Islamic Reformation, or Islamic Renaissance?

By Dr. Hisham al-Zoubeir

IT DOES NOT USUALLY take very much for the media spotlight to shine on the Muslim community; a plethora of journalists are always waiting to articulate their analysis on this part of British society. More often than not, partly due to the disproportionate lack of media resources (including spokespersons) accessible to the mainstream Muslim community, their analysis is found incredibly lacking. The latest missive from certain parts of the media indicates that there is a drive to 'solve' the 'problem' of Islam, namely extremism/radicalisation. The solution proposed is a familiar one: an 'Islamic Reformation'.

This is not the first time that this particular 'solution' has been suggested: not only in Britain in 2005, but around the world, and for centuries prior. As of now, the evidence for a successful exercise in this area seems to be somewhat lacking; Muslims have yet to be convinced their faith requires a reformation, in light of the violence and death that so characterised the Christian Reformation. Nor do they appear to be particularly impressed when the strongest calls for reform come from quarters that do not appear to have the integrity of Islam as a primary motivation. If it ain't broke, why fix it, particularly with a rusty wrench, and ignoring the instructions that came with it?

Then again, it remains the case that there is undeniably a problem. If it ain't broke, it ain't all good. If all were well in *Dar al-Islam* (Muslimdom), then abuse would not take place in *madrasa*s (religious schools), female participation in *masajid* (mosques) would not be so hard to advocate in many places, and Muslims would not champion bombs on the London underground.

The above is a painful reality for Muslims; it is not a comprehensive one, to be sure, for it is clear that the overwhelming majority of Muslims did not support the London attacks, there are mosques that cater to the needs of Muslim women and abuse is not widespread in *madrasa*s. Nevertheless, the problems exist, as well as others, leading not only non-Muslims but also Muslims to advocate the aforementioned 'Islamic Reformation'.

'Islamic Reformation'

Salman Rushdie writes in the Washington Post (11th August 2005): "The Islamic Reformation has to begin here, with an acceptance of the concept that all ideas, even sacred ones, must adapt to altered realities". Norman Tebbit, in a recent interview with Epolitix.com declared "the Muslim religion is so unreformed since it was created that nowhere in the Muslim world has there been any real advance in science, or art or literature, or technology in the last 500 years".

Mr. Tebbit's anti-historical analysis not withstanding, his writing represents a common theme. Something is identifiably wrong with 'Islam' (witness the slew of book titles and articles over recent years that claim the same) and the solution is 'an Islamic Reformation'.

In their analysis, however, such authors tend to ignore that an 'Islamic Reformation' has in fact already occurred, is underway and has been underway for a number of years. The

final blow to any support for a reformation endeavour amongst Muslims is the methodological similarity that reformers have with the violent radicals that characterise some modern Muslim political movements. Al-Qa'ida and like-minded movements are the result of an 'Islamic Reformation' in progress: they are the product of the 'Puritans' of Islam, and are rather unattractive as Muslims engage with modernity. That engagement is necessary, but the course the most famous 'Reformists' chart may not be the one that brings about a constructive and fruitful outcome.

The state of contemporary orthodoxy

From the point of view of dealing directly with extremism, it is difficult to ignore that in the aftermath of the bombings, a group of imams assembled at London Central Mosque and denounced the attacks; similarly, the British Muslim Forum issued a statement (erroneously referred to as a *fatwa* [legal verdict]) that left little room for doubt that these attacks could find no justification within the sacred law of Islam. Due to the constraints placed upon them in their rush to answer the needs of contemporary civil society, these press statements were hurried and were not meant to satisfy the intellectually rigorous requirements that typify normal *fatwa*s. Despite that, it sent the message that orthodoxy would not be silent in the face of any attempt to religiously justify these attacks.

Had they remained silent, the *'ulama* (scholars) would have been perceived as acquiescing; and this is perhaps part of the problem. One factor in the rise of extremism is the assessment (not necessarily grounded in reality) that normative understandings of Islam generally do not critically engage with modernity. Unsatisfied with what is on offer, many Muslim youth then drift into the world of 'D.I.Y. Islam'; a world where anyone who claims to be his own *mufti* (issuer of *fatwa*s), and classically trained scholarship is derided as out of date and woefully inadequate. This is another variety of 'reformism' that lacks any juridical grounding.

It is not entirely clear that the problems in Muslim communities require an enterprise of this manner; if the formulation of Islam is lacking in such a way that a 'Reformation' is all that can save it from irrelevance, such a problem must be shown. It is certainly not a foregone conclusion, when there is already a deep and rich engagement with modernity already taking place within the classical orthodoxy of Islam. That classical orthodoxy, perhaps less known by the media and even the Muslim community itself, is built on the measures in scholarship that generations of Muslim academic dons painstakingly took. Generations of academic sages have meticulously taken the time to articulate the finer points of practise, theology and spirituality, in an unbroken chain of academic intellectual inheritance (the Muslim alternative to an ecclesiastical hierarchy or Church). For a thousand years and more, this is how the classical tradition developed: in a spirit of scholarly enquiry, enjoying a plurality of opinions.

That scholarly engagement has the seeds of a 'progressive' spirit deeply embedded in it: hence the reason for Abu Hamid al-Ghazali's *Ihya* (part of the title of his *magnum opus* which means 'revitalisation'). The *'ulama* of that tradition have a maxim to that effect, often forgotten by many:

al-muḥāfaẓātu ʿalā qadīmi ṣ-ṣāliḥi wa l-akhdhu bi-jadīdi l-aṣlaḥī

To preserve the best of the ancients and to adopt the very best of the moderns

Islamic Renaissance

On the 23rd of July 2005, a little over two weeks after the attacks in London, a *fatwa* was released by Muhammad Afifi al-Akiti. Al-Akiti is a Malaysian *faqih* (jurisprudent) who was trained in traditional *madrasa*s in Indonesia, Malaysia and elsewhere in the Muslim world from a young age. He emerges from a classical *Shafi'i* (one of the four legal schools of thought currently followed by Sunni Muslims) curriculum of education, rooted in a contemporary orthodoxy. That orthodoxy is in accordance with the thousands of scholars who have entered the 21st century living in communities of uninterrupted scholarship in an environment untouched by the 'reformism' that has affected much of the Muslim world.

In the aftermath of 7/7, he was asked to elaborate on the issues raised in a (so-called) 'verdict' from the now banned Omar Bakri Muhammad of the defunct 'Al-Muhajiroon' organisation. This attempt at scholarship deserves recognition as a well-constructed example of the poverty behind modern extremism. In addition, it served as a catalyst behind the writing of al-Akiti's *fatwa*, which remains unique as the first *fatwa* on the subject written in the medium of the English language, with a level of familiarity with the *Shafi'i* school in particular hitherto unsurpassed[1].

Al-Akiti's *fatwa* has as its core not simply a refutation of the conclusions of this manifestation of extremism, but a dismantling of the very methodology from which it emanates. Only a fellow *faqih* or someone of higher accomplishments can judge its faithfulness to the tradition, but it is patently clear to the non-expert observer that its logic is flawless, and its reason is plain. The radical and violent reformism of the fanatics is calmly and patiently disassembled from its core assertions, leaving no doubt as to its unreliability, but unlike many *fatwa*s, this has the air of scholastic modesty to it, with al-Akiti saying '*al-asahh `indana'* [the strongest of the strong positions from our point of view].

Early in his work, Al-Akiti identifies what this sort of fanaticism is:

> "[This is a] *fitna* (civil unrest) reeling this mercied *Umma* (community), day in and day out, which is partly caused by those who, wilfully or not, misunderstand the legal discussions of the chapter on warfare outside their proper contexts which have been used by them to justify their wrong actions."

Students of Arabic will understand that there is a positive attribute to the word '*fitna*' (civil strife), for it is the process by which impurities are removed. Herein lies a message: that the final result of the process is the manifestation of a pure element. This *fitna* has allowed the opportunity for the classical understanding of Islamic Law to become apparent through the writing of this verdict, and visible is this revitalisation indeed.

[1] Al-Akiti's *fatwa* is now widely available. It can be found on the internet at http://www.warda.info/fatwa.pdf, as well as under http://mac.abc.se/home/onesr/d/dcmm_e.pdf; in print, it has been published under its original title *Defending the Transgressed by Censuring the Reckless against the Killing of Civilians* by Aqsa Press/Warda Publications, and in another edition by Amal Press in a volume with other authors entitled '*The State We Are In: Identity, Terror and the Law of Jihad*'.

The *fatwa*: the corrections and the fortitude

Al-Akiti begins with an examination of the *maqtul* (target), clearly stating the ruling that killing non-combatants or civilians is "not only **Haram** [forbidden] but also a Major Sin [*kabira*] and contravenes one of the principal commandments of our way of life". Quoting great authorities like al-Nawawi, al-Subki and Ibn Hajar, al-Akiti reaffirms the view that a Muslim soldier can only target combatants. In so doing, he shows he is not a pacifist: indeed, he makes a particular supplication for the army of the Prophet in his opening statement. Rather, he is an ethical warrior in support of a just war, and his ethics, reflecting his training in the classical sciences, give him no other deduction than to consider that Muslims who voluntarily target civilians are murderers, not martyrs.

He goes on to describe the method of the suicide attacks: those that are similar to the Japanese 'Kamikaze' missions during the 2nd World War. Having already dealt with them on a practical level (if they target civilians, they are *haram* anyway), he examines the theoretical case for the method.

Here, the *mufti* takes on an issue of some controversy. Whereas support for the bombings that took place on the 11th September, 2001, and 7th July, 2005, is less than astounding, there has been a populist tendency in some quarters to relate differently when these methods are used in Palestine. An ambiguous and equivocal posture in this area is often the choice when confronted with these political realities.

Al-Akiti recognises that support for such a method exists. Based on his own education, he identifies that there are two *qawl*s (opinions) on this method. The first states it is suicide (and therefore *haram*), and the second opines it is permissible, with severe qualifications. He mentions that the preferred position amongst jurists is the first, due to the 'vagueness of a precedent', and the severity of the consequence of the sin corresponding to the opposing position.

The *fatwa* could have ended here, and it would have provided more than enough material for Muslims to be satisfied that there is no religious justification for the attacks on London on the 7th July. Moreover, it would have probably shielded al-Akiti from any criticism, by not taking on directly the issue of the thornier Palestinian context.

However, he chose not to follow the same ambiguous reluctance that a number of Muslims in the 'West' and elsewhere have opted for, and took the opportunity to state clearly his position. He mentions that it might be said that Israeli women are legitimate targets on the basis that they are militarised, and responds as follows:

> "No properly schooled jurists from any of the four schools would say this as a legal judgement if they faithfully followed the juridical processes of the orthodox schools in this *bab*[legal subject], for if it is true that the scholar made such a statement and meant it in the way you've implied it, then not only does this violate the well known principal rule above (*fasl* [Section] I: "It is not permissible to kill their women and children if they are not in (direct) combat") but the supposed remarks also show a lack of sophistication in the legal particulars. If this is the case, then it has to be said here that this is not among the *masa'il khilafiyya* [legal controversies] that one can afford to agree to disagree, since it is outright wrong by the principles and the rules from our *usul* [foundational legal principles] and *furu*'[corollary legal principles]."

A more unequivocal perspective is rarely forthcoming, and shows al-Akiti's devotion to the tradition in which he as a scholar was raised. He goes further, and shows that even enemy male off-duty soldiers are treated as civilians for the purposes of attacks in *fiqh* [law]. A valid military target, in his words, is strictly limited to an actual battlefield, or a military base.

In the space of a few lines, al-Akiti has perhaps engaged with the issue of Palestinian extreme militant tactics in a manner that few have been willing to since the first HAMAS suicide bombing in 1994, and certainly no-one in the English language has done so from so deeply within the tradition as he.

It needs to be made clear that in writing this part of his *fatwa*, al-Akiti has opened himself to attack from various quarters, but he is not coldly removed from the context. The 'disasters' of 1948 and 1967, as al-Akiti puts it, when Palestine was partitioned and occupied, noticeably affect him. He notes: "Yes, we are one *Umma* [community] such that when one part of the macro-body is attacked somewhere, another part inevitably feels the pain." It will come as no surprise that as a result of that pain, some may choose to take different positions than he on this specific issue, and in the Middle East (but not exclusively there) there is perhaps more difference amongst scholars on this point. There may not be an *'ijma* (consensus) on their opinion, but it is nonetheless significant. A convincing explanation for this divergence is yet to be constructed, although reasons such as geopolitical naiveté and political convenience have been offered in the interim.

Regardless of these nuances, as a scholar, al-Akiti is bound to deliver his own judgement free from emotional, passionate and local concerns, even if others disagree. In terms of his own training, he surfaces from the *Shafi'i 'ulama* of the Malay archipelago, where the numbers of scholars easily outnumber the *Shafi'i* laymen in the Middle East --- let alone the scholars among them --- and the *Shafi'i* tradition has maintained its full vitality and rigour. Whilst some might suggest that since al-Akiti lives out of the Middle East, the relevance of his scholarship might be questionable, this goes against numerous precedents and past examples where foreign jurists clarified questions for local problems, where applicable. The most famous historical example is that of al-Kurdi in Mecca, who answered questions for the people of Java.

All of this is not to say that al-Akiti considers that meek submission is required: quite the contrary, he indicates every legitimate means of furthering the Palestinian cause should be pursued, just as Muslims did in the time of Saladin. However, only legitimate means should be practised, even if the other side stoops to illegitimate ones.

Beyond righteous restoration and into affirmative advice: Western Muslims

By this point in the verdict, al-Akiti has already corrected the misconceptions of those who would claim the sacred law of Islam would permit atrocities of violence, but he does not end there. His final point is a positive one, calling to a pro-active role for Muslims in the 'West': a community of purpose, not one of schizophrenia. A community that finds its roots in Europe, where it is and will remain: not a community that finds its roots in migration patterns, and tries to imitate trees planted in different environments. If the community cannot fulfil this, then it does have a choice:

> " …they [Muslims] should as a practical matter remain in these countries [of the EU], and if applicable, learn to cure the schizophrenic cultural condition in which they may find themselves – whether of torn identity in their souls or of dissociation from the general society. If they cannot do so, but find instead that their surroundings are incompatible with the life they feel they must lead, then it is recommended for them to leave and reside in a Muslim state."

One way or another, Muslims have to constructively contribute; if they cannot do it here, then they must do it elsewhere. Obviously, al-Akiti is not the first to clearly state this: other Westerners have been doing it for quite some time, as one can see by perusing the writings of T.J. Winter, Hamza Yusuf Hanson and Zaid Shakir to name a few. Yet, he is the first to say so from his level of engagement with and education in the classical sciences. What are the opinions of other *fuqaha* (jurists) on these points who are in touch with Western realities? On what basis have they formed their opinions? These are questions that must be answered, without populist concern, for global benefits. Lest it be forgotten: terrorism occurs on the streets of Muslim capitals, just as it occurs in London.

Ruminations on the occasion of this *fatwa*

At the time of writing this piece, the British Government's task force that was set up in the aftermath of 7/7 is deliberating. There is no doubt that they are investigating a number of issues in relation to the events of that day; a large number to be sure, for this problem is a rather complex one, with a variety of angles and perspectives to take into account.

One of those angles is, quite simply, the failure of contemporary Muslim educational systems. At present, there is no way to be sure what weight should be allocated to that failure: was the invasion of Iraq more to blame? Were the issues of poverty and exclusion more important? They are likely parts of the explanation (and other parts exist), and the weight that should be allocated to each of these reasons remains unclear. All the *fatwa*s against terrorism will make little difference if these other angles are not investigated and dealt with: a task to be resolved by all parts of civil society.

Even so, it is definitely the case there was a religious imperative behind supporting these attacks. How strong it is remains debateable, but it existed and continues to exist. If this is accepted, then it must also be accepted that it operates in a void, for it is clear from the work done by al-Akiti that such an imperative is virulently opposed to a more orthodox understanding of Islam.

If he and scholars like him openly engage with contemporary societies in the 'West' & the 'East', the 'North' & the 'South', the problematic discourse that leads to events similar to 7/7 may be denied its religious veneer. The renewal and revival of the classical tradition, necessary in the 21st century as in any other century, is something not to be ignored as key to a hopeful future for Britons, and humanity at large.