whose work will be scrutinized are Abdullahi An-Naim and Abdolkarim Soroush who both attempt to transform secularism into something that is appropriate for both Islam and

the Islamicate.[67] In this chapter we shall cast both An-Naim and Soroush as Islamicate post-secularists. This will be done by discussing how both thinkers give the same content and function as post-secularism to certain concepts. By showing both the content and function of these concepts, we will also show the reasonings behind the adoption of secularism/post-secularism by these two thinkers.

It is argued here that both An-Na'im and Soroush attempt to deploy post secularism in an Islamicate context. In order to argue this fully, post secularism will be discussed and this will be followed by an analysis of the ideas of An-Na'im and Soroush. These thinkers' ideas and views will be discussed and analysed on two counts: firstly, whether their reasons stand up to scrutiny and, secondly, whether their efforts to make (post)secularism appropriate for Islam and the Islamicate actually succeed. In addition to their views on secularism, concepts that these thinkers have developed in connection to these views will also be discussed. This will be done to show the role their view of secularism has within their oeuvre and how it subsequently affects the rest of their thought.

In the present work, secularism is seen as a tool that manages difference. This statement leads us to one crucial question concerning the difference that

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[67] The reasons why these two thinkers have been chosen above others are: they represent a broad selection of approaches and disciplines and the fact they represent a whole host of reasonings given for secularism within each of their works (rather than just a singular reason repeated throughout).

secularism manages. It cannot be that a single concept manages all the possible differences between people and so the specific difference secularism attempts to manage must be uncovered. As part of this first question, there must be an understanding of how the participants who are being managed (the managed) are constructed. What is (or is not) cast as the main features of each side of the managed difference and how do these feed into the concept that manages the difference itself? As such, it is simply not enough to claim that secularism manages the difference between religion and politics. One must look into how both religion and politics are constructed in the works of those who favour secularism. Our inquiry does not stop here, however. Once the managed are constructed and their differences made apparent, what is it that secularism does to manage these differences? What are the specific mechanisms that are used to ensure that differences do not spill over into violent action? It is by discussing the aforementioned thinkers that these questions will be answered.

Post-Secularism

Perhaps the most well known proponent of post-secularism is Jurgen Habermas. A staunch supporter of the secularisation thesis in his earlier works, Habermas (2001) grew disillusioned with it as he bore witness to what has been referred to as the resurgence of religion.[68] Habermas (Habermas et al, 2012: 19) himself believes that Islam, Hindu nationalism and Christian Evangelicals are the drivers of this resurgence. Post-secular authors in general are also very fixated with 9/11 as a watershed moment in this resurgence (See Mbeo, 2016; Gelot, 2009; McClay, 2008).[69]

A post-secular society must have been secular. Thus, Habermas (2008) argues that post-secularism can only be applied to "the affluent societies of Europe or countries such as Canada, Australia and New Zealand". At present, Europe can be described as "post-secular" because it has had to adjust itself to the existence of religious communities in a secularised space (Ibid). There are three phenomena in particular that have brought about this move to post-secularity. These three phenomena can also serve as a definition of the post-secular condition.

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[68] Another version of the post-secular thesis is advanced by Eder (Bosetti and Eder, 2006). He argues that religion did not ever disappear but simply became invisible in the public sphere. This is because religion had been pushed into the private sphere were it continued to inform people's beliefs. What is special about tour present is that religion is reasserting itself in the public sphere. It is this reassertion that Eder calls post-secularism.
[69] Mbeo (2016) writes that contemporary secular societies have been "shaken" by the resurgence of religion since 9/11. Gelot (2009: 7) argues that 9/11 demonstrated the importance of religious resurgence as well as its "global and radical dimensions". McClay (2008: 127) argues that since 9/11 religion has "roared back into view as a potential force of nature".

The first of these is the fact that global conflicts are increasing being seen through religious lenses. This has made European citizens aware of their own relativity that in turn undermines the secularisation thesis and the doomed fate it ascribes to religion (Ibid). The second phenomenon is the fact that religion is gaining influence in the public sphere. In particular churches and other such organisations are taking up the role of "communities of interpretation" in the public sphere of secularised nations. This means they can influence public opinion.

The third phenomenon relates to the arrival of immigrants and refugees onto European shores; persons who brought their own religion and "traditional" culture with them (Habermas, 2008). The blatant differences between different religions is linked to a whole host of other issues affecting society, chief among them the successful intervention of immigrants and refugees into society.

Religion, argues Habermas (2008) owes its continued survival to premodern ways of thinking. In secularist thought and spaces, religious citizens must "appropriate the secular legitimation of constitutional principles under the premise of their own faith". Habermas singles out the Muslim communities as still having "this painful learning process before them" (Ibid). What springs to mind, Habermas (2008) continues, when we think of this shift from traditional religion to a more "reflexive" form of religion is the post-reformation change that took place in Christian communities. However, adds Habermas (Ibid) this learning process cannot be forced onto traditional religious communities; it can

be fostered but not "morally or legally stipulated". At the same time, Habermas (2008) argues that secularism itself must also undergo a learning process .[70] The same rules that stop religious rejection of equal rights between men and women should also stop the secular devaluation of religion.

As a result of this move towards post-secularity, Habermas now argues that the religious and the secular world must always stand apart but they have an inherent reciprocal relationship rather than a relationship of domination. This relationship is important when we deal with important social questions. Religions, and the religious, provide an important moral resource in answering these questions. This is due to the fact that believers have access to "a potential for justifying moral questions" (Habermas et al, 2012: 6). Religion has a meaning endowing function that provides the moral basis for debates within the public sphere. In addition to this, Habermas (Nemoianu, 2006) argues that democracy depends upon moral stances that have to be taken from sources other than politics. A potential source of these stances, Habermas continues, is religion. Thus religion can serve as important background to democracy but cannot function as part of its normative rules. As a result of its function as a background, Habermas asserts that religion should not be shut out of public discourse.

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[70] This dual learning process is echoed by Eder (Bosetti and Eder, 2006). He argues that public religious convictions must be integrated into liberal democracy. The permanent debate found in the public sphere forces religion "to open itself up to dialogue" and forces politics to interstate religious themes "into all spheres".

So how should religion be incorporated into public discourse? Religion, Habermas argues, does have some rational content within it. Despite this, a fundamental difference appears between "hard core" modern religious convictions and a secular world characterised by a "willing(ness) to learn" (Habermas et al, 2012: 18). The liberal state must be founded on convictions rather than religious coercion. As such, religious edicts require:

> ... The support of reasons which can be accepted in a pluralist society by religious citizens, by citizens of a different religion and by secular citizens alike (Habermas et al, 2012: 20)

Thus the rational content of religion must be translated into a public language that is accessible to all (see also Taylor, [1998] 2010; Habermas, 2008).[71]

Habermas explains further:

> In a constitutional state, all norms that can be legally implemented must be formulated and publicly justified in a language that all the citizens understand. Yet the state's neutrality does not preclude the permissibility of religious utterances within the political public sphere, as long as the institutionalized decision-making process at the parliamentary, court, governmental and administrative levels remains clearly separated from the informal flows of political communication and opinion formation among the broader public of citizens. The "separation of church and state" calls for a filter between these two spheres – a filter through which only "translated", i.e., secular contributions may pass from the confused din of voices in the public sphere into the formal agendas of state institutions. (Habermas, 2008)

It is in this way that all citizens will be able to partake of rational debate about the most pressing issues of the day.

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[71] Taylor ([1998] 2010: 34) argues that sometimes we have to do "a job" on beliefs in order to ensure they do not threaten the independent (secular) ethic. Habermas (2008: 130), in addition to the above, argues that religious citizens must consider their tradition from the "outside" and "connect them to secular values".

Post-secularism has its critics. Dillon (2012: 250) argues that Habermas' "post-secular-religious turn" underestimates the roles of spirituality, tradition and emotion in religion, fails to understand how far the religious is intertwined with the secular and also "underappreciates the contested nature of religious ideas". Further, Dillon (Ibid) argues that Habermas does not take religion seriously as he is inattentive to "...how religion manifests and matters in everyday life...". In addition to this, the postsecular notion of (critical) reason has also been critiqued. Braidotti et al (2014: 1-3) argue that the reason of Habermas is rooted in a special place given to Christianity. It is the Christian faith alone that allows for rational thought. This leaves all other faiths, Islam included, as delinked from rationality. This line of thinking allows Braidotti et al (Ibid) to assert that:

> The Habermasian claim defines the postsecular turn in the narrowest possible Eurocentric terms and it universalises a specific brand and historical manifestation of secularism... As William Connolly (1999) astutely remarked, this strategy has passed off Western secular systems as achieving absolute moral authority and the social status of a dominant norm (Braidotti et al, 2014: 2)

This universalization of a particular experience has been dealt with in the previous chapter and will not be dwelt upon here. Suffice it to say that both Braidotti et al (2014) and Dillon (2012) raise issues that any Muslim post-secularist would have to contend with.

Abdullahi An-Na'im as Post-Secularist

In this section, the ideas of the legal scholar Abdullahi An-Na'im will be discussed in relation to the ideas of post secularism as discussed above. An-Na'im is a student of the political thinker, Mahmoud Taha, who argued that the Medinan verses of the Quran were context bound whereas the Makkan verses represented the timeless religion that is Islam. Our discussion will primarily revolve around his seminal work, *Islam and the Secular State* in which An-Na'im deploys the teachings of Taha (An-Na'im, 2008: 2, 135-136, 284) amongst others to inform a discussion on secularism, human rights and citizenship. It must be highlighted that An-Na'im has moved on from the views presented in the book that forms the basis of our engagement with him.[72] He no longer believes the secular state to be desirable because it is as ill defined and vague as an Islamic state. Despite this change, westernese is still very much present in his thinking. An example of this is the continued prominence he gives to a completely unfettered (i.e. completely free from coercion) human being (See An-Na'im, 2016).[73]

The very first sentence of the first chapter highlights the role of freedom and rights in the thinking of An-Na'im:

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[72] An-Na'im made this change clear in a talk he delivered on 30th November 2016 at Queen Mary University of London.

[73] An-Naim (2016: 69) argues that his objective is to protect individual piety by "controlling the risk of coercion by state or society".

> In order to be a Muslim by conviction and free choice, which is the only way
> one can be a Muslim, I need a secular state (An-Na'im, 2008: 1)[74]

Thus for An-Na'im, Muslimness itself is an impossibility without the secular

state; this emphasis on rights and freedom is repeated elsewhere in his work

(An-Na'im, 2008: 136, 268, 278-279). He goes on to state that adherence to the

Sharia cannot be coerced, or faked to appease religious authorities, by

implementing it as state policy. It is only when observed voluntarily that:

> … Shari'a plays a fundamental role in shaping and developing ethical norms
> and values that can be reflected in general legislation and public policy… (An-
> Na'im, 2008: 1)

An-Na'im (2016: 45; 2008: 2, 3-5, 7-8) makes it clear, however, that he is not

advocating a separation of Islam from society but simply a state that is neutral

regarding religious doctrine and belief. However, even in society, all religion

should be presented in the language of "civic reason" in order to ensure that

the narrow beliefs of one group do not overtake all. It is through civic reason

that a consensus will develop beyond the interests of various groups (An-Naim,

2016: 70; 2008: 7-8). This civic reason is to be safeguarded by the development

of constitutionalism, universal human rights and citizenship. It is the universal

human rights that form the basis of the other two requirements of civic reason

(2016: 68; 2008: 127, 139).

For An-Na'im, Muslims must move beyond the traditional dhimmi system and

establish human rights based citizenship.[75] Human rights, for An-Na'im, are to

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[74] This belief is repeated and restated in An-Naim (2016: 45, 67, 69).

be instituted in order to "ensure the effective protection of key entitlements of all human beings everywhere…" (An-Na'im, 2008: 131). To realise this shift, three elements must combine. The first is the shift from dhimma system to formal citizenship. The second is Islamic reform that will provide the means to sustain and entrench this shift. The third element is the coming together of the first two into an indigenous discourse of citizenship that overcomes the weaknesses present in the concept of citizenship and its experience in Muslimistan (Ibid: 132).

One can see how far An-Na'im is influenced by postsecular theory. The idea of civic reason fulfils the same function and has the same characteristics as that of the overlapping consensus approach of Taylor ([1998] 2010: 38).[76] So far we have looked at An-Na'im's justification for secularism that primarily revolves around human rights. In the Islamicate idiom we can say that the foundation of An-Na'im's case is freedom of belief. Upon closer analysis however, we find that An-Na'im's freedom to believe is very narrow in scope.

As we have seen, An-Na'im argues for a separation of Islam and state but not, he states, of Islam from society. He then goes on, however, to speak about the need for "civic reason" and the requirement of believers to translate their

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[75] The Dhimmi system is the first "organized system of minority rights" (Castellino and Cavanaugh, 2014: 63) that covered Christians and Jews as well as Zoroastrians, Sabia'ns and Hindus (Ibid: 62). In return for the payment of a tax (jizyah) and obeying the rules of the Shariah, the aforementioned communities did not have to partake of military expeditions and were free to live their lives as they saw fit (Ibid: 63).

[76] See chapter two for a discussion of Taylor's overlapping consensus approach.

religious beliefs into civic reason. So we have a situation in which Islam is locked out of the state and must be translated into "civic reason". It is the argument of this piece that An-Na'im's civic reason is little more than another form of westernese. An-Na'im views civic reason as overcoming all narrow interests, and thereby becoming a neutral common ground/language (An-Na'im, 2016: 66; Klooster and Suransky, 2010: 4). This idea of the common ground is explicitly synonymized with "secular reason" (An-Na'im, 2016: 66-67). An-Na'im quotes Charles Taylor (2008) who argues that:

> Secular reason is a language that everybody speaks, and can argue and be convinced in. Religious languages operate outside of this discourse by introducing extraneous premises which only believers can accept… religious reason either comes to the same conclusions as secular reason, but then is superfluous; or it comes to contrary conclusions, and then it is dangerous and disruptive. This is why it needs to be sidelined. (Taylor, 2008 quoted in An-Na'im, 2016: 66)

What we see at play in Taylor's argument (that An-Na'im approvingly quotes) is that it is the religious that is "dangerous and disruptive" rather than the secular. There is also an implication that the secular has premises the validity of which requires no argumentation. This naturalisation of the secular and the implication that religion is unnatural is a cornerstone of westernese. Thus to break this hold, the questions that should be asked need to turn these views and implications on their head. The questions which need to be asked is why is not possible to have Islam in politics? What is stopping everything having to be translated into an Islamicate idiom? The answer to this question goes back to the heart of Orientalism and the West and the Rest dichotomy. It is only the West, and that which issues from it, that is universal. This sense that, for An-

Na'im (2008: 126), the universal and the Western are synonymous is

heightened when one reads the following:

> Even the notions of identity and sovereignty… are now founded on these
> same European models. Fortunately, these concepts have continued to
> evolve and reflect… especially through… the development of universal
> human rights norms since the mid-twentieth century. (An-Na'im, 2008: 126)
> [77]

All else is provincial and based on narrow interests. Thus the Islamicate must be

subservient to the "universal". This subservience is played out in the

relationship of "translated from" and "translated into". Indeed, as we have

seen, An-Naim (2008: 8) hopes civic reason can help people go beyond narrow

religious interests that would amount to an erasure of religious identity. This

further shows that civic reason is little more than westernese in another form.

It is here that An-Na'im's debt to the theorists of post-secularism becomes clear

once again. In An-Na'im's call for religious beliefs to be translated into civic

reason one can see Habermas' "translation proviso" (Habermas, 2008: 130).

Habermas argues, as we have seen, that religious believers must match up their

reasoning's with a secular viewpoint (Ibid). This corresponds precisely with An-

Na'im's view, highlighted above, that religious believers must translate their

beliefs into civic reason in order for them to be understood by all.

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[77] In more recent works, An-Naim (2016: 54) has argued that this synonymisation is problematic. At the same time however, An-Naim (Ibid: 53) calls for Muslims to take European colonialism "into account" as it is now integral to the history and context of "postcolonial societies". If we take European colonialism into account when rebuilding the Islamicate then the synonymisation of the universal with the European will, as a foundational piece of colonialism, have to be taken into account. The tension between these two positions, a refutation of European universalism and its taking into account, is not resolved in An-Na'im's newer work.

We now turn to those concepts that form the basis of civic reason. An-Na'im's

thinking regarding whether or not concepts originating in the West can be

applied to the Islamicate is interesting. Speaking about the concepts of

constitutionalism, human rights and citizenship, he states:

> Can such concepts, developed through the experiences of Western societies,
> be applied in other settings? Yes: I believe this to be not only possible but
> necessary, provided that the ideas, assumptions and institutions associated
> with these principles are adapted to better fit the local context of different
> societies. (An-Na'im, 2008: 137)

There are two problems with this tract. The first is that it shows a contradiction

in An-Na'im's thinking. If human rights are truly universal then why would there

be a need to adapt them to the "local context of different societies"? Surely one

could simply implement human rights, and the two concepts that it supports,

without much difficulty. As An-Na'im admits in this paragraph this is simply not

the case and as such he has lost the ability to appeal to universal human rights

in his case for westernese secularism. Thus this first justification is lost in what

Sayyid (2014a: 24) refers to the "double bind of universalism". He quotes

Wallerstein who states:

> Universalism is a 'gift' of the powerful to the weak which confronts the latter
> with a double bind: to refuse the gift is to lose; to accept the gift is to lose.
> The only possible reaction of the weak is neither to refuse nor to accept, or
> both to refuse and accept… (Wallerstein, 1991: 217 quoted in Sayyid, 2014a:
> 24)

In order for the West to keep perpetuating the narrative about its own

superiority it must possess universal ideals but those universal ideals, at the

same time, must be particular to the West. It is this trap that Wallerstein refers to above and it is this that creates the contradiction in An-Na'im's work.

The second problem relates to the caveat An-Na'im adds at the end of the quote above. He asserts that concepts originating in the West can only be applied as long as we change the "ideas, assumptions and institutions" associated with them (An-Na'im, 2008: 137). One has to ask that if we were to do this, what would be left of the concept that would be recognisably western? What An-Na'im seems to be calling for here is the complete overhauling of western concepts that would no longer make them western. Whilst this is a welcome addition to his work, it undermines the universalism that his justification for western secularism is based on.

In addition to the westernese at the heart of An-Na'im's justification of secularism, there is also the issue of positivity. Those who believe a concept is positive believe that it has reached a level beyond that of interpretation. Everyone simply agrees on what it is and what it signifies. An-Na'im, beyond general appeals to "global" discourse and "universal" human rights, does not fill "civic reason" with any meaningful content. Thus he seems to believe that there is an universally accepted definition of what is globally accepted and what human rights are. Clearly this is not the case and so what we can say is that civic reason is populated by An-Na'im's interpretation of westernese. It seems that An-Na'im's freedom to believe extends only to those who believe in what he, and others entrapped by Westernese, believe in.

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As we have seen with An-Na'im (2016: 68; 2008: 8), he attempts to overcome narrow group (religious) interests by appealing to consensus (ijma) and the creation of new consensuses. This ijma is to be arrived at by civic reason. An-Na'im lifts his understanding of both of these concepts (consensus and civic reason) from the works of prominent postsecularists such as Taylor and Habermas. Whilst these two concepts are important, it could be argued that the greatest point of convergence, between An-Na'im and post-secularism is the view of religion each has. What is striking about An-Na'im's view of religion is the fact that he takes for granted that it blinkers its followers. We have seen this line of thinking exemplified in his thoughts regarding civic reason and its eventual erasure of Islamicate identity.[78] This line is attractive to An-Na'im because it ensures a move beyond "narrow interests". As has already been discussed above, what Na'im calls religion is not exceptional in its promotion of what can be perceived to be "narrow interests". This in turn raises the question of why must the narrow interests of religion in particular be overcome? Why not any other set of narrow interests? What indeed falls under the purview of a "narrow interest"?[79] Indeed, it could be argued that ijma, rather than overcoming "narrow" group interests, promotes some above others. Any consensus is necessarily based on an act of exclusion (Mouffe, 2006: 11) and as

[78] As we have shown already, An-Na'im's concept of civic reason leans heavily on the understanding of secular reason of another doyen of post-secularism, Charles Taylor (See An-Na'im, 2016: 66).

[79] It is interesting to note that the "narrow interest" of secularism in the bodies of Muslim women goes unnoticed. The ongoing furore over the burqa, Burkini and hijab in Europe and the US (see for example, Dearden (2016) and Chrisafis (2016)) shows that, in reality, the secularism of Na'im and Soroush simply promotes some interests over others.

such ijma establishes a power relation between that which is included and excluded. This means it cannot be that which erases identity and the "narrow" interests that come with it since it is instrumental in the creation of identity and interests.[80] Thus An-Na'im's hope of a state where all religious justification is overcome is nothing more than a disguised acceptance of at least part of the secularisation thesis.[81]

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[80] One need only to see how the concept of Ahl Sunnah Wa Al-Jamah is deployed against dissenters to see ijma in action as a power relation (see for example Omer, 2012; Al-Munajjid, 2001).

[81] The secularisation thesis, advocated by C. Wright Mills (1959), the early Berger (1967) and Bruce (2003) amongst others, asserts that with the continuing onslaught of progress, eventually, religion will give way to secularism. Given recent world events, such as the levels of belief in the US as well as the worldwide resurgence of a Muslim identity, this thesis has largely been discredited.

Abdolkarim Soroush as Post Secularist

Abdolkarim Soroush is an Islamicate reformer who works from an Iranian context. The importance ascribed to his thought is shown through the moniker commonly ascribed to him: the "Luther of Islam" (Sadri, 2001: 258; Wright, 1997: 67). In order to fully understand the reasoning behind Soroush's appropriation of western (post)secularism, his stance must be clarified.[82] It will be argued here that the work of Soroush has two stages: the first is the secularization of the Islamicate and the second is the implementation of Postsecularism on the basis of that secularization. We shall go through each stage in turn.

Soroush distinguishes between two forms of secularism. The first is philosophical secularism, about which Soroush states the following:

> Philosophical secularism means that there is no God. There is no supernatural world. There is no hereafter. It is akin to naturalism and materialism. In political secularism, you don't necessarily reject God, but, in politics, you don't concern yourself with God and religion. You don't need to reject the hereafter, but you don't concern yourself with it. But in philosophical secularism, you make judgments and your judgments are negative, you consider religions to be without truth. When Max Weber said that modernity meant the demystification of the world, this is what he meant. (Soroush, 2007)

In another piece, Soroush (2010) argues that philosophical secularism is synonymous with atheism and "lack of belief in religion". Philosophical

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[82] Throughout this section on Soroush, one will be struck by the positivism that characterises his work (e.g. the role he assigns to science, his belief that a situation can be judged "independently" (Soroush, 2000: 127)). One will also recall our discussion on anti-positivism as one of the main tenets of a Critical Muslim Studies position. As such, this section will focus purely on Soroush's justifications on secularism, and where that leads him, as his positivism has already been dealt with.

secularism hangs on the negation of religion and therefore cannot be combined

with religiosity (Ibid). Soroush (2007) argues that it is this type of secularism

that "terrifies" Iranians. Despite this dislike of philosophical secularism, Soroush

believes that a consensus can be reached between religious and secular

intellectuals on political secularism (Badamchi, 2017: 83).

The second type of secularism, of which Soroush is a proponent, is political

secularism. This type, in its most basic form, amounts to a simple separation

between Church and State. Soroush adds to this however and argues that

political secularism should lead to a post-theocratic state (Badamchi, 2017: 83-

84; Soroush, 2010). For Soroush, the concept of a theocratic state is best

exemplified by a state which is ruled by "mullahs or sheikhs" or which grant

them special privileges above others (Wright, 1997: 70). This post-theocratic

state would be one that "transcends fiqh" and would deal with all religions

impartially (Badamchi, 2017: 83-84; Soroush, 2010). He continues that a post-

theocratic state would be:

> A state that would not give the followers of any religion any special
> privileges. A state that would officially recognize religious and political
> pluralism. A state that would apply the law equally to everyone and operate
> on the basis that everyone has equal rights. This is what political secularism
> means and I think we can all agree on it. (Soroush, 2010)

Thus when Soroush advocate for secularism, he is advocating for a morally

neutral state that can transcend fiqh. The main concern for Soroush can be seen

to be a levelling of the playing field such that one religion nor its members nor

its scholars are elevated above others. This is key to bear in mind when

considering the justifications Soroush gives for his convictions.

It is no surprise that Soroush (2000: 54) starts an article dedicated to secularism

with a statement of the "fundamental rift between tradition and modernity".

The presence of this dichotomy has already been discussed in the works of

Na'im and those of Goldziher and Hurgronje in chapter one. As we shall see, it is

the quality of "modernness" which informs all of the reasons Soroush gives for

the adoption of Westernese (post)secularism. This traditional/modern split is

deployed in service of Science and, for this reason, the split is seen to be a split

in scientific methodology. He writes:

> Modern humankind is no longer satisfied with an interpretation of the world.
> It has become an active subject instead of a passive object. It rejects the
> status quo and believes it should use all of its abilities to transform the
> world. It considers nothing as final, ineluctable, and immutable. In contrast,
> traditional humanity regarded everything as settled and predetermined and
> deemed it neither possible nor desirable to change the world. Instead, it was
> satisfied with minor adjustments of behaviours and relationships. It believed
> that the "natural" order of the world... should not be disturbed (Soroush,
> 2000: 54).

To further drive home this point, Soroush (Ibid: 55) uses the example of modern

medicine as compared with traditional medicine. Whilst modern medicine is

comfortable with designing new organs to improve the human body, traditional

medicine had the "natural state" as its goal. This means whereas modernity is

willing and courageous enough, to go beyond what nature, or God, has given us,

the traditional will always hold us back. The traditional will always attempt to

convince us to be happy with our lot. What Soroush argues in the quoted tract

is that the majority of the world is not convinced by the argument of traditionalism.

According to Soroush, the world would have remained "traditional" if it were not for the advent of scientific knowledge. Just as this revolution overtook the natural world, it also impacted the world of the social sciences. Secularism, in this sense, is the "scientification and rationalization of social and political thought..." (Soroush, 2000: 57).

Already we can see how Soroush justifies the acceptance of western secularism by synonymising it with the modern and the progressive. It is the modern primacy of rights over duties that allow this synonymisation to take place. This can be seen as the second reason, according to Soroush, that we should accept Westernese secularism.

It is asserted that in the modern world, there is an emphasis on rights over duties (Soroush, 2000: 62). It is also asserted that the language of religion, especially Islam, is the language of duties rather than rights. (Soroush, 2000: 62; Wright, 1997: 68). This can be easily seen, he argues, if one looks at the Quran and Sunnah, in which humans are given commands to fulfil by a sovereign authority. It is for this reason, argues Soroush, that the modern world (read the West) cannot understand concepts such as welayat-i-faqih. This is simply

because it conflicts with the modern mentality which is based on rights. The welayat-i-faqih system, by contrast, is based on duties (Ibid: 63).[83]

Soroush, much like An-Na'im, cannot help but fall into Westernese. This is because of his Kemalist leanings that combine a foundation of tradition/modern with a view that science equates to progress that in turn equates to western history. Thus according to Soroush, to become more scientific is to become more modern which in turn is to become more western. This is precisely the program of reform followed by Mustafa Kemal (Hanioglu, 2013: 49) himself and thus justifies the placing of Soroush within the Kemalist category.

Exploring Soroush's views regarding rights and duties requires a view of Islamicate history. As has been asserted earlier in this piece, what Westernese calls "rights" and "public good" (both of which are concepts which Soroush attributes solely to the West) have analogous, older concepts in the Islamicate. This is not the only point of contention that can be highlighted in Soroush's view of history. Soroush jumps between European history and Islamicate history to create an ensemble he calls the traditional/past. This leaves a reader, especially any versed in Islamicate political theory, confused. Consider the following small paragraph:

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[83] This line of thinking reminds us of the statements made by Mustafa Kemal about the institution of the Caliphate. He stated that it is: "a laughing-stock in the eyes of the civilised world, enjoying the blessings of science" (Ataturk, 1983: 10 quoted in Sayyid, 1997: 59). Thus we can say, just as with Hashemi, Soroush falls within the category of Kemalism.

The theoreticians of the past used to say; "Sovereigns are mirrors of the sovereignty of God." The authority of kings was an expression of divine authority. In theology [kalam] God was portrayed as an absolute bearer of rights and free of all duties toward human beings. Accordingly, kings were viewed in the same light, assuming a minimum of responsibility and carrying a full measure of rights. But now even those states that are based on the principle of minimal government intervention in public affairs are burdened with heavy duties toward the people who have assumed the role of creditors demanding their rights from the government. Of course the duties of the government and the demands of the people are predicated on primary rights won by humanity in modern times. (Soroush, 2000: 63)

What this train of thought leads to is the need to invent things for the Islamicate to make it fit with a Western view of the world.[84] Thus we find Soroush inventing a Church for the Islamicate. This Church, which he synonymises with the welayat-I-faqih system of Iran (Soroush, 2000: 63-64), can then be separated from State. The (nation) state itself, however, is yet another invention imposed onto the Islamicate in order to aid the universalisation of the particular West. Thus the basic premise of secularism, a separation of Church and State, is premised on the invention of concepts and categories that the Islamicate cannot fit into. As Habermas (2008), and Eder (Bosetti and Eder, 2006), argue, a country must have first been secular in order to move to the postsecular. What we can see here is Soroush's secularisation of the Islamicate in order to build the ground for postsecularism. The postsecular comes with his belief in what he calls "religious democracy".

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[84] Questions could be raised here about the wider usage of concepts that originate in the West. Where is the line between using and being used? This line comes when, in order to fit western concepts onto the Islamicate, we have to invent things for the Islamicate that are not of its Con-Text. If there is a western concept that fits with the Islamicate without needing any additional inventions then it can be used.

The secularism of Soroush leads to him to develop a "religious democracy".[85]

This religious democracy is itself based on a distinction between religion and

religious knowledge. In a theocracy, the two are synonymized and this leads to

a multitude of problems. He states:

> The truth is that as long as one has not distinguished between religion and people's understanding of it, one will be incapable of finding an adequate answer to these intriguing questions. Yes, it is true that sacred scriptures are (in the judgment of followers) flawless; however, it is just as true that human beings' understanding of religion is flawed. Religion is sacred and heavenly, but the understanding of religion is human and earthly. **That which remains constant is religion [din]; that which undergoes change is religious knowledge and insight [ma'refat-e dini].** Religion has not faltered in articulating its objectives and its explanations of good and evil; the defect is in human beings' understanding of religion's intents. Religion is in no need of reconstruction and completion. Religious knowledge and insight that is human and incomplete, however, is in constant need of reconstruction. Religion is free from cultures and unblemished by the artifacts of human minds, but religious knowledge is, without a shadow of a doubt, subject to such influences… **Reason does not come to the aid of religion to complement it; it struggles to improve its own understanding of religion.** The sacred shari'ah never sits parallel to human opinions, so there is no possibility of agreement or disagreement between the two; it is the human understanding of religion that may be congruous or incongruous with other parts of human understanding. (Soroush, 2000: 31)[86]

On the basis of this split, one can argue that the religious knowledge of Islam is

open to change whereas the religion Islam is not. It is on this basis that Soroush

builds his religious democracy. However the question could be asked is why.

Why do we need a religious democracy? Why do we need a new way of

governance? The answer that is provided amounts to a placing of the West in

the centre around which all else revolves. Soroush argues that modern science

explains the world without reference to God and the Muslim world must adjust

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[85] See Chapters 8-9 of Soroush (2000).

[86] Emphasis added.

itself accordingly by combining a modern worldview with a reference to God.

This task of combining a modern worldview with belief in God raises a number

of issues that a religious democracy must deal with:

> The problem of religious democratic governments is threefold: to reconcile
> people's satisfaction with God's approval; to strike a balance between the
> religious and the nonreligious; and to do right by both the people and by
> God, acknowledging at once the integrity of human beings and of religion.
> (Soroush, 2000: 122)

A religious democratic system, according to Soroush, represents a convergence

between reason and revelation. (Ibid: 126). This convergence centres on the

fact that religious knowledge requires "extrareligious" knowledge in order to

bring it more in line with human rights. An example is given of this in the form

of the issue of slavery. Soroush (2000: 127-128) asserts that the reason a lot of

energy has been devoted to justifying the approval of slavery in Islamicate

history is that thinkers recognise that slavery is incompatible with human rights

and dignity. Thus Soroush concludes that:

> These thinkers then, through rational deliberations, have helped bestow a
> more comprehensive and accurate understanding of matters divine upon the
> religious society, an understanding that will affect its overall way of life and
> government. Conversely, an autocratic God legitimizes an autocratic
> government and vice versa. We may conclude that the appeal to religious
> conviction cannot and should not arrest the renewal of religious
> understanding or innovative adjudication [ijtihad] in religion. Such renewal
> requires extrareligious data. (Soroush, 2000: 127-128)

Thus we can see how reason itself is constructed as something "extrareligious"

which religion needs to incorporate to come closer to human rights. Thus, in

order to remain religious, a religious democratic government must put religion

as the first guide. However, to stay democratic, this same religious democratic

government must construct religion as something that can accommodate collective "reason" (Soroush, 2000: 128). This setting of reason as something separate from religion is a key element of westernese distinction between the traditional and the modern. It could be argued that, much like An-Na'im, Soroush has views that align well with those of the post-secularists. Soroush's idea of a religious democracy corresponds very closely to the Habermasian ideal of post-secularism. The idea of the extrareligious providing some sort of corrective to religion reminds one of the "translation proviso" (Habermas, 2008: 130) that religion is forced to accept as a result of the post secular worldview. However, Soroush provides much more nuance than An-Na'im by casting politics as part of the "extrareligious" which provides an important corrective to the irrationality of religion (Ibid: 127-128). There is not much in Soroush's construction of politics, beyond the notion of the "extrareligious", which differs from the assumptions of An-Na'im.

Does Islam need a concept analogous to secularism?

All of our discussion, analysis and evaluation have led to us to a simple question. Does Islam require a concept that is analogous to secularism? The way this question is answered cannot be delinked from our discussions so far. In the first chapter it was shown how both secularism and religion are concepts that have been imposed onto the Islamicate. Thus both need to be argued for rather than simply taken for granted. The arguments that the two exist come in two stages: firstly that secularism and religion can be exported outside of West and that they are what Muslim polities require. Chapter two dismissed the former stage of the argument and the present chapter has shown how western secularism cannot be applied to the Islamicate without falling back into Westernese.

Thus both religion and secularism itself have been shown to not have purchase within an Islamically orientated world. So then how do we decide whether Islam requires a concept that fulfils the function of secularism? In order to answer this question we shall look to a third concept that has been ubiquitous throughout all of our discussions: the political.

The political rests upon the distinction between friend and enemy (Schmitt, (1996) 2007: 26, 35). The enemy does not have to be morally evil nor a competitor in the economic sense. The enemy is the enemy simply because it is the other, different and strange. In extreme cases conflict with the enemy is possible (Ibid: 27). As such, the political is "the most intense and extreme antagonism" and every antagonism becomes more political the closer it gets to

the friend/enemy distinction. Wherever this distinction occurs, be it in religion,

ethics or the arts, it is the foundation of the political (Ibid: 36-37). It must be

noted that the friend/enemy distinction does not refer to individuals; an enemy

exists only when one collective of people comes up against another collective

(Ibid: 28). Of course, the most extreme consequence of a friend/enemy

distinction between two collectives is war. Schmitt writes:

> For only in real combat is revealed the most extreme consequence of the
> political grouping of friend and enemy. From this most extreme possibility
> human life derives its specifically political tension (Schmitt, (1996) 2007: 35)

In war, the political decision as to who is the enemy has already been made.

Thus, argues Schmitt, war is not the continuation of politics by others means

but relies on a decision taken as to who the enemy is. War itself has its own

rules, tactics and so on (Ibid: 34). It is this possibility of war and conflict that

drives the political. If one were to arrive at a world where the possibility of war

had been eliminated, then the friend/enemy distinction would collapse and

thus this world would be bereft of politics (Ibid: 35).

Of course, the above view of the political is by no means the only view and is by

no means free of criticism (See Beck, 1997; Giddens, 1994).[87] Hannah Arendt

best exemplifies another view of the political.[88]

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[87] Beck (1997: 168-169) argues that antagonism arises out of different groups holding different claims to truth. In our age, however, there is a prevalence of doubt in truth-claims that stops antagonisms from emerging. Mouffe (2006: 41-42) reads Beck as arguing that a society in which doubt is prevalent can rise above the friend/enemy distinction and thus get rid of conflict.

Giddens (1994: 3-21) argues that in a "post-traditional" globe, democratising tendencies may eventually create a cosmopolitan global order. Whilst there are setbacks to this vision, (e.g. the violent reassertion of traditional modes of thought), Giddens argues that these will eventually

In Hannah Arendt's work we find a conception of the political which believes it to be a space of "freedom and public deliberation" (Mouffe, 2006: 9). Arendt, in *The Human Condition*, begins her deliberations on the political by tracing the separation of the public and the private back to the ancient Greeks. In a foreshadowing of her later discussions, she writes:

> To be political, to live in a *polis*, meant that everything was decided through words and persuasion and not through force and violence. In Greek self-understanding, to force people by violence, to command rather than persuade, were prepolitical ways to deal with people... (Arendt, (1958) 1998: 26-27)

Thus the tools of the political are not force and commandment but word and persuasion. The private and public spheres corresponded to the households and political realms respectively. The arrival of the social realm, which is neither private nor public, has found its political expression in the nation-state (Arendt, 1958: 28). Arendt speaks about three aspects of the *Vita Activa*: labour, work and action. Whilst all three of these aspects are related to the political it is the condition of plurality that forms the essence of the political (Arendt, (1958) 1998: 7). Our discussion concerns Arendt's thoughts on work and action.

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be stamped out because they cannot discursively justify themselves. This prerequisite of discursive justification will ensure different traditions speak with one another. This will lead to a "dialogical democracy" where one will listen and debate with the other both in an individual and collective sense.

[88] Arendt has been chosen to exemplify the opposing position to Schmitt for two reasons. The first is the fact Arendt provides perhaps one of the most systematic presentations of the position she is a part of. The second is the fact that Arendt, by virtue of the fact that she writes post-WW2, provides a counterpoint to the pre-WW2 Schmitt.

Arendt argues that work provides the precondition for the existence of a political community. The common world of spaces that work provides brings people together in a shared space in which they can engage in political activity. Whilst work may provide the foundations of political activity, it is action that provides its driving force. This driving force is freedom. Thus the political is all about removing fetters from this freedom and giving the individual the widest possible autonomy. This autonomy ends however as soon as one persons freedom impinges on the freedom of another (Shorten, 2006).

There is a common theme that unites both Schmitt and Ardent. Both see politics as the art of managing difference, they simply differ on how to manage the difference. It is this issue of managing difference which both An-Na'im and Soroush are concerned with. Secularism is the way the West manages difference, whatever one thinks of its effectiveness in doing so, and so these thinkers believe its importing will solve the problem of difference for Muslims. What is neglected or glossed over is the fact that colonialism caused a clash between Islamdom and the concepts of religion and secularism (as well as traditionalism and modernism). Thus a crucial part of the postcolonial question became how do we deal with these remnants of European colonisation. One response was to accept our place in European thinking and to simply try to read off cures to Islamdom's ills from European history.[89] Thus, this group of thinkers have argued that we need secularism, in its western form, in order to progress.

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[89] As well as Na'im and Soroush, Hashemi (2009) belongs to this thought stream. He argues that the Muslim world is in a position similar to that of Europe during the English Civil war.

The Islamicate traditionalist answer to this question is not often discussed nor is it paid much attention, at least in its capacity as an answer to the question posed here. One of the most famed representatives of this school, Timothy Winter, accepts that there was a diversity of opinions and madhabs "even" in medievaldom (Murad, 2002).[90] This acceptance can be linked to the concept of acceptable ikhtilaf that traditionalists use to manage difference.

Winter and other traditionalists argue that the differences between the madhabs fall under an "acceptable" difference. Thus whilst there may be differences between the madhabs, God accepts them all. The completely humanly constructed definition of what is "acceptable" continues to give traditionalism problems. If we were to accept this line of thinking, how would we know which differences God accepts and which He does not? How do we know that something developed in present day Islam may also be acceptable to God? The only recourse one has in defining "acceptable" is political contestation and as such this starts to unravel the entire traditionalist discourse. The discourse starts to unravel simply because it is predicated on a certain group of people having absolute Truth which the rest just follow. If any human element is found within this, the quality of absolute Truth is lost thus leaving us with no reason to blindly follow those of medievaldom.

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[90] The way "even" is used here in Winter's writing suggests that this diversity is an aberration which must be accounted for. It could be argued that this admission is an attempt at accounting for it, which fails. It fails because of its clear contradiction with other tenets of traditionalist thought (see chapter four). We shall be making extensive use of Winter in chapter four in our presentation of a replacement for the category traditionalist/traditionalism.

The traditionalist concept of acceptable ikhtilaf can be seen as one approach to filling the vacuum left by secularism. However, as recent events have shown that this concept can no longer be considered fruitful.[91] In addition, as has already been discussed, the notion of acceptable ikhtilaf does not sit well with the epistemic and spiritual privilege that is bestowed upon those of medievaldom by the traditionalist. Thus, rather than presenting a solution to the problem of managing difference, "acceptable ikhtilaf" becomes a problem for traditionalists who must reconcile this doctrine with their other beliefs.

With the removal of secularism, and the transformation of Islam from a religion into a language, there remains a vacuum. This vacuum can be summed up in the question of how does Islam manage difference. This leaves two options.

The first is that we allow the vacuum to continue to exist and leave things as they are. This option however entails the removal of the political from Islam. If Islam has nothing to say about politics, it becomes depoliticised and, as a result, is put on the path towards decontestation. If the political is removed from Islam it risks falling back into the category of religion. This would imply that Islam has nothing to say about the state of the world but is simply a private, individual channel to God for believers.

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[91] An example would be the conference in Chechnya at which traditionalists removed the Salafis from the fold of acceptable ikhtilaf (Dehlvi, 2016). Also note the speech given by a high-ranking Saudi cleric in which he removed the Shia from the realm of acceptable ikhtilaf (Payton, 2016).

The second option is that this vacuum is filled with a new concept (or concepts) drawn from the Con-Text of Islam. The creation of a new concept would be a statement that Islam does engage with both politics and the political. In order for Islam to manage difference properly there must be a two-pronged approach: managing internal difference and managing external difference.[92]

The management of internal difference must allow for representation from all of the hermeneutics of the Con-Text of Islam.[93] It must also ensure that attempts to give positivity to one interpretation are thwarted. It is only in this way that the language of Islam can remain free flowing, vibrant and, most importantly, explorative. Perhaps most crucially, the management of internal difference must allow for the creation of new theories/paradigms that result from the understanding of a portion (or all) of the future Ummah. It is this management of internal difference that will take up the rest of the efforts in this work.

The management of external difference pertains to Islam's (and Muslims') relationship with different worldviews, such as Christianity, Judaism, Buddhism, Zoroastrianism and atheism. It is here where translation becomes key as it is only through translation that different worldview can speak. Thus, the scholar or group of scholars who wish to invent a new way of managing external

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[92] A potential question that arises here is that who would manage the distinction between the external and the internal. It could be argued that this would fall into the realm of the internal as yet another point of argumentation between the various discourses of the Islamicate.

[93] The idea of the hermeneutics of Islam is inspired by Sayyid (2014a) and Ahmed (2016) and will be discussed in more detail in chapter six.

difference must devise rules that govern the act(s) of translation. This task will require further elaboration elsewhere.[94]

Encapsulating the management of both external and internal difference is the question regarding what kind of polity will Islam be managing difference in. Whilst this question is also not a focus of this piece it needs to be acknowledged that in building a method of managing difference this work is contributing towards the building of an alternative to the nation state. This is a necessary project that must be fulfilled by others working with the tools that the Con-Text of Islam provides.

It becomes clear then that, at base, secularism is deployed as a way of managing difference between the modern (politics) and the traditional (religion). The bias inherent in secularism is clear when we recognise the work done by the late 19th century orientalists as discussed in chapter one. It is the modern that gave birth to the secular that is in turn used to manage the difference between the modern and the traditional. It is for this reason that it is always religion which is asked to accommodate itself to the strictures of whatever happens to be defined as modern at any one time. This can be seen in the works of An-Na'im and Soroush as discussed above.

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[94] A start has been made on this project within other worldviews as can be seen in Slabodsky (2014).

Conclusion

In this chapter we have set out the justifications that Islamicate scholars give for the adoption of Westernese secularism. It has found that the reasoning was the same for both thinkers: a way of managing difference for Islam was needed. This was followed by an exploration of the question of whether Islam needs a concept analogous to secularism. It was found that secularism is the West's way to manage difference and this need is also present within the Islamicate.

As can be seen in our summation of the thinkers discussed above, both construct religion and politics in a highly similar fashion. Both assert that secularism manages the difference between the traditional (religion) and the modern (politics). Being constructed as the traditional, religion is seen to be inherently despotic and irrational whilst politics, being constructed as modern, is seen as a rational area of debate dominated by some form of democracy.

This exploration of the views of those within the Islamicate who wish for westernese secularism has to be seen in light of the first two chapters of this work. If, as this piece has done, one takes the view of Asad, Nongbri and other such scholars that religion is not a universal category then we have a vacuum. Following Cantwell Smith, the present work argues that Islam is a "special case". Thus, for the Muslims, religion is a redundant sign that needs to be dropped

from the collective web of beliefs of the Ummah.[95] The question now becomes, what does this mean for our concept analogous to secularism?

To manage a difference, one must have more than one concept at hand. If religion is felled all we are left with is politics. As such, the particular difference which westernese secularism is deployed to manage disappears. For this reason, an Islamicate secularism cannot base itself as a management of difference between religion and politics. Much in the same way that westernese secularism defines and constructs the managed as well as the method of management, Islamicate secularism would have to do the same. Now we have the dream in mind, we must focus on the tools we shall use for the execution of that dream.

As has been explained earlier, it is Critical Muslim Studies which forms the tools with the present work will fulfil its aims. As such it is important to relate Critical Muslim Studies to our discussions over the past two chapters.

With regards to the secular, it follows that if we drop the category of religion, then we must also either redefine or drop the category of secular. This is because "secularism" is, somewhat paradoxically, only possible on the terrain of the religious.[96] It is only by accepting religion as a distinct category that one can

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[95] The notion of a web of beliefs is deployed here with the same understanding as Rorty (1991).

[96] In other words, the modern is only possible on the terrain of the traditional. If everything is defined by what it excludes then it is on the surface of the excluded that the included is formed as a coherent concept/discourse.

say there are those things that are secular (i.e. non-religious). When one looks

at the history of secularism, however, one realises that it has been put to the

service of many causes, each with their own understanding of what secularism

is and what its underlying aim is. It is one of the aims of this work to see

whether there is currency in providing an Islamicate secularism, a theoretical

construct which would allow us to supplant the imported religion/secular split

whilst at the same time showing that Islam is not just "law and piety" (Ahmed,

2016: 122) and has a history rich with contributions in other fields of human

endeavour.

Our discussions have shown us that we cannot simply stop with an analysis of

the suitability of the concept of "secularism". Closely related to the concept of

"secularism" are the concepts of "traditionalism" and "modernism" which have

arisen out of the constructed Orient. In the present chapter, as well as the

preceding chapters, we have found that secularism rests upon the

traditional/modern distinction. Thus if it is found we have to redefine or

completely drop the category of the secular then we must, as part of the

redefining or dropping process, either redefine the categories of

"traditionalism" and "modernism" or drop them entirely. This is because both

religion and secularism work within a territory, the conditions of the articulation

of which, are predicated on the foundational tenet of a split between the

traditional and the modern. The starting point of our discussion and analysis will

therefore be the fact that it is only by building upon the terrain of the

westernese distinction traditional/modern that the current dichotomy between

quietest sufism (or what is known as traditional Islam) and reformism (or what is known as modernist Islam) is possible. It is for this reason that an exploration, and decolonisation, of the concepts of the "traditional" and the "modern" will form the next two chapters of this work.

Section Two

Introduction

In the introduction of this work the guiding epistemic considerations of this work were established. The first three chapters discussed the imposition of the concepts of religion, secularism, traditionalism and modernism onto the Islamic(ate) and the attempts (and reasoning behind them) to implement secularism within Muslimistan. This section will look specifically at the influence of the sociological dichotomy of traditionalism and modernism on modern day Islamicate thought. They will look at the modern day proponents of traditionalism and modernism and how these terms are used and deployed. In addition, we shall also look to whether or not the Muslim adoption of these terms has cleared them of their orientalist baggage. This work will suggest alternatives to the terms in order to move beyond the constructed Islam of the Western academy. This will allow us to refocus the study of Islam and the Islamicate by setting new foundational problems that it must strive to answer. To this end, the second chapter will look at scholars and thinkers as diverse as Hamza Yusuf, Muhammad Abduh, Timothy Winter, Kecia Ali and Muhammad Al-Yaqoubi.

In order to achieve the aims listed above, this section will rely on the concepts found in the works of Martin Heidegger, Michel Foucault, Sayyid and Zac and Richard Rorty. This section will take Heidegger's notion of 'unsaid', as Charles

Guignon understands it,[97] in order to analyse the works of modern day

Islamicate traditionalists and modernists. This understanding of Heidegger can

be summarised as follows:

> … the main thrust of Heidegger's thought involved identifying the underlying assumptions taken as self-evident… and 'de-structuring' those assumptions to see whether they were as solid as was supposed (Quoted in Pedersen and Altman, 2014 : 2)

The concept of the 'unsaid' will be used to discover the underlying assumptions

of the two fathers of Islamic studies mentioned above in their application of

religion, traditionalism and modernism on the Islamic/Islamicate. In addition, it

will also be used on the modern Muslim thinkers who have adopted these

terms in order to see the basis upon which they use these terms.

Use will also be made of Foucault's concept of "discursive formation", as Sayyid

and Zac (1998) utilise and understand it as the basis of discourse analysis. The

latter provide their own understanding of the notion of discourse by linking it to

anti-foundationalism and post-structuralism. Anti-foundationalism is described

as the perspective which:

> …aims at understanding political phenomena without relying on given foundations such as the will of God, human nature, or social cycles as the ultimate grounding of history. The main proposition is that truth is not discovered, but fabricated (Sayyid and Zac, 1998: 250)[98]

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[97] Guignon has used Heidegger's notion of the 'unsaid' in his work, *Heidegger and the Problem of Knowledge* (1983) in order to subvert the Cartesian basis of much of modern epistemology.

[98] One may object here that, as one who speaks Islam, the will of God must be seen as a foundation from which one moves forward. However, as the this work will prove, knowing the will of God is not possible as it would entail an ability to speak with God on His own terms. This is a feat considered impossible in the vast majority of interpretations of Islam.

As such there are no a priori concepts or categories that can explain politics nor are there any concepts of enclaves which can remain free of the "ever-changing processes by which meaning and identities are produced" (Ibid). As such, there are no foundations from which the world can be understood. Instead of relying on foundations we must look to discourses and how things are constructed within discourses themselves (ibid). Thus discourse theory seeks to understand phenomena by seeing how it constructs concepts and the relationships between those concepts.

Post-structuralism refers to that part of discourse theory that argues "structures cannot determine action" (Sayyid and Zac, 1998: 252). If this were the case then a person would not be able to perform an action considered outside of that structure. In effect, if humans lived within structures it follows that human behavior would become entirely predictable. Sayyid and Zac (Ibid) use the example of the Algerian FIS winning elections in 1992. The army coup after the first round of voting is the "kicking over the political equivalent of the chess board". The rules of the structure (i.e. democracy) were completely overthrown by events not accounted for by the structure itself. However, Sayyid and Zac (1998: 253) are clear that this aversion to structure does not mean that discourse theory advocates the complete autonomy of the individual. Rather:

> The core of the argument is that social behaviour is ultimately the aggregation of individual subjects exercising their will through various mechanisms (the market, community, kinship, class, and the like), and that these subjects and their wills are not conditioned or modified by their association with other subjects (Sayyid and Zac, 1998: 253)

Between the subject and structure there lies a gap. This gap is reflected in the fact that structures can never provide rules that account for everything and the individual cannot be sovereign and have a fully sutured identity (Sayyid and Zac, 1998: 253). This gap, which is the site of the struggle between individual agency and the rules of structure, is the condition of the possibility of political life (Ibid). Any attempt to snuff out this gap means an end to politics and the political.

It is on the basis of the above discussions, that Sayyid and Zac (1998: 260-61) move onto their view of discourse itself. Discourse, they assert, is the means of resolving the destabilization produced by the gap discussed above. Discourse is, therefore, a never closed system of meanings and identities that is (relatively) unified and coherent. Thus there are two sides to any discourse; the first is the "stable unity of meaning and identities" and the second is the gap that "marks precisely the domain of the political" (Ibid: 260). In all discourses there are attempts to close the gap, to create a fully unified and sutured discourse. There are two prerequisites to any creation of unity. The first is the drawing of the boundaries of the discourse and the second is "… a set of narratives, logics, or rules, whose articulations constitute the structure" (Ibid).[99] Thus, discourse theorists (and this work) study political organizations and collectives by looking at their discursive limits and the logic that sustains them. The discursive approach does this by looking at how:

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[99] Articulation is defined as 'any practice establishing a relation among elements such that their identity is modified as a result of the articulatory practice' (Laclau and Mouffe, 1985: 91). The totality of elements that emerges from the articulatory practice is what they refer to as a discourse. The different positions within the discourse, they describe as 'moments' and any position which is not discursively articulated they refer to as an 'element' (Ibid).

> … communities construct their limits; their relationship to that which they are not or that which threatens them; and the narratives which produce the founding past of a community, its identity, and its projections of the future (Sayyid and Zac, 1998: 261)

It is this understanding of discourse analysis which will be relied upon in chapters four and five of this work.

A major part of the following section will be indebted to Rorty's assertions regarding translation and bilingualism when dealing with different human societies. He quotes the anti-essentialist scholar, Donald Davidson who states we should not translate words from one language (he uses a native tribe's language as an example) to another without ensuring that the natives behave towards the word the same way we would. The example that Davidson uses is the fact that we cannot translate the term "gavagai" as "rabbit" since for the natives the gavagai plays a crucial role in the spiritual life of the tribe and the root word "gav" is the foundational root of many theological terms the tribe uses. In cases like these, Rorty argues that it is better to become bilingual rather than engage in flawed translations (Rorty, 1991: 103-105).

Chapter 4: Traditionalism/Fundamentalist Declinism

Introduction

> The reader is sternly put on his guard against the most dangerous will o' the wisps: the cult of the leader and of personalities, Western culture and what is equally to be feared, the withdrawal into the twilight of past African culture (Fanon, 1963: 10-11)

The quote above, to be found in Sartre's introduction to Fanon's work, is interesting in light of the first chapter of this work. The first chapter showed how the dichotomy traditional/modern can be seen as a metonym for "non-western" and "western/western-like" (respectively). In light of this, what exactly is Fanon warning us against? Sartre argues it is "western culture" and, something equally devastating, "the withdrawal into the twilight of past… culture". This work argues that what Fanon is warning us against is the fall either into modernism or traditionalism. Both are equally fatal to a project which wishes to move beyond colonial modernity into a space where dreaming can take place. This chapter will focus on those who have ignored Fanon's warning against traditionalism. The discourse of modern day traditionalism, as exemplified by thinkers such as Yusuf, Winter, Yaqoubi and Keller will be discussed and analysed. Building upon what has been covered in the first chapter, the orientalism present in the works of these figures will be shown through comparisons with Goldziher and Hurgronje. This orientalism, it will be argued, comes as part of their happy adoption of the term "traditionalist" without any concern as to the baggage that comes with that concept. As a further result of the discussions in the last chapter, we shall also provide a new

name for this stream of Islamicate thought based upon a) what they themselves hold to as the main nodal points of their discourse and b) their orientalist tendencies. This new name will be fundamentalist declinism and they will be seen as one of the subgroups of declinism. This will then be followed by the next chapter in which modernism/ethicism will be discussed.

It should be said from the outset that the highlighting of declinism, and ethicism, does not necessarily limit all past, present and future thought to these two categories.

With regards to the past, it is not possible for declinism and ethicism to be projected back into history as both of these discourses have arisen in a very particular context and in response to particular problems facing the Islamicate. To make these discourses transhistorical would be tantamount to giving them an essence that would lead to essentialism. It is therefore up to scholars of classical Islam to move away from the categories imposed upon Islamic history by orientalists such as Goldziher and Hurgronje. An example of this would be a moving away from the categories "rationalists" and "traditionalists" when talking about the Mutazila and their opponents.

Regarding the present, declinism and ethicism form the broad mainstream schools of thought that capture many different subcategories. However there are those sects that evade capture by these categories and which may call for the development of new, albeit smaller, categories. An example of one of these

sects would be the Taqwacore movement, best represented by the work of Michael Muhammad Knight (2004), which can be described as a form of punk Islam. The focus of this piece however will be on the mainstream declinist and ethicist schools and examples from within them.

The future shall be left to those who inhabit it. Various future developments within the Islamicate may lead to the rise of new broad streams of thought which overtake the current two mainstream schools.

An objection can be levied at the separation between declinism and ethicism. It cannot be denied that the declinists do speak of ethics in their work. This would seem to problematise the split between declinism and ethicism that this work wishes to advance. However there are two key points that need to be taken into account when dealing with declinists and their writings on ethics.

The first is what content is ascribed to the ethical. It is in this way we can see whether or not ethics forms the central motif of a stream of thought (the second key point). In Winter's article (Murad, 2004a) he argues that the war with those he calls "neo-kharijites" can only be won by Sunni normalcy. He then goes on to critique the attempts by Washington, secularism, Christianity and liberalism to combat the neo-kharijites by stating that these things cannot provide stable "ethics". Presumably, Sunni normalcy (read tradition/established religion) can provide these ethics. Thus we find that the content of ethics is

"Sunni normalcy" which, through the context of the wider article, can be read as declinism/tradition.[100]

The second point is whether or not it is the central motif of their thought from which all else emanates. As can be seen from the example above, it is not the ethical that works on and gives content to tradition but it is tradition that gives content to the ethical. It is this fact that allows us to state that there are two main trends within Islamicate thought: declinism that has decline, and subsequently tradition, at its heart and ethicism that has Islamicate ethics, and subsequently reformism, at its heart.

Within the broad streams of declinism and ethicism, there are many subcategories that branch out from their core tenets. Within these subcategories we can argue that there are two groupings: those who are accommodating of Western modernity and those who are resistant. We can justify this binary with the West at its heart as it comes in the context of a wider classification of streams of thought that does not have the West at its heart. Thus the relationship these groups have with the West is shown on the tapestry of their relationship with other elements of the Islamicate. This work does not have the scope to cover all of these subcategories so will content itself with one example of each. The example of what will be called fundamentalist declinism

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[100] What is interesting here is the implication of this thought. Since a positive tradition does not exist, the conclusion can be drawn that the ethical, in Winter's view, simply corresponds to his own understanding of the tradition and those that he agrees with (I.e. Other fundamentalist declinists).

will be discussed now to see how the core tenets of declinism make themselves

manifest. The example of ethicist feminism shall be covered in the next chapter.

A History of Decline

There is a long history of scholarship engaging with decline in Islamicate history. However, to compare and try to find links between classical scholarship and fundamentalist declinists on this issue would be fruitless. This is simply because both the causes of decline and the relative position of Muslims in the world have changed drastically. One cannot compare and find links between, for example, the irruption of the Mongols with that of colonialism. If links were to be found they would be tenuous at best and at worst would signal a projecting back onto Islamicate history of current views of decline.

In the introduction of this work, the Traditionalist school of Guenon and Evola was mentioned. A link was made between their Traditionalism and the traditionalism of Yusuf, Winter, Keller and Yaqoubi. This early connection can be built on by arguing that the notion of decline found in fundamentalist declinists is taken directly from the works of Guenon, Evola and their students.

The importance of the notion of decline in Traditionalist thought cannot be understated. King (2015: 309) refers to this element of Traditionalist thought as "inversion". That is the common notion that progress is linear is inverted such that history is seen as "ever-quickening decline". We are declining from the traditional into the modern.

The traditional, according the Traditionalists, is a storehouse of timeless Traditions. These Traditions are at the core of all "major belief systems of the

world" (King, 2015: 310). To be clear, Guenon and his followers do not believe in a multiplicity of traditions nor do they reduce traditions to cultural practice. When Traditionalists deploy the Tradition, they are referring to a set of primordial principles (Ibid: 311). Later students of the Traditionalist school have sought to clarify this. Benoist writes:

> It is concerned with origins: tradition is the handing on of a complex of established means for facilitating our understanding of the immanent principles of universal order, since it has not been granted mankind to understand unaided the meaning of his existence (Benoist, 2003: 14 quoted in King, 2015: 310).[101]

Thus Tradition is a "metaphysical system" which allows us to understand the world as it truly is. It is the manual by which we must live our lives in this world and through this we understand our place and purpose (King, 2015: 310). We in the modern have lost our connection to the storehouse of timeless Traditions. This is simply because the further we move from the Tradition, the more obscure and clouded it becomes. At this point, we are in the Kali Yuga, the dark age, the furthest we can be from Tradition. What makes this dark age in particular is its materialism which stands in direct contrast with the spirituality of the Tradition (King, 2015: 311). It is the fact that we are in the Kali Yuga that makes the Truths of Tradition hard for us to access whilst they were easily at hand for those from earlier times (Guenon, [1927] 2004: 7; Evola, [1969] 1995: 177).

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[101] Cf. Waterfield (2002: 80) also quoted in King (2015: 310)

Whilst all of fundamentalist declinism can be said to be derived from the Traditionalism of Guenon and Evola, there are two declinists in particular who are explicit in their links. The first is Hamza Yusuf and the second is Timothy Winter.

Yusuf, it is well noted, came to Islam at the hands of Martin Lings, a Guenonian through his teacher Schoun (Yusuf, 2005: 53). The understanding of the traditional and the modern which Lings (and other Traditionalists) held has had an undeniable impact on the thought of Yusuf. What Yusuf and other fundamentalist declinists represent is the Islamisation of the Traditionalists. What this refers to is the cutting out of the perrenialism found in Traditionalism and then applying the rest of Traditionalist thought to Islam through analogy. So, for example the Tradition, in Yusuf's estimation, is a storehouse of beliefs and methodologies upon which there is no difference amongst Islamicate scholars. Indeed he argues that if you find a scholar who does have a big difference of opinion then you must be wary of him (TheHamzaYusufChannel, 2012). Thus the Tradition is converted from Guenon's primordial Tradition to the Islamicate tradition but crucially it keeps the same function and characteristics.

Decline in Yusuf's thought can also be seen as an Islamised version of the Traditionalist view of decline. Yusuf argues that the Tradition is passed on through chains of transmission that goes back to the Prophet. As time goes by these chains get weaker and weaker thus signalling a moving away from

Tradition (TheHamzaYusufChannel, 2012). As a result of this he argues that those who came before were more knowledgeable and reached the limits of human perfection (Ibid). It is therefore incumbent upon a Muslim to do taqlid of these more knowledgeable people in order to ensure mistakes are not made which could jeopardise the afterlife (Ibid). This can also be seen as an Islamization of the argument made by Traditionalists that the Tradition is a manual for how to live a life with meaning and purpose. Thus again we find that decline is taken out of the context that the Traditionalists gave it (i.e. The Kali Yuga) and Islamised whilst still retaining the characteristics and function of decline in Traditionalism.

Establishing Winters link to the Traditionalists is easier. He explicitly deploys Guenon and praises Evola (Cambridge Muslim College, 2016; Winter, 2007: 158-159).[102] We shall take what he says about each in turn.

Guenon, in Winter's estimation, is a thinker who represented "an absolute apostasy from the modern doctrines of progress and humanism" (Winter, 2007: 158). He reads Guenon as advocating for Islam because it is unsecular and is the closest thing to Christianity which the Enlightenment displaced. He quotes Guenon:

> This Islamic civilization... comes nearest to being like what a traditional
> Western civilisation would be (quoted in Winter, 2007: 158)

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[102] In addition to both Guenon and Evola, Winter also deploys Nasr, a modern day Traditionalist, and another student of Guenon, Schoun (Winter, 2007: 165). He argues that both Nasr and Schoun see modernity as a travesty that rebels "against God".

Thus continues Winter, whilst the West has betrayed Tradition, Islam has been

successful in retaining it. Islam stands as a place of stability in amidst a world of

continuing change. Guenon is again deployed here to show how wanting

change is a mark of inferiority for those who have "reached a state of

equilibrium" (quoted in Winter, 2007: 159).[103]

Winter's praise for Evola stems from much the same impetus as what leads him

to deploy Guenon. He describes Evola (and Guenon) as amongst those who

want to "jump ship" from modernity. They see progress and "acceleration" as a

marker of a downward trajectory (Cambridge Muslim College, 2016). Both were

prophetic in this regard, but only Guenon took the needed step of appreciating

that Islam was the last repository of tradition. Despite Evola's lack of

appreciation, and his fascism, Winter credits Evola with sparking a "counter

culture". He also believes that Evola's views give Muslims something to think

about when considering their response to modernity. Whilst much may be alien

in Evola, due to his xenophobia, Winter justifies his adoption as a point of

reference since Evola works within a cosmological system which invokes an end

game and the signs of the hour (Cambridge Muslim College, 2016).

On the basis of this interrogation, the view that Sedgwick (2007) holds, which

marked our discussion in the introduction, can be set aside. As was said then,

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[103] Winter's deployment of Tradition here seems to go against Sedgwick's (2007) assertion that
traditionalists do not understand tradition the same way that Traditionalists do.

the only part of the Traditionalists that declinists reject is their perrenialism. As can be seen in Yusuf's co-option and Winter's deployment of the Traditionalists, he incorporates many of their foundational ideas by ripping them away from any mention of perrenialism or the Hindu cycle of ages. Thus what fundamentalist declinists represent is a mainstreaming of the Traditionalist school of thought. In order to delve deeper into this process, the main nodes of declinism will be analysed through the fundamentalist declinists subgroup.

The "Fundamentalist" in Fundamentalist Declinism

We shall now establish the discourse of fundamentalist declinism by uncovering the key nodes that give it coherence. In doing so, this work is indebted to the work done by Mathiesen (2013) who has uncovered three lesser nodes of what he terms "traditional Islam".[104] In his discussion on the employment of the phrase "traditional Islam", Mathiesen (2013: 191) states that he can think of no better alternative label for this grouping. Despite the introduction of the term "fundamentalist declinist", we shall continue using "traditional Islam" and "traditionalists", in our discussion of Mathiesen's work in order to avoid confusion.

It is in Mathiesen's article that we find the first attempted analysis of traditionalist thought can be found. This is as opposed to others who have written about traditionalism and merely seek to describe it.[105] It is interesting to note that Mathiesen believes traditional Islam to be an entirely Western Islamicate affair and bases this claim on the fact that searching for Islam Al-Taqlidi (traditional Islam) returns no results (Mathiesen, 2013: 193). Indeed, in his piece, as well as this work, it should be noted that the main carriers of current traditionalist trends are shown to be largely reverts. Mathiesen (2013) believes there to be three key tenants of the modern manifestation of traditionalist thought: taqlid, an anti-anthropomorphic aqeeda and "sober"

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[104] It is interesting to note that Mathiesen (2013: 191) considers traditional Islam to be simply a "denomination". This will have profound implications for section three of this work.

[105] The others referred to here are exemplified by Geaves (2006) and Nasr (1987).

Sufism (Ibid: 198). Only the latter two nodes will be covered here briefly as the third will require detailed discussion later in this chapter. In addition, the node of fundamentalism will be added to those covered by Mathiesen's work in order to help explain the theories and works of this sect.

Mathiesen (2013: 205) argues that traditional Islam argues for an aqeeda/theology that emphasizes "complete Divine transcendence". Thus when speaking about God one must simply accept all of His attributes but all corporeal interpretations are considered false. This is in complete contrast with whom Mathiesen refers to as the Wahhabis, who hold to the anthropomorphism of their main ideologue Ibn Taymiyyah. Mathiesen argues, however, that this setting up of Ibn Taymiyyah as the founding father of Wahhabi anthropomorphism is simply an attempt by traditionalists to clear the name of Ibn Hanbal, a mainstay of traditional Islam, from association with anthropomorphism (Ibid). This allows traditionalists to simply dismiss modern day anthropomorphism as yet another modern aberration, a version of which was refuted in the past. A further point of argumentation between the traditionalists and the Wahhabis is the idea of takfir.

Mathiesen (2013: 206) defines takfir as the making of "allegations of disbelief on creedal grounds". Takfir in traditional Islam, is generally shunned and frowned upon. This does not however stop those of a traditionalist persuasion in their discussions of creed and its impact upon one's level of faith. The Wahhabis are blamed for the current spread of the "takfir epidemic" in which

Muslims are routinely referring to each other as "unbelievers". Setting

themselves as the polar opposites of the Wahhabis, traditionalist argue that

they represent the unity of premodern times in which difference was respected

and scholarly humility was a norm (Ibid: 206-208). This humility is born out of a

pure spirit that can be attained by Sufism that is the next node of

fundamentalist declinism.

Sufism, in the traditional Islamic sect, is seen as the spirituality of Islam that is

responsible for the heights of the Golden Age of Islam. It is the loss of this

spirituality that has condemned modern Muslims to a life of decline and

abasement. Since there have been many forms of Sufism historically, Mathiesen

(2013: 211) believes it necessary to uncover how exactly Sufism is constructed

within traditional Islam.

In the first instance, Sufism in traditional Islam cannot go beyond the rulings

and dictates of the Sharia. In their eyes, Sufism is seen as the inner aspect of the

sharia whilst fiqh is seen as the outer aspect.[106] Both work in harmony with

each other and to have one without the other is dangerous and may lead one

astray (Ibid: 209-211). It is through Sufism that a student can learn how to

accomplish "spiritual self-transformation". As such, traditional Islam views the

institution of the tariqa and the shaykh-murid relationship as a crucial part of

the Prophetic Sunnah. This is compounded when one reads that traditional

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[106] It is this setting of Sufism as inferior to the Sharia that distinguishes the Sufism of the
declinists from the Sufi hermeneutic (see chapters six and seven).

Islam does not believe that this spiritual awakening can occur outside the shaykh-murid relationship. Mathiesen (2013: 214) poses a question at this stage: if Sufism was so important in the Golden Age and as part of the Sunnah, how did it become so marginalised? Mathiesen states that according to traditionalists there are three main reasons that this marginalisation has occured.

The first is the Wahhabi Salafi onslaught on Sufism through their usage of the concept of bida.[107] Thus, in their attempt to save Sufism, traditionalists attempt to characterise Wahhabi Salafism itself as a deviant sect and dismiss its scholarship as baseless. One of the ways this is done is by deploying the Sufi Ibn Taymiyyah, who is seen as the forebear of the Wahhabis, against the Wahhabis themselves. The second reason is the colonisation of Muslim countries by the West. Many orientalists saw Sufism as a heterodox movement that stands apart from mainstream Islam. In addition to this, orientalists constructed a Sufism that was explicitly orientated against the Ulema and the Sharia. The third reason is the fact that there do exist within Sufism some practices that are antithetical to the Sharia and its rulings. However, traditionalists argue that is not a reason to simply dismiss the entirety of Sufism as the Wahhabis have done.

So far the work of Mathiesen has been used to construct the lesser nodes of fundamentalist declinism. What follows will be another lesser node that needs

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[107] The dispute between the Salafis and the Sufis is also covered in Islam (2015: 420-422)

to be added to those discussed above in order to complete our exposition of the

"fundamentalist" in fundamentalist declinism.

The third lesser node of fundamentalist declinism is fundamentalism. It is this

node that separates fundamentalist declinism from the other subcategories of

declinism (for example from Salafism). We shall now discuss some definitions of

fundamentalism before showing how the fundamentalism of fundamentalist

declinists differs from standard accounts.[108]

Weinberg and Pedahzur (2004: 5-6) provide a concise definition of

fundamentalism that shares features with many others.[109] In the first instance

they argue that fundamentalist groups are "reactive in character". They devise

strategies to fight against the, what are perceived to be, erosive affects of

modernising and secularising influences on religion. In addition to this:

> Fundamentalist groups are not practitioners of traditional religion; rather
> they selectively adapt traditional texts and practices in such a way as to make
> them serviceable in the fight against the modern (Weinberg and Pedahzur,
> 2004: 5)[110]

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[108] Most, if not all, declinist groups fit the description of fundamentalist groupings that are
discussed here. What is special about fundamentalist declinism is that it incorporates a separate
kind of fundamentalism that shall be discussed in this section.

[109] Cf. Sahgal and Yuval-Davis (1990: 30) and Martensson et al (2011: 2).

[110] This point sits well with the view of Sahgal and Yuval-Davis (1999: 30) who argue that
fundamentalism can manifest itself as a "form of orthodoxy - a maintenance of 'traditional
values'". It also sits well with that of Martensson et al (2011: 2), who argue one of the defining
features of fundamentalism is a "selective use of tradition and modernity".

What this entails is a co-opting and dismissing of various parts of a particular religion as and when needed.

Fundamentalists define the world in clear-cut terms. There is good and evil, truth and falsehood. Fundamentalists see themselves as engaged in battle against all they consider to be evil and falsehood (Weinberg and Pedahzur, 2004: 5). Bin Laden's address following the 9/11 attacks is used as an example of this binary worldview. In that address, Bin Laden refers to two camps in the world: those of the faithful and those of the infidels. Thus the rejection of moral complexity is justifiably placed as a hallmark of fundamentalism (Ibid).[111]

The third hallmark feature of fundamentalism is a belief in the holy texts of religion are divine and thus absolute and beyond question. Those who attempt to place these texts in context or subject these texts to modern forms of criticism are to be punished (Ibid).[112]

Fundamentalists generally see time and history in "millennial and messianic terms" (Weinberg and Pedahzur, 2011: 5-6). This means that they believe human history will come to an end in a final triumph of good over evil, truth over falsehood. Usually, this final battle involves the intervention of a divine force (Ibid: 6).

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[111] Martensson et al (2011: 2) also cover this point in their definition. They argue that a feature of fundamentalism is "moral dualism".

[112] Sahgal and Yuval-Davis (1990: 30) also argue that fundamentalists do not allow for "pluralist systems of thought".

As well as living separately, Weinberg and Pedazhur (2011: 6) argue that fundamentalist groups are arranged along authoritarian lines. Usually, special powers of learning and understanding are bestowed upon a singular individual. Being authoritarian, fundamentalists groups are non-, and at worst, anti-democratic in their beliefs and organisation (ibid). Furthermore, Lipset and Rabb are deployed to make the argument that fundamentalists also approach the political arena in an anti-democratic outlook.

When speaking of fundamentalism here, the common usage of the term, popularised by the media, is not being referred to. In order to fully understand "fundamentalism" as it is being deployed here, attention must be given to the work of Ramon Grosfoguel.

Grosfoguel (2009: 98) argues that common definitions of fundamentalism are usually anchored in the religious. To prove this point he deploys the definition of fundamentalism given by Hitchens:

> ... The very definition of a "fundamentalist" is someone who believes that "holy writ" is... The fixed and unalterable word of God (Hitchens, 2009: 74)

What definitions like the above do, Grosfoguel argues, is to hide the most fundamental of fundamentalisms. This most "fundamental of fundamentalisms" is the belief in the superiority of one's own epistemology and the inferiority of the rest. He also points out that this definition reproduces the secular/religious split by implying that only the religious can be fundamentalist (Grosfoguel,

2009: 98). This would mean that positivism, as a type of scientific

fundamentalism, is given privilege over religious fundamentalism. Thus, what

definitions like the above do is they hide the most destructive form of

fundamentalism in the world today: Eurocentric fundamentalism. This

fundamentalism amounts to the "sacrilisation of the Western tradition of

thought and the inferiorisation of non-Western epistemologies and

cosmologies". Thus what is European becomes "normal" or "common sense"

and is thereby the norm through which everything else is measured (Ibid: 99).[113]

Thus, Grosfosguel (Ibid) states, what can be said is that eurocentrism

fundamentalism amounts to a particular group defining the universal for

everyone. It is a form of "epistemic racism" which spread throughout the world

on the back of colonialism. As a result of this spread, Eurocentric

fundamentalism can be seen within some of the third world. Examples of this

include Islamic fundamentalism and Afro-centric fundamentalism. Within these

third world movements, Grosfoguel (Ibid) argues, the binaries that the West

imposes are inverted. The West sees itself as democratic and feminist whilst the

non-West is authoritarian and patriarchal. Grosfoguel (ibid) argues that these

third world movements are derivatives of Eurocentric fundamentalism because

they "affirm the opposite side of the binary and leave intact the hegemonic

binary itself". For example, these movements will affirm their patriarchal and

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[113] It is this Eurocentric fundamentalism that could be seen at play in chapter one in which the works of Goldziher and Hurgronje were discussed. In particular recall Hurgronje's (1906: 339-340) statement that it is no longer important what Muslims think of Sharia but what Europe deems compatible with modern life.

authoritarian nature and leave the democratic and feminist image in the hands of the West.

Grosofoguel (2009: 99) contents himself with applying this view of fundamentalism onto violent third world movements. This application is contested here through the argument that his concept of fundamentalism is much better suited to those quietist declinists whom this work will discuss. The explicit inversion of Western binaries and hegemonic impositions is not as clearly seen as in the case of those whom this piece refers to as fundamentalist declinists. An example of this is the fact that ISIS does not leave the nation state (and its trappings such as passports and borders) to the West, as would happen in an inverted dichotomy, but readily coopts the concept. Thus to argue that the violent jihadis either invert or imitate is an oversimplification. One could argue that the best approach to analyse the violent jihadis is that of pragmatism; they pick and choose not only from the religious tradition as described above but also from the West itself.

This work wants to bring Grosfoguel's understanding of fundamentalism and apply it on a very specific subset of quietest declinists. These are some very prominent Islamicate scholars who mainly hail from, and operate in, the West. In this group are figures such as Timothy Winter (aka Abdal Hakim Murad), Hamza Yusuf, Nuh Ha Mim Keller and Muhammad Al-Yaqoubi. This is the core group of scholars that forms what Mathiesen (2013) calls the sect of "Traditional Islam". In what follows, usage will be made of Winter, Keller and

Yaqoubi to show both the fundamentalism of this group and highlight the nodes

of declinism as an overall stream of thought.

Winter's fundamentalism, as with all fundamentalist declinists, leads straight to

eurocentrism. In his haste to show the Western origins of Islamism (Murad,

2004a), Winter simply inserts the whole of Islamism within what Sayyid (2014a)

calls the Plato to NATO narrative. Thus with one fell stroke he has taken agency

away from the Muslim and deposited it at the feet of the West. As a result the

conclusion that is reached is only the West can act in any meaningful sense.

Everyone and everything else is simply residual to the story of the West.

A result of this logic is the fact that the Islamicate is constantly compared to,

and translated into, Westernese. Whilst there are a multitude of examples of

this, only a single example will discussed in depth. In an article, a Winter

(Murad, 2004a) expresses relief that orthodoxy still dominates the seminaries.

Immediately after this sentence Winter asserts:

> The reformers are, at least institutionally, in the Rhonnda chapels, not the
> cathedrals (Murad, 2004a)

No explanation is given after this quip. This structure is repeated throughout

Winter's work. Firstly, a modern Muslim condition or event is presented and,

immediately afterwards, it is translated into Westernese (see Murad (2014;

2004b; 2002).[114] Thus we come to a point where not only are present day

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[114] Murad (2002) argues that those who call for a reformation within Islam do not realise that
this reformation is taking place, "in those places which the West finds most intimidating".
Murad (2004b) argues that the recent turn to tradition amongst Muslims can be seen as a

Muslims subservient to "what Europe deems compatible with modern life" (Hurgronje, 1906: 340) but the story of modern day Muslims is told through the language, idioms and concepts which originate in the West.

Yaqoubi's fundamentalism can be seen clearly in his work "Refuting ISIS". Much like Winter, his fundamentalism also leads directly to eurocentrism and the taking way of agency from modern day Muslims.

When talking about the passage of time and the decline in the quality of faith, Yaqoubi claims that small fanatical groups have arisen which are "portraying Islam as a barbaric religion incompatible with modernity". Furthermore, this process has cut us off from the unique attributes of Islam as shown to us by the Prophetic example (Yaqoubi, 2016: 8). Thus we see that Yaqoubi treats modernity and the Prophetic example (and by extension, medievaldom) as one and the same. What is clear here is that Yaqoubi has done what every Eurocentric commentator does. He has delinked the colonial experience from modernity. As a result of this, the concerns modern Muslims have with the project of Western modernity is swept aside in the name of accommodating Islam.

The second example of Yaqoubi's fundamentalism shows itself is when he addresses concerns around the issue of slavery. When talking about slavery and

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"counter-reformation". Murad (2014) laments the lack of discernable patterns in converts that could be exploited for da'wa purposes. He then synonymises da'wa with "our missionary efforts".

its impermissibility, we find that Yaqoubi (2016: 26, 42) justifies his banning of slavery based on the treaties that the Muslim world has with the West and the wider world. He does this, despite knowing and mentioning the fact that the Ottoman Empire banned slavery approximately one hundred years previous to the international conventions upon which Yaqoubi bases his ban. Why use the West and not what the Islamicate itself has generated? It can be argued that this is due to his fundamentalist orientalism that does not allow traditional Islam to be overruled by modern Islam. Thus Yaqoubi has to resort to contracts with the West so he can use traditionalistic views on contracts between Muslims and non-Muslims in order to come to a ban on slavery. Thus the West has more of a say on what is Islamic or not than do modern day Muslims.

Both Winter and Yaqoubi exhibit fundamentalism in that they subscribe to an inversion of Western binaries. It is in this way that the agency and the voice of the modern Muslim are sacrificed in order to emphasis the superiority of the medieval Muslim. Thus we can say that in the fundamentalist declinist attempt to be resistive to Westernese, they have inadvertently turned themselves into one of its most accommodating representatives within the declinist school.

Whilst Mathiesen's work is invaluable in mapping out the contours of the declinist position, it ultimately does not explain declinism beyond its fundamentalist subgroup. Whilst it can be agreed that all fundamentalist declinists believe in taqlid, a form of Sufism and an anti-anthropomorphic aqida, Mathiesen misses two key parts of the jigsaw. The first is that he does not

recognise the fundamentalism present in the work of the "traditionalists". The second is that Mathiesen does not explain what is behind these beliefs or how they are linked together. This core of declinism, as the overarching school of thought, is missing from Mathiesen's exposition. It is this core of declinism as a whole that will be discussed next.

The "Declinism" in Fundamentalist Declinism

Whilst Mathiesen has provided two of the lesser nodes of fundamentalist declinism, Sufism and an anti-anthropomorphic aqeeda, his view of taqlid and its importance for declinism as a whole can be challenged. Taqlid is undoubtedly an important part of fundamentalist declinism. Mathiesen discusses it in depth but does not explain why those he refers to as "traditionalists" engage in taqlid. It is in this analysis that the wider stream of declinism makes itself known in the subcategory fundamentalist declinism. Taqlid is the last of a series of the three master nodes of declinism as a whole. These three master nodes form the core of declinism, the subcategories of which all have a family resemblance with each other. In what follows, these three nodes will be discussed and analysed in relation to two key fundamentalist declinist thinkers, Timothy Winter and Nuh Ha Mim Keller.

The first of these nodes is a linear view of history that, since the onset of colonialism/modernity has been marked by an almost terminal decline.[115] This decline, Winter argues, began in the seventeenth century and has been compounded by what he terms "Islamism" which he traces from Muhammad Abduh to Rashid Rida to its more recent supposed scion, Sayyid Qutb (Murad, 2004a).[116]

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[115] Fundamentalist declinists such as Yusuf (1998) and Yaqoubi (Zaytuna College, 2016) also point to the start of this decline in interviews and speeches ("colonialism" and "100 years ago" respectively).

[116] It is interesting to note that this date of compounding decline is the same as that given to modernism by Goldziher ([1920] 2006) and Hurgronje (1916).

In order to emphasise his view that decline has taken place, he argues that our "public conversations" have given rise to a "frankly primitive condition" in which religion is now discussed. Present day Islam itself, in Winter's view, is a "zombie-like revenant bearing only a superficial resemblance to his medieval seriousness" (Murad, 2004a). Thus we are now in a moment where history has stood still and most look back to a time "when history was still running" (Ibid). Winter's view of history is that it is split into two parts, medieval and modern, and we are in the lesser of these two phases, the modern. The modern is a space inhabited by zombies stuck in a time freeze. Despite this, Winter (Murad, 2004a) argues that we should not try to reinvent ourselves as medieval. However, this claim is in tension with Winter's assertion that the only way to live faithfully is to connect with chains of transmission from medievaldom (Murad, 2004b).

One only need to look at Hurgronje's (1916: 138) view on the medieval and modern to see how similar his and Winter's summation of their favoured phases are. Winter simply favours the medieval over the modern rather than the other way around. It is also interesting to note that Winter (Murad, 2004a) acknowledges that the modern far-right criticises Islam by calling it "medieval". The fact that Winter continues using this word to describe "established religion" leads us to believe that he is attempting to restate its 'medievalness' as a positive in the face of sustained attack from elements of the West.[117]

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[117] We also find this assertion of the medieval as positive in the face of the modern by Yusuf (Mustafa Husain, 2014). He argues that one should not take the opinion of a scholar living in the

What we have not seen is what exactly is constitutive of this decline. Winter

(Murad, 2004a) argues that in the first instance this decline is material and

military. Secondly, and more importantly, both the West and the "Pentecostal"

authors of modern Islam have lost their link to the "remnants of established

religion" (Ibid). [118] The question now becomes what constitutes "established

religion". Two words are repeated throughout his work: orthodoxy and

tradition.[119] Winter (Ibid) states that it is to Islam's benefit that orthodoxy "still

flies the flag" in the majority of seminaries.[120] The reformers, he asserts, have

not managed to overcome the remaining bastions of established religion.

The question which must be asked is: can this decline be arrested? Winter

answers in the affirmative and argues that anything he writes must not be taken

as a tirade against creating new fiqh for the challenges of our era. The tension

this creates with Winter's (Murad, 2004a) assertion that everything we need to

know can be found in classical formulations is not solved within his work. He

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21st century over scholars from the past. This is because earlier generations were more knowledgeable than those who came after them (TheHamzaYusufChannel, 2012).

[118] It can be found that the habit of Goldziher and Hurgronje to apply Christocentric/Eurocentric concepts onto Islamdom is recreated in much fundamentalist declinist work, in particular Yusuf and Winter.

[119] Yusuf (TheHamzaYusufChannel, 2012) also echoes Winter's view of what constitutes decline. He argues that the tradition relies on chains of transmission. As time goes on these chains get weaker and weaker. In addition to this, Islam itself is contained within the Ulema. It is indicative of decline that people of knowledge have no voice in the modern age (Zaytuna College, 2014).

[120] Winter's understanding departs from other fundamentalist declinists here and is reflective of a British context. Others, such as Keller (2014) and Yusuf (Malik, 1998), bemoan the lack of traditional scholarship and the loss of traditional learning. Like Winter, they go as far as to infuse traditional learning as the carrier of Islam (established religion) throughout time.

states that what he is arguing for is that those who are qualified to do it take up the mantle of creating new fiqh (Murad, 1999: 30). It is here where the figure of the mujtahid enters the field of declinism. It is only the mujtahid, who has encompassed all of the tradition, who can hope to provide answers to todays pressing problems. This mujtahid is to be a man of medievaldom who lives in the modern. This can be seen in listing of the criteria of a mujtahid by Murabtal Haaj, a teacher of Hamza Yusuf:[121]

> "Such as his being of extreme intelligence by nature, and there is some debate about one who is known to reject juristic analogy [*qiyas*].
>
> He knows the [juristic] responsibilities through intellectual proofs unless a clear transmitted proof indicates otherwise…
>
> He then goes on to mention the other conditions of a *mujtahid*:
>
> [The sciences of] grammar, prosody, philology, combined with those of *usul* and rhetoric he must master.
>
> According to the people of precision, [he must know] where the judgements can be found without the condition of having memorized the actual texts.
>
> [All of the above must be known] according to a middle ranked mastery at least.
>
> He must also know those matters upon which there is consensus.
>
> [Moreover, he must know] things such as the condition of single hadiths and what carries the authority of great numbers of transmissions; also

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[121] Hamza Yusuf (Sufi Channel, 2014) has spoken at length of Mauretania being the last bastion of traditional learning on Earth. In his first meeting with the son of his future sheikh, Yusuf believed him to be from the 7th or 8th century. Indeed one could favourably compare his account of Mauretania and Hurgronje's (1916: 136-140) account of the medieval nature of Makkah (see previous chapter). He describes Murabatal Haaj as:

"Shaykh Murabit al-Hajj is a master of the sciences of Islam, but perhaps more wondrous than that, he has mastered his own soul. His discipline is almost angelic, and his presence is so majestic and ethereal that the one in it experiences a palpable stillness in the soul." (Ibn Percy, 2012)

[knowledge of] what is sound and what is weak is necessary.

Furthermore, what has been abrogated and what abrogates, as well as the conditions under which a verse was revealed or a hadith was transmitted is a condition that must be met.

The states of the narrators and the companions [must also be known].

Therefore, you may follow anyone who fulfils these conditions mentioned above according to the soundest opinion.

So, consider all of the above-mentioned, and may Allah have mercy upon you, and [may you] see for yourself whether your companion is characterized by such qualities and fulfils these conditions—and I highly doubt it." (Haaj, n.d.)[122]

As can be seen, there is no mention of any knowledge of the context of the time in which this mujtahid comes. Thus the man of medievaldom is kept as a man of medievaldom rather than being stained with a time in which history does not run.

The second node of declinism follows on logically from the first. If it is agreed that the medieval/traditional is the repository of History itself,[123] then it follows that those who lived whilst History was still running are necessarily better than those who live in a time freeze. Thus we can name the second node of declinism as the bestowing of epistemic and spiritual privilege on those who came before the point of decline.[124]

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[122] C.f the list of requirements for mujtahid to be found in Murad (1999: 9-10).

[123] With regards to the Wahhabi Salafi subcategory of declinist it is the Salaf only who are the repository of history.

[124] Those who are seen as the repository of the medieval are also given this spiritual and epistemic privilege. For example, Yusuf (Islam Rewards, 2016b) links his Bin Bayyah's, his teacher, level of knowledge to his level of piety.

Winter brings this node to the fore in a short clip of a talk he gave on the essence of education. Entitled "The Salafi Fallacy", this short clip deals with those who wish to interpret the Quran and Sunnah for themselves instead of relying on tradition. From the outset, the traditional/modern split is deployed in Winter's statement:

> ... the understanding traditional Islam has had and here we are not talking about a kind of new-fangled Islam that trusts our own fallible, time-bound prejudices to interpret the Quran and Hadith but is based on the... wisdom... and discussions... of thousands of transformed souls (IslamonDemand, 2012)

It is this that opens Winter's discussion on the topic, a complete summation of the second node of declinism. Those who live in the time freeze that is the modern are considered to be "fallible" and "time bound" and subservient to their own "prejudices". It is not a stretch therefore, to conclude that those who lived while History was still running, the medieval period, are to be considered infallible and objective, their works timeless.[125] This allows Winter to then assert that the medieval scholars "know the Quran and Sunnah outwardly and inwardly better than we ever will".[126] Therefore any critique of the Ulema, even saying they were wrong, is a form of backbiting which forms part of a "pharaonic arrogance" which afflicts modern man.[127] Leaving aside the dire

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[125] Cf. Winter (Murad, 2004a) who refers to "all too fallible interpreters".

[126] Yusuf (TheHamzaYusufChannel, 2012) echoes this notion. He argues that the works of earlier generations was rightly guided and reached the highest level of perfection that is humanly possible. See also Murad (1999: 14).

[127] It is here that we find a contradiction at the heart of declinist thought. Whilst Winter considers those of medievaldom to be infallible and timeless, he also admits that "… within each madhab, leading scholars continued to improve and refine the 'roots' and 'branches' of their school." (Murad, 1999). This would seem to suggest that some of those of the medieval made mistakes or left information out (Winter himself points to the fact that the early Hanafi school did not take the canonical hadith corpus into account as it had not yet been "available" (Ibid).

theological ramifications of this line of thought, what can be seen in the first half of the opening sentence is epistemic privilege being bestowed on those of medievaldom.

The second half of the opening sentence bestows spiritual privilege on those who occupy the medieval. What is found is that the infallibility, objectivity and timelessness of those of the medieval comes from the fact that they are all, without exception, 'transformed... purified souls'. It is in this way that the epistemic privilege of the medieval sprouts from their spiritual privilege. Thus, modern students of traditional Islam can attest to the fact that it brings peace to their souls (Murad, 2004a). It is in this way also that we can see the particular Sufi influence within fundamentalist declinism that is not to be found in, for example, the Wahhabi Salafi branch of declinism.

The question must now be asked as to how those with this epistemic and spiritual privilege interacted with each other, within the space of the medieval. It is at this point that Winter brings forth that oft used concept within declinism, ijma (consensus):

> This interpreter can either be ourselves or it can either be the consensus of thousands upon thousands of great transformed souls (IslamonDemand, 2012)

This creates a whole host of problems and contradictions for Winter's view of medievaldom which he never solves. A similar discussion occurs in chapter seven of this work around the views of Ibn Rajab.

It makes logical sense that, if there are thousands upon thousands of scholars

who are objective and infallible they must all, without exception or hesitation,

come to the same conclusion.[128] An objective, infallible truth is the absolute

Truth and therefore must be singular and necessary (Wittgenstein, 1929).

Indeed, Winter argues before the statement above that one of the causes of

confusion and deterioration of the modern Muslim is his "initiation into the

logic of multiplicity" (Islamondemand, 2012). It must be said that, in a more

recent article, Winter (Murad, 2002) asserts that "even" medievaldom was a

time of diversity where a "variety" of madhabs could conflict "formally" but all

were acceptable to God. Three questions arise from this: the first is how does

Winter combine this diversity with the infallible, objective, timeless ijma of the

scholars of medievaldom? The second is why is this diversity considered to be a

reprehensible thing for present day Muslims? Why is the logic of multiplicity,

which worked so well in medievaldom, now considered to be a thing that leads

to confusion and deterioration? Perhaps this is yet another advantage given to

the Muslims of medievaldom. They could handle multiplicity because of their

epistemic and spiritual privilege. Or perhaps, as is more likely, Winter is

referring to the phenomenon of religious individualism in which Muslims read

the sources for themselves. This leads us to our third question which is who

decided, and how, whether a madhab or way of enacting Islam is acceptable to

God? Even in this admission that there was diversity in medievaldom we see

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[128] This view finds expression in Yusuf (TheHamzaYusufChannel, 2012) also. He argues that a
marker of trustworthy scholar is that there is no big difference of opinion between him and
other scholars. He goes on to state that you wont find difference of opinion amongst the umma
of those who know. This is how we know they are rightly guided.

attempts made to recover possession of absolute Truth for the medieval

Muslim scholar. It is only by being in possession of this Truth, that one could

decide what is acceptable to God or not definitively. If this Truth is not

possessed then being "acceptable to God" is a means of masking power

relations rather than anything else. If the medieval scholars did not possess

absolute Truth, why should we follow them over more recent scholars who

advocate religious individualism?

It is in this way we can see that the second node of declinism is built upon the

lesser node of ijma. This line of thought allows Winter to argue that to bypass

tradition is a "form of implicit shirk" and since he argues the scholars of

medievaldom hold absolute Truth, this statement is coherent with the rest of

the declinist discourse.

The third node of declinism is taqlid that is perhaps the most fluid of the three

nodes of declinism.[129] Taqlid builds upon the preceding node as a necessary

consequence of it. If we are faced with a group of people situated in a running

history, whom we can never hope to equal let alone surpass, then the only

available option is to blindly follow them.[130] In a quotation taken from a website

run by the followers of Nuh Keller, Mathiesen (2013: 199) identifies the identity

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[129] Compare, for example, the following account of fundamentalist declinist taqlid with Brown's (2015) excellent work on Ulema and taqlid in a Wahhabi Salafi context.

[130] Both Yusuf and Winter echo this point. Yusuf (TheHamzaYusufChannel, 2012) argues that doing taqlid of a scholar is wajib (highly recommended). He also argues that the drive against taqlid has only happened in the last two hundred years (Ibid). Winter (Murad, 1999: 22-23) quotes both Shatibi and Juwayni to show that taqlid is wajib.

of traditional Islam as the Islam which has been passed down from teacher to student from the time of the Prophet. This, in turn, reveals who traditionalists deem to be their enemies. Any scholar who attempts to circumvent or break this supposed chain of learning is to be considered outside of declinism. In addition to this, any attempt to modify or change the methodology used in deriving rulings is also shunned (Ibid: 199). Thus taqlid is further bolstered by the introduction of a chain of transmission going back to the Prophet himself. These notions will have interesting implications later in the discussion in the third section of this work. To further explicate taqlid as fundamentalist declinists understand it, further attention will now be given to the work of Nuh Ha Mim Keller.

In an article entitled "Why Muslims follow Madhabs", Keller writes regarding the reasons Muslims should follow the four madhabs of medievaldom. After having listed the criteria for being a mujtahid, Keller (2014) argues that the justification for taqlid can be found in the Quran itself. He quotes 4:83 of the Quran and believes that phrase, "those of them whose task it is to find it out" refers to those who are able to infer legal rulings. It is only these mujtahid who are forbidden from doing taqlid of the Ulema. Everyone who does not meet the criteria of the mujtahid must do taqlid. He then goes on to list some of the scholars of medievaldom who had reached this level, notable among them is Imam Shafi'i and his student, Al-Muzani. Interestingly enough, Keller (2014) then launches an attack on those who argue that people such as Abu Hanifa exhorted people to know the evidence behind their rulings. He argues that this

statement was not meant for the general populace but was only meant for

those students who had reached the level of mujtahid. Keller writes:

> It is one of the howlers of our times that these words are sometimes quoted as though they were addressed to ordinary Muslims. If it were unlawful for the carpenter, the sailor, the computer programmer, the doctor, to do any act of worship before he had mastered the entire textual corpus of the Qur'an and thousands of hadiths… he would either have to give up his profession or give up his religion. A lifetime of study would hardly be enough for this… and it was to scholars of *istinbat*, the mujtahids, that he addressed his remarks. Whoever quotes these words to non-scholars to try to suggest that Abu Hanifa meant that it is wrong for ordinary Muslims to accept the work of scholars, should stop for a moment to reflect how insane this is… (Keller, 2014)

In this lengthy passage, the interaction between the other two nodes of

declinism and the node of taqlid can be seen. If a lifetime of study is not enough

to know all the evidences required then a mujtahid must have some advantage

over others to be able to encompass this knowledge. This fact is compounded

when one reads that, as well as being a religious scholar, Abu Hanifa was a

merchant by trade. Thus instead of giving up his profession or religion, he

managed them both. The only way he could have done this, therefore, was

through the epistemic and spiritual privilege which fundamentalist declinism

endows upon those of medievaldom.

Questions and Problems for Declinists/Fundamentalist Declinists

This section will cover those areas that will be the foundational problems and questions for declinism. Apart from these foundational problems for declinism, there are problems which fundamentalist declinism may have to grapple with which, for other subcategories of declinism, may not be as pressing.[131] As has always been the case throughout this chapter, the problems of declinism will be read through the register of its fundamentalist subgroup.

As has been seen in the first chapter, Goldziher and Hurgornje's foundational questions sprung out of the application of traditionalism/modernism onto the Islamicate. Whilst the questions posed here will not entirely be a result of the dichotomy between declinism and ethicism, they will be more representative of Islamicate concerns than Western ones.

There are three main questions that declinists must answer in order to build upon what they have already theorised. The first is an internal struggle over hegemony within declinism and the second is an external question relating to the accommodation or resistance to the West.

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[131] A problem which shall not be mentioned here is the fact that Winter's (IslamonDemand, 2012) belief that a logic of multiplicity is something new to the Muslim mind can be undermined by alternative historical readings. This critique shall be discussed in more detail in relation to Islamicate secularism in the next section.

The first regards the notion of decline itself. As suggested above, fundamentalist declinism is but one of the subcategories of declinism. The other subcategories may have a different understanding of decline. For example, it would not be unfathomable to add Wahhabi Salafism into the declinist orbit. As we have seen, fundamentalist declinists assert that, at the earliest, decline began from the 17th century onwards. Wahhabi Salafism, and thinkers sympathetic to its programme (such as Sayyid Qutb) would argue that decline set in soon after the Salaf left this world (Stanley, 2005). This shift in understanding decline, and when it set in, had major implications for the resulting groupings that arise (compare for instance, Egyptian Jihad with Zaytuna College). As such, the emergence of a left/right dichotomy can be seen within declinism with the supposedly apolitical Sufi groups on the left and the political, militant jihadi groups on the right. Thus the first questions are, whose notion of decline will prove to be hegemonic and whose antidote to this decline will prove more effective? It is the battle over these questions that can be seen playing out between the left and right of declinism at the present time.

The external question can be split into two parts. The first regards the relationship that declinism has with the West and westernese. Each subcategory of declinism must decide upon accommodation of, or some form of resistance to, Westernese. This accommodation and resistance can be on both the methodological and output levels and can be mixed together. An example could be a grouping that is accommodationist in its method but resistive in its output. This choice maps onto the left/right split mentioned above. The

fundamentalist declinists represent accommodationism at its extreme and the jihadi groups represent resistance at its extreme. The second part of the external question relates to the justification that the subcategories give for either accommodating or resisting the West. It is clear that this will be a more pressing question for those who accommodate the West but it also will serve to highlight the framework through which resistive subcategories carry out their resistance.

The third question comes in two separate parts. The first part of this question is twofold and relates to the belief in the epistemic and spiritual privilege of medievaldom.[132] The first part of this question is how to reconcile the belief in infallible, objective and timeless scholars with a belief in monotheism. In classical Islamic understanding, only God is infallible, objective and timeless. Thus to imbue these qualities onto any other person or set of persons is to elevate them onto the same level as God. Thus we come to the absurdity that the scholars of medievaldom are on a higher plane than the Prophet of God. This takes away from the uniqueness and the objective behind sending the Prophet in the first place!

The second part relates to the figure of the mujtahid in fundamentalist declinist thought. As has been seen, declinists in general believe that new fiqh is desirable but should be done by one who is qualified for the role (I.e. a

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[132] This question would also apply to the Wahhabi Salafi subgroup of declinism because of their bestowing of epistemic and spiritual privilege to the Salaf.

mujtahid). However there are two problems that come out from a fundamentalist declinist understanding. The first is that if it is believed that the scholars of medievaldom are infallible and held absolute, timeless Truth, what is the point of developing new fiqh? The perfection that is attributed to the medieval scholars is not compatible with any type of reform or development of fiqh. The second relates to how this modern mujtahid will come about. Since this new mujtahid will be situated in the modern, the question must asked as to how this one person will achieve the required level of infallibility, timelessness and objectivity? Who will (could) teach such a person given that all of modern Islamicate scholarship is necessarily inferior to the level that this mujtahid must achieve. This belief mixed with the belief in the continuing decline of modern man means no progress can be made. In addition, fallibility cannot teach infallibility.

So far the discussion has been limited to those questions that will form the foundation of future research into the development of declinism and its subgroups. Now we move on to a problematisation of declinism and, in particular, fundamentalist declinism. Whilst there are many problems with declinism, one that is particularly interesting is the attribution of positivity to their own understanding of tradition. This is clearly seen in the work of Muhammad Al-Yaqoubi. This section will focus on his booklet "Refuting ISIS".

What can be seen is that Yaqoubi has two steps in his argumentation: the first is to endow his interpretation with positivity (by equating his interpretation with a

fully sutured "Islamic law") and the second is to argue that ISIS's interpretation goes against 'Islamic Law' (Yaqoubi, 2016: 32). This positivity is endowed upon his interpretation of Islamic law by virtue of what Yaqoubi calls his "sounder proofs" which, in the end, amount to different forms of ijma (consensus) (Yaqoubi, 2016: XVI; Zaytuna College, 2016). Therefore it could be said that, in Yaqoubi's thinking, the contingency of his interpretation of Islamic law is sutured by ijma that forecloses the space for alternative interpretations. This move catapults Yaqoubi's interpretation beyond antagonism and hegemony, into the arena of the necessary. Usually, when one attempts to create positivity one leaves it to the opposition to try to show its contingency. In the case of Yaqoubi it can be shown that he undermines his own positivity by disregarding the tool that allows him to create positivity in the first place.

When speaking about the issue of whether the Khawarij can be considered Muslims or not, Yaqoubi (2016: 73) asserts that the majority opinion is that they are to be considered severely misguided, but still Muslims. After having presented this case of ijma, Yaqoubi (Ibid: 74) then proceeds to ignore it and take the minority opinion that the Khawarij are unbelievers. It should be noted that Yaqoubi (2016: 74), on the same page, then goes on to berate the Khawarij for going against consensus of the jurists. Whereas Yaqoubi provides proof for the position that the Khawarij are unbelievers, his ignoring of ijma is not justified in his text. With this, the positivity Yaqoubi gives to his own interpretation of what Islamic law is unravels as the necessary (ijma) is shown to be dependent upon the contingent (Yaqoubi's opinion).

The problem comes down to the fact that both parties, fundamentalist

declinists and ISIS, ascribe a monolithic, positive character to the tradition. Both

are unwilling to recognise that their interpretation of the tradition is just that.

An interpretation. Just as the Quran and Sunnah need an interpreter so does

the tradition. What is interesting is the fact that this ascribing of positivity to

their own interpretation of tradition is very easily disrupted, which leads to the

questioning of the basis upon which they build positivity. Yaqoubi has been

somewhat successful in doing this problematisation of the positivity of ISIS. It is

now that attention is turned to undermining the positivity of the fundamentalist

declinist (and declinism as a result) position through an interpretation of the

traditional critiques of both ijma (consensus) and taqlid.

As has been discussed above, ijma is the logical conclusion to the view that all of

the scholarship of medievaldom is infallible and timeless. If absolute Truth has

been discovered then it becomes problematic if even one scholar deviates from

it. However, what happens if there exist scholars who did not believe in the

validity of ijma let alone that which is the subject of ijma?

For the problematisation of ijma, attention is now given to Imam Shafi'i. The

purposes of this argument is best served by looking at a debate between Al-

Shafi'i and Ibn 'Ulayya on the issue of consensus. Ibn 'Ulayya searched for

certainty in the concept of consensus[133] and thus Al-Shafi'i, to whom the

concept of scholarly precedent was anathema, engaged him in debate. El

Shamsy (2013: 60) argues that for Ibn 'Ulayya and other theologians of similar

views, diversity of opinion was a sure sign of the fallible human mind whilst

consensus, and the certainty it brings, has the qualities of truth and revelation

which all Muslims must adhere to. It could be said that here we find echoes of

Winter's views as outlined above can be found in the views and positions of Ibn

'Ulayya.

 Al-Shafi'i's debate with Ibn 'Ulayya begins with a question by Al-Shafi'i about

the nature of the consensus Ibn 'Ulayya claims to have: who has the right to

participate in this consensus and how can its existence be determined. Ibn

'Ulayya responded that a consensus is the unanimous agreement of those who

are considered knowledgeable by their community. Further into the debate Ibn

'Ulayya adds that this consensus does not have to include every scholar but

does not give a precise number as to the necessary majority to establish a rule

(Al-Shafi'i, Vol 9, 2001: 23-24). Predictably, this vague definition of consensus is

swiftly dismissed by Al-Shafi'i in a series of rebuttals that can apply equally well

to Winter's "consensus of thousands upon thousands of transformed souls"

(Islamondemand, 2012). Firstly, Al-Shafi'i points out that people differ as to who

is a scholar and who is not (Al-Shafi'i, Vol 9, 2001: 28). An example of this is

whilst declinists often denigrate Muhammad Abduh (Murad, 2004a; Murad,

1999), others consider him a scholar of import (Ramadan, 2012; Auda, 2008;

Rahnama, 2005; Hourani 1983; Kerr, 1966) and thus would argue that no

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[133] Further proof of this can be found in Al-Shafi'i (2001, Vol 9: 21)

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consensus is complete without his approval. Moving on from this point Shafi'i

argues that even within particular places scholars are liable to change their

minds over time. Given this fact, he asks, what is the likelihood of a consensus

forming which would be universal and transcend time and space? A further

rebuttal from Shafi'i comes in the form of his belief that dissenting scholars may

not even make known their dissent for particular reasons and thus the

assumption that dissenting scholars always will give voice to their dissent is a

false one. In a final response to Ibn 'Ulayya, Shafi'i argues that those whom he

considers part of his consensus disagreed with each other on numerous

occasions and cases (Shafi'i, Vol 9, 2001: 25-28, 31-32).[134] This can also be

applied to Winter in that one would assume that the Four Imams of the

madhabs were part of his consensus yet they all differed with each other,

sometimes radically so as the example of Shafi'i and Malik shows (El Shamsy,

2013: 64).

Having shown the contingent nature of the declinist reading of ijma, there can

now be a challenge to the necessary character bestowed upon taqlid by

declinists. The best criticism of taqlid comes from within medievaldom itself. Al-

Muzani, the student of Shafi'i, is considered a mujtahid in his own right by many

present-day declinists (Keller, 1995). He tackles both types of taqlid (a person

knowing the evidence for a ruling and a person not knowing the evidence)

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[134] For those wishing to read the full debate between Shafi'i and Ibn 'Ulayya, consult Al-Shafi'i,
(2001, Vol 9: 19-42)

through in depth arguments. We shall go through his dismissal of taqlid

thoroughly.

> A person who arrives at a legal ruling through taqlid is asked: "Do you have evidence for this?" If he answers yes, [his claim of] taqlid becomes void since it was the evidence that produced the ruling, not taqlid. (Al-Baghdadi, 1996: 2:136-137 cited in El-Shamsy, 2013: 186)

In the first instance, Al-Muzani dismisses completely the possibility of taqlid

when a person knows the evidence behind the ruling. This is because it is not

taqlid that has produced adherence to the ruling but the evidence itself. Al-

Muzani goes on:

> If he answers, "I arrived at the ruling without evidence", he is asked, "how can you impose physical punishment, make intercourse legal, and confiscate property, when God has forbidden all of these things except by means of evidence?" (Al-Baghdadi, 1996: 2:136-137 cited in El-Shamsy, 2013: 186)

It is with this statement that Al-Muzani banishes all notions that his criticism of

taqlid is for scholars only, as is the usual fundamentalist declinist defence

against such writings (as seen above). If God has forbidden the legality of

intercourse without recourse to evidence, how is the common man to know if

the intercourse he is having is legal or not? Unless of course we assume, as

declinists do, that this tract is only meant for scholars, which would lead us to

the absurd notion that only the scholars have intercourse, have their property

confiscated and are the only ones who received physical punishment. In

addition to this, if we read the above section in tandem with Al-Muzani's

Mukhtasar we find further evidence that this refutation of taqlid is directed at

everyone, scholar and non-scholar. After highlighting that the purpose of his

book is to make the ideas of Shafi'i accessible to his readers, he goes on to state:

> I hereby inform such people that he forbade that **anyone** follow him, or anyone else, without questioning (Al-Muzani, 1998: 7)

In a book, clearly designed for the non-scholar (as proven by Muzani's explicit goal of making Shafi'i's ideas accessible to his readers) Al-Muzani states that it is forbidden for a non-scholar to follow Shafi'i or anyone else, unquestioningly. Al-Muzani goes on to deal with a potential rebuttal of this view.

> If he replies, "I know that I am correct, even though I do not know the evidence, because I followed a great scholar, whom I consider superior in knowledge and who reached this conclusion through evidence that is inaccessible to me", he is told, "if taqlid of your teacher is permissible, then taqlid of your teacher's teacher is even more permissible given that he must have formed an opinion based on evidence which was inaccessible to your teacher in the same way that your teacher came to a conclusion through evidence which eluded you". If he says, "yes" then he has abandoned taqlid of his teacher and his taqlid has shifted to his teacher's teacher and so on until it reaches a scholar from among the Companions of God's messenger. (Al-Baghdadi, 1996: 2:136-137 cited in El-Shamsy, 2013: 186).

This tract from Al-Muzani's piece against taqlid deals with those, like the fundamentalist declinists, who believe in the epistemic privilege of past scholars. There are two points regarding this section of Al-Muzani's critique that will be discussed further.

The first is Al-Muzani's emphasis on the fact that those who commit taqlid believe in the fact that their teachers have access to knowledge that is inaccessible to them. This reminds us of the declinist node of epistemic and spiritual privilege which is based upon the placing of a scholar within medievaldom.

The second issue is the fact that Al-Muzani stops his chain of taqlid at one of the

companions. Surely the Prophet is above any of his Companions in his

knowledge and understanding of the source of Islam. Thus we can amend Al-

Muzani's argument and assume that his argument stretches all the way back to

the Prophet himself. This means that those who believe in the epistemic

privilege of those who came before are left with the Quran and Sunnah. Al-

Muzani continues by stating:

> If he rejects [this conclusion], his position becomes self-contradictory and he
> should be told: "How can it be permissible to follow someone who is junior
> and of lesser knowledge, while it is not permissible to follow one who is
> more senior and more knowledgable? This is contradictory!" If he replies, "[I
> do this] because my teacher, though he is a junior, unites in himself the
> knowledge of those who came before him; as a consequence, he has a better
> overview of the things that he accepts and is more knowledgeable regarding
> the things that he leaves aside", then he is told, "the same would apply for
> your teacher's student, as he unites in himself the knowledge of his teacher
> as well as of those before him, so you would have to follow him and abandon
> taqlid of your teacher. Therefore you would have to follow yourself rather
> than your teacher". (Al-Baghdadi, 1996, 2:136-137 cited in El-Shamsy, 2013:
> 186-187)

Having shown that taqlid of past scholars based upon their epistemic privilege

leads to reliance solely on the Quran and Sunnah, Al-Muzani now deals with

those who believe in taqlid whilst arguing for the primacy of their current

teachers. So what is found is that what taqlid logically leads to is either reliance

on ourselves or reliance on the Quran and Sunnah. It is interesting that this tract

by Al-Muzani can equally apply to both scholars and the common folk so it

could be argued that the audience Al-Muzani intended this for is an irrelevant

argument. In this piece, Al-Muzani is talking about students, and distinguishes

them from teachers further supporting the argument that this piece is arguing

against taqlid in society at large.

Taking Al-Muzani's argument further, a final paragraph is devoted to the fact

that if we follow his argument out, it means we end up declaring modern

scholars as more worthy of being followed than the Companions. The

predecessor is always inferior to the successor. He then, supposedly, stated:

> It is sufficient grounds [to reject this opinion] if it leads to such evil and
> impiety. (Ibn Abd al-Barr, 2:993, 1994 cited in El-Shamsy, 2013: 187)

El-Shamsy (2013: 187) states that he has seen Al-Muzani's entire tract quoted in

three separate texts, one by Ibn Abd Al-Barr, one by Al-Baghdadi and the last by

Al-Zarkashi. He states that this final part is only quoted by Ibn Abd Al-Barr and is

not present in the other two versions. This would seem to suggest that this last

section is an addition of Al-Barr's interpretation of Al-Muzani to the original

tract.

In the above what can be found is two re-readings of the views of Shafi'i and Al-

Muzani. In the above discussion of Keller and his views on taqlid, it was found

that he argued that these words did not apply to those who were not

mujtahids. It can also be seen that, his reading is not the only one that can be

taken from the tradition. This problematisation of the positivity will have

implications both for the next chapter and the next section of this work.

Conclusion

In this chapter modern day Islamicate traditionalism has been analysed and discussed. In the course of this discussion, it has been found that the sect known as "Traditional Islam" is based upon three lesser nodes: "sober" Sufism, anti-anthropomorphism and fundamentalism. As such, these nodes of "Traditional Islam" occasioned a name change to fundamentalist declinism. This in turn, allowed for the placement of fundamentalist declinism within the broader stream of thought known as declinism. Thus, going from the micro to the macro, a subgroup of declinism was used to explicate the major nodes of declinism as an overarching category of thought. These major nodes were seen to be a linear view of history, the bestowal of epistemic privilege on those from the past and an exhortation to do taqlid of those from the past. Following this, some of the problems and central questions plaguing declinism, with a focus on fundamentalist declinism, were discussed.

The shift from "traditionalism" to fundamentalist declinism has many implications for the practice of scholars in the fields of the Islamicate. These implications come at two levels, the first within fundamentalist declinism itself and the second is the placing of fundamentalist declinism within declinism.

Within fundamentalist declinism, practice has shifted as a result of the new questions and problems that the change in name has created. In the first chapter, it was shown how Goldziher and Hurgronje formed the foundation of Islamic Studies on the basis of the question of Islam's compatibility with Europe.

Since Europe is decentred, this is no longer an adequate basis for the practice of scholars working in the Islamicate. Thus the new problems and questions offered above will provide a alternative basis for those interested in declinism (and fundamentalist declinism in particular) to start new inquiries grounded in the Islamicate.[135]

The placing of fundamentalist declinism within declinism offers various avenues for probing the relationship between the various subgroups of declinism. A particularly interesting avenue of research in this regard would be a comparison between the jihadi wing of declinism with the fundamentalist declinist. How exactly does each understand decline and how does each arrive at its antidote to that decline? This will allow us to make further connections that could not be seen in a picture dominated by traditionalism and modernism.

In order to fully move away from the picture offered to us by traditionalism and modernism, the category of modernism must now be overcome. Just as has been done for traditionalism, the next chapter will look at modernism and a replacement for it. This will alter the practice Islamicate scholars have had with regards to those groups that have been considered modernist.

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[135] This is not to say that the questions and problems offered here are the extent of the foundational problems of declinism. Further research into the other subgroups of declinism, such as Wahhabi Salafism and the jihadi schools, is needed in order to extract more questions that will form the basis of further research.

Chapter 5: Modernism/(e)thicism

Introduction

Just as traditionalism is a metonym for "non-Western", so is modernism a metonym for "western-like". In chapter one, the work these concepts did in dividing the Islamicate past and present was discussed. The previous chapter elucidated an attempt to move away from the concept "traditionalism" and introduced the new descriptor "declinism" as well as one of its subgroups, fundamentalist declinism. This chapter will cover a replacement for the concept modernism that shall be named ethicism.

Within ethicism a spectrum of projects can be seen each with its own understanding of the ethical. In general, there are three main positions along this spectrum which many groups fall into. On the right of the spectrum are those ethicists who simply speak about ethics using the language of the West. Examples of this group include people such as Maajid Nawaz and Tarek Fatah. Needless to say, this wing represents the most accommodationist of the ethicist groups. Those ethicists who use Westernese but justify their use by recourse to the Islamicate tradition represent the centre of this spectrum. The best example of this is the modern Abduhite school of thought. The left wing of this spectrum are those who simply use the Islamicate to supply meaning to the ethical. This, however, does not mean that they do not use the concepts of Westernese. When the ethicist left uses westernese it is translated into the Islamicate rather than the other way around. This is what distinguishes it from both the Abduhite

stream of ethicism and the fundamentalist declinists. A good example of this type of ethicist is the feminist current within Islam. It is this example that will be expanded on later in this chapter.

A note on terminology. (e)thicism must always be kept in the lower case to distinguish it from the transcendental Ethics that will be one of the topics in the third section. The lower case "e" signifies the human origin of the ethics of ethicism whereas the upper case "E" of Ethicism points to the otherworldly origin of Ethics.

It must be noted that, much like declinism, there is a family resemblance between the various permutations of ethicism. The scope of this family resemblance is expanded in ethicism simply because Islamicate ethics, along with a particular view on progress and history, has formed the basis of many projects from Islamicate feminism to the project for a new Quranic hermeneutics. As such whilst there are many projects that find themselves within the ethicist discourse, their core remains largely the same.

What can be seen with the development of ethicism is an attempt to provide an alternative to a field dominated by quietest ulema on one side and violent jihadis on the other. It represents the first attempt to create a new range of solutions to the problems plaguing Islamdom. A part of the development of these new solutions is the following three major nodes of ethicism: an emphasis on the maqasid of the Sharia, a non-linear view of history and reformism. The

first two nodes will be discussed in relation to the work of Muhammad Abduh.

The third node will be discussed in relation to Mohammed Omar Farooq, a

prominent modern day ethicist. This will be done in order to show the

coherence of the ethicist discourse as well as any permutations it may have

gone through since the time of Abduh. This exposition will be followed by the

modern day example of ethicism: ethicist feminism. Thirdly, the problems and

questions that ethicism must answer and respond to as part of its continuing

development will be discussed.

The Major Nodes of (e)thicism

Maqasid Al-Sharia

The maqasid play a pivotal role in the thought of Muhammad 'Abduh.[136] Thus it is interesting to note that 'Abduh rarely uses the term "maqasid". Instead he uses terms such as "ruh", "hikma" and "gharad" to denote the purposes behind the Sharia. 'Abduh himself gives an explanation for this lack of usage of the term "maqasid". He states that the implication of "objective" is that there is an obligation upon God and that there is new knowledge created within His mind. This does not lead to Abduh dismissing the entirety of the maqasid system however as he goes on to say that such semantic differences should not create disunity between believers (Ibrahim, 2007: 6, 12-13). This shows that he simply disagreed with the language used within the maqasid system rather than the system itself. Further proof of this can be seen in the following exploration of the three terms 'Abduh does use in his description of the objectives of the law.

Abduh uses the term "ruh" when dealing with the spirit and maqasid behind the acts of worship and worldly transactions (ibadat and muamalat respectively). An example of Abduh's deployment of "ruh" in the case of the ibadat is his assertion that sincerity is the "ruh" of prayer. In support of this he quotes a Quranic ayah (29:45) that states that prayer stops people from committing "shameful and unjust deeds" (Abduh, Vol 3, 1993: 461). As a result, Abduh believes that the aim of prayer is to create a good, moral character. This process

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[136] The discussion of Abduh in this, and subsequent, chapters takes heavily from Mir (2014).

of deriving the "ruh" is repeated for each of the main Islamic rituals such as the

pilgrimage to Makkah. The aim of the pilgrimage, incidentally, is to show all

men that they are equal before God regardless of their worldly station. In

addition, Abduh writes:

> … the spirit that God has preserved in all of His… revelations includes…
> correction of… thought… disciplining the desires… It is the spirit which bids us
> [to]… pursue all objectives… protect trust, feel brotherly affection… (Abduh,
> Vol 3, 1993: 464-465)

Thus the spirit is seen to be an integral part of the objectives of the ibadat that

God has mandated.

The other two terms Abduh uses to denote the purposes behind a law, "hikma"

and "gharad", are used, mostly, to denote objectives behind rulings within the

muamalat. Indeed, Ibrahim (2007: 9) argues that many present-day writers who

give maqasid a predominant role use hikma to refer to them. He also goes on to

state that Abduh deploys the term hikma primarily in the realm of theoretical

legal thinking. An example of this can be found in Abduh's (Vol 2, 1993: 31)

treatment of the hudud punishments in the Quran. In addition to this, it can be

found that the deployment of the term "gharad" is similar in nature as shown in

the following passage by Abduh:

> …the objective of placing laws is to avoid that which harms order, destroys
> the form of society, damages personal interest and public benefit. If laws are
> not conducive to these objectives, then they are burdens thrown on the
> shoulders of the people… (Abduh, Vol 1, 1993: 339)

The implications of this particular quote will be considered in the discussion of

the third node of ethicism.

The maqasid, for Abduh, originated in the Quran itself, specifically what he called the maqasid al-Quran. This maqasid al-Quran can only be accessed through a deep reading of the Quran. It is easy to see then why Quranic interpretation was of paramount importance to Abduh and why he was critical of the explanations of the Quran coming from the other Ulema of his time and those of the past (Ibrahim, 2007: 11). Indeed, Abduh distinguished between two main methodologies in conducting a tafsir of the Quran; the first is the dry, superficial tafasir that can be found in classical Islam. This type of tafsir is usually very linguistically focused. The second type of tafasir, which Abduh adds is the true way to interpret the Quran, is to take into account the intentions of the Lawgiver as well as what he calls the hikmat al-tashri (wisdom of rulings) in the various fields that the Quran addresses itself to. This emphasis on hikma forms the basis of one of Abduh's most important theological ideas: the role and capabilities of human reason as well as the emphasis that Sharia places on human reason (Ibid: 12-13). In addition to this, Ibrahim (Ibid) argues that this focus on the purposes behind a ruling is a way of throwing off the chains of taqlid that Abduh fought against consistently. He goes on to say that if we were to take Abduh's ideas on hikma to their logical conclusion, they would form the basis of any ruling in Islam, taking precedence even over the word of the Quran.

The methodology of maqasid permeates most of Abduh's work. This is the case for even his well-known fatwa, the Transvaal fatwa. This methodology can also

be seen in the works of some of Abduh's contemporaries, most notably in the work of Ibn Ashur.

Muhammad Al-Tahir Ibn Ashur was widely considered the Shakyh ul-Islam of his age. A dedicated participant and defender of the movement initiated by Muhammad Abduh, Ibn Ashur's work on the maqasid has helped instigate a rejuvenation of the present day ethicist school. His monumental work, *Treatise on Maqasid Al-Shariah* (Ibn Ashur, 2006), is an excellent overview of the field of maqasid studies.

Like many other thinkers before him, Ibn Ashur (2006) sees in the maqasid a new usul which can take Islamicate legal theory forward. Indeed, in arguing for this position, Ibn Ashur draws upon the same sources that Abduh does for his views as discussed above. What Ibn Ashur does specifically is to bring the terminology used when describing the maqasid into modern times. Thus the protection of lineage has, under the Ibn Ashur, has been developed into the "protection of the family system" and, more interestingly, the 'preservation of religion' has been turned into "freedom of belief". We find that when Ibn Ashur writes about deriving the maqasid he emphasises a "thematic" survey of the sources. Indeed he asserts, as an example of the above, that a thematic inference is a sufficient basis for "ease" to be derived from the sources as a maqasid. In addition to "ease", Ibn Ashur is known for adding two more maqasid, "equality" and "freedom".

Equality in the Shariah, according to Ibn Ashur (2006: 146-147), derives from

what is known as fitrah, a term used to denote primal human nature that is

intrinsically good. Ibn Ashur argues that anything which fitrah gives equality to,

so should Islamic legislation. However, this does not mean that natural

variations will be covered by this call to equality. These variations are left to be

dealt with by the society and political system of the age. Thus we can say that

Ibn Ashur's notion of equality is that everyone is equal at birth but people can

become unequal depending upon the works (or lack thereof) that they do. To

this effect, Ibn Ashur quotes a Quranic ayah in which it is stated that those who

spend and fight in God's way are not equal to those who only spend and fight

after victory is secured. Ibn Ashur (Ibid: 149) goes on to discuss the fact that

when equality becomes an impediment to the application of the maqasid or it

leads to a wrong. An example he gives of this is the inequality between Muslims

and non-Muslims when it comes to occupying certain Islamic religious posts.

"Freedom" (hurriyah) for Ibn Ashur (2006: 154-156) has two meanings, the

second being derived from the first. The first meaning is freedom in the sense of

the opposite of slavery and thus can be taken to mean the ability of morally

accountable people to act as they wish without another's consent. The second

meaning of "hurriyah" is derived, metaphorically, from the first meaning. This

second meaning denotes a person's ability to act freely and handle her affairs

without opposition from anyone. Both of these senses of freedom come from

fitrah, and reflects the notion of equality as discussed above. Whilst Ibn Ashur

comments extensively on the first meaning of freedom, it is the second meaning

that is interesting. The second meaning of freedom, as highlighted above, leads us to the establishment of three main freedoms: freedom of belief, freedom of expression and freedom of action.

Freedom of belief for Ibn Ashur (2006: 160) stems from the verse of Quran in which it is declared that there is no compulsion in religion. He also deduces the freedom of belief from the fact that in the Quran, God calls upon the Muslims to call others to Islam with wisdom and kindness. Freedom of expression (Ibid: 160-162) can be derived from the Quran and hadith and is said to include a freedom to pursue knowledge, to teach others and to produce and publish intellectual works. Freedom of action refers to the management of one's personal affairs and the affairs of others. Freedom of action in a personal sense, however, is limited by the laws of the Shariah and, in a communal sense, it is limited by the harm one may cause others through one's exercise of her freedom of action (Ibid: 162-163)

As can be seen from the above two examples, the ethicist school places the maqasid squarely at the foundations of their discourse. However, one cannot understand the implications of this maqasid-based discourse without understanding the view of history that ethicists hold. The implications of this discourse form the third major node that will be discussed later. At present, it is the ethicist view of history and its fluctuations that demands attention as the second major node of ethicism.

History and Agency

In order to arrive at Abduh's views regarding history and agency, we must first delve into his theological foundations. This is because his view of history and agency is inextricably tied to his theological model.

'Abduh lived in a time of the weakening of the Islamicate and the imposition of European concepts and understandings in his native Egypt. He was deeply aware that there was a danger that Islamic society would be split into two arenas with no link between the two: one arena would be were what he called "Islamic" moral law reigned and the other would be were human reason determined moral laws. (Hourani, [1962] 1989: 136). 'Abduh's theological model, which combines reason and revelation, was designed with this impending chasm in mind.

Abduh, having established his foundation, turns his attention to the question of moral law. For 'Abduh, every society has to conform to a moral law (Ibid: 137) He writes these laws are:

> …the moral laws which limit human behaviour… they are established by knowledgeable, wise men in books of ethics and education, after they have been expressed in the divine commandments… (Rida, Vol 2, 1906: 96-97)

This quote shows a prominent theme that runs throughout the works of 'Abduh: a consideration of the part that the ḥikma (wisdom) of God plays in the formulation of moral laws. As has been seen above, hikma is one of the terms which Abduh used for the maqasid and as such this shows the centrality of the

maqasid to Abduh's view of history. Abduh believed that these moral laws also

extend to nations, as well as individuals, and, on this issue, he writes:

> Nations have not fallen from greatness, nor have their names been erased
> from the tablet of existence, except after their deviance from the laws of
> God that He prescribed with supreme wisdom. (Rida, Vol 2, 1906: 327)

What can be seen here is the beginning of the non-linear view of history that

Abduh advocates. For him, progress and decline do not extend in straight lines

with only cataclysmic or messianic events changing the direction. Instead

history is much more jarring. Progress may be made in some areas that could be

reversed as well as vice versa.[137] Having already discussed the moral law which

society is bound to it is now necessary to discuss the "laws of nature and

history" which 'Abduh presents. For the purposes of this piece, only the laws of

history will be analysed. He names these laws the "*Sunan*" (custom) of God

(ibid) and writes regarding these laws:

> God will not remove his favour as long as this spirit is in them… God will
> increase their blessing in proportion to the strength of the spirit… If the spirit
> is no longer in the nation, happiness and peace will leave it. God exchanges
> its strength for decline and wealth for poverty… (Abduh, Vol 3, 1993: 465)

The term "ruh", like the term "hikma", has been shown to be a term

Abduh uses to refer to the maqasid. The threat of God's censure for leaving the

dictates of the "ruh" is the "*Sunan*" of God that applies to all nations regardless

of religion, race or creed. In order to bolster his case for the existence of the

sunan, 'Abduh cites a Quranic ayah in which it states that God does not change

the condition of a people before they change what is in themselves (Ibid). This

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[137] This is in contrast to declinism that asserts that medievaldom is the repository of running
history and the modern is the repository of decline.

seems to indicate that when a people move closer to the ruh/hikma set by God

it is then, and only then, that the laws of history will work in the favour of that

nation. In this piece of his writing, what can be seen is that Abduh believes

history to be non-linear and that the potential to change it is placed squarely

with human beings.[138]

In the above discussion, 'Abduh provided us with "ḥikma", the moral law set

down by God. However, what is interesting is that 'Abduh has also provided an

indicator as to how close or far a nation is from this system of *ḥikma*. Having

already told his reader to look to the past for lessons, the reader is now told,

specifically, what to look for. Those who want to learn the lessons of the past,

according to 'Abduh, must have an understanding of the *Sunan* of God and must

know how to analyse the actions of past nations in relation to the ḥikma of

God's laws. It could be said that the *Sunan* of God are the external

consequences of the direction that a nation is taking. If a nation is in decline,

one can safely assume the spirit of God's laws has been ignored by its

people/leaders and if a nation on the ascendance then we can assume that the

spirit is being adhered to. As it is the statesman's foremost responsibility to

ensure his nation's well-being, it can be inferred from the above that the

consideration of the maqāṣid or ḥikma has to be the overarching concern of any

statesman operating on a national or international level. It is this part of

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[138] This is in contrast with declinists who believe that only with the revival of a past era will the agency to change their plight be returned to Muslims.

'Abduh's model which provides the flexibility for both Muslim statesmen and the ordinary lay Muslim in their personal application of Islam.

If the above is accepted then the question can be asked: what is the role of scholars in Abduh's view? As seen in the previous chapter, (fundamentalist) declinists link the relationship between the scholars and the lay people to their view of history. 'Abduh deals with religious authorities extensively in his *Risālat* in the section entitled, "The Islamic Religion, or Islam". In this section, 'Abduh (Vol 3, 1993: 455) states that Islam came to do away with religious authorities and strove to make the UIema accountable to the people who are the subjects of religious edicts. Indeed, 'Abduh claims that instead of placing themselves high above those whom they are issuing edicts for, the role of the *Ulema* is to "guide to the path of searching for knowledge" (Ibid: 454). Connected to this is the fact that 'Abduh wished to dismantle the monopoly that the Ulema had over the right to interpret the Quran. Instead of simply allowing the lay people to read the Quran without understanding or further study, the *Ulema* have to guide people to the "path of…knowledge". Beyond this, the role of the Ulema is ended and it is up to each individual to weigh all the sayings on an issue and follow that which they believe to be true (Ibid: 454-456). In addition to this, as mentioned above, 'Abduh argued against the notion that those who came before us had superior knowledge or endowment. Whilst it is important to learn the lessons of the past, an overreliance on precedence can lead to traditionalism that, in turn, can "lead to falsehood". (Abduh, Vol 3, 1993: 384, 455)

'Abduh's writings on the Ulema serve to highlight the current of "religious individualism" in his works. His disagreement with the opinion that only the *Ulema* have the right to interpret the Quran and his assertion that man knows right and wrong without being taught adds to this theme. "Religious individualism" raises interesting questions for the Islamicate, the most notable being about the relationship between the people and the *Ulema*. 'Abduh himself speaks about this relationship by claiming that the only role of the Ulema is to guide people into proper paths of study and then it is up to the individual himself to weigh all that the "speakers" are saying, leads us to believe that, from 'Abduh's usage of the plural "speakers"(Abduh, 1993, Vol 3: 455), he must go to more than one source. Indeed, 'Abduh continues to add to this current of "religious individualism" in his claim that the Ulema should be made accountable to the people and therefore to each individual. This provides the basis for the next node of ethicism.

Reformism[139]

> The Divine principle states that only gradually does man reach perfection.
> The prophetic laws are to promote effort along this path, in a general sense…
> (Abduh, Vol 3, 1993: 435)

The above quote combines the two nodes of ethicism already discussed and provides a backdrop for the third, reformism. This backdrop is gradualism and

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[139] Of course, the very fact the ethicists believe reform to be possible and desirable shows that they do not share the declinist's view of a set of scholars who are infallible and timeless.

this methodology permeates all ethicist groups.[140] A discussion of Abduh has so far allowed us to explain ethicism. In order to show the continued relevance of ethicism a more recent example to explain reformism which unites the other two nodes within itself. As such, the work of Mohammad Omar Farooq (2011) will be used in order to explicate the node of reformism.

Farooq (2011) takes many of the concepts and themes that were found in Abduh's work above and extends them further to help with reform. The first of these is the Sunan Allah, which Farooq, like Abduh, sees as a series of laws that God has put in place which guide both natural and social processes. Farooq (2011: 254) goes further than Abduh, however, and argues that the Sunan Allah should be used to give a more empirical foundation to the rulings which jurists derive. He argues that in the field of economics, for example, many proposed hypotheses have extended periods of being subject to empirical study. Only those hypotheses that pass this test can be implemented. Thus Farooq (2011: 255) argues that the rulings of jurists should be subject to empirical testing in order to determine if they conform to the Sunan Allah. Hence the second piece of the reformist project is in place. Through an appeal to the maqasid, Farooq is arguing for the subjecting of the rulings of the jurists to an empirical test.

As part of his reformist project, Farooq deals with both ijma and qiyas, two of the favoured tools of the declinists. He writes about "the scholars concerned":

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[140] Apart from Abduh himself, Said Nursi (Horkuc, 2013: n.p) and Hasan Al-Banna (Mura, 2016: 107), two prominent ethicists who have spawned the two biggest Islamicate groups in the post-colonial world, also adhered to this methodology.

> They are guilty of failing to disclose that for most of the time the four sources – *Qur'an*, *Hadith*, *Ijma* (consensus) and *Qiyas* (analogical reasoning) – are referred to only speculative or probabilistic knowledge results and thus any subsequent fatwa is nothing like a Divine commandment; rather, these are no more than Qur'an and Sunnah-informed, human constructs. (Farooq, 2011: 241-242)

His work includes an extended critique of both ijma and qiyas. Since critique of these two concepts has already occurred in this work, Farooq's critique will not be dwelt on. What shall now be discussed is the particular reform that Farooq wishes to undertake and how it relates to the previous two nodes of ethicism.

According to Farooq (2011: 221), many Muslims believe that Islam is predicated upon the establishment of justice.[141] It is unfortunate therefore that most Muslims live under the burden of excessive legalism and "insensitivity". He points specifically to the plight of women under Islamicate legal codes and the lack of progress made on a truly Islamicate economics.[142] Thus, this is how Farooq comes to his guiding question: "why the gap between existing Islamic laws and the reality on the ground in terms of solving problems and upholding the Islamic principles of justice and balance?" (Farooq, 2011: 222).[143]

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[141] Thus, from the very start on his section on his proposed reforms, the maqasid are inserted as the foundation.

[142] Moves towards an Islamicate economics can be found in Ebrahim, Salleh and Sheikh (2014), Ebrahim, Makhdoomi and Sheikh (2012) and Ebrahim and Sheikh (2011).

[143] A further question which Farooq (2011: 222) asks is "Why, indeed, are the Islamic laws – as enunciated by Muslim jurists who often make the claim that these are based on guidance from God *for all time* – constantly in need of invoking the principle of *darurah*, for example, to expediently reinterpret and readjust for what is … claimed as the norm?" In this question we can see an attack from Farooq against the declinist position on the timelessness of past eras.

In order to gain a deep understanding of this question, Farooq (Ibid) asserts, one must be aware of the fact that the entirety of fiqh has no empirical foundation whatsoever.[144] Thus the corpus of Islamicate law is "text or book-orientated rather than life-orientated" (Ibid). It is interesting to note that Farooq (Ibid: 225) blames the prevalence of this text-based approach in informing the constructs of orientalists during colonialism that have become majorly influential in present day Islam. As such there is still no hint of conducting research in the Muslims world whether it be deductive or inductive. This situation is made worse by the archaic educational models that continue to be applied throughout Muslimistan.[145] In order for Islamicate guidance to regain

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[144] It must be recognized that Farooq is not using "empirical" in the same sense as his Western counterparts would. To fuly understand the empirical nature of a problem, Farooq (2011: 254) argues that one must understand the Sunan Allah. As has already been discussed, this is one of the many overlaps Farooq's project has with that of Abduh's.

[145] Whilst Farooq (2011: 224) does not delve too deeply into this issue, his fellow ethicist Abdul Aziz Islahi (2006) argues for the changing of the criteria of a mujtahid. Compare the following account of the requirements to be a mujtahid with that given in the previous chapter:

"1.Piety (*At-Taqwa*) has been considered the most basic condition for a *mujtahid* (one who is qualified for Ijtihad). Since Ijtihad is a sacred duty and religious responsibility, qualities like honesty, integrity and piety must be found in a person who exercises Ijtihad. But piety is a matter of the heart, as once the Prophet (peace and blessings be upon him) said, **"Piety is here."** One cannot measure the piety of another except by knowing that a person is apparently regular in performing the obligations of Shari`ah: he avoids sins, and does not get involved in temptation that tarnishes his reputation.

2. Knowledge of the spirit and objectives of Shari`ah: It is also important in making a decision and forming an opinion to understand the spirit of Shari`ah, and have the knowledge of its objectives. This can be achieved by a thorough study of the rules and injunctions of the Shari`ah and analysis of it. It is easy now to know more as a number of studies have appeared on the subject. After the survey of Islamic injunctions some of the leading scholars have classified the objectives of Shari`ah into five categories: protection of religion, protection of reason, protection of life, protection of property and protection of progeny.
No doubt, the list is very comprehensive, but, as Ibn Taymiyah says, the objectives are not confined to these only. Anything Islamically desirable becomes an objective of the Shari`ah. Promotion of the spirit of Ijtihad may also be included in the list of Shari`ah objectives, or it may be put under the objective of protection of reason, as only then Islam can properly respond to the changes and challenges faced in any period.

3. Knowledge of the Qur'an and the Sunnah: The Qur'an and the Sunnah are the basic sources of Islam. Therefore no Ijtihad can be conceived without having their knowledge. There are five

its relevancy it must be based on a "qualitatively better understanding of problems" which would come hand in hand with empirical research. It is this combination that gives birth to Farooq's "life-orientated approach" (Farooq: 2011: 224). After having explained his proposed approach, Farooq goes on to apply it to various pressing questions and issues the Islamicate faces. The most interesting for our purposes is Farooq's analysis of zina (adultery) and hudud laws in Pakistan.

In 1979, whilst Pakistan was under the rule of General Zia Ul-Haq, the Enforcement of Hudood Ordinance became law. This was part of General Zia's attempt to Islamicise Pakistan. However, the Hudood Ordinance was (is) a "partial, misunderstood, misinterpreted and, consequently, misapplied version of the concept" (Farooq, 2011: 228). Perhaps the greatest harm that has come out of it is the interpretation of rape as adultery (or rape as adultery by force). Thus, a situation arose in Pakistan in which women who were coming forward as victims of rape were being accused of adultery whilst their attackers may have been acquitted. Farooq (Ibid) argues that this is a "mockery of the spirit of Islam"[146]. He adds that this law is the result of a text-only orientation with no

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hundred verses of the Qur'an which consist of different rules (Ahkam). In the opinion of some scholars, they must be known to a *mujtahid*. But it is better that the inference of rules is not limited to those verses only. A *mujtahid* must have a general perception of the whole Qur'an…

… Over and above all the aforementioned requirements, one must possess a natural skill of Ijtihad — sharp intellect and penetrating insight – to analyze and infer the rule. This instinct is not particular to any age. However the methodology of research and tools of investigation developed in the modern age may help enhance this quality."

[146] This reminds us of the deployment of "ruh" (spirit) of Islam by Muhammad Abduh in his writings.

research done into its potential effects after implementation. Thus the problem

is that the jurists simply applied what was in the texts and assumed that, since

God's work was being done, no harm could come from it. As a result of this

thinking, reform to the Hudood Ordinance has been extremely slow with the

religious authorities of Pakistan becoming deaf and blind to the mounting

protests in the wake of the implementation of the Ordinance (Ibid).

In this part, the main nodes of ethicism have been explained. Barring the above

example of the hudood ordinance, we have not delved deeply into how these

nodes manifest themselves in specific areas of Islamicate law and culture which

ethicists target. The next part will show how ethicism manifests itself in a

particular sense in the work of ethicist feminists. This will serve to show that

ethicism is not simply contained within the original Abduhan project[147] and will

also show how ethicism seeks to resolve what it believes to be contrary to its

guiding nodes.

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[147] The setting of Abduh as the founder of modernism is, as we have seen in the first chapter, an orientalist invention. Scholars such as Tahtawi, Khayr Al-Din and Bustani, Afghani as well as the Young Ottomans all preceded Abduh and influenced much of his thought (Hourani, [1962] 1989).

Ethicist Feminism

The main nodes of ethicism have been delineated above through the prism of the work of Muhammad Abduh and Mohammad Omar Farooq. Whilst the above shows how ethicism functions generally, our purpose now is to show how the nodes of ethicism coalesce within one of its subgroups. For our purposes, what shall be called "ethicist feminism" will be explored in order to show how the major nodes of ethicism and the lesser nodes of ethicist feminism combine to create a subgroup. This exploration will done through the works of the noted ethicist feminist, Kecia Ali.[148]

Kecia Ali, in both her *Marriage and Slavery in Early Islam* (2010) and *Sexual Ethics and Islam* (2006), deploys the nodes of ethicism in her attempt at an overhaul of classical Islamicate understandings of women's issues. The three major nodes of ethicism and how they interact in her work will therefore guide our exploration of her work. In addition to this, comparisons and contrasts will be made with other ethicist feminists and, where appropriate, ethicists from other subgroups.

The maqasid, and consideration of them, comes out clearly in Ali's work. There is, however, a pattern that reveals itself to any careful reader of her work. This

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[148] It is interesting to note that Ali (2006: xxviii) denies being an "ethicist". This is said in the context of which branches of scholarship Ali is not engaging. When Ali deploys the term "ethicist" here it does not signify the same as what the term does in this work. In addition, it is hard to deny, as shall be shown, that ethics, in particular justice, forms the core of her project in both of her works. One does not need to be an expert in ethics in order to be able to deploy them.

pattern is Ali's repeated appeals to the objective of justice that she sees as the overriding goal of the Shariah and, by extension, Islam itself. It is this appeal to justice[149] that allows her to make two moves that characterise her work: the first is that it anchors her dismissals of classical understandings of women. The second is that it allows her to challenge the "interrelated inequities" that "constrain the lives of many Muslim women" which are a result of the application of classical understandings (Ali,2006: xii).

Ali (2010:189) asserts that, for the ordinary Muslim, Islam equates to the "just and fair". It is for this reason that the lay woman's view of marriage and her role within it differs from the jurists who "did not idealise an egalitarian order" (Ibid: 189-190). In addition to justice, Ali (2010: 187) asserts that "ordinary Muslims" believe that the purpose of the Sharia is:

> To defend the inherent dignity of all human beings and to safeguard the rights of the weaker members of society (Ali, 2010:187)

It is for this reason that the majority of Muslims are against those interpretations of the Sharia offered by the jihadis. It is the overemphasis on authenticity, which usually focuses on women,[150] at the expense of justice that

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[149] This focus on the qasad justice as a foundation is shared by other ethicist feminists such as Wadud (2006) and Barlas (2002).

[150] It is interesting to note the moves Ali makes towards an understanding of fundamentalist declinism as explored above. Similar to the moves made above, Ali (2006: xiii) seems to extend Grosofoguel's (2009) understanding of fundamentalism beyond violent jihadis. She writes that this focus on women and gender is the result of the fact that this is one of the main areas in which orthodoxy differentiates itself from the decadent West. Thus the West calls the Islamicate patriarchal and the fundamentalist declinist accepts this but attempts to spin this patriarchy as better than what is perceived to be the West's alternative. Ali (2010:189) herself points to this when she argues that those whom she calls "neotraditionalists... peddle patriarchy

makes their "ethically sterile" views repugnant (Ibid). Crucially, Ali (2006:151) does not believe that a just ethics of sexual intimacy can be found by staying within the constraints of classical Islamicate thinking.[151] However, she argues that the material to construct a just ethics can be found within both revealed and "interpretive" texts. The first question that must be asked, for Ali, is what makes sex lawful? She dismisses the simple answer of "marriage" and asks what makes sex good. The measure of good here is seen to be the ayah of the Quran in which God states He has "created mates from amongst yourselves that you may find tranquillity with them, and put love and mercy between you". It is this ayah that, according to Ali, shows us the "divine purpose" of marriage upon which reform of marriage and sexual ethics must rest.

As the above shows, it is Ali's appeal to the maqasid, and to justice in particular, which allows her to anchor her critique of the traditional views of both marriage and sexual ethics. It is also in the name of ethics that she can assert that reform is both desirable and needed. Before her views on reform and its connection to the maqasid are discussed, Ali's view of history and agency must be discussed in order to see how she deems reform possible.

History, for Ali, is non-linear. Progress can be made but it can also be undone. In addition, in stark contrast to declinists, agency is given to the individual to effect

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in terms of complementarity rather than hierarchy" as well as in other places in her work (Ali, 2006: xiv-xv).

[151] Other ethicist feminists, most notably Wadud (2006), Barlas (2002), share this sense. The implications of this will be discussed later in our analysis of the role of reformism in the work of Ali.

change for the better.[152] Ali's view of history is based upon her placement of

justice as the paramount concern of the Islamic and the Islamicate. She believes

that the intentions of the classical ulema were to create justice and fairness.

However, it is clear from her writing that she believes that this perceived

progress has created injustice in the modern world. Hence progress itself is a

variable term whose meaning changes with each passing age. She quotes a

Jewish scholar who writes about her own tradition:

> They indicate some awareness of the limits and injustices they have created
> and, in this sense, offer some resources for criticism (quoted in Ali
> (2010:195)).

A problem occurs, the Jewish thinker goes on to state, when attempts to

address these injustices are kept within the system which created them. The

reversibility of progress makes the provision of escape from pictures that hold

us captive indispensable. The question becomes who, or what, has the agency

to break us free from our pictorial jailers. Ali answers this question clearly: the

individual has agency.[153]

The agency of the individual in modern day Islam is inextricably bound up in

questions regarding the role of the Ulema. Ali (2006: 152) deals with these

questions by stating that, primarily, the reflections and reforms must be

undertaken as individuals "for ourselves and in dialogue with those close to us".

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[152] This is another view that is shared by both Wadud (2006:1-2, 13) and Barlas (2002:14). Both also invest in the individual the capacity to effect change rather than in the resurrection of a by gone era. Incidentally, an excellent critique of the fundamentalist declinist view of medievaldom can be found in Ali (2010:3-5; 2006:153) and Barlas's work (2002:24-25).

[153] Both Barlas (2002) and Wadud (2006) agree with Ali on this point. Reform and reinterpretation for them is also primarily an individual project.

This does not mean that "religious authorities" must be disregarded altogether. There may be an imam or scholar who could prove to be a valuable resource for one's journey. However, Ali is adamant that these scholars and authorities have no special credentials to talk about Islam. She repeats the oft-repeated phrase "there is no clergy in Islam" (ibid). This focus on agency of the individual, however, does not mean taking away agency to reinterpret and reform from the Ulema. Ali (ibid: 153) envisions a dual process of reform, on the individualistic personal level and on the collective scholarly level. This agency, however, comes with responsibilities. Ali (2006: 156) asserts that we cannot identify our own interpretations with Divine writ. As such it is the responsibility of all individuals, scholarly or not, to take responsibility for their interpretations and not simply state they are doing what "Islam" tells them.

Thus we have seen how Ali's view of history and agency gives a justification to her tacit assertion that reform is indeed possible. The question now becomes what indeed is reform and how is it to be carried out? Reform, for Ali, cannot be piecemeal but requires a drastic refashioning of the basic assumptions of marriage and sexual ethics in Islam.[154]

> ... Because the structure of the Islamic marriage contract presumes the husbands... control, over the continuation of the marriage, piecemeal reforms of divorce laws which do not address this basic norm will be limited in the amount of change they can ultimately effect. Long-lasting and far-

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[154] This call to reform the most basic and foundational presuppositions of Islamicate fiqh is shared across all of the subgroups of ethicism. An example of this comes from the post-Islamist subgroup. Mohsen Kadivar (2015), a post-Islamist in the vein of Abdolkarim Soroush, has argued that what is needed in usul ul-fiqh is not merely "reform" but a complete reconstruction of the usul used to derive Islamicate rulings.

reaching reform of divorce requires, more fundamentally, a reform in the basic structure of Muslim marriage itself (Ali,2006:36).

How does Ali get to this conclusion? The answer comes in a section explicitly devoted to reform of divorce laws. It is here that we see the culmination of the previous two nodes of ethicism in Ali's work. In the first instance, what can be found is a tacit appeal to justice in the form of Ali (2006: 33) uncovering the "extensive, unilateral privilege held by husbands in the realm of divorce". Only when this is understood, Ali (ibid) goes on, can the contemporary view to reforming divorce be fully appreciated. An appeal to the maqasid is made more explicitly when Ali (2006: 38) states one who do not go to Sharia courts in the West may "not believe that a Sharia court is capable of providing a realistic and appropriate rendering of Islamic principles into a just verdict in a context radically different from that where the law was first formulated". Thus the maqasid, at the outset, is centred as the foundation upon which reform is built.

On this foundation, Ali's (2006: 36) view of history comes into play. She argues that the primary problem with Islamicate divorce is that it assumes the husband's exclusive control and authority over the marriage bond. She goes on to state that this situation is a direct result of the classical jurists and their work. They saw the relationship between husband and wife as analogous to the relationship between master and slave. This is not conducive to the "just verdict" most present day Muslims are expecting from an Islamicate court or scholar (Ali, 2006: 38). Since Ali places agency with the individual, rather than with an historical age, she is able to argue that the most basic institutions of the

Islamicate should be reformed/restructured. Thus she is able to make the declaration that piecemeal reform is not enough and what is needed is a complete rehauling of the Islamicate institution of marriage.

Ali provides some means to conduct a deep-seated reform of Islamicate marriage and divorce laws. Here, however, we shall only focus on one of her means as it speaks directly to the debate between declinists and ethicists. In her introduction, Ali (2010: 3) argues that "Islamic law" cannot be seen as synonymous with revealed law. This is because of the myriad of conflicting and contradictory positions that make up Islamic law. A conclusion to draw from this is that Islamicate legal rules are the product of human reasoning. As such they are open to change and revision. Ali (Ibid: 5) goes on to state that there is no pristine past from which we can draw. This is because scholars of the past were engaged in a messy and complicated project of combining divine and human into a system that would be "a pale reflection of the divine imperative and at the same time its closest earthly equivalent" (Ibid: 5). This basis that she gives for deep seated reform can be seen as a manifestation of the second node of ethicism in which agency is given to the modern Muslim by dropping the declinist view of medievaldom.

In the previous two parts, the nodes of ethicism have been discussed in both a general and specific sense. This has served to show an example of how two different groups of ethicists use and deploy the same central concepts, albeit in a manner which has a family resemblance. This justifies banding them together

under the category ethicist. What remains now is to ask what questions and

problems ethicism faces in the coming time and how it can potentially deal with

a critique of its most foundational positions.

(e)thicism: Questions and Problems

As with the discussion of traditionalism/declinism, the removing of the category modern and its concerns requires the identifying of new directions that the future of ethicism can take. This quest in inextricably tied up with the problems that ethicism faces. The growing voice of critique of parts of the ethicist project will now be discussed here.

In the first instance, when critiquing ethicism one must focus on its strongest component, the maqasid. It must be asked, when dealing with the maqasid, whether we can really know the true intent of God Almighty Himself in revealing the Quran. Further adding to our problem is that it is well accepted that the Quran is polysemic, and so, without any knowledge of divine will, one interpretation of the Quran may be as good as any other. Thus, we have arrived at a quest for certainty.[155]

Sayyid (2014a) attempts to solve this conundrum of certainty. The major challenge he says, quoting Ingrid Mattson, is how can a Muslim know that she has grasped the true meaning of the Quran? Abdullah Saeed (2006: 3) highlights three groups that approach in the Quran in different ways in their search for certainty: textualists, semi-textualists and contextualists. Textualists believe that the text is autonomous and can explain itself without recourse to context. Semi-textualists are those who, whilst also believing the text to be autonomous,

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[155] It could be argued that the ethicist reliance on the maqasid and the declinist reliance on an earlier pristine period are both attempts to provide foundations for Islamicate legal rulings. This argument will be fully clarified in the next section.

express this belief in the language of modernity. Contextualists are those who believe the text cannot be fully understood without recourse to the context in which the Quran was revealed and then subsequently interpreted. For all of these groups, polysemy presents a deep-seated problem.

As we have seen with our discussion of the maqasid above, one of the ways that have been presented as circumventing the polysemy debate is by focusing on the intention/purpose of God. Farid Esack (1997: 73-75) argues however that this is an impossible task given that God is divine and All-Knowing and All-Mighty. We cannot access the mind of God, Sayyid (2014a: 156) declares, therefore what the maqasid leads to is the use of what he terms "spiritual positivism". Spiritual positivism is the employment of science to fill the gap between our limited faculties and the mind of the Divine. An example given of spiritual positivism is when Muslims say that alcohol and pork are forbidden because of health reasons. This leads to the privileging of scientific discourse over the Divine and is predicated on the false assumption that the logic of God is equivalent to the findings of science. If true, this would mean that we take scientific descriptions of reality to be reality itself. This Sayyid (ibid: 157) argues leads to epistemological and theological fallacies.

Since we cannot know the mind of God and since we cannot bring our mental states in tune with the mental state of God, Sayyid (2014a: 159) argues that we must rely on communal conventions to guide us. This is despite the fact that conventions also cannot tell us what is in the mind of God. What we can say,

however, is that communal conventions can "tell us what understanding means now in the context of the present Ummah" (ibid).[156]

There are a number of problems with the concept of "communal convention". The first is that "communal conventions" are never fleshed out beyond one example. From this example however, we can extrapolate the general meaning of Sayyid's (2014a) "communal conventions". The second is that communal convention must necessarily rest on the doctrine of ijma which has been criticised in depth in the previous chapter and the same problems apply here. Thirdly, we now find ourselves in a closed loop. What do we do if the conventions of the Ummah dictate that we understand the ban on pork and alcohol as something that came about because of health reasons? Indeed, it can be stated that this is the most popular explanation for these prohibitions. Do we simply follow convention in this regard or do we strike out on a new path?

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[156] This debate has, in one form or another, been raging within the Islamicate for quite some time. The most famous example of this is the two positions one can find in the works of Miskawayh and Al-Ghazali regarding the purposes behind communal prayer. Miskawayh argued that God had decreed communal prayer because of the "natural gregariousness of human beings in society" (Leaman, 1998). In addition, communal prayer helps one adapt to religious life by being based on dispositions that are natural to us. Thus, the edicts of religion are, at base, reasonable.

Ghazali vehemently disagreed with this view. He argued that Miskawayh's view amounts to a disparaging of the "religious enterprise" (Leaman, 1998). The significance of religious rituals is none other than the fact that they are prescribed by religion. Ghazali argued that the rationale of these actions therefore is that they are unreasonable. It is to reinforce the gap between God and his creation, Ghazali asserted, that He set us unpleasant and difficult things to do (Ibid). One can see that the present day debate around the maqasid, and the two sides in it, can be favourably compared to this debate between Miskawayh and Ghazali.

A further problem with the notion of ummatic conventions is the fact that whilst Sayyid correctly points out the fact that the current maqasidi system sometimes privileges the scientific over the Divine, he does not acknowledge that his notion of the ummatic convention is tantamount to privileging the practice of the Ummah over the divine. Why must God be bound by the interpretations of mere men? Why do we privilege the practice of the Ummah over the divine rather than anything else? What is the criterion for measuring which discourse is better for closing the gap between the human and the divine? It must be said however, that in the absence of any suitable alternatives, communal conventions will form an integral part of the next section.

If we say we cannot access the mind of God then the usefulness of qiyas (which rests upon finding the illa (ratio legis) of God's rulings) as well the entirety of the maqasid system is lost. A blow this large means neither declinist nor ethicist thought can survive without major revisions. However, what can be said is that, up to this point, the maqasid system is the best vocabulary ethicists have for understanding the mind of God. The maqasid system can be seen as the horizon towards which we are moving, a system which is filled not with man-made deductions but with the 99 names by which God Himself refers to Himself along with that most famous of the Hadith Qudsi: "My mercy will prevail over my wrath". If God created us as His Khilafah on Earth and breathed of His spirit into us, then our horizon must be nothing short of something godlike since it is intended for us to be God's representatives. This, an impossible task, is a horizon which no human being will ever reach and thus this will ensure that

Islam always remains that which calls us to something better. The maqasid system then goes from being something that can be the foundation of morality to the embodiment of Absolute Ethics as exemplified by God Himself. This call to be godlike can form the centrepiece of both Islamicate understandings of religion and politics.

The 99 names of God, along with the first Hadith Qudsi, are in a unique position in that they have the position of an ummatic convention upon which there is very little disagreement. They also allow us to fill the maqasid system without succumbing to what Sayyid (2014a) calls "spiritual positivism". The reason that life is a maqasid is because God describes Himself as Al-Muhyi (the Giver of Life), the reason faith is a maqasid is because God is Al-Mu'min (the Inspirer of Faith), the reason intellect is a maqasid is because God is Ar-Rashid (the Righteous Teacher), the reason lineage is a maqasid is because God is al-Wudud (the Loving One) and the reason property is a maqasid is because God is Al-Mughni (the Enricher). Those things that God has given to people, no human being has the right to take away, without just cause. It is easy to see how the maqasid can be justified through God's own self-disclosed attributes rather than an overreliance on positivist explanations or on ijma solely. It is in this way that an ethicist could rescue the maqasid from the criticism levelled by both Sayyid (2014a) and Esack (1997).[157]

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[157] This can be said to be an example of how a discourse appeals to ethical to justify itself. This process forms an integral part of the next section.

So far in our discussion we have focused on the central problem regarding the place of the maqasid within ethicism and our understanding of it. This debate, and attempts to resolve it, is the central driving force of ethicism. However, there is a second problem which ethicism shares with declinism. This problem shows itself most in the discussion of ethicist feminism above. The problem that is being alluded to is the prevalence of legalist positivism that afflicts the work of many ethicists.

Perhaps the best way to sum up the problem that ethicists face is to turn to Nietzsche's oft-quoted phrase "There are no facts; only interpretations". This is something that the ethicist feminists can readily agree with because of their commitment to the Islamicate worldview. However, it seems that they cannot commit to both parts of Nietzsche's proposition (2003: 139): There are no facts; only interpretations. **And this too is an interpretation** (emphasis added).

Ali (2010: 162), in her discussion of Maysam Al-Faruqi, highlights two problems with Al-Faruqi's view of law. It is the first of these problems that concerns us here and so our discussion will be limited to that. The first problem is linked to Faruqi's placing of the Quran above all other considerations when deriving rulings. Ali (ibid) states as a response:

> … who is to judge when something 'clearly contradict[s]' the Quran? Traditional jurists would no doubt claim that their doctrines about divorce reflect fairly the relevant scriptural provisions (Ali, 2010: 162)

Thus, there are no facts, only interpretations. However, what Ali avoids is the applications of this idiom to her own foundations of justice and equity. The lack of a definition of these concepts shows that Ali assumes them to have common content amongst all modern Muslims. It could be argued however, that ISIS's treatment of women is done in the name of the same justice and equity that Ali deploys in her reform of classical Islamicate concepts. Just as the jurists of old believed their doctrines reflected scriptural provisions, present day jihadi groupings also believe that their implementation of the Sharia fulfils the Islamic call to justice. Thus Ali, and other ethicist feminists,[158] is unable to say "and this too is an interpretation" (Nietzsche, 2003: 139). It is an attempt to account for this second part of Nietzsche's phrase that will characterise the next section.

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[158] Barlas (2002) is one of the only ethicist feminists who recognises the implications of the interpretation that all we have is interpretation. She attempts to use the "Self-Disclosure of God" as a way of grounding her interpretation.

Conclusion

In this chapter, a replacement for the category of modernism was advanced. This was done on the basis of the investigation in chapter one of the concepts of traditionalism and modernism. Firstly, the nodes of ethicism were discussed, in a general sense, using the works of Muhammad Abduh and Mohammad Omar Farooq primarily. Once this discussion ran its course, another subgroup of ethicism, ethicist feminism, was discussed in order to show how the nodes work within a specific setting (reform of marriage and divorce laws). In order to show this, the work of Kecia Ali was used and was compared to other ethicist feminists. This was followed by a discussion of the problems and central questions that the future of ethicism must grapple with. The main two problems for ethicism, it was found, are critiques of maqasid and lack of following through the implications of the ethicist belief in Nietzsche's maxim: "There are no facts, only interpretations. And this too is an interpretation."

Much like with the shift away from traditionalism, the shift from modernism to ethicism has profound implications for both how we view scholars formerly known as "ethicists" and how debates between ethicists and declinists will now be conducted.

The shift to ethicism allows the viewing of the role and affect the tradition has had on those scholars formerly known as "modernists". Far from representing a rupture, ethicist scholars can be shown to have deep roots within the tradition

(or the Con-Text). They simply read the Con-Text in a different way and draw upon more segments of it then their declinist (and other) antagonists.

In this way, the Con-Text has been freed from being the property of a sole sect of Islam and rendered it useless as a ground for contesting the validity of different groupings. If everyone derives their work, to some degree or another, from the Con-Text and its founding canon, then it can no longer be a concern. This will drastically change the nature of the debates between the declinists and ethicists which up until now were focused on the slim part of the Con-Text and whether what was being said matched with what had been said. What concerns us now is which field becomes the new field of contestation? This will be answered in the next section. [159]

In chapter three it was argued that it is religion and secularism that are the ancillaries of the modern and traditional. Thus with the collapse of the modern and traditional, how are we to read the concepts formerly known as religion and secularism? Do we even need to read them? Since it was established in chapter two that religion and secularism are not universally applicable outside the West, we have come to a vacuum. We have cleared and now we need to dream. It is the purpose of the next section to provide a concept that can go towards partially filling the resulting vacuum.

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[159] This point, and that preceding it, will be expanded on further in chapter six.

Section Three:

Introduction

In the first section of this work, it was argued that the validity of the concepts "religion" and "secularism" does not matter to the Islamicate if they cannot be proven to be universal. The first section of this work also dealt with the ancillaries of religion and secularism, traditionalism and modernism. It was found that the relationship was in actuality reversed. When applied to the Islamicate, it is religion and secularism that are the ancillaries of traditionalism and modernism. As such, and as a result of their westernese/colonial baggage, the second section of this work started from the premise that the categories traditionalism and modernism needed to be removed from the Islamicate. In their place are now declinism and ethicism; the beginnings of a categorisation of thought which places the Islamicate at its heart. After all of this, we have arrived at a vacuum that the concepts of religion and secularism used to occupy.

In the third chapter of this work, it was shown that whilst westernese secularism itself may not be universal, the concerns which underlie it and to which it provides a solution are. The next two chapters will be dedicated to finding an Islamicate orientated answer to the question of how Muslims manage difference.

The first chapter of this section will provide the Islamicate concept analogous to westernese secularism. This will be done through the unveiling of four main principles that have been built and hinted at throughout this work. Through these four principles, a new way of understanding the Islamicate, Muslims and meaning making within Islam will be advanced. This chapter aims to provide the contribution that will lead to an overturning of current understandings of Islam's relationship to secularism and its methods of managing difference.

The second chapter of this section will deal with the implications of the concepts and theories advanced in the preceding chapter. It is also here that avenues for future research based on our engagement with both dichotomies will be discussed.

Much like the rest of this work, this section depends upon a mixture of thinkers from both the West and the Islamicate. As well as the scholars already mentioned in previous sections, those scholars that will be especially relied upon here are Ludwig Wittgenstein and Shahab Ahmed.[160] These thinkers will be used because they theorise pictures and languages and provide us with a new picture and language respectively.

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[160] Salman Sayyid (2014a; 1997) will also be used extensively throughout this section. Since it is his understanding of the Ethical and moral that Reconstructionism uses, we shall leave discussion of his work until then.

Wittgenstein: Pictures and Languages

For this section, interpretations from various scholars of Wittgenstein's thought regarding language, language games and pictures will be discussed.

Language, for Wittgenstein, is the only medium through which we can experience the world. It is a world making activity. Thus, two people speaking different languages do not live in the same world. Our languages provide us with pictures that we find difficult to escape:

> A picture held us captive. And we could not get outside it, for it lay in our language and language seemed to repeat it to us inexorably (Wittgenstein, 1998: 48).

The above quote from Wittgenstein's Philosophical Investigations serves as the heart of this next section. It is the claim of this work that a picture is holding us captive and it is only through showing the fly the way out of the fly bottle that we can escape this picture. There are two main parts to the above quote that will influence this work: the concept of "language" and the concept of "picture".

John Gunnell, in his work *Social Inquiry after Wittgenstein and Kuhn* (2014: 36), argues that, "the task of philosophy was to clarify and represent the grammar in which the world was manifest". He goes on to say that Wittgenstein came to the conclusion that philosophy is also "the investigation of the concepts that informed the conventions of human speech and action" (Ibid). Central to all of this, it could be said, is Wittgenstein's later understanding of language.

In his Philosophical Investigations (1998), Wittgenstein argues that the world and language are intriniscally related. As a natural consequence of this, it is impossible to separate linguistic meanings of words from the context in which they are used. It was this series of logical steps that led to Wittgenstein's famous announcement that, "to imagine a language means to imagine a form of life" (Wittgenstein, 1998: 8). As such, he could go on to say that language is the basis of all social life and that to try to move beyond language is to "run against the walls of our cage" (Wittgenstein, 1965: 12). Based on these musings, Wittgenstein also surmised that there could be no such thing as a private language, that is, a language only understood by one person. This is because language follows rules which must be verifiable by other people and, as Winch, a student of Wittgenstein's, argues: "…it is contact with other individuals which alone makes possible the external check on one's actions which is inseparable from an established standard" (Winch, 1976: 32-33).

Owen (2003) suggests that the "picture" referred to in the quote above can be either an implicit background to our everyday practices or an overtly acknowledged limit to our actions that is thought to be "universal, necessary, obligatory" (Ibid: 83). Being captive to a picture, he argues, suggests that when the picture is no longer adequate for guiding our actions, it becomes difficult to revise or replace the dominant, but dysfunctional, picture (Ibid: 89). Wittgenstein argues that it is the role of philosophy to always provide an exit from any dominant picture through what he calls "perspicuous representation" which allows us to "command a clear view of the use of our words"

(Wittgenstein, 1998: 49). Skinner argues that one type of perspicuous

representation is intellectual history:

> The intellectual historian can help us appreciate how far the values
> embodied in our present way of life, and our present ways of thinking about
> those values, reflect a series of choices made at different times between
> different possible worlds. This awareness can help to liberate us from the
> grip of any one hegemonal account of those values and how they should be
> interpreted and understood (Skinner, 1998: 116-117).

Thus it is philosophy that provides a safeguard against the domination of a

single idea or reading of history. This will become important in our discussion of

the principles of Reconstructionism.

Ahmed: Hermeneutics, Pre-Text, Text and Con-Text

From Ahmed, this section will take both his views on what Islam is and his

thoughts regarding hermeneutics.

For Ahmed, there are three main parts of Islam: the Text, the Pre-Text and the

Con-Text. The interaction between these three gives birth to Islam. The Text is

the Quran itself, the text of revelation. Ahmed (2016) himself differentiates this

view of Islam from many others including Asad's notion of the discursive

tradition and Hogdson's Islam/Islamicate split. However:

> … the act of Revelation to Muhammad plus the product of text of revelation
> to Muhammad does not encompass and is not co-extensive or consubstantial
> with the full idea or… reality of Revelation to Muhammad. (Ahmed, 2016:
> 346)

It is commonly accepted that the Quran was sent down to Muhammad, through

what the Quran itself calls *tanzil* (sending down) or *wahy* (intimation), from the

world of the Unseen. The implication of this view is unfortunately rarely explored. Ahmed (2016: 346) argues that if we accept this structure of revelation then we must accept the following premise: that there is a Universal Truth/Reality with an Unseen God which is knowable to an extent and becomes known in the Seen world, to a certain extent. Thus, Ahmed (ibid) continues, the Text of revelation requires the existence of an Unseen Reality that is both behind and beyond the Revelation-in-the-seen. It is on this Unseen reality that "the act, Text and truth of Revelation are contingent" (Ahmed, 2016: 346). This Unseen Reality is naturally "ontologically prior" and, as a source of Truth, it dwarves the Revelation-in-the-Seen. The Text of Islam represents one historical example and implementation of this larger and Unseen Reality of Revelation. It is to this Unseen Reality that Ahmed gives the title of Pre-Text.

The Pre-Text is called such because of its position as that behind the Text of revelation and that upon which the truth of the Text is dependent (Ahmed, 2016: 347). This is not to say that the Pre-Text is chronologically prior to the Text of Revelation. What Ahmed means by "behind" in this case is that the Pre-Text is continuously both always present and always absent as the domain of "higher and prior Truth" (Ibid). The Text is simply an expression of part of this prior Truth in the Seen world. Most Muslims would readily agree, Ahmed (Ibid) asserts, that the Quran does not hold the entirety of the Truth held by the Pre-Text of revelation. Indeed, Ahmed (Ibid) goes on to state, the Quran itself admits that it does not even hold, within itself, all of the Truth of the portion of

the Pre-Text which has been made available in the Seen. To support this point

he quotes 51:20 of the Quran where it states:

> On Earth are signs for the sure; just as there are within your own selves: do
> you not see?

For Ahmed, the key question for Muslims, in their various groupings and

hermeneutics, has been "whether and in what degree and by what mechanism

the Truth of the Pre-Text of Revelation may be accessed" (Ibid). Islamicate

history is full of a wide range of hermeneutical answers to this question. This

repository of answers is what he names the Con-Text of Revelation (Ahmed,

2016: 356).

The Con-Text of Revelation,[161] according to Ahmed (Ibid) is:

> … that whole field or complex or vocabulary of meanings of Revelation that
> have been produced in the course of the human and historical hermeneutical
> engagement with Revelation and which are thus already present as Islam
> (Ahmed, 2016: 356)

The Con-Text therefore is the vocabulary of Islam that any new meaning maker

must necessarily engage with in order to create further new meaning (Ahmed,

2016: 357). To speak in terms that are recognisable by Muslims and Islam, one

must speak from one of the thousands upon thousands of sets of rules and

methodologies found within the Con-Text. Thus Muslims are those who live in

the Con-Text of Revelation.

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[161] Ahmed (2016: 359) states that the concept of Con-Text is not synonymous with the concept
of "tradition". This is simply because, as we shall see, the concept tradition does not have the
same implications as Con-Text. Cf. Con-Text with what MacIntyre (1988) and Asad (1986) views
of what tradition is.

There are two further claims that Ahmed makes on behalf of the Con-Text that are of interest. The first is the claim that the Con-Text is a source of Revelation, along with the Pre-Text and the Text. It s these three concepts which, when put together, form the "Revelatory matrix" of Islam (Ahmed, 2016: 359). Thus, as discussed above, it is not possible to synonymise the concept of tradition with Con-Text. Interestingly, Ahmed (Ibid) points to the Con-Text being closer to the idea of a "semiosphere of a shared language", in this case, the language of Islam.[162]

The second claim is that the totality of the Con-Text is never present in any one hermeneutical engagement with the Revelation or in any time or place. Ahmed (2016: 361) uses the work of Ibn Sina to explain this. Whilst his work is part of the Con-Text as a whole, since his ideas are not widely read or discussed at present, they are not part of the Con-Text of today. It is in this way that Ahmed draws a distinction between Con-Text and context. One must also be able to distinguish between the Con-Text and the Con-Text-in-context. However, Ahmed (Ibid: 362) goes on to state, those parts of the Con-Text which are not Con-Text-in-context (such as Ibn Sina's ideas) always have the potential to be revived and inserted into the Con-Text-in-context.

With regards to hermeneutics, building alongside Vattimo's (2016) interpretation of Nietzsche and Heidegger, what we take from Ahmed is his

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[162] A point Sayyid (2014a: 190) makes in his earlier work.

view of multiple discourses that exist and are equally legitimate forms of Islamic meaning making. The two that Ahmed (2016: 339, 353-354) gives us are the philosophical and the Sufi and whilst he points to a third, the fiqhi discourse, he does not devote as much attention to it as the former two.[163]

Ahmed's (2016: 345) view of hermeneutics is integral to how he views Islam. Islam, for Ahmed, is primarily a hermeneutical engagement, with the Text, Pre-Text and Con-Text, that produces "meaning for the actor by way of the source". Thus Ahmed can say that it is in a hermeneutical engagement that the Self is brought into the process of truth and meaning making. It is this idea that will form the core of Ahmed's contribution to the ideas presented in the following chapters.

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[163] Ahmed (Ibid: 345) refers to Islam as a "hermeneutical engagement" and goes on to refer to the Sufi, philosophical and fiqhi discourses. This work asserts, however, that a hermeneutical engagement cannot exist outside that which forms it. Therefore, in this piece, the Sufi, philosophical and fiqhi are names given to hermeneutical schools that help determine the identity of discourses produced in their name.

Chapter 6: Reconstructionism

Introduction

In previous chapters, we have slowly unpicked the reasoning behind the imposition of westernese (specifically, the concept of secularism) on the Islamicate. First, the colonial imposition of the religious/secular and traditional/modern dichotomies was shown. A chapter in which the concepts religion and secularism were shown to have a limited applicability outside a specific space and time followed this. The third chapter was an investigation into the justifications of those who are part of the Islamicate for their support of a form of western secularism. Their justifications were found to rest on westernese that further supports the conclusion reached in the second chapter of this work regarding the non-universality of religion and secularism.

The second section focused on foundations of the religion/secular divide, traditionalism and modernism. They had already been shown to be integral in reinforcing the centrality of the West and thus the need for replacements was established. These two categories of thought were replaced with declinism and ethicism, with potential for more categories to be added as necessary.

What about secularism? It is here we are now faced with a vacuum. We have Islam, the language, ready in the wings to fill this vacuum. This vacuum can be given form through the following question: How does Islam manage difference? It is this question which best summarises this vacuum as, as we found in chapter

three, the function of secularism is to manage difference between various

groupings. If we drop the concept of secularism then the Islamicate must

generate its own method of managing difference. In this chapter we shall

proceed to fill the vacuum left by the dismissal of secularism grounded in

westernese. The invention of a new concept, Reconstructionism, will fill this

vacuum. This chapter will elucidate the four main principles upon which

Reconstructionism stands whilst the next chapter will deal with the implications

of the reconstruction for our practice.

Principle One: The Ethical, Morality, the Political and Politics

At the heart of Reconstructionism is the Ethical, the political and politics.[164] The relationship between the three forms the core of how difference is to be managed in the Islamicate. As such, these three concepts will be discussed and their relationship highlighted in this section.

In the first instance, a difference must be struck between the ethics of ethicists and the Ethics of which we speak here. The ethics of ethicists is that which is confined by human endeavour and is but one possible manifestation of Ethics. However, as we have seen, some ethicists endow their own interpretation of Ethics with a positivity that does not belong to it. The small "e" of ethicism and its ethics is in recognition that "this too is an interpretation" (Nietzsche, 2003: 139). An important distinction to maintain is that between morality and Ethics. It is in this way, more of what Ethics is can be uncovered.

Morality, according to Sayyid (2014a: 174), is the set of rules and regulations that have become sedimented in society. This code of behaviour is institutionalised and is the end result of political contestations. Through this lens, all societies are moral in that they have established rules that they follow and which one can measure behaviour against. These established rules, however, have the potential to fail when what is thought to be good and proper becomes cut off from the behaviour that embodies these ideals. To bring this

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[164] The discussion of these concepts that follows is taken from Sayyid (2014a).

into an Islamicate idiom, this line of thinking leads to the notion that what the Prophet was doing in Makkah was immoral. It was immoral because it went against the ingrained, social institutionalised rules of conduct that the pagan Makkans followed. The Prophet appealed to the Ethical in order to trump the moral (Ibid: 174-175)

The Ethical, on the other hand, is the unceasing possibility of a better fit between "what is and what ought to be" (Sayyid, 2014a: 174). The process of the Ethical involves an intervention in the moral, a constant inquiry as to how a community can bring itself closer to the "spirit of the 'law' rather than just its letter" (Ibid). Thus, Sayyid calls the Ethical:

> ... a horizon where the correspondence between the practices of what is good and proper and the articulation of the desire of what is good and proper is tighter (Sayyid, 2014a: 174)

It is by acting as this horizon, that the Ethical can be used as an ally in any project aiming to overthrow morality. By showing current morality leads to unEthical outcomes in specific contexts, the Ethical acts as a check on any established morality.

It could be said however that the Ethical is contested. As we have already seen, for some the Ethical is that which came before and for others it is bound up in a maqasid based (or rights based) discourse. Different groupings will ascribe different content to the Ethical in an attempt to affect change. So how do we account for these different readings and the difference between them?

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The creation of different identities/discourses based on readings of the Ethical is what Sayyid calls the political. Thus the creation of declinism, ethicism and other, as yet unnamed, categories are acts of a political nature. Politics is the field of contestation between them. Consider the following:

> … by 'the political' I mean the dimension of antagonism which I take to be constitutive of human societies, while by 'politics' I mean the set of practices and institutions through which an order is created, organizing human coexistence in the context of conflictuality provided by the political. (Mouffe, 2005: 9)

There are two main views of the political that we have discussed previously. The first is that it is a space of free debate and discussion (reflected by Arendt) and the second is that it is a space in which "power, conflict and antagonism" reside and operate (Mouffe, 2005: 9). It is this to this second view that we subscribe. Thus it can be said that properly political questions involve a choice between two clearly defined, clashing alternatives. It could be argued that what we are witnessing in present day Islam is an attempt to negate the political through an appeal to a liberal understanding of pluralism. Thus it is that we see declinists such as Tim Winter stating, "Popular taqlid is a four-part harmony. Popular ijtihad is cacophony" (Murad, n.d.). In this one contention we see the negation of antagonism and the casting of it as something to be avoided. However, in the same breath what we lose is true choice between competing alternatives. Since the political is founded on a distinction between friend and enemy, if this distinction is lost the political ceases to exist. It is interesting how in both declinist thought in the Islamicate and liberal thought within the West, it is the

concept of consensus that is used to remove the political.[165] However, as

Mouffe (2005: 16) argues, antagonism can never truly be overcome as the

friend/enemy distinction as the heart of it can take many different forms. It can

always become the "locus of antagonism" (Ibid). For example, instead of

overcoming the political, the consensus that fundamentalist declinists advocate

still revolves around the friend/enemy distinction in that there are those for the

consensus and those against it.

As we have already shown in previous chapters, showing what it excludes can

break any consensus. There can never be a rationally based consensus that is

successfully fully inclusive. It is for this reason declinists have to negate

antagonism because if the moment of decision is uncovered it also uncovers

that which was excluded.[166] This notion of the excluded has interesting

implications. The excluded is gone but not destroyed. It waits in the wings, in

the subconscious of the community ready to be reactivated.[167] Consider the

following passage from Mouffe:

> Every order is the temporary and precarious articulation of contingent
> practices… Things could always be otherwise and therefore every order is

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[165] It is perhaps in this sense that Kazmi (2011) is correct when he highlights certain fundamentalist declinists as belonging to a "liberal" stream of thought.

[166] An example of this is the lack of writing from any declinist on the issue of Sultan Baybars' institution of the four schools of law and how this was pivotal to their ascendance above the other schools (Berkey, 2009: 12-13). Instead what we find declinists saying about this moment of decision is that "The Sunni ulama rapidly recognised the brilliance of the Four Imams, and after the late third century of Islam we find that hardly any scholars adhered to any other approach" (Murad, 1999)

[167] We can make a link here between this conception of the political with Ahmed's (2016) view of the Con-Text and the fact that it cannot be completely contained in a single interpretation. This shall be covered in more depth in the next principle of Reconstructionism.

predicated on the exclusion of other possibilities. It is in that sense that it can be called the 'political' since it is the expression of a particular structure of power relations… What is at a given moment considered as the 'natural' order – jointly with the common sense which accompanies it – is the result of sedimented practices; it is never the manifestation of a deeper objectivity exterior to the process which bring it into being (Mouffe, 2005: 18)

Since objectivity belongs only to God, as He alone is Haqq, any human order must necessarily be unstable and, as Mouffe has it, "precarious". Thus here we can make use of the understanding of "hegemony" as discussed by Mouffe (2005). It is as a result of what is excluded, that any order that is established is necessarily unstable. Thus every kind of order is hegemonic in that it is an attempt to create foundations "in a context of contingency" (Mouffe, 2005: 17). This contingency is founded on the fact that the Pre-Text, in its entirety, is inaccessible to human minds.[168] Thus it is said that the political is linked to acts of hegemonic institution. Mouffe (Ibid) draws an important distinction between the social and the political as a result of this. The social is that collection of practices which have become sedimented and whose "originary acts of their contingent political institution" have either been lost or concealed. These sedimented practices are now taken as common sense or "self-grounded". As result of this line of thinking, Mouffe (Ibid) goes on to state that the social should not be seen as an "unfolding of logic exterior to itself" whether that is the Marxist forces of production or the declinist view of the path of history. These sedimented practices that Mouffe speaks about constitute morality. Thus

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[168] It could be said that the classical scholars understood the fact that they were instituting order in a context of contingency. The famous phrase at the end of every book or tract, "and God knows best", points to this awareness.

we can say that morality is the hegemonic discourse at any one time and space within the Islamicate.

Reconstructionism rests upon the split between the Ethical and morality. The moral must never be allowed to take the place of the Ethical. The key to fighting this is the anti-positivist approach of Critical Muslim Studies that will allow us to always keep concepts open and unsutured. This openness, however, raises the question of polysemy and how it can be arrested in order to prevent an "anything goes" attitude.[169]

One must understand that when we are dealing with the question of polysemy we are dealing with the relationship between two things: the source and the interpreter. We can all agree that the source of polysemy, the Quran, is an expression of divinity (albeit a single, limited instance of it) (Ahmed, 2016: 346-347). The problems occur when we come to the status of the interpreter. We have already come across two attempts to use the interpreter to limit polysemy that need more attention: a fundamentalist declinist attempt and an ethicist attempt.

The fundamentalist declinist attempt amounts to the raising of the status of a group of interpreters above others. Thus the gap between the source and the interpreter is closed. As we have seen this leads to a myriad of problems but there is one that is especially pertinent for our purposes. If we argue that a

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[169] This point is also discussed in Sayyid (2014a: 152-153) and Barlas (2002: 203-205).

series of interpreters are at the level of the Quran, where does this leave the Prophet? The Prophet is thus reduced in status in the face of the epistemic and spiritual privilege that is bestowed on medievaldom.[170] However the repercussions of this are far graver once Islam is viewed through the lens provided here. If we argue that there can be an overshadowing of God's act of the political (i.e. the choosing of the Prophet and his subsequent creation of a community) then the Ethical itself loses its link to God and the Pre-Text and instead becomes dependent on a group of human beings. It is for this reason, it could be argued, that in present hegemonic understandings of Islam, morality and the Ethical are seen to be synonymous.

The ethicist attempt at limiting polysemy consists of the idea that the self-disclosure of God can arrest the polysemy present in Islam. The example used earlier was a deployment of the names of God as a defence of the maqasid system. However, the conclusions drawn from that example are still simply interpretations of a Divine source. Whilst God's names could be used to affirm life and the freedom to believe, they could also be used to justify capital punishment and apostasy laws. Self-disclosure cannot help us and this should be made obvious by the fact that the Quran itself is a disclosure from the Pre-Text. The fact that many interpretations of the Quran exist show that this is not a problem with the source but it is a lack of divinity in the interpreter. This lack is not going to be, and cannot be, rectified. Thus any manner of divine text could be put forward and the result would be the same.

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[170] This argument is covered in more depth in the work of Sayyid (2014a: 158-159).

This question of limiting polysemy occupies a central role in the creation of what we can call the various hermeneutical schools of Islam. This work accepts Ahmed's identification of the Sufi, philosophical and fiqhi hermeneutics schools.[171] Thus these three are the prominent classical schools of hermeneutics.[172] All three of them together form the legal in the Islamicate. It is very rare to find a person who subscribes to one of these schools exclusively. What is interesting is the way that scholars combine the rules of these three hermeneutics, making some subservient to others. This can be seen clearly in our discussion of ethicism and declinism above.[173] It is the next principle that will help to explore the role of the various hermeneutics in the meaning-making process of Islam. This will help towards coming to an answer to the question of how to arrest polysemy.

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[171] The thoughts on hermeneutical schools in this chapter are inspired by the discussion of hermeneutics and anti-positivism found in both Sayyid (2014a) and Ahmed (2016).

[172] Cf. Dabashi's (2013:13) notion of the nomocentric, logocentric and homocentric languages.

[173] Viewing Islam through this means shows how empty some Islamicate gestures towards diversity are. It is not enough to simply allow diversity within the same hermeneutic. Indeed this is not diversity at all but simply a matter of course. Diversity comes when the entire system of deriving rulings and regulations is changed. This is best exemplified in Yusuf Al-Qaradawi's statement against Muhammad Shahrur in which he stated his belief that Shahrur's work was "a new religion" (Mudhoon, 2009). This work argues that to one situated in the fiqhi hermeneutic it may seem a different religion. In reality, however, what Shahrur is doing is simply putting the philosophical hermeneutic over the fiqhi and thereby re-evaluating the canonical texts of Islam.

Principle Two: Con-Text and Meaning-Making

If we accept the first principle, we have to accept the fact that the horizon of the Ethical is just that. An unreachable horizon. Unreachable not because we don't have the right paradigm or science yet but unreachable because I/we are not God. The "I/we" is important to note here. As Sayyid (2014a: 159) admits in his work, even the notion of ummatic convention (the "we") does not guarantee knowledge of the Ethical. It is also agreed that an individual (the "I") cannot be on the same level of knowledge as God. We must humble ourselves in the face of Haqq and realise that until the curtains are drawn back, we shall never truly Know. This limitation is tied into our very fabric as human beings. Consider the story of the Prophet Musa and the crumbling mountain. Musa asked God to reveal but a little of Himself. God revealed part of his shadow and shone it on a nearby mountain. Musa was overwhelmed by this sight of Truth itself and fainted for forty days, whilst the mountain on which the shadow was shone disintegrated (Majlisi, n.d.). Thus if a Prophet of God, who is the closest any human being will ever get to God's Truth, cannot handle even a shadow of Truth, no other human being can.

It is with this in mind that attention is now turned to the second principle of Reconstructionism. If we agree that we cannot access Truth then it stands to reason that nothing can hold the title of sole meaning maker in Islam.[174] In other words, no one part of the Con-Text can claim to have a special line to the

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[174] Cf. Dabashi, 2013: 13

God's Truth. Yet at the same time, the driving force of all of the modern discourses of Islam can be said to be the search for this Truth.[175]

This tension between the knowledge that we cannot attain Truth but attempting to regardless is the result of placing the Ethical at the horizon. It is the result of aiming for an endpoint that is impossible to achieve. Perhaps this is reflected best in the Sufi stories of Layla and Majnun that they synonymise with their own search for the Beloved. The Sufi hermeneutic can be said to be the first paradigm that attempts to search for Truth and through which the Ethical can be marshalled.[176]

The Sufi hermeneutic bases itself on the premise that the Pre-Text can be accessed through Divine Existence.[177] They believe that Divine Existence makes up the cosmos (Ahmed, 2016: 350). This is explained further:

> ... the fact that the cosmos is the expression of the Truth/Divine Existence of the Pre-Text of Revelation means that the Truth of the Pre-Text is accessible in and via the cosmos by existential knowing of the cosmos, which is the process of experiential annexation by the individual of his/her limited

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[175] For example, as we have seen, the declinists search for Truth in the scholars of the past whilst ethicists search for it through the maqasid and self-disclosure of God.

[176] Our discussion of both the Sufi and philosophical hermeneutics in this chapter are heavily indebted to Ahmed (2016).

[177] Whilst the understanding of the various hermeneutics is taken from Ahmed (2016), it must be said that this work differs from Ahmed's understanding in two key ways. The first is that Ahmed considers Islam to be a hermeneutical engagement and a language. This work recognises Islam as a language only. Secondly, what this work calls the Sufi and philosophical hermeneutics, Ahmed (2016: 348, 353) characterises as discursive projects that hermeneutically engage with Text, Pre-Text and/or Con-Text. As has already been discussed, this work sees the Sufi, philosophical and fiqhi as hermeneutics that give birth, through hermeneutical engagement, to various discourses (such as declinism and ethicism). It can be argued that this subtle shift allows for the accounting of various disagreements within the sufis, the philosophers and the fuqaha.

material existence into the limitless Universal Divine Existence (the Pre-Text) (Ahmed, 2016: 350).

To achieve this "experiential annexation", the Sufi must engage in a rigorous training process in which body, mind and spirit are uplifted. It is this training process which prepares the Sufi to be a vessel for the Truth. Once this level has been reached the Sufi will be able to leave the world of the Seen for a time and gaze upon Truth. It is this experience that forms the highest level of knowing for the Sufi (Ibid: 351). Whilst this may seem to be very individualistic, the means by which the Sufi comes to these visions is communal and "socially-instructed". As such, Sufism is not a "everything is permitted" hermeneutic. It is an experience that is only meaningful when it is immersed in the experience of the community of Sufis (Ibid).[178]

So what is the status of the Prophet within the Sufi hermeneutic? The Prophet, it is said, was a Sufi who could access the Pre-Text. Much like other Sufis, the Prophet attempted to instruct those who were not in tune with the Pre-Text the Truth of the Pre-Text in a way in which they could understand (Ahmed, 2016: 351).[179]

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[178] This reminds us of the thoughts regarding ummatic convention in Sayyid (2014a). Both Sayyid (2014a) and Ahmed (2016) work from the assumption that what we know as "Islam" is generated from lived experience. This work shares that assumption.

[179] This raises problems for the Sufi hermeneutic as described by Ahmed (2016). If the Prophet is simply one of many Sufis who have access to the Pre-Text, then the status of the Prophet is diminished. A discussion around this issue of preserving the special status of the Prophet can be found in Sayyid (2014a:157-158).

As such the Sufis see the Quran as a limited instance of Truth in the seen.

However, the Quran is full of what Sufis call "pointers" or "indications". It is

these that point to the higher Truth of the Pre-Text. It is for this reason that the

Sufis aim to transcend the limited Truth of the Text in order to have a personal

engagement with the full Truth of the Pre-Text (the *haqiqah*). It is this claim to

transcend the truth of the Shariah that has led to the numerous heated

encounters between proponents of the fiqhi and sufi hermeneutical schools

(Ibid: 352-353). Some examples of the Sufi hermeneutic in order to fully flesh

out the points above will be covered here.

Ahmed (2016) asserts that the sufistic hermeneutic is concerned with accessing

the Truth of the Pre-Text, that is the Truth behind and beyond simply the single

instance of it we find in the Quran. The key to the sufistic search is the notion of

spirituality and detachment from this world in favour of seeking the Face of the

Beloved. This hermeneutic has a long and rich history that Ahmed (2016) delves

into using the work of Rumi and Hafiz:

> The Law [sharīʿat] is like a candle that shows the way: Without the candle in
> hand, there is no setting forth on the road. And when you are on the road:
> that journey is the Way [ṭarīqat]; and when you have reached the
> destination, that is the Real-Truth [ḥaqīqat]. It is in this regard that they say
> "If the Real-Truths are manifest, the laws are nullified... as when copper
> becomes gold, or was gold originally, it does not need the alchemy that is the
> Law . . .The Law [sharīʿat] is like learning the theory of alchemy from a
> teacher or a book, and the (Sufi) Path [ṭarīqah] is (like) the transmutation of
> the copper into gold. Those who know alchemy rejoice in their knowledge of
> it, saying, "We know the theory of this (science)"; and those who practice it
> rejoice in their practice of it, saying, "We perform such works"; and those
> who have experienced the Real-Truth [ḥaqīqah] rejoice in the Real-Truth,
> saying, "We have become gold and are delivered from the theory and

practice of alchemy: we are God's freedmen." Each party is rejoicing in what they have. (Rumi, 1925-1940: 5:1-2 quoted in Ahmed, 2016: 21)[180]

In this quote from Rumi, we can see Rumi's acknowledging of the validity of both his own Sufistic hermeneutic and the fiqhi hermeneutic. However, there is a clear privileging of one over the other. It must be said that the two hermeneutics have not always been accommodating of each other. Consider the following passages from Hafiz:

Hafiz; drink wine, live in non-conforming-libertinage [rindi], be happy, but do not
Like others, make the Quran a snare of deception.

If the jurist admonishes you against love-play,
Give him a bowl of wine; tell him to loosen his mind! (Hafiz, 1983 cited in Ahmed, 2016: 37)

Thus, rather than the picture of a rosy consensus as surmised by declinists, we find that the hermeneutics of Islam were in competition with each other.

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[180] In order to fully appreciate the degrees of competition between the hermeneutics and how different scholars favoured one above the rest, consider the following from Ahmed Al-Sirhindi:

The goal of Sufism is not to acquire an intuitive knowledge of reality… **there is no truth beyond the Shari'ah** (Quoted in Ansari, 1997: 173)

After one has acquired the right beliefs and subjected oneself to the rules of the Shari'ah, one should… enter the path of the Sufis. **But one should not pursue it in order to get something over and above the beliefs and the practices of the Shar', or acquire something new**… All the states and experiences which are produced by unlawful means are, in my view, a kind of temptation… which… tests men…. **The validity of an experience is, first, that it agrees with the doctrines of the Shari'ah and, second, that in order to have it one does not commit anything which is forbidden**… or which is doubtful. (Quoted in Ansari, 1997: 175-176)

In the above passages, we can see the complete reversal of what Rumi sets out as the order of the hermeneutics. In Sirhindi, we find a privileging of the Fiqhi hermeneutic over the Sufistic. The Sufistic, in Sirhindi's view, exists only to support the conclusions of the Fiqhi.

As well as the Sufi hermeneutic, Ahmed also identifies the philosophical

hermeneutic as one which has long roots in the Con-Text.[181]

The Sufi hermeneutic is not the only one that claims to have recourse to Truth

beyond the Text. The philosophical hermeneutic also believes that the Truth of

the Pre-Text can be accessed. However, unlike the Sufis, the philosophers

believed Reason to be the key to understanding haqiqah (Real-Truth). For the

philosophers it is God's Reason that flows through the cosmos and gives it its

structure and place. Thus if one is able to train oneself to tap into Reason, one

can become aware of the haqiqah. Thus the Truth and meaning of the Text is

entirely dependent upon Reason that is the Pre-Text (Ahmed, 2016: 348). It is

for this reason that the philosophers do not engage with the Text but with the

Pre-Text. It is this that makes the engagement of the philosophers an

engagement with Reason (Ibid). At this point in his explanation, Ahmed (Ibid)

quotes a twelfth century author, Al-Balkhi:

> Knowledge and learning and understanding of Pure Essence... " is possible
> only by means of "the Organising Intellect... by the execution of which the
> constellations are raised up and the earth set in place" and which is "the
> gauge of truth, the scale of justice, and the astrolabe of certainty and
> knowledge... (Ahmed, 2016: 349)

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[181] It is argued here that Critical Muslim Studies, and by extension this work, are part of a
discourse which privileges the philosophical over the fiqhi hermeneutic. However, what Critical
Muslim Studies represents is a new development within the philosophical hermeneutic that
does not trust Reason (or the Existence of the Sufis for that matter) as much as its forebears did
in the quest to uncover the Pre-Text. Critical Muslim Studies is, amongst other things, the call to
recognise that everything we can access must be bereft of capital letters when written down
(truth no Truth, reason not Reason and so on).

Ahmed also goes on to quote the scholar Fazlur Rahman who states that many medieval Muslim scholars saw a parallel between "the revelation of the Quran and the revelation of the universe" (Rahman, 1980: 71 in Ahmed, 2016: 349).[182]

So it is that the Pre-Text can be accessed through looking at the cosmos. However, the philosophers realise that "multiplicity and multi-dimensionality" are characteristics of the cosmos that make the identification of Truth difficult for those not versed in the tools of Reason (Ahmed, 2016: 349). Since Truth is in the cosmos, it follows that the Quran must be a limited instance of that Truth. It is easier to access in its Textual form but, as a result of it being in this form, it is only able to capture a small part of Truth. This small part of Truth is less than the Truth of the Pre-Text in both quality and quantity. It is on the basis of this split that a split between those who are trained in the tools of Reason and those who are not is justified. Through Reason:

> … the philosophers produce Real-Truth directly from the Pre-Text rather than from the Text… the mediation of which latter is not necessary (or even necessarily useful) for them to access and know the Divine Truth (although it is necessary for the great mass of non-philosophers inexpert in Reason). (Ahmed, 2016: 350)

Thus, the Text for the philosophers does not hold the same importance it does for those who are of the fiqhi hermeneutic. However, the hermeneutic of the philosophers does not simply end here. Ahmed (2016: 350) argues that part of the system the philosophers built is the fact that the Truths of the Pre-Text are in one sense similar to the Truths of the Text but in another way they are

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[182] Most recently, this point has been made by the ethicist Tariq Ramadan in his work *Radical Reform* (2009).

different. Ahmed (Ibid) explains this by stating that we can imagine the Truths of the Text and Pre-Text "as different isotopes of the same Truth". As such, despite the fact that the Truths of the Pre-Text and Text may differ in form, to the point of outright contradiction, "there is no essential difference and no semantic disconnect between the truths of the Pre-Text and Text" (Ibid). These Truths are connected in the "hierarchical communicative continuum of (God's) Reason…" (Ibid) which means they are all part of the logic of God's Revelation.

The philosophical hermeneutic of the classical Islamicate is best represented by the works of Ibn Sina. Many scholars of Islam have asked the question "what is Islamic about Islamic philosophy?" (Ahmed, 2016: 10) Usually this question is centred on Ibn Sina who, with his strong leanings towards Aristotelian and Neo-Platonic thinking, came to some conclusions that the later fiqhi hermeneutic denounced (Ahmed, 2016: 11; Rahman [1961] 2013: 480). Despite this, his ideas continued to form a large part of the educational syllabi in madrasahs all the way to the twentieth century (Ahmed, 2016: 13). Thus is can be asserted that this hermeneutic is not a "modern" invention but has long roots in the Con-Text. So what does the philosophical hermeneutic consist of? This question can be answered by a brief look at the thought of Ibn Sina.

In the philosophical hermeneutic, as with the other hermeneutics, the goal is to access the Truth of the Pre-Text. As already has been discussed, what differentiates the hermeneutics is the tools they use to attempt to access the

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Truth of the Pre-Text. Thus we see Ibn Sina writing that there is a superior Truth

to that given by the Prophets to the people.[183]

Only those with higher and refined intellects can access this Higher Truth. Thus,

it is for this reason Ibn Sina could say that the Text is simply that which panders

to the sensibilities of the masses. Ibn Sina writes:

> ... Now, it is obvious that the Realization-of-Truth ...cannot be communicated
> to the multitude... Upon my life, if God the Exalted did charge a Messenger
> that he should communicate the Real-Truths... of these matters to the
> masses with their dull natures and with their perceptions tied down to pure
> sensibles, and then constrained him to pursue relentlessly and successfully
> the task of bringing faith and salvation to the multitude... then He has
> certainly laid upon him a duty incapable of fulfillment by any man!...
> Prescribed Laws... are intended to address the multitude in terms intelligible
> to them, seeking to bring home to them what transcends their intelligence
> by means of simile and symbol. Otherwise, Prescribed Laws would be of no
> use whatever . . . How can, then, the external form of Prescribed Law... be
> adduced as an argument in these matters? (Ibn Sina, 1949: 44-45, 49-50
> quoted in Ahmed, 2016: 12)

What we can see in the above quote, is the acknowledgement of the existence

of two different hermeneutics. However, we can also see the explicit placing of

one hermeneutic above the other on the basis of the access it has to the "Real-

Truths".

The historical hermeneutics discussed above can, it could be said, explain the

discourse of ethicism and how it functions well. (e)thicism is simply an appeal to

the Pre-Text beyond the Quran in the form of the maqasid/human rights which

are known to us through reason. Thus reason becomes Reason of the

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[183] The truth given by Prophets to the masses, Ibn Sina considered a lesser version of that Truth.

philosophers with the implication that we are slowly discovering God's Reason.

It is the contention of this piece, however, that alongside the modern

manifestations of the classical hermeneutics there are two new hermeneutics

that have arisen. The first is the Con-Textual hermeneutic which gave birth to

declinism. Declinism represents a hermeneutics that Ahmed (2016) does not

consider; even a combination of the fiqhi and Sufi hermeneutics, which one

would think would be sufficient to explain the rise of declinist discourse, is not

enough to explain declinism. Since the scholars of medievaldom/the salaf are

granted knowledge of Truth, it holds that, since the Quran is only a limited

instance of Truth, the texts of the scholars of medievaldom/the sayings of the

salaf are superior to (or equal to) the Quran. Thus we can say declinism itself

has been generated by a new hermeneutic which will now be discussed.

For declinists, we can say that a specific segment of the Con-Text is the path to

(or indeed has become) the Pre-Text. This is the central motif of what we shall

call the Con-Textual hermeneutic. This hermeneutic asserts that the Pre-Text of

Islam can be accessed via a part, or various parts of the Con-Text. Thus to

understand the Con-Text is to understand God's Truth.

The search for origins is a positivist activity. As Foucault (1977: 78) reminds us,

the search for origins is the search for an "exact essence of things" that assumes

a positivity to concepts. However, as Ahmed (2016) tells us, for one to be

situated within the Islamic(ate) one must speak from the Con-Text. To find this

link we must look to the declinists themselves and how they construct their own

intellectual lineage. As we have already seen, a common theme in declinist writings is refuting those who do not follow the four schools of thought. In this regard the Syrian scholar Said Buti's (2007) work is seen as seminal. Recently, however, the fundamentalist declinist publishing house Islamosaic has published a translation of Ibn Rajab's *Refutation of those who do not Follow the Four Schools*. It is easy to see how the strains of thought present in this book could be one of the influences on modern day (fundamentalist) declinist thought.[184]

There are three main points which we can take from Ibn Rajab as being constitutive as one of the dispersed points throughout the Con-Text upon which the Con-Textual hermeneutic draws.

The first can be found in the introduction of Ibn Rajab's work. Whilst sending praise to God and his final Prophet, Ibn Rajab mentions that the Prophet was "delegated" with religion and a "protected legislation". It worth here quoting the sentence that comes after this in order to show how declinists construct their own history.

> … [A protected legislation] which a group of his community will never cease triumphantly following the truth... (Ibn Rajab, 2015: 1)

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[184] As well as the publication of Ibn Rajab's work by Islamosaic, one of his works (2001) that touches on similar themes has been translated by Zaid Shakir, one of the founders of Zaytuna College in America. Thus we can see that Ibn Rajab forms a key part in how declinists form their discourse and the concepts and relationships therein.

As can be seen, the brackets are crucial here. The brackets indicate that this is the translator's interpretation. In this way it the idea is constructed that those who follow the "protected legislation" (I.e. The "legal" part of the Con-Text) are on the path of Truth.

The second comes as Ibn Rajab gives advice to those who are students of the Hanbali school. It is worth quoting this at length just so the reader can appreciate how declinists construct the relationship between scholarship and those considered to be laymen:

> Do not think for even a moment of talking yourself into believing that you perceive something that this Imam was unaware of, or understood something that he did not reach - someone shown to have surpassed the most gifted of those **after him**. Put all of your efforts into understanding the words of this Imam concerning **all the issues of knowledge, not [just] the issues of islam [the lawful and the prohibited]**. (Ibn Rajab, 2015: 14)[185]

Here we see the appearance of two of the main declinist nodes: the spiritual and epistemic privilege given to past scholars and the reduction of Islam, and its Con-Text, to the "lawful and the prohibited".

The third point that is covered is a reinforcement of the second point. Ibn Rajab writes:

> It is true that most of the Imams made mistakes in minor issues that do not diminish their station and knowledge. But so what? The mistake was engulfed by their goodness and abundant correctness, and the excellence of their objectives and their aiding the religion (Ibn Rajab, 2015: 19).

In addition, Ibn Rajab argues that:

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[185] Emphasis added.

> … appointing oneself as inquisitor of their lapses is neither praised nor thanked... so there is no benefit to uncovering and exposing their mistakes... this is... not beneficial in the religion, distract one from Allah and being occupied with Him, harden the heart from His remembrance (Ibn Rajab, 2015: 19).

As we can see in the above quotes, the Con-Text has been made into the Pre-Text. It is asserted that critiquing those of the Con-Text turns one away from God Himself.[186] In addition, it is asserted that even though the Imams made mistakes, these mistakes are "engulfed by their goodness and abundant correctness".[187] However, any astute reader will recognise the contradiction at the heart of Ibn Rajab's thinking. If the Con-Text is to be considered the Pre-Text then there can be no mistakes, not even in "extraneous issues where a mistake does no harm" (Ibn Rajab, 2015: 19).

The second of these new hermeneutical schools has as its heart an understanding of "Westernese" as a hermeneutic of Islam.[188] If the Con-Text refers to the interpretative activity that surrounds the Text, then it cannot be denied that in recent times Westernese has been used as the basis of some interpretations of the Quran and Islam itself. As such it has become a hermeneutic of Islam in its own right, whether rightly or wrongly. The Westernese hermeneutic has as its tool the West itself and everything that

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[186] We can see similar themes in Winter's short video on the what he calls the Salafi fallacy (IslamonDemand, 2012). In this short clip, Winter asserts that it is a form of "implicit shirk" to "bypass the tradition" or to even assign labels to them.

[187] Yet again here we see the combining of both spiritual (goodness) and epistemic (abundant correctness) privilege that characterises declinism.

[188] "Westernese" here is understood in the same way as Sayyid (1997; 2014a).

issues forth from it. The West is seen as the destiny of the planet and thus as a "Truth" which cannot be overcome or circumvented. Those Muslims who are of the Westernese hermeneutic accept this and their writings suggest that the path to the Pre-Text is paved with the concepts and methods of Westernese.

In chapter three of this piece we discussed the reasons why certain Islamicate scholars have justified their call for westernese secularism. It was found that both thinkers subscribed to parts of post-secularism. This led us to conclude that they are part of Kemalism. Kemalism, it could be argued, is a discourse that has been generated by the westernese hermeneutic. Thus, having already discussed two thinkers of the westernese hermeneutic, we shall not dwell on their thought here. What can be argued however is that If a Muslim wishes to consider, for example, the modernisation thesis as the best path for Muslims to conduct their affairs and reform themselves, this amounts to submitting the modernisation thesis as an attempt to reach the Truth of God.[189]

In this way, we find that meaning making is not just the preview of the jurists/legal historians. If Islam is a language one can argue that its primary function is to allow us to try to articulate what we think is God's Truth. For far too long this search has been limited to simply the fiqhi hermeneutic, a travesty in which the orientalists and their present day students have played a large part.

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[189] For an example of this see Hashemi (2009).

Principle Three: Limiting Polysemy and the Discourses of Morality

Throughout this work we have touched upon the issue of Truth and truth and the differences between the two. We shall now discuss this matter in a sustained way in order to bring forth a core part of Reconstructionism: a way to limit polysemy.

> We cannot ever pretend to have a God's-eye point of view. We can only recognise that we see things according to certain prejudices, to certain interests, and if the truth is ever possible, it is the result of an agreement that is necessitated not by any definitive evidence, but only by charity, by solidarity, by the human (all too human?) need to live in agreement with others (Vattimo, 2016: 85)

The heart of our critique of both declinism and ethicism has been the Nietzschean (2003: 139) maxim: "There is no Truth, only interpretation. And this too is an interpretation". The vast majority of what we have can be categorised as truths that are all as true as each other. It is only "certain prejudices... interests" which catapult one of these truths above the others. Thus what we can say is that we have various interpretations of the Pre-Text that are generated through the hermeneutics that have been developed throughout Islamicate history.

The preceding quotation from Vattimo, which is to be considered a contribution to the theory of ijma, will form the basis of the remaining discussion. Whilst the ease with which an ijma can be broken has already been shown, what not been dealt with are its claims to Truth until now.

It can be argued that ijma also falls under the Nietzschean contribution to the Islamicate discussed above. It is usually the case that thinkers consider the thoughts of individuals as interpretations. We can also consider ijma as an interpretation albeit a shared interpretation. As we have seen, some within the Islamicate characterise the "truth" of ijma as infallible and timeless. However, we can say that this "objectivity" rests upon the repeatability of the ruling. This is simply a shared interpretation rather than Truth. The use of any method or complicated principles of fiqh does not distinguish this "repetition of experiences" (Vattimo, 2016: 86) from those of any field of life in which people are asked to accept or deny particular interpretations of life events.

Whilst ijma cannot help in the quest for Truth, what it can help with is the anchoring of our interpretations. We have to recognise that any interpretation, whether individual or collective, is not born out of nothing. An individual is situated through the fact that she speaks a language that uses a certain lexicon and criteria for determining whether she is speaking correctly. Thus, what gives substance to the facts that are interpreted is the Con-Text into which a Muslim is placed. Thus ijma simply amounts to an agreement about the flow of events that make up the Con-Text.

An objection to this train of thought may be that if everything is interpretation then how do we decide what is "correct" and how do we stop falsehood? This objection could be linked to the verse in the Quran that asserts that a band will arise enjoying good and forbidding evil. This objection can easily be brushed

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aside by reference to the different paradigms of morality. Something can always be corrected by either resolving it within the available criteria of what we call normal morality or if necessary, a complete overhauling of normal morality (a process we can call revolutionary morality). So what is normal morality and revolutionary morality?[190]

As we have already seen, morality is the hegemonic discourse that arises from a pool of discourses that have all been created through various expressions of the political. These discourses, at foundation, are either a representation of one or could possibly be a mixture of two or three hermeneutical schools that we have discussed above. So how does a hegemonic discourse come about and subsequent to its acquiring of hegemonic status, what is the relationship between it and other discourses? Perhaps the best way to explain the creation of a hegemonic discourse comes from the notions of normal morality and revolutionary morality.

The road to normal morality is characterised by the lack of established and agreed upon rules on how to be moral. For this reason, there are multiple theories competing to explain the same phenomena. This situation is reminiscent of the earlier days of the fiqhi hermeneutic when, it is reported, that many thousands of madhahib existed . This situation eventually gives way

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[190] Normal morality and revolutionary morality are concepts that lean heavily on Kuhn's ([1962] 1970) seminal work *The Structure of Scientific Revolutions*, specifically the concepts normal science and revolutionary science found therein. The following discussion is heavily influenced by Kuhn's work.

to paradigms, which are characterised by a consensus of methodology. When paradigms emerge, we have entered the realm of normal morality.

In normal morality, thinkers simply deal with new problems according to established, settled paradigmatic rules. An example of this would be a scholar using the rules of the fundamentalist declinist grouping to establish new rulings. Kuhn ([1962] 1970: 27, 30, 34, 35-37) identifies three tasks that are the purview of the thinker working within a situation of normal morality. These tasks are to articulate the paradigm, evaluate key paradigmatic facts and test the paradigm at new points where the paradigm is open to empirical appraisal. Any problems that arise out of these tasks can be solved from within the paradigm itself. It is only when a problem (anomaly) resists any attempt to solve it that a breakdown of consensus results. This breakdown of consensus leads to what we can call revolutionary morality. Revolutionary morality marks a break between paradigms. The consensus, which underpinned the old paradigm, is broken and thus other methods are allowed in an attempt to find a solution for the anomaly.

It is through this system of paradigms of morality that there will always be a criteria (determined through interpretations of the Ethical) that will help us arrest the polysemy emanating from the Quran. Thus we find that there is always an authoritative criterion within Reconstructionism. The only thing Reconstructionism would have us recognise, however, is that this criterion is always liable to be overthrown as the dominant criteria. This is because the

authoritativeness of the criteria is grounded in little more than human preference and interests. This recognition serves to always provide the fly with a way out of the fly bottle. Thus as we have seen, it no longer matters whether something for the post-Prophetic Islamicate was true or not. As long as it is not Truth (which it cannot be) then conventions that are millennia old can be overturned.

With regards to our current situation, it could be argued that colonialism has formed the anomaly par excellence for the Islamicate. It is for this reason that it is since the onset of colonialism that we have seen the proliferation of methods that, whilst linked to the Con-Text, are seen as "new". Thus we are now in the period of "crisis" (revolutionary morality) and must now decide how best to move forward. It could be argued that what is needed is both normal morality and revolutionary morality working concurrently at two different levels.

The first level is that of the hermeneutics mentioned under the previous principle. At this level, revolutionary morality reigns supreme; there can be no all-encompassing consensus that places one hermeneutic at the head of the others permanently. This would amount to equating that hermeneutic with Absolute Truth that, for reasons discussed above, is not compatible with an Islamicate worldview. Thus whilst the hermeneutics can be mixed within the works of a single, or group, of scholars there can never be a claim on the behalf of one hermeneutic to the effect that it trumps all others.

The second level is that of the discourses of morality that are developed in the name of Ethics through the various hermeneutics. At this level, normal morality and revolutionary morality work as normal. As such, it is the level of discourses that is the site of politics and by extension, hegemony. As such any discourse that reaches the level of morality (i.e. the hegemonic discourse) will remain hegemonic until it comes across an anomaly that it cannot solve. This will then lead to a period of uncertainty that will be resolved by the creation of a new consensus. It is this flow of discourses, through both normal and revolutionary morality, which forms what we can call Islamicate society. This system of discourses still has one missing piece. As has already been discussed, truth and falsehood exist within discourses. This leaves the question of what relationship paradigms themselves have with the true/false distinction. In order to answer this question we must turn to the Islamicate concept of maslaha.

It is asserted here that maslaha, as public good, rests on the notion of usefulness. What is useful for a society, rather than what is true or not. As already indicated, the fact that we cannot access Truth, shows that the true/false distinction has limited usage. It is in order to flesh out this Islamicate concept that we can turn to the thought of Richard Rorty. Indeed, there are two strands of his thought that allow us to fully explore maslaha as usefulness.

The first is a rejection of the Greek distinction between seeing the world as it is (objectivity) and the relations which the world has with human needs and interests (subjectivity) (Rorty, 1994: 194-195, 203). As a result of this rejection,

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many of the things which "common sense" thinks are found or discovered are in actuality a direct result of human activity and invention (Ibid: 204). In addition, another result of this rejection is the fact that since most philosophy is couched in the language of those Rorty calls the "Platonists", new ways of speaking must be developed in order to give expression to these new ideas. Rorty contributes to this new way of speaking by asserting that, rather than binding ourselves to a reality-appearance distinction when setting out on inquires, we should search for that vocabulary which is the most useful. This is the basis of acceptance or rejection of any idea or belief: usefulness or non-usefulness (Rorty, 1994).

The second is the view of inquiry as a process of recontextualisation that amounts to "an anti-dualist account of interpretation" (Rorty, 1991: 93). As a starting point, Rorty argues that we should think of the human mind as a web of beliefs and desires which constantly reweaves to accommodate new ideas and states that desires can be treated as beliefs. He goes on to say that that our collection of beliefs is all that there is to our human selves and it is this that provides the basis for Rorty's rejection of the mind-body distinction common to the works of Descartes (Rorty, 1991: 93-94). When a new belief or idea is presented to us, it may strain some of the previous beliefs we held. This strain is alleviated through various techniques:

> … [W]e may simply drop an old belief or desire. Or we may create a whole host of new beliefs… in order to encapsulate the… intruder, reducing the strain… Or we may just unstitch, and thus erase, a whole range of beliefs… we may stop having attitudes towards sentences which use a certain word… (Rorty, 1991: 93)

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It in this way that maslaha works. Once a theory or discourse or ruling loses its usefulness and becomes a burden then it must be dropped. In its place must be created a new discourse or theory that better serves the public good. The latter quote above also serves to explain why certain pieces of the Con-Text are left and others are carried on. With the influx of new information throughout the centuries, we have both gained and lost some parts of the "in the present Con-Text". However, as Ahmed (2016: 361) rightly points out, this dropping of, for example the ideas of Ibn Sina, does not mean they are consigned to the trash bin of history. These ideas are always present in the background of the Con-Text, waiting to be drawn upon once again. It is usefulness at any one point in history that determines the validity of any discourse. As soon as a discourse stops being useful (i.e. it comes up against an anomaly it cannot solve) then it must be replaced through the process of revolutionary morality as described above.

Principle Four: Overdetermination

The Ethical, as we have seen, is the call for the betterment of our current morality. This possibility of betterment always exists. The Ethical is not contained in one or more of the sections of the Con-Text. Indeed, the condition of the possibility of the Ethical is not tied in any way to the Con-Text. This is simply because the Ethical is that which allows us to escape morality when it ceases to be the best expression of Islam. If the possibility of the Ethical becomes tied to the Con-Text, then we arrive at a situation in which the Con-Text is the Ethical. An example of how the Ethical can be used to transcend the moral, and in the process associated with the transcendence, can be found in the works of Muhammad Abduh.

Abduh, in an article entitled "Laws should Change According to the Conditions of Nations", speaks about the process that a nation goes through to change its laws. He argues that the main motivator of law is need. Thus it is only when a society is in tune with its needs that it will rule itself with some measure of success. As such, any law which still exists but whose underlying need has expired, should be subjected to removal in order to prevent an "impossibly difficult obligation" (Kurzman, 2002: 50-51). As well as need there is another reason as to why some laws must be discarded: the changing level of understanding in society. Abduh writes regarding this:

> Laws vary in accordance with nations differing levels of knowledge or lack of it. It is not permissible therefore to apply the law from one group… to another group who… surpass the first in understanding… (Rida, Tarikh, Vol 2: 158)

So let us now analyse what Abduh has said in light of the framework we are establishing here. The Ethical, for Abduh, is both need and a specific form of context (I.e. the level of understanding of a society). The laws which are in place, and which form the object of this process, are to be considered as morality. It is in the name of need and context (Ethical) that Abduh is calling for a discarding of morality (the laws under question).

Thus the Islamicate notion of the Ethical excludes any attempts to assert that Islamdom is on a terminal (or almost terminal) decline. To assert this is to assert that the possibility of the Ethical has been diminished or at worst completely wiped out.[191] This is tantamount to saying that Islam itself has ceased to exist. However, there must be awareness that the opposite of total decline (total progress) is also a danger we must avoid. To argue that mankind is always progressing to something better also diminishes the prospects of the Ethical as the call to betterment. If it is asserted that what we have now is the best of all possible worlds then the call for betterment loses its appeal and indeed its reason for existence. Simply put, we must avoid the adoption of the modernisation thesis or an Islamicate equivalent of it. Progress is by no means guaranteed.

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[191] Declinists, and in particular fundamentalist declinists, will argue that the Ethical is contained within traditional learning. However this response is not adequate as, as we have shown, the Ethical transcends any one part of the Con-Text.

So if we are to avoid a view of history that is total decline or total progress, how are we to view history? The concept of overdetermination can help us in our deliberations here.[192]

When an event occurs there two ways we can say it came about. The first is that there is a single cause that causes the event. In this formulation, the relationship between cause and event is as simple as A leads to B. The (fundamentalist) declinist view of history can be seen as an example of the A leads to B view. The second way to describe this relationship is to give more complexity to the cause. It is not as simple as "A leads to B" but more likely to be that A and B and C all together lead to D. This second way of looking at this relationship is what is known as overdetermination. What it means for an event to be overdetermined is that it has more than one cause.

Contrary to both declinists and those of the Westernese hermeneutic, a Reconstructionist view of history sees it as overdetermined. It is not simply "the loss of traditional learning" which has lead to the weakening of Islam. At the same time it is not simply the West and its ideas that will revive Islam. When something is overdetermined its root cause is not singular but multifaceted. Thus, there is not just one overarching reason for something to be as it is. There are many. As such, in a Reconstructionism view of history, there are many reasons behind both decline and progress. Both decline and progress can exist

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[192] Our understanding of overdetermination here is the same as that deployed in Lacalu and Mouffe ([1985] 2001).

side by side in the same civilization and the existence of one does not erase the other from existence. It is only when history is viewed through the "A leads to B" lens that it can be stated that history is in decline or progress and that these states are mutually exclusive of each other. This is the reason for the importance of the Ethical. If we were in terminal decline or even perpetual progress, the need for the Ethical disappears or, at worst, the Ethical itself becomes pointless (since we cannot even progress towards it). The Ethical stands as an important corrective to decline and as an encouragement to build upon progress towards a fuller realisation of it.

At this juncture, the reader may wonder as to the status of those Hadith that argue that the Prophet's generation and those closest to it are the best. They may also wonder about the Hadith that states that each generation will be worst than the last (Qaradawi, 2006: 84-85). There are many arguments which scholars have put forward which give many different interpretations for this hadith.[193] However even if we accept these hadith to be Truth then we must

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[193] Perhaps one of the most authoritative interpretations of this hadith comes from Shaykh Yusuf Al-Qaradawi, who quotes the interpretation of Ibn Hajar in his work, *Approaching the Sunnah*:

It is probable that the referent of the times mentioned is the time of the Companions, on the basis that it is they who were addressed by that [hadith]. Then as for those after them: they were not intended in the report mentioned… (Ibn Hajar, n.d., Vol 16: 227 quoted in Qaradawi, 2006: 87)

Thus Ibn Hajar believed the hadith to be restricted to the time of the Companions only. Shaykh Qaradawi also criticises those who:

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still continue to dream, perhaps more vigorously so. If we accept that previous generations were indeed more pious and less corrupted than present day Muslims, this does not take away the need for scholarship in our time. If it is accepted that we are corrupt then, as Muslims, we must establish a scholarship that deals with our corrupt times and not those of the past. If we are to be described as corrupt, we will never be able to memorize all of the necessary hadith or study the thousands of commentaries on commentaries of scholarly works. What is needed therefore is a new definition of a "scholar" for our corrupt age since the standards of those before us, because of their unreachable piety, has, because of that very same piety, become entirely irrelevant. Any attempt to revive the old ways will be met with doom simply because of the difference in time, space and privilege. Those who have arrived at the horizon of the ethical cannot teach those who have not. To borrow imagery from Wittgenstein (1929), for the Ethical to try to deposit itself in the non-Ethical would be like a gallon of water being poured into a teacup. Therefore, unless we are happy with a lack of scholarship in our time and all future epochs, a new way forward must be charted in order for Islam to remain relevant in a (supposedly) corrupted community.

…[take] this hadith to justify sitting back from taking action, from striving for reform, change and deliverance. They have urged that the hadith demonstrates that human affairs are in decline continually, in a permanent falling off… it is not carried from bad except to worse, nor from worse except to what is worse than that…" (Qaradawi, 2006: 85)

Conclusion

In this chapter the dreaming has continued. The concept of Reconstructionism has filled the vacuum left by secularism and has provided a way for the Islamicate to manage difference. Reconstructionism rests on four principles. The first is the relationship between the Ethical, the Political, politics and morality. The subsequent principles can be seen as explanations of the constituent parts of this relationship. The second is the Con-Text and the bestowing of meaning-making on all of its constituent parts. Thus the legalism that informs the writing of some of those who favour the fiqhi hermeneutic is arrested. The third covered the limiting of polysemy and the introduction of paradigms of morality. It was found that the rules of a paradigm would be the failsafe against an "anything goes" attitude. Beyond this there is nothing that can be done to arrest the polysemic nature of the Quran and the concepts it is used to invent. Like Sayyid (2014a) argues a language can be used to sing or to swear. There is no easy way out of the responsibility we all have to bear to ensure that this all does not fail. Finally, the fourth principle is that of overdetermination that further ensures the Islamicate is never trapped by one paradigm of morality.

It is not enough to simply dream however. The dreams that we dream have to be brought out of dreamland and into the real world. This will be done through an exploration of the implications of both the replacement of the traditional/modern dichotomy and the creation of Reconstructionism. This will be the subject of the next chapter of this section.

Chapter 7: Changing the Way we See and Do

Introduction

To invent new concepts or categories is not the end of the journey into dreamland. To fully constitute these concepts/categories, the work that they do should be shown. In other words, how do the concepts/categories invented in this work affect the practice of Muslims?

This chapter will be split into two. The first part will deal with the implications of a move away from a traditional/modern dichotomy at the heart of Islamicate thought. The second part will discuss the implications of Reconstructionism for our understanding of Islamicate socio-political theory. At some points the implications will overlap or an implication of the move away from traditional/modern will lead directly to an implication from Reconstructionism. It could be argued that this shows the extent to which the two projects are intertwined and thus further justifies the sequence of thought present in this work.

Implications of removing Traditionalism/Modernism

The implications of a move away from traditionalism and modernism, beyond simply removing Westernese as the centre of Islamicate thought, are many. This work will content itself with an exploration of three key implications: an answer to the question of continuity/rupture, authenticity and authority.

The question of continuity and rupture revolves, in most of its manifestations, around the point of decline of the Islamicate. The traditional was seen as that which occurred before the point of decline and the modern is what occurs afterwards. The modern is seen as the result of a rupture from the traditional. Now what happens if traditionalism and modernism are dropped as categories of thought?

It could be suggested that with the removal of the traditional and the modern, what remains is continuity. To refer back to Abduh and his thought, much of it can be traced back to what we formerly called the traditional (reason and revelation in Maturidi, maqasid in Shatibi and Tufi). What Abduh and his school can be seen to be doing is what Ahmed (2016: 361) refers to as reactivating parts of the Con-Text that had been dormant. Thus, when faced with the colonial onslaught, Abduh, rather than rupturing from the Con-Text (which would in effect place him outside the fold of Islam) simply reactivated those parts of it that he, in his time and situation, believed best for the Islamicate.[194]

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[194] Of course, this continuity with the Con-Text does not absolve Abduh of the fact that some of what he wrote was inflected with Westernese. A decolonisation of Abduh and its subsequent

In addition to the above, one must realise that the Con-Text does not begin and end with the legal. It is only when one fashions the Con-Text as the legal that one sees a rupture between pre and post-colonial Islamicate scholarship. As discussed in the previous chapter, the Con-Text is more than just the legal. The artistic forms of expression within the Islamicate are also meaning making in terms of Islam itself. It is not just that Islam inspires the Islamicate, the Islamicate also expresses itself in a way which is Islamically meaningful. It could be suggested that what is needed is a study of the various components of the Con-Text and how colonialism affected them individually.

Perhaps the biggest pain and rupture from colonialism for Muslims has been the forced imposition of Westernese as a hermeneutic of Islam. This hermeneutic cuts across all parts of the Con-Text. There are many examples within this work in which we can say that Westernese has been inserted as a meaning-maker for Islam.[195] This is true across the categories of thought introduced in this work. However even those who are within the hermeneutic of Westernese justify themselves by looking to the Con-Text. Since a Muslim is one who speaks from the Con-Text (Ahmed, 2016: 359), everyone speaks from past. Even violent jihadis look to and speak from the past. The past cannot therefore be a marker

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implications for Islamicate reformism is long overdue. However this is a different topic to whether or not he and his school marked a rupture from the Con-Text.

[195] Perhaps the main example of the Westernese hermeneutic is what Sayyid (1997; 2014a) calls Kemalism.

of authenticity since it simply authenticates everyone. If we don't get authenticity from the past, where does it come from?

Now it must be made clear that by authentic/authenticity we do not mean authentic in relation to Truth. A quest for this type of authenticity is bound to fail since Truth cannot be accessed in our current form. This leaves two questions: what type of authenticity are we talking about and what is the source of authenticity?

In the previous chapter, we discussed the discourses of morality. It was also discussed how morality is simply the hegemonic discourse which comes to dominant other discourses. It is within this system, that we must identify what the site of authenticity is. There are two potential sites: the rules of the hegemonic discourse that makes morality or the rules of the hermeneutics that are used to give birth to the discourse. Simply put the choice we are faced with is a choice between putting authenticity at the level of morality or the level of the hermeneutic.

To put authenticity at the level of the moral is to assert that to be authentically Muslim is to follow the hegemonic discourse (morality) at any one time. This brings the site of authenticity from the past and into the present. Thus it is to say that the morality of any one time is the best expression of Islam. However, it can be argued that to place authenticity at the level of the moral is dangerous. There are two reasons for this. The first is the potential that

morality will be confused with the Ethical. If, to be a Muslim, one must conform

to the morality of his/her time, there is a potential for the Ethical to be

completely erased in the name of authenticity. If one confuses the moral for the

Ethical, this would then interrupt the cycle of normal and revolutionary morality

that should reign at the level of the moral. The second is that by completely

moving the marker of authenticity to the present we cut off the Con-Text from

informing Islam. If it is said that only morality is authentic then this leads us to

conclude that the Con-Text is not capable of being authentically Islamic. This is,

of course, a nonsense that leads us to drop morality as the site of authenticity.

The second (potential) site of authenticity is that of the rules of the

hermeneutics that make up various discourses that compete to become

morality. As we discussed in the previous chapter, it is revolutionary science

that rules the level of hermeneutics. This means that there is no hegemonic

hermeneutic and there never can be. To claim hegemony for a hermeneutic is

to claim that it is Absolute Truth. Due to the nature of the level of the

hermeneutics, to place authenticity there is to acknowledge that what it means

to be a Muslim changes from time to time. In addition, placing authenticity on

the hermeneutical level means that the Con-Text can be drawn upon to inform

authentic Islam. This is because the hermeneutical level, as a whole, is not tied

to any time period since it goes through many permutations. Given the always-

changing nature of the hermeneutical level, what effect does this have on

notions of authority in Islam?

Questions of authority in Islam have, at their core, the question of who are the meaning makers for Islam. At present, in the morality of Islam, it is the (fiqhi) ulema who hold dominion over meaning making within Islam, simply as a result of the fact that current morality is derived mainly from the fiqhi hermeneutic.[196] This can be attributed to the orientalist view of Islam as being reduced to the jurist and his work as seen in chapter one. However, as we have already discussed, the Con-Text of Islam cannot be reduced to the legal. This maxim on its own has massive implications for notions of authority within the Islamicate.

The most important implication is the fact that, whilst the Ulema can claim authority, it is a very particular authority. To be plain, those who we understand to be Ulema now are authorities who speak for a very limited part of the Con-Text. Whilst authorities exist for the other parts of the Con-Text, they are not recognised as meaning makers for Islam in the same way. Indeed, these other authorities do not even recognise themselves as meaning makers even though they are engaged in that process. This needs to change. In order to fully explore this implication we shall look at two case studies: an article written by Jonathan Brown and the position of Kecia Ali.

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[196] Ahmed (2016) discusses this elevation of the fiqhi over all else in his work. He discusses a wide array of thinkers who simply assume that the sharia is synonymous with normative Islam. Waardenburg (2002:97 quoted in Ahmed, 2016: 120) is one of those who believe that the sharia is the core of Islam. Even reformers, such as Khaled Abou El Fadl and Muhammad Fadel, according to Ahmed (2016: 127) also produce a "truncated, law-centred construction" that does not account for "the normative claims of non-legal discourse". See also Brown (2015: 120) for an account of the fiqhi ulema's "right and responsibility" to interpret Islam for the Ummah.

In chapter four of this work, reference was made to an article by Brown (2015) in which he shows the Salafi reliance on taqlid. It is to this article that we now return. We see the introduction of a curious, and at first glance seemingly innocuous, category: the lay Muslim intellectual (Brown, 2015: 120). The lay Muslim intellectual, Brown asserts, is a product of secular universities or a result of "the reformed curricula of older ones" (Ibid). This lay Muslim intellectual usually positions himself against the established Ulema. As such, the existence of the lay Muslim intellectual is a direct threat to the Ulema as it implies that one can know Islam's "true message" without going through the training that the Ulema have done (Ibid). Brown believes that, with a few exceptions, that Muslim lay intellectuals are "liberal" and that the Ulema are indispensable in guarding against the:

> … vilest sins of the liberal mind namely barbaric benightedness and religious extremism (Brown, 2015: 122).

Thus the lay Muslim intellectual is put squarely in the camp of the modern/Western and the Ulema put in the traditional/Islamic.[197] In Brown's essay we can see a clear structure of authority. The Ulema are the real scholars and intellectuals since they hold the "true message" of Islam. If one deviates from the curriculum taught to the Ulema, even if one attends the same institutions, one is to be considered a lay Muslim intellectual. Thus a power

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[197] Of course, even from this limited section of Brown's work, one can see the influence of the main tenets of fundamentalist declinism. In addition to the above, Brown persists on calling an aversion to the Ulema "anticlericalism" despite the fact that he acknowledges that Islam has no clergy. The declinist influence on Brown (2014) can be seen more directly in the introduction to his work *Misquoting Muhammad*.

relation is established on the basis that one group of scholars has the "true message" whilst the other is, at best, ignorant of it or, at worst, twists it.

All pretensions to Truth are interpretations in disguise. A Reconstructionist view of this system of authority would declare that no group of scholars holds the "true message". All they hold are true interpretations that can be verified by the rules of the discourse and hermeneutic(s) within which they operate. Once we get rid of false claims to Islam's "true message" we see no reason as to why one group of scholars should be favoured over others (in terms of meaning making). It is the rise of those who dispute the Ulema's claim to Truth that Brown (2015: 119) has described as a form of anti-clericalism.

This indifference to the (fiqhi) Ulema is not a call to get rid of scholarship entirely. This, as Brown (2015) argues in his article, is impossible and even if it was possible, it is not desirable. The question at stake here is whose scholarship does one wish to follow. It is for this reason that the Eurocentric label "anticlericalism" is not sufficient to describe the phenomenon that Brown seeks to describe. What we are seeing in this period of revolutionary morality following colonialism is the reactivation of branches of the Sufi and philosophical hermeneutics (as well as the onset of new hermeneutics) that are developing their own discourses. These discourses have in turn given rise to whole cadres of scholarship that are now old enough to have an intellectual

history.[198] These scholars are no less scholarly than those of the fiqhi

hermeneutic. Thus the term "Ulema" can no longer be used without

qualification. We now have the fiqhi Ulema, the philosophical Ulema and the

Sufi Ulema.[199] All of whom are equal in their ability to make meaning for Islam.

The issue of where to place individual scholars within these categories is itself a

question that is settled through a consideration of which hermeneutic is

dominant in their work. Of course, this consideration in of itself is not free from

the grasp of politics.[200]

Perhaps the biggest issue, which typifies the rise of the new Ulema, is what we

shall refer to here as the PhD/ijaza debate. In Brown's (2015) article, one is

struck by the fact that all the lay intellectuals he mentions have a PhD (in some

cases multiple PhDs). These lay intellectuals are then juxtaposed with those

who deal in ijazas. Brown does not however acknowledge or respond to the

thesis advanced by Makdisi (1981). Makdisi (Ibid: 270-276) argues that the PhD

was adopted from the Islamicate ijaza. Indeed, Makdisi draws explicit parallels

between the modern Western academy and the Islamicate system of ijaza by

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[198] Consider for example ethicist feminism that can now claim multiple generations worth of scholarship stretching from the 19th century to the more recent representatives of this group as discussed earlier. Another example would be the progressive Islam movement as exemplified by thinkers such as Adis Duderjia and Ani Zonneveld.

[199] As with our consideration of the various hermeneutics, these categories of Ulema are not mutually exclusive and can be combined.

[200] The applying of labels is always an act of politics. As we have seen throughout the second section of this work, to discredit their opponents, traditionalists have used the label "modernist". This label is applied despite what the scholar or group of scholars in question say about themselves and their relation to the Con-Text. Indeed, the declinist habit of calling themselves "traditionalists" is also a political act in that it positions them in power over the community.

arguing that the ranks of *mutafaqqih* and *faqih* are synonymous with the undergraduate and masters ranks found in Western universities. The ijaza itself is synonymous with the PhD. Such is the similarity between the two systems that Makdisi argues, "these stages of development are so identical in nature… as to remove the likelihood of parallel development due to chance" (Makdisi, 1981: 276).[201] If one accepts Makdisi's thesis, then the PhD is simply another form of the ijaza. In this way we find that the PhD/ijaza is not actually a debate about qualifications but a debate about who gets to speak for Islam: the jurists or the rising new Ulema.

In previous chapters, we have already discussed the work of Kecia Ali. In the beginning of her work *Sexual Ethics in Islam* (2006), she asserts that she is not a "jurist" or a "Quran scholar". She then goes on to say that her suggestions should be taken as "tentative steps in the direction of a just ethics of sex" (Ali, 2006: xxviii). Thus Ali acknowledges she is not of the hegemonic meaning makers of Islam but it is also obvious that she is also engaging in meaning making for Islam. So where do scholars such as Ali fit? It could be argued that scholars such as Ali are examples of the rise of the new Ulema. It is this notion of the new Ulema, and its authenticity, that is at stake in the PhD/ijaza debate. It is in the name of the Ethical (Pre-Text of Islam) that Ali wishes to reform what she sees as erroneous interpretations of the role of women in Islam. Rather than seeing various parts of the Con-Text as equal to the Pre-Text, as declinists do, the type of philosopher that Ali represents sees the Text as simply a

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[201] Makdisi has also written about the relationship between the PhD and ijaza in Makdisi (1989).

gateway to the larger and prior Truth of the Pre-Text. It could be suggested that

the vast majority of ethicists in general fit within the category of philosophical

Ulema as they use an ethics (acknowledged as being derived from (R)eason) as

a tool to overcome what they perceive to be injustices in previous thinking.

Thus what Brown and other defenders of the fiqhi hermeneutic must realise is

that with the reconstruction of the other two classical hermeneutical schools, as

well as the potential development of new ones, one need not study in a

traditional madrasa in order to be considered a meaning maker for Islam. As we

have shown, no part of the Con-Text can have the objectively True message of

Islam and the implications of this include a realisation that we are not locked

into only one methodology.

Reconstructionism and its Implications

Reconstructionism has clear implications for Islamicate political theory and, as we have seen in the above, Islam more generally. In this section of the chapter, we shall focus purely on three political ramifications of Reconstructionism. The first is to do with the various Islamicate political systems and the debate between them, the second is to do with the foundations of the Islamicate polity and the third is to do with how it achieves its "Islamic" character. In order to fully explore the changes Reconstructionism makes, we shall first provide a brief overview of the existing theories and thought.

The Islamicate Political System

The caliphate has recently been propelled back into the world's eye in spectacular fashion. The early successes of ISIS made it the premier destination for jihadi fighters coming from all over the world. Of course, their reasons for making the journey are a lot more complex than simple adherence to a supposed Islamic doctrine (Tucker, 2015). However, it is usually the doctrine that is first to come to the lips of those who justify their actions.

At present, besides ISIS, the most well-known proponents of the Caliphate system is the declinist group, Hizb ut Tahrir (HT).[202] A discussion of their views will help us to uncover one of the discourses that are attempting to become hegemonic.

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[202] Whilst fundamentalist declinists use traditional learning as the container of Islam, HT uses the caliphate system. Thus, for HT, decline started much more recently (1924) than for other declinist groups. Since that year, "the Ummah has witnessed its darkest days" (Anon, 2016).

In the first instance, it should be noted that HT rejects ISIS's claim of the Caliphate based on the fact that the claim is "repudiated by Muslims all over the world" (Huq, 2016). However, much like ISIS, HT believes the instituting of the Caliphate to be an obligation on Muslims. Once the Caliphate is established, it would erase the national borders imposed by the colonising Europeans and thus unify Muslims. It is only through the Caliphate that the "Divine laws" of Islam can be implemented, hence its obligatory nature. The Caliphate then, is "the general leadership of Muslims responsible for the implementation of Islamic law, the Shariah" (Huq, 2016). The Shariah, according to HT has a very specific definition. To implement the Shariah means that:

> ... the laws adopted and implemented are based on primary Islamic texts -
> the Quran and the Sunnah... and have been derived through an Islamically
> valid legal methodology (Huq, 2016).

It is admitted that Muslim civilisation has had its "ups and downs". There have been multitudes of problems that the historical Caliphate has faced. In addition to this, it is also admitted that there was "misapplications of the Shariah by certain rulers" (Huq, 2016). Furthermore, it is also admitted that there were regions that were considered Islamic lands that were outside the rule of the Caliph. Despite this autonomy however, these regions were still part of the global Ummah and had received dispensation to govern their own affairs from the Caliph (Huq, 2016; Al-Beirawi, 2006).

To justify this discourse, HT employs a cadre of classical scholars which includes scholars such as Ghazali and Ibn Taymiyyah. For our purposes we shall choose two from amongst these scholars: Al-Mawardi and Imam Juwayni:

> The word imamah denotes the succession (khilafah) of prophethood in the protection of the deen and the management of worldly affairs, and its contracting to the one who fulfills it in the ummah is an obligation by consensus (Mawardi, n.d.: 56).

> The Imamah is a complete authority and general leadership over all the people in all important religious and temporal affairs. Its roles includes the defense of the territory of dar al-Islam, looking after the interests of the community, establishing the Islamic da'wah by providing evidence and proof and by the sword, restraining deviation and inequity, providing help and support to the oppressed against transgressors and recovering dues from those who refuse to fulfill them and providing them to those who were deprived of them...the companions of the Messenger of Allah (saw) saw that moving swiftly to appoint the imam was the right thing to do; thus they left the preparation of the Prophet's burial because of being engaged in this task, fearing lest a tribulation encompass them (Juwayni, Vol 1, 1980: 22-23).

Thus it is said that the caliphate is an obligation on all Muslims. This position is contested however by those who claim the caliphate is not obligatory on Muslims. The most famous example of this is Ali Abd Al-Raziq and, in particular, his work, *Islam wa Usul Ul-Hukm*.

Upon reflection on Raziq's monumental work, one finds that there are two sections within the book, something which is often overlooked. The first regards the debate around the legality and necessity of the caliphate in Islam. The second is an attempt to draw the political limits (or lack thereof) of prophethood, specifically pertaining to the Prophet Muhammad. It is the first that concerns us here.

Quoting established scholars from the history of Islam, such as Ibn Khaldun and Al-Baydawi, Raziq asserts that traditional theories of the caliphate saw the caliph as someone who was the successor of the Prophet. Crucially, they believed the caliph to fulfil a similar role to the Prophet did, that is to govern the affairs of the people as their sovereign and receive absolute obedience in all matters. However, it must be noted that the classical jurists also believed that there were restrictions on the sovereignty of the caliph and the obedience due to him in the form of the Sharia (Abdel Razek, 2012: 26-27). Commenting upon the status of the caliphate, Raziq highlights two reasons as to why some of the scholars believed the caliphate to be essential: the consensus of the Prophet's companions and the fact the caliphate is a prerequisite to the "due maintenance of worship and the well-being of the governed" (Ibid: 36). Raziq points to the many disagreements and disputes which broke out, particularly in times of the Caliphs Abu Bakr and Ali as proof of the fact that no consensus existed. Regarding the view that the Caliphate is necessary for protecting religion and the people, Raziq cites the Mongol destruction of the seat of the Caliphate and the fact it became nothing more than a puppet of the Zihar Bibars, its authority limited to the borders of Egypt:

> What was the situation of the extensive realm of Islam beyond Egypt, where the shackles of the caliphate had been cast away [?]… Were the practices of faith neglected there more than anywhere else?... Did the sky over their temporal realm cave in when the caliphal star was gone? (Abdel Razek, 2012: 56)

Noting that no scholar has ever presented a Quranic ayah that explicitly calls for the establishment of the caliphate, Raziq goes on to say that the verses of

Quran and hadith which are used by classical jurists refer only to the need for governance and not for the specific system known as the caliphate. Therefore, this specific system is not "a matter of religious dogma or… entailed by religious belief" (Abdel Razek, 2012: 36-37, 40).

In the end, Raziq concludes that Muslims, like any other group of people which mark themselves off as a distinct community, require leadership and governance. If this is what is understood by the term "caliphate", then Raziq holds no objection to the self-evident fact that these things are needed to promote the public good and for the safe conduct of religious practices. This government, this caliphate, Raziq goes on to say could take on any form ranging from the constitutional to the despotic. It is only to the "specific institution" of the caliphate as historically known that he directs his criticisms (Abdel Razek, 2012). As such, it could be argued that what Raziq puts forward is the notion that the caliphate is simply the space in which Muslims conduct their politics, something without a fixed formula, a sentiment shared in more recent times in the works of Sayyid:

> The caliphate that may come… cannot be an Islamic state… Rather, the caliphate becomes the vehicle of social justice, prosperity and freedom under the sign of Islam… There is no algorithm for determining any of these processes. There is only a politics; the caliphate is the space for the politics of Islam (Sayyid, 2014a: 183-184).

It could be said that the caliphate represents for Muslims the "empty echo chamber" (Dabashi, 2015: 29) where once the colonial world stood. It is in this chamber that Muslims are shaping a world centred on themselves rather than within the false "West and the Rest" dichotomy.

So stands the current landscape of the dominant Islamicate discourses on the Caliphate. The question now becomes how does Reconstructionism impact this?

The first way it impacts it is through the recognition that both the Hizb and modern proponents of the Raziqian view look to past scholars/times to justify themselves. A Reconstructionist can simply skip past these nods to the past since it is taken for granted that any position fashioned as Islamic(ate) will speak from the Con-Text. This becomes a problem, however, when it is the only justification one has for a position. The Hizb position is based upon the sayings and interpretations of past scholars. The fact that Raziq also uses past scholarship would lead to a stalemate in this debate, if it were not for Raziq's deployment of historical fact. Thus, as far as Reconstructionism is concerned, the Hizb position is incomplete, a basic rendition of an argument as to why the particular system known as the caliphate is needed.[203] To simply use the past as some sort of automatic "argument winner" is no longer possible.

The second impact that Reconstructionism has on the debate is to decolonise both sides of the debate. With regards to HT, their state-centric discourse makes a mockery of their claim to be faithful to the old caliphal system. This is yet another example of the far reaching consequences of the imposition of the

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[203] Of course, beyond this there is the simple issue of polysemy to contend with. The quotes from Marwadi and Juwayni cited above could also easily be interpreted to support Razek's position that it is leadership that is obligatory and not the particular caliphal system at that time.

Westernese hermeneutic. The work of Raziq is also not free from this influence.

Once Raziq disproves the divine nature of the Caliphal system, he goes on to

advocate a separation between religion and state. As we already saw in the

earlier chapters of this work, the category religion does not have validity

outside of the West and as such cannot be applied to Islam. Therefore, talk of

religious and non-religious acts is meaningless to one who speaks Islam. This

fact raises interesting questions, paramount amongst them being that without

the category of "religious acts" how do we measure the Islamicity of a polity?

Making a Polity Islamic: Ontic and Ontological

The question of what exactly makes a polity Islamic has been the subject of

many intense debates and discussions. This piece will focus on one of the more

interesting cases: the argument over the Egyptian constitution in the immediate

aftermath of the 25th January revolution. This argument will be presented and

then analyzed in light of the tenets of Reconstructionism.

In the years leading up to the revolution, the Muslim Brotherhood began to

move away from their old slogans. A new concept was developed which took on

new importance with the election of Mohammed Morsi. This concept was the

notion of a civil state with an Islamic reference. It is clear that the "Islamic

reference" is meant to be that which gives the "civil state" its Islamic(ate)

nature. This would seem to imply that a civil state alone is not to be considered

an Islamic polity. However, as far as the Brotherhood is concerned, the civil

state is a superior alternative to both theocracy and secularism. These latter

two systems are seen as products of the Westernese with no applicability with regard to Islam. Interestingly enough, the civil state is also contrasted with an authoritarian state on the basis that the civil state is not ruled by the military (Habib, 2009).

When it comes to the Islamic reference of a civil state, Habib (2009) argues that the civil state by itself is not the measure of the Islamic movement but is part of the Islamic cultural project. It is this cultural project, which forms the "Islamic reference" and thus merits further discussion.

It quickly becomes clear that the Islamic cultural project rests upon:

> ... a conservative religious culture based on the absolute and constant religious values resting on constant values and tenets... (Habib, 2009)

This project is then contrasted with "Western civilisation" which is characterised by its ever-changing nature which are a result of its reliance on "man-made laws" (Ibid)

Sayyid (2014a: 145-150) engages in a discussion regarding what makes a polity Islamic which is relevant here as representative of a Reconstructionist position. He argues that instead of more "normative exhortations", for a state to be considered Islamic it must find a:

> ...means of translating the norms associated with the best understanding Muslims have of such an ideal state into the machinery of administration and governance (Sayyid, 2014a: 145)

This translation, however, cannot be focused on a simple series of injunctions, be that the Hudood or the wider Sharia itself. Sayyid (Ibid) mentions how a state could build big mosques and "declare its commitment to Islam loud and clear" but still be seen as lacking in Islamicity by the Ummah.[204] He asserts that such a state would still not be considered Islamic by the Ummah because:

> ... its version of Islam remains narrow, its attitudes to other Muslims xenophobic and its accountability to its population (let alone the *ummah*) absent (Sayyid, 2014a: 145)

Thus here we find Sayyid's suggestions of what would be included in an ontological understanding of an Islamic state. It is this difference, between the ontic and ontological, which forms the basis of the challenge Sayyid (Ibid) sees for those wishing to create a new polity. It is simply not enough that a state fulfill the ontic understanding of Islam. This approach boils down to a "shopping list" of dogma that, once you reach the end and have ticked all the boxes, will supposedly provide proof of a polity's Islamicity. The key is to provide an ontological basis of the polity, which in Sayyid's view (2014a: 145), is the only type of Islamicate polity that will win approval from the majority of the Ummah.

Let us now assess the Brotherhood view of state in light of Sayyid's discussion above. Habib (2009) argues that the Islamic reference that the Brotherhood aspires to is based on "...absolute and constant religious values resting on constant values and tenets." Here we see an example of the ontic understanding of Islam being deployed. Thus the reference to Sharia which the

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[204] One can refer to the recent survey of Muslims worldwide (McElroy, 2014) which found that the participants believed Ireland to be the country which best represented Islamic values.

Brotherhood pushed was little more than the "shopping list" mentioned above.

This shopping list was to be attached to the civil state to make it more

Islamic.[205] This ontic approach to Islam, and the reasons for its subsequent

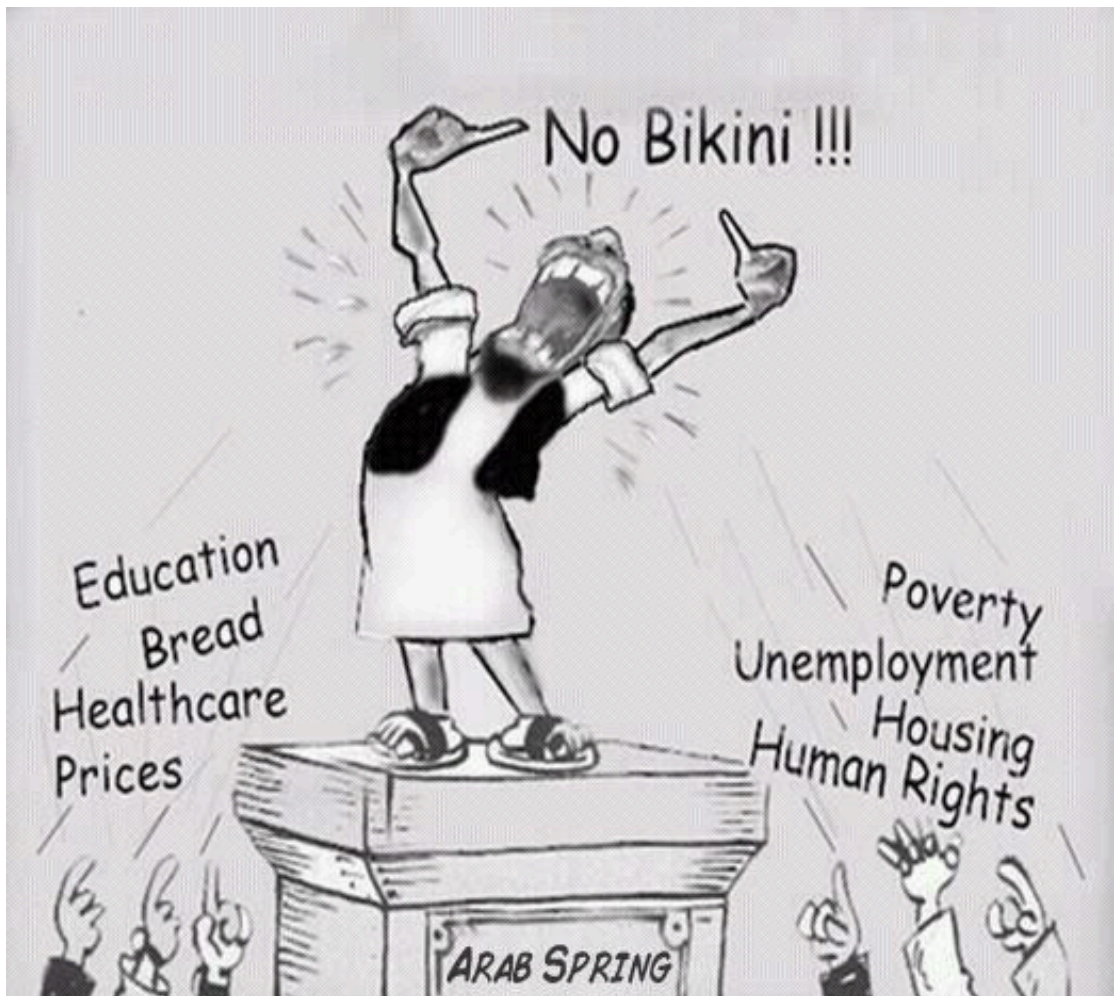failure are adequately summed up in the following picture:

Figure 1. The Ontic vs the Ontological

As we can see, the picture adeptly shows the difference between the ontic and

ontological understandings of Islam. As opposed to the Brotherhood position,

Reconstructionism allows a display of both the ontic and ontological

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[205] This ontic approach to Islam can be seen even in the more artistic fields of the Con-Text. Consider the rise of the nasheed group Deen Squad and their "halalification" of western songs that simply amounts to adding a list of ontic features of Islam to Western songs. For more please see Deen Squad (2015).

understandings of Islam.

As we have already seen, any project, which bases itself solely on absolute Ethics and a tacit acceptance that absolute Ethics can be implemented on Earth, is anathema to Reconstructionism. The ontic understanding of Islam can be seen as attempt to fill absolute Ethics with human interpretations and then declare, upon their implementation, something to be Islamic. Reconstructionism does not allow this to take place as the site of the ontic (morality) and the site of the ontological (Ethics) are separated. In this way the ontic understanding of Islam can always be disrupted in the name of the ontological understanding. This is because the Ethical, through political acts, is always giving birth to new discourses, all of which fill the ontic with different maxims/axioms. So how is difference managed between these discourses?

Managing Difference

The biggest implication of Reconstructionism comes in the field of managing differences. As was argued in chapter six, the key to any political system is how it manages difference. It is on this basis that it was argued that a concept analogous to secularism was needed.

At present, the hegemonic declinist discourse favours the concept of "acceptable ikhtilaf". We have dealt with this concept in chapters three and four and so will not dwell on it here. Given the flaws that were pointed out in this concept in the earlier chapter, the question now becomes how would

Reconstructionism manage difference?

If we argue that only God has Truth, we recognise that we can only work with truth. (t)ruth is only true as far as there is a criteria which measures whether it is true or not. This gave rise, in our deliberations, to the notion of paradigms. It is only within paradigms that truth and falsehood can be determined. It is also the existence of paradigms generated from the Islamicate itself that halt the slide into relativism.

In the previous chapter we discussed how various hermeneutics have been generated which claim to have access to the Truth of God (Ethics, Pre-Text). Reconstructionism is not interested in probing these claims nor is it interested in what results from them. Reconstructionism first allows difference by simply declaring that a position cannot be justified by reference to absolute Truth. If absolute Truth was allowed to justify something it would signal the end of politics and the political as every issue would become settled. So we have allowed difference but how do we manage it?

It is here again we refer to the existence of the different hermeneutics and the paradigms through which we speak Islam. If it is recognized that absolute Truth cannot justify a point then politics and the politicization of issues has to be settled in some other way. What is this other way?

It is in the creation of this other way that the close link between

Reconstructionism and (e)thicism comes to the fore. In our discussion of the ideas of Farooq in chapter five, we found that he bemoaned the lack of an empirical base to many Islamicate justifications. It is this empirical base which will be inserted here as a way in which politicised issues can be settled. The settlement of an issue will rest on how it is perceived to affect the population that will have to follow whichever settlement comes to pass.[206] It is in this way that the ummatic convention of Sayyid is combined with a reworked understanding of maslaha. This further shows the closeness between Sayyid's Critical Muslim Studies and a decolonised (e)thicism. It now remains to show how Reconstructionism constructs both of the managed.

Simply put, Reconstructionism refers to the split between Ethics and morality.[207] It is recognised that claims to know the Pre-Text abound within Islamicate society (both past and present). However, those claims based on knowledge of the Pre-Text must submit themselves to the court of maslaha. There it will either be rejected or be ratified and become part of the ummatic conventions. Indeed, if something truly is from Ethics itself, it should easily pass this barrier and become part of the Ummah's understanding of what it means to be a Muslim. Thus at the outset, and as a result of the discussion above, we have already established that the Ethical and politics are mutually exclusive categories. The Ethical and morality have already been constructed in the

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[206] It is here we see how, in Reconstructionism, both the ontic and the ontological understandings of Islam are intertwined.

[207] The implication of this split is that the Ethical must also be split from politics, the realm in which morality is created.

previous chapter's discussion of the work of Sayyid (2014a; 1997). So how does Reconstructionism construct politics?

In the previous chapter, we spoke of the relationship between politics and other concepts integral to Reconstruction but its construction specific to Reconstructionism was not discussed. This discussion has already been started in the above discussions on maslaha and ummatic convention. Politics is the arena of the seen, of the human. It is in the arena of politics that the Nietzschean maxim that has guided much of our discussion holds true: "there is no Truth, only interpretation. And this too is an interpretation" (Nietzsche, 2003: 139). It is within politics that discourses are created, debated and eventually one of which may become hegemonic (i.e. become morality). It is the human nature of politics that gives all the different discourses of Islam their human nature.[208]

It is the constant generation of new discourses (an act of the political) in the arena of politics that allows each new generation of Muslims to reinscribe the ontological understanding of Islam. Without this constant renewing potential, our understanding of Islam would become fossilised into its ontic form. This would entail the death of politics, the political and finally, and most severely, the Ethical. Thus it is through the allowing of differences that difference is

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[208] Of course, by extension, this also means that it is politics that gives the hegemonic discourse (morality) its human nature. Thus the split between the Ethical and the moral is necessitated by the human nature of politics. Thus any attempt to divinise (or partially divinise) a discourse or politics itself must be resisted.

managed.

So far we have focused on the implications that Reconstructionism has for the management of difference internal to how Muslims speak Islam. What of external difference between Islam and the religions/ideologies/worldviews of Christianity, Judaism, Hinduism and others?

If one asserts that Islam is a language, then it is here that we come across difficulties. As Wittgenstein, supposedly, noted:

> If we used a different vocabulary or if we spoke a different language, we would perceive a somewhat different world (Jones, 2013: 44)

If Islam is a language then it follows that it, and its adherents, inhabit a different world to those who follow religions. So now two options are available to us. The first is that religions enter the world of Islam and comport themselves in a way which is consistent with speaking Islam. This totalising system can find its modern proponents in the jihadi groups that have afflicted present day Islam.

The second option is that the followers of religions/ideologies/worldviews become bilingual thus adhering to their own religions but also able to interact in the arena of politics. This system can be said to have been inspired by the millet system of the Ottomans. What can be deduced from this difficulty in accounting for difference between Islam and the religions/ideologies is the fact that Reconstructionism cannot be the concept that manages that particular difference. Whilst we have already seen the destruction and chaos that the first

option leads to, the second option needs to be fully developed into a concept which manages difference between Islam and other worldviews. It is to other projects for the future that this chapter now turns.

Future Research

Reconstructionism has many avenues for future research. We shall look at two main possibilities here. The first is a replacement for the nation state model and the second is the creation of a criterion for deciding who is part of the Ulema.

The next step in the Critical Muslim Studies project, after the removal of Eurocentric labels and categories, is the replacement of nation-state model of governance. If Reconstructionism is to be the concept that helps us manage difference then perhaps it can also help to generate a replacement for the nation-state. This will require addressing the following key points.

The first point is the issue of identity and how identity is to be formed. At present, one's identity is tied to the particular piece of land one happens to be born on. This is fixed and cannot be changed without great difficulty or extraordinary circumstances. How would Reconstructionism, and the wider language of Islam deal with this? How does the notion of Ummah affect how we think about identity formation?[209]

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[209] The various interpretations of the word "Ummah" serve to make this project even more difficult. There are those who believe that the Ummah of the Prophet is everyone, regardless of religion, born after his death. Others, reflecting a more hegemonic position, argue that Muslims alone constitute the Ummah (Sayyid, 2014a: 103). Of course the question of who is a Muslim becomes important within this position in relation to communities such as the Ahmedis and Yazidis.

The connection of identity to a piece of land has caused a myriad of problems for the Islamicate world. One of the main examples of this is the experience of the Kurds under Ataturk. Consider the following statement from Ataturk:

> The folk which constitutes the Republic of Turkey is called the Turkish nation (Anon, n.d.)

Following Ataturk's signing of the treaty of Lausanne, the Turkish nation-state was born and shortly after the last vestiges of the Islamicate world order were brushed aside. The above quote gives us an excellent insight into how the notion of "Turkishness", considered vague at best by some (Finkel, 2013), was built. Everyone who lived within the borders deemed to be those of Turkey was a Turk. There was to be no other identity within these boundaries. It is this that has caused much consternation to the Kurdish population of Turkey who have seen the markers of their identity steamrolled by this notion of "Turkishness" (Finkel, 2013). Since the notion of Turkishness is based upon the adoption of a single identity within a certain area of the globe, the Kurdish expression of their own identity is seen as an attack upon the unified Turkish state.

One can see obvious parallels between what happened in Ataturk's Turkey with present day France and its problem with Muslim identity. One can also draw parallels with what is happening in Britain and the USA. In Britain, the move to a "muscular liberalism" and the pronouncement of the failure of multiculturalism (Cameron, 2011) has shown the nation-state project of being unable to cope with multiple identities. This sense is heightened when one comes across the many governmental references to so-called "British Values" (May, 2015). These

values, as vague and as ill-defined as Ataturk's notion of Turkishness, are

deployed against those perceived to be the Other. This Other is seen as

disrupting the monolithic national identity and must therefore be disciplined. In

the USA, with the recent election of Donald Trump, what we are seeing is a

whitelash against the perceived "taking over" of the US by immigrants and

minorities.[210] This retrenchment of white identity as *the* identity of the USA

again represents a failure of the nation-state to manage difference.[211]

Much like secularism, the nation-state is found wanting in its ability to properly

manage difference. Thus a replacement is needed in order to prevent the

recent scenes which the world has borne witness to in the US and Europe. So

what are the possible directions in which future research can go?

The first direction would be a revival of the old caliphal system in which identity

is primarily based on religious affiliation. This would mean the revival of a millet

system in which multiple systems of law existed under the overarching polity. It

would also imply the revival of the sharia/qanun duality that marked the last

great expression of this system (the Ottomans).[212]

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[210] The concept "Whitelash" here is understood in the same way Jones (2016) understands it.

[211] Consider the speech of the Neo-Nazi Richard Spencer in which he stated that white people were "awakening to their own identity" and that the USA is "our creation, our inheritance and it belongs to us" (The Atlantic, 2016)

[212] In the discussion around this point, it is assumed that further researchers would look to the Ottoman experience if they were to revive the old caliphal system. This is however, by no means the only source of inspiration for future researchers. The Umayyads, Abbasids, Safavids, Fatimids, Ayyubids, Idrisids, Timurids, Mughals and many more dynasties of Islam provide ample material with which a caliphal system could be revived.

The second direction would be to invent a new set of words and concepts that, whilst linked to the Con-Text, would mark a new direction for Islamicate (and world) politics. Those on this path would have to confront the problem of identity. How are we to determine a new identity? As Saussure ([1916] 1983: 119) reminds us, signs have identity only because they are not other signs (thus day is not night, a chair is not a table etc). Thus the formation of identity is based on what it excludes rather than what it includes. It is this question of what to exclude which is paramount for this project.

Another argument that needs further research is linked to our discussions in the previous chapter as well as part of our discussion above. In the previous chapter, it was argued that the category of Ulema needs to be expanded in order to include a wider array of scholars. The reasoning given for this was the fact that the Con-Text of Islam cannot be reduced to simply the fiqhi hermeneutic. However, the idea of the new Ulema hits a snag as soon as it is conceived. How do we know who is a member of the Ulema and who is not?

The rise of the "YouTube sheikh" phenomenon has rightly been condemned as an example of what happens when scholarly authority is dissipated.[213] One only need look at the videos of "milkshaykh" and "dawahman" to see the ill effects of this phenomenon. However, this work refuses to lump the YouTube sheikh

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[213] It must be said that both declinists and ethicists critique this phenomenon. However, it is ironic that those declinists who have relied on YouTube and other such internet sites to make themselves popular now rail against others doing the same.

phenomenon with the new Ulema as many declinists tend to do. In order to

avoid this false conflation, a way of deciding who is part of the new Ulema

needs to be devised.

Earlier in this work, we discussed two lists of criteria that are used by different

groups as to who is a scholar and who is not. It is the second of these lists that

forms a potential starting point for the new Ulema. We shall quote it more fully

here and discuss whether it can serve as the foundation from which future

scholars can work:

> To ensure correct decision in the progress of Ijtihad and prevent the non-qualified from exercising it, the `Ulama have prescribed certain conditions. Let us examine them in the context of the present time.

1. Piety (At-Taqwa) has been considered the most basic condition for a mujtahid (one who is qualified for Ijtihad). Since Ijtihad is a sacred duty and religious responsibility, qualities like honesty, integrity and piety must be found in a person who exercises Ijtihad. But piety is a matter of the heart, as once the Prophet (peace and blessings be upon him) said, "Piety is here."One cannot measure the piety of another except by knowing that a person is apparently regular in performing the obligations of Shari`ah: he avoids sins, and does not get involved in temptation that tarnishes his reputation.

2. Knowledge of the spirit and objectives of Shariah: **It is also important in making a decision and forming an opinion to understand the spirit of Shariah**, and have the knowledge of its objectives. This can be achieved by a thorough study of the rules and injunctions of the Shariah and analysis of it. It is easy now to know more as a number of studies have appeared on the subject. After the survey of Islamic injunctions some of the leading scholars have classified the objectives of Shariah into five categories: protection of religion, protection of reason, protection of life, protection of property and protection of progeny. No doubt, the list is very comprehensive, but, as Ibn

Taymiyah says, the objectives are not confined to these only. Anything Islamically desirable becomes an objective of the Shariah. Promotion of the spirit of Ijtihad may also be included in the list of Shariah objectives, or it may be put under the objective of protection of reason, as only then Islam can properly respond to the changes and challenges faced in any period.

3. Knowledge of the Qur'an and the Sunnah: **The Qur'an and the Sunnah are the basic sources of Islam. Therefore no Ijtihad can be conceived without having their knowledge.** There are five hundred verses of the Qur'an which consist of different rules (Ahkam). In the opinion of some scholars, they must be known to a mujtahid. But it is better that the inference of rules is not limited to those verses only. A mujtahid must have a general perception of the whole Qur'an.

As far as hadiths are concerned, their number is in the thousands and various authentic collections have been prepared. A mujtahid must have studied at least one of them thoroughly. He should be aware of different collections, their authors, their characteristics, styles and categorization. He should be able to consult them on the issue he is dealing with.

At present, it has become very easy to go through all verses, hadiths and opinions of earlier scholars on a topic as rules and principles have been formulated and indexes have been prepared to facilitate their consultation…

Along with the knowledge of the Qur'an and Sunnah, Ijma`, Naskh, opinions of the companions of the Prophet and followers, and principles of jurisprudence, one has to acquire sufficient knowledge of every aspect of the issue about which Ijtihad is required. **It has become more important especially in this age as the development in the field of science, economy, politics and society in general has created complex problems that can only be understood by experts. One may not be an expert in every field. To fulfill this condition, a mujtahid must take the help of the specialist of the concerned field and get the problem fully explained.**

Over and above all the aforementioned requirements, one must possess a natural skill of Ijtihad — sharp intellect and penetrating insight – to analyze and infer the rule. **This instinct is not particular to any age. However the methodology of research and tools of investigation developed in the modern age may help enhance this quality.**

Last but not least is skill in the Arabic language. The reason is clear. Original sources of Shari`ah are in Arabic. **Any Ijtihad without the working**

knowledge of Arabic cannot enjoy authenticity and confidence. It may not receive the approval of others. This is so because a very small portion of the tools of knowledge required for Ijtihad is available in translation form. Moreover, very often the translation cannot fully convey the letter and sprit of the text.

At present we find very advanced and scientific institutions teaching this official language of Islam. New techniques have been developed to impart maximum knowledge in a minimum period. In fact, hardly any original work can be done on Islam without the knowledge of Arabic. One who is an aspirant to Ijtihad must begin with this.

Ijtihad should be encouraged and scholars should be trained for it. Those who have instinct for it must acquire the tools necessary for it." (Islahi, 2006)[214]

In our analysis we shall focus on those parts of the above quote in bold. In the

first instance, our analysis will be based on points 2 and 3.

What we find is an assertion that the Pre-Text can be accessed through the

mediation of the Text. As Islahi states, knowledge of the Quran and Sunnah is

necessary for ijtihad. However, this is only a foundation as the true basis of

ijtihad is the spirit and objectives of the Shariah. It could be said that it is for this

reason that Islahi ranks the knowledge of the objectives of the shariah as higher

than knowledge of the Quran and Sunnah themselves.[215]

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[214] Emphasis added.

[215] This position reminds us of that of the classical scholar Najm Ad-Din Al-Tufi. Tufi (1993) believed that the maqasid, or specifically maslaha, should be the overarching concern of jurists when deriving rulings. He based this insight on the hadith "There should be neither harming nor reciprocating harm". All the other sources of law are simply tools we use to achieve the maslaha. Tufi believed that the maslaha can be known with certainty and, whilst scholars before Tufi split maslaha into three separate categories, Tufi himself saw anything that promoted benefit as a maslaha. It is because Tufi saw the maslaha as certain, it is reported that when cases came to him he derived the maslaha from reason and did not limit himself to precedence or the more limited view of the Shariah of his predecessors. Tufi (1993) uses two main arguments to support his view that maslaha should be the foremost consideration in forming legal rulings. The first is that the consideration of maslaha in legal matters is agreed upon by all of the Ulema. The maslaha is consistent with itself whilst the scriptural texts are diverse, can be

Thus a criterion of scholarship, which takes into account multiple paths to the Pre-Text, is possible. What we find next in Islahi's criteria is an exhortation to take into account new methods of knowledge archiving and intake. Islahi asserts that the "verses, Hadiths and opinions of earlier scholars" are indexed to "facilitate their consultation". Whilst this is a good first step, the criteria of the new Ulema must take into account the computerisation of knowledge.[216]

The third and fourth blocks of emboldened writing also raise interesting points with regards to a new criterion for the Ulema. The third point speaks of the need for mujtahids to consult experts in other fields (such as politics, economics etc). What is the status of these experts who are brought in to decide upon an Islamicate issue? Are they to be considered meaning makers for Islam? It is not impossible to imagine that one could both be a specialist in economics, politics and so on and Islamic law. Would such a person be ranked above a (fiqhi) mujtahid? What we can see Islahi pointing to here is the creation of the new Ulema. We can also see the influence that the philosophical hermeneutic has on

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contradictory and generate disagreement. Thus, Tufi (1993) goes on to say, we can assume that the more certain maslaha should be preferred to the texts. The second is that since the every facet of the concept of ijma is disputed (as we have already discussed) and the concept of maslaha is not, a jurist should take the maslaha as a higher consideration than ijma. Tufi's view of maslaha however, was not popular and was deactivated until it was published in 1909 in the pages of Rida's Al-Manar by Jamal Ad din Al-Qasimi (Zaman, 2012).

[216] The rise of technology has even infiltrated declinist scholars' presentations of themselves. Consider the fact that Winter, a committed fundamentalist declinist, has listed "computerised Hadith databases" as a specialism on his university profile page (Anon, 2015).

Islahi's thinking in that experts from both the revelation of the universe and the revelation of the Text are needed to come to a ruling or decision on a matter.[217]

The fourth emboldened piece of Islahi's criteria is a direct attack upon declinist thought. Ijtihad is not the purview of any specific age and it so happens that modern methods may actually help in refining the tool of ijtihad. Thus from Islahi's ethicist point of the view, present day Muslims have as much of a say in what makes the Islamic as did their medieval forebears. This further bolsters the case that a new criterion for a new set of Ulema can be made.

The fifth piece of the quote above that we wish to discuss is Islahi's views regarding the necessity of the Arabic language. Whilst we would agree that Arabic is necessary in order to specialise in a large part of the Con-Text, it is not needed to be a specialist in all of the Con-Text. Farsi, Urdu, Malay and even English are either already or well on their way to becoming languages in which ijtihad can be made simply because of the proliferation of original material in these languages. To simply focus on Arabic is to ignore the traditions of other parts of Islamdom simply because they are "less Islamic" without the veneer of Arabic surrounding them. These are but two of the main points any future research that seeks to devise a new criterion for determining who is a member of the Ulema (especially in light of the rise of the new Ulema discussed in this work).

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[217] The idea of the revelation of text and revelation of the universe is taken from Ramadan (2009).

Conclusion

In this chapter we have unpacked the implications of the two major contributions to thought in this work. The first, the replacement of the traditional/modern dichotomy, gave rise to two main implications. The question of continuity and rupture was the first of these. It was found that once we get rid of the categories of traditional and modern, the usual trope of Abduh and his school marking a rupture from traditional Islam falls. It was here that the introduction of westernese as a hermeneutic was made. Questions surrounding authenticity and authority were discussed next; the rise of the new Ulema formed the central point of the discussion.

With regards to the second contribution, Reconstructionism, three main implications were discussed. The first, those for the caliphate system, were discussed in relation to Hizb Ut-Tahrir and the ideas of Abdel Razek. Following on from this was a discussion around what exactly makes a polity Islamic. In his discussion, the Brotherhood concept of a civil state with Islamic reference was discussed. The third discussion centred around how Reconstructionism manages difference.

Following on from this, the last section of this chapter focused on topics for future research that have been generated by declinism, ethicism, Reconstructionism and their implications.

In the introduction of this work, Sayyid's concepts of clearing and dreaming were discussed. This work has been an exercise in clearing and dreaming. This is reflected in the two main contributions of this piece. The first, the decolonisation of the tradition/modern split, is an example of both clearing and dreaming. Reconstructionism, the second contribution, is an example of dreaming in a space cleared by scholars such as Sayyid, Ahmed and Asad. The two projects highlighted in the future research section of this chapter require extensive clearing and dreaming. It is only in this way that the space for the Islamicate will begin to take shape.

Conclusion: The Reconstruction of the Islamicate

In this study, an attempt has been made to provide a path through which Islam can project itself into the contemporary world. This has been done with particular reference to the debates surrounding the concepts of religion, secularism, traditionalism and modernism. In the introduction, the main research question was highlighted: What is the best way for the Islamicate to project itself in the contemporary world?

From this broad research aim, three subsidiary questions were drawn out:

1) Can religion/secularism and traditional/modern dichotomies be adopted by the Islamicate world?

2) How did these dichotomies help the disruption of destiny? How can we reverse this disruption?

3) If it is found these dichotomies cannot be applied to the Islamicate without it being scandalised, then what takes their place?

The first stage of this project answered the first and second subsidiary research questions. This stage set out to inquire as to whether the religious/secular dichotomy, as well as the traditional/modern one, could be applied to the Islamicate. To this end, a genealogy of both religion and secularism was done as well as a analysis of a non-western attempt at secularism. This study has shown that secularism cannot be applied to the Islamicate without an act of imposition

from outside its boundaries and a subsequent forgetting of this imposition. Nevertheless, it was deemed useful to inquire as to why those within the Islamicate advocated for secularism. To this end, a selection of Islamicate secular thinkers was discussed. It was found that the main reasoning given for adopting secularism was a need to manage difference between religion and politics. It was clear that this belief was based on a view of religion as especially oppressive and malignant.

As for how these dichotomies disrupted destiny, the first chapter of this work was an investigation of their application to the Islamicate. Two orientalists were discussed to this end: Ignaz Goldziher and Christian Hurgronje. This study has shown that both of these scholars were instrumental in the application of the two aforementioned dichotomies onto the Islamicate. It was also found that both of these dichotomies have deep roots in colonial modernity and orientalist teaching.

The second stage of this project begins to deal with the fallout of the answers that stage one provided. It is in this and the third stage that the third subsidiary research question is answered. The first stage of this study shows that the two dichotomies are linked to colonial modernity's attempt to regulate the Islamic(ate). The second stage begins the process of dreaming of their replacements. This was begun by replacing traditional and modern as categories of Islamicate thought.

At the time of writing, there were only two articles that have dealt with traditional Islam. The first is Mathiesen (2013) and the second is Kazmi (2014). Both are problematic for different reasons. Mathiesen (2013) describes traditional Islam through two of its main thinkers: Timothy Winter and Nuh Ha Mim Keller. However, Mathiesen fails to challenge the label "traditionalist Islam" which is steeped in orientalist baggage. In addition, Mathiesen does not uncover the foundational role taqlid has for "traditional Islam" and the wider school that "traditional Islam" is a part of.

Kazmi (2014) is problematic on a deeper level. Mathiesen's (2013) usage of traditional Islam allows him distinguishes it from its opponents. Kazmi (2014) on the other hand, deploys the moniker "Muslim Liberalism". Into this category he deposits a curious group of scholars ranging from the aforementioned Timothy Winter, as well as Hamza Yusuf, to the noted reformists Tariq Ramadan and Abdolkarim Soroush. To place all of these diverse thinkers under one school of thought can only be done if one places Westernese at the heart of how one categorises Islam and the Islamicate.

In order to solve these conceptual problems, as well as to get rid of the orientalist baggage that comes with the category traditional, a new framework was conceived. A new category was invented, declinism, which brings together a whole host of discourses which place decline at their centre. Through the creation of the category of declinism, we can look at some of the debates and discussions of the Islamicate in a new light. An example of this would be the

long-standing debate and, at times, naked hostility between traditional Islam and Salafism (see Sunnah Muakadah, 2015; Abdul-Wahid, 2014; Murad, 2012; Al-Ma'soomoee, n.d.).[218] Rather than being a debate between two completely separated entities, it could be argued that both traditional Islam and Salafism are declinists. The only difference between the two is disagreement upon when decline actually started.[219] Thus works such as *Refuting ISIS* (Yaqoubi, 2016) and *Refutation of Zayd Shaakir's 'Introduction to Following a Madhab'* (Anon, 2005) are indicative of debates that are happening within the same broad category. It is for this reason that no "modernist" has written a book that specifically targets ISIS. In "modernist" works, the whole of the system of nodes of declinism are usually scrutinised so this includes both the traditionalists and Salafis. What gives "traditional Islam" such impetus to write specifically against ISIS is because ISIS is impinging upon their hegemony within declinism. It becomes a matter of two opposing views of decline and the subsequent debate (and war) between them.

Following the creation of the broad category of declinism, attention was turned to the sect known as traditional Islam. Using the theorisation of fundamentalism found in the work of Grosfoguel, it was argued that

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[218] Yusuf (Sunnah Muakadah, 2015) critiques the Salafi scholar Albani for writing a book on prayer which he claims shows one how the Prophet prayed. Yusuf argues that this insinuates that the scholars of the past did not know how he prayed. Murad (2012) in a segment entitled "The Salafi Fallacy", argues against those who want to move away from taqlid. In ahlulsunnahwaljammah (2009) Hamza Yusuf is accused of spreading texts that are Islamically tenuous (e.g. The Qasida Burda of Busiri). Al-Ma'soomoee (n.d.) argues that taqlid of the madhabs has led to followers to prioritize the sayings of men over the Quran and Sunnah.

[219] As stated above, traditionalists believe decline to have started in the 18-19th century whereas the Salafi's declare it to have started after the generation of the Salaf passed away.

fundamentalist declinism is a better descriptor for what was formerly known as traditional Islam. This is because whilst the category traditional Islam is a relic from a Western centred order, fundamentalist declinism has been both theorised and named based on an understanding which takes Islam and the Islamicate as central. The theorization and naming of declinism and its subgroups form the first major contribution of this work to the fields of both sociology and Islamic studies.

The category of modernism, or modernist Islam, had been studied in quite some depth before this work.[220] Charles Adam's (1933) *Islam and Modernism* began serious attempts beyond, but building upon, Hurgronje and Goldziher to theorise modernist Islam. Muhammad Abduh is explicitly given the role of the originator of modernist in this work and continues to be at the forefront of most of the subsequent works on this issue (see Murad, 1999; Kurzman, 2002).[221] In the 1960's, two major works on modernist Islam were published: Hourani's ([1962] 1989) *Arabic Thought in the Liberal Age 1798*-1939 and Kerr's (1966) *Islamic Reform*. Both of these works go a long way in disrupting the orientalist narrative that Abduh was the first to advance ideas that would come to be known as modernist. More recently, Kurzman's *Modernist Islam* (2002) and *Liberal Islam* (1998) are notable efforts in that they show the slippage between concepts that originate in the West and are then applied to Islam. It is

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[220] It can be argued that the reason why there is a proliferation of studies on modernist Islam and not many on traditional Islam is because the latter is, somewhat ironically, newer.

[221] Murad (1999) asserts that Abduh was a "prominent figure" in this movement to unsettle what Murad calls authoritative scholarship. Kurzman (2002: 50) also argues that Abduh was "the most prominent figure in modernist Islam".

found that those within liberal Islam have a curiously close relationship with those in modernist Islam. For example, Ali Abd Al-Raziq finds himself categorized as a liberal whilst his teacher, Muhammad Abduh is characterised as a modernist. Thus we see that to be modern is to be liberal which in turn is to be Western or Western-like.

In order to rescue the modernists from claims of discontinuity from the Con-Text of Islam (argued first by orientalists and continued by those within declinism), a new category was theorised and named. This new category, ethicism, reflects a theorization and naming which takes its cue form an Islamic(ate) centred order. Much like declinism, ethicism operates as an umbrella term for many different groupings that have a family resemblance with each other. (e)thicists have at their centre a concern for ethics, which in most groupings are synonymized with the maqasid al-shariah, as a tool to be used to reform the Islamicate (see Al-Qahtani, 2015; Farooq, 2011).[222] Much like with declinism, the creation of ethicism allows us to see connecting lines between those who may not have been considered of the same school. As a result it allows to reappraise certain debates and discussions and to situate them properly within the Islamicate. As we saw, within declinism, decline, and where its start is, dominates intra-declinist debate. Within ethicism, the debate that is central at the moment is what exactly does reform constitute. On the

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[222] Al-Qahtani (2015: 37) argues that an awareness of the maqasid can help us "rethink numerous juristic rulings based on specific occasions, human interests or prevailing customs". Farooq (2011: 50) uses deviance from the maqasid as a reason why hudood laws in Pakistan have validated "unIslamic practices".

one hand, we have those who believe that reform of the Islamicate should bring

it more in line with the West. The most well known organization that pushes for

this type of reform of Islam is the Quilliam Foundation. Nawaz (Harris and

Nawaz, 2015: 28, 55, 64) sees reform as leading Muslims to secularism and

liberalism. This reform is to be founded on human rights and democratic culture

(Ibid: 26, 28). Indeed, perhaps the biggest indicator of reform as leading to the

West is the fact that Nawaz urges Muslims not to engage society as Muslims but

as "citizens" and/or "people" (Ibid: 31, 116). This amounts to the erasure of

Muslim political subjectivity that, subsequently, erases Islam from the political

and keeps it as a residue of the West.

Arguing against this position are those of the ethicists who draw upon the

(legal) tradition of the Islamicate to enact reforms. The best example of this

position is the work of Tariq Ramadan. In his work, reform is undertaken in an

effort to awaken Islamicate thought (Ramadan, 2009: 1). This will done by

providing a contemporary fiqh for Muslims that revolves around a new

understanding of the classical sources of Islamic(ate) law (Ibid). Perhaps the key

to the dispute between thinkers such as Ramadan and Nawaz is to be found in

the following passage of Ramadan's:

> It is important first of all to return to the sources and undertake a true
> clearing of the terminological ground, moving beyond rhetoric ("In Islam
> there is no distinction between religion and politics") and simplistic
> oppositions ("Unlike the West, Islam opposes the separation of religion and
> politics") that are so quickly formulated both by some Muslim thinkers and
> by Orientalists fond of distinctions and oppositions… Unfortunately, this task
> has not been performed and one keeps hearing rhetoric whose relevance
> ought to be examined (Ramadan, 2009: 263)

What we can see in the above quote is the difference between Ramadan and Nawaz. Whilst Nawaz wishes for reform to be in the direction of the West, Ramadan here is questioned the "terminology" that emanates from the West and questions its the relevance.[223]

The third stage of the project was centred around providing a replacement for secularism that was based on an Islamicate centred worldview.

At the time of writing, there is no serious work that has attempted to provide a way of managing difference that takes the Islamicate as its centre. Most of the literature that could be considered as coming close to this aim imposes westernese onto the Islamicate. An example of this would be the work of Ghobadzadeh (2015). The influence of westernese on Ghobadzadeh (2015) can be seen in the way he formulates the foundation of his intervention. Writing in an Iranian context, Ghobadzadeh (2015: 3-5) argues that the Iranian state has combined religion and secularism and that religious secularity is the quest to disentangle the two. Religious secularity is opposed to both the politicization of Islam as well as the authoritarian secularism that has marked the history of secularism in the Islamicate (Ibid: 4).[224] Religion, in Ghobadzadeh's (2015: 5) formulation, concerns itself only with God and the hereafter and as such does not have guidelines for political practice. This usage of westernese is

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[223] It is perhaps bizarre then, that Ramadan (2009: 263-264) goes on to give answers to the questions whose relevance he questions.

[224] Cf. Akyol's (2011: 28-29, 36) comparison of authoritarian secularism and authoritarian Islam.

commonplace amongst those trying to provide an alternative to political

arrangements in Islamdom (See Jasser and Raza, 2015; El-Effendi, 2008; Eteraz,

2007; Zakariyya, 2005).[225]

It is the third stage that answered the third of the subsidiary research questions

outlined in the introduction. It had already been established that secularism is

not applicable to the Islamicate without moving to a world dominated by the

West/Rest binary. Therefore a replacement for secularism had to be developed,

one that could manage difference for the Islamicate. Bringing together four

principles, informed by thinkers both Islamicate and Western, this work

theorised a replacement for secularism and named it Reconstructionism. This

management of difference is intra-Islamicate only as an inter-language

management of difference would require representatives of multiple languages

to come together.

With all of the contributions of this work theorised and named, the last chapter

dealt with the implications of a move from the traditional/modern and

religious/secular to declinism/ethicism and language/reconstructionism. The

implications of this shift reverberated in a variety of current academic debates

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[225] Jasser and Raza et al (2015), who are behind the Muslim Reform Movement, argue for
secularism and believe that political movements in the name of religion should not be allowed.
El-Effendi (2008: 73) sees Islamicate history through the lens of westernese. He argues that
classical Islamicate governance was marked by a rejection of secularism in principle but its
adoption in practice (Ibid). Eteraz (2007) calls for the rise of a "Muslim left" that would include
an "authentic Muslim secularism" that seperates mosque and state. Zakariyya (2005: 13) argues
that secularism is a "civilizational requirement". He argues against critics of secularism (ibid: 23-
34) but in doing so projects back the concept of religion into Islamicate history.

from questions around authority and meaning making in Islam to the nature of an Islamicate political system. In addition to this, some avenues of further research were developed which shall be expanded upon here.

Contributions and Vacuums

The contributions of this work are many. The contributions of this thesis have been to two major fields, that of methodology and that of sociology.

The contributions to sociology are clear. The overhauling of a significant part of the constructed orient is the main contribution of this piece and, within this general contribution, there are two lesser contributions.

The first of these is the overhauling of the Islamicate intellectual scene, how it is seen and the relationships between the various groupings within it. The creation of declinism and ethicism has reclaimed the Islamicate intellectual space from the westernese that had so infiltrated it. However, there is more work needed on this front. Whilst this thesis has offered some questions as the basis of debates and discussions both inter and intra-category, there is more investigation needed into the inner workings of both declinism and ethicism and what debates are central for them. A second aspect that needs much more work is the fallout of the overhaul of the constructed orient on how we see the classical Islamicate intellectual landscape.

The second lesser contribution is reconstructionism. A replacement for the category of religion had already been formed before this thesis. It was the work of this thesis to provide a replacement for secularism. A way to manage difference for the Islamicate. Building upon the overhauling of the Islamicate intellectual scene, we fashioned a way of managing difference which took its

cues from the needs of the Islamicate. Much like our first lesser contribution, however, more work is needed here. The most prominent issue arising out of reconstructionism is whether or not it can be applied inter-language (i.e. between Islam and Christianity, Islam and Judaism and so on). This work answered in the negative and so it remains for future researchers to attempt to deal with that problem.

With regards to methodology, this work has provided two contributions: the refutation of the notion that the orient is totalizing and a providing of a third way between reforming and restoring the Islamicate.

The very fact that this work exists and has been presented in the manner that it has places it, automatically, in certain camps in certain pertinent debates. The first regards the constructed Orient of Critical Muslim Studies. The Orient cannot be understood by more impartial studies but is actually constituted by orientalism. A contribution of this work in the field of methodology is the fact that this constructed Orient can be overcome. This may not seem to be a major contribution as others have said this before. However, this work has shown it. The constructed Orient is not a totalizing force that the Muslim has no recourse out of. This image (of the totalizing constructed Orient) was only possible when we only had an option between reform and restoration both of which are flawed in their own way.

The notion of reform is flawed simply because it has connotations of Western Christianity and all that comes with that connection. One could argue that this position gives too much weight to language. One could also argue, as has Achebe, that:

> I feel that the English language will be able to carry the weight of my African experience. But it will have to be a new English, still in full communion with its ancestral home but altered to suit new African surroundings (Achebe, n.d.)[226]

The notion of reform is "in full communion with its ancestral home" but has not been altered to suit new Islamicate surroundings. Indeed, Achebe's position itself contains a contradiction within it. A concept cannot remain true to its ancestral home whilst being altered to suit new surroundings. To remain true to the ancestral homeland, all of the members of that homeland must be able to recognise the concept and the wider web within which it resides. If something is truly "altered" this will never happen and this is the case where we have the Rest creating analogous concepts for their own languages.

A second problem of the notion of reforming has to do with the baggage the word comes with. This is in some way linked to the first objection. To reform something means that one is reforming in the face of some authority. Whilst in Christianity this authority can be easily highlighted (the Church), in Islam there

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[226] Cf. with Okara (1963: 16). Whist Achebe and Okara both argue that English can be used to convey new experiences, a third writer, Ngugi Wa Thiong'o ([1981] 2005) rails against their position. He argues that both Achebe and Okara operate from the assumption of the "fatalistic logic of the unassailable position of English in our literature" (Thiong'o, [1981] 2005: 9). He continues to say that culture is inextricably linked with language, the implication being that the adoption of English would mean the loss of African culture (Ibid: 15).

is no such centralized authority. Thus the attempt to deploy the concept of reform in differing languages fails. It could also be asked what exactly are we reforming? Are we reforming Islam or only the Islamicate? If we are reforming the Islamicate only then against which authority are we engaging in this reform? It seems that modern day proponents of reform have not altered the concept of reform to suit Islamicate surroundings. However, the prospect of reform may be rescued in relation to reconstructionism.

The idea of restoration is also flawed. El Fadl shows this quite succinctly in his article entitled *The Epistemology of Truth in Modern Islam*. He argues that it is absurd to believe that God, in His infinite wisdom, wished us to be locked into an epistemology from the 7th century for all time. He argues that this would "limit the dynamism and effectiveness of Divine text" because it would be bound to a knowledge paradigm that would be "very difficult to retrieve or re-create" (El Fadl, 2015: 473).[227] The Islamicate tradition, so El Fadl argues, can go beyond a mere "instrument of… restoration" and can "play a dynamic role in treating the social ailments that afflict the collective Muslim psyche" (Ibid: 474). To that end El Fadl (Ibid: 481) proposes a model of Islamicate epistemology which centres around three concepts: haqq, hikma and ma'arifa.

Haqq, in El Fadl's paradigm, refers to the "true nature of things or the inherent truthful nature and essence of things" (Ibid). Hikma is truth in relation to other

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[227] Whilst El Fadl explicitly directs his argument against what he calls "Puritanical-Salafism" his argument can be extended to cover all of what this work calls declinists.

truths and "the way that competing truths harmonize with each other" (Ibid).

Ma'arifa is the way of knowing the relationship between "the true nature of

things". Having explained this, El Fadl goes on to argue the following:

> For instance, if we consider the hikma , or the righteous relationship of
> things within the ma'arifa , or the epistemological mechanics, of the 12th
> century compared with that of the 16th century, and then compared with
> that of the 21st century, we quickly see that the mechanics of hikma
> become ever more complex and varied as we move through time and space.
> (El Fadl, 2015: 481)

It is this increasing complexity and variation in hikma that precludes any

attempts at restoration.[228] In the above critiques on reform and restoration, we

can read critiques of the declinist and ethicist positions. Another of the

contributions of this work is the providing of a third way: reconstructionism.

In order to escape from the constructed Orient, without dismissing what we

have seen through that experience, we must reconstruct the Islamicate, an idea

itself indebted to the work of Allama Iqbal who wrote:

> The task before the modern Muslim, is therefore, immense. He has to
> rethink the whole system of Islam without completely breaking with the
> past… The only course open to us is to approach modern knowledge with a
> respectful but independent attitude and to appreciate the teachings of Islam
> in the light of that knowledge, even though we may be led to differ from
> those who have gone before us (Iqbal, [1930] 1999: 78)

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[228] The issue of restoration has also come under attack from Sayyid (2014a: 149-150, 161, 183, 188). Whilst they may agree on the faults of restoration, Sayyid and El Fadl disagree on the utility of the political, with El Fadl (2015: 476) arguing we have to move beyond the political and Sayyid (2014a: 161-162) arguing that a removal of the political leads to decontestation that subsequently leads to the neutralisation of Islam.

It is the revival of this reconstructionist position (or in Ahmed's (2016: 361) idiom, its moving from Con-Text *in toto* to Con-Text *in loco*) that forms another part of the contribution of this work to methodology.

In this work, we have begun the process of reconstructing the Islamicate. The end goal of this process should be the creation of a space for Muslim political agency. In short what is called for is a world in which Islam is not a scandal that cannot act. Islam is destiny, and will not suffer a destiny (Iqbal, 1930).

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