

1 Islamic Ethics and Politics

The link between Islamic ethics and politics is an enduring theme in Islamic thought from the premodern era to the present day.¹ It features in a myriad of Islamic conceptual frameworks and theoretical imaginaries that seek to reimagine the link between Islamic ethics and politics in complex, enigmatic, and innovative ways. Such frameworks are not confined to traditional political treatises or handbooks of government. They are found in a range of legal, philosophical, and theological texts and sources discussing the relative status of reason and revelation, the centrality of Islamic positive law, and the role of legal methods in determining political and ethical action. Such frameworks are sometimes pluralistic in that they incorporate extra-Islamic traditions of political thought from a diverse range of sources. The inclusion of these extra-Islamic sources of thought demonstrates a particular kind of reflexivity that reimagines and reshapes the contours of Islamic political thought within a broadly Islamic ethical purview.² Islamic political thought is therefore as much an ethical tradition as it is a political tradition.

To better understand the Islamic ethical tradition, it is important to define what is meant by ethics and consider how it may differ from morality, as these conceptual categories are often treated interchangeably. In this Element, I understand ethics as the study of morality or moral questions which considers how beliefs (including those derived from religious doctrine and foundational texts) are formed by making moral judgements about right and wrong. As is the case with a religious tradition like Islam, moral content which shapes doctrine and belief is extracted from commandments and precepts of the Qur'an as a foundational text of scripture, and the *Sunnah*, the exemplification of these precepts in the Prophetic sayings and life conduct. Ethics in Islam can be understood in two broad senses. Since Islam offers a systematic normative standard for working out right and prescribed conduct through the methodology of law, ethics interacts with and is informed by law. Yet Islamic ethical theories are also presented through other methods including rationalising and philosophical approaches. This has widened the scope for articulating Islamic ethical and moral values outside of juristically defined methods (Nanji, 1991, p. 111). In this latter iteration, ethics can be thought of as the study of moral principles, values, and conduct principally through the foundational sources. Taken together, both these senses of understanding ethics capture how Islamic ethics is derived from revealed sources but also develops its own modes of

¹ By Islam/ic I refer to *Sunnism*, the dominant branch of Islam in the Muslim world.

² The term *extra-Islamic* is useful because it recognises the distinctiveness of something outside a category while simultaneously allowing for the possibility of its inclusion.

inquiry. It is both grounded in scriptural morality and open to (and limited by) wider philosophical exploration.

The purpose of this Element is to analyse the comprehensive and systematic attempts of two Islamic political thinkers – the twelfth-century Andalusian philosopher Ibn Rushd and the contemporary Sudanese reformist Abdullahi Ahmed An-Na'im – to theorise Islamic politics through this approach, which I refer to as a 'pluralistic framework'. A pluralistic framework can be defined as a systematic mediation of Islamic ethics and politics that incorporates extra-Islamic traditions of political thought from a diverse range of sources. Pluralistic frameworks selectively and self-consciously enable dialogue, synthesis, and hybridity with extra-Islamic sources while maintaining a distinct conception of Islamic ethics that concords with a preferred set of political arguments but with an awareness of the normativity of *sharī'a*. As I outline in the forthcoming section, Ibn Rushd and An-Na'im negotiate *sharī'a* in two very different ways, but to a common end. Ibn Rushd lays out a method of harmonisation with Greek thought, while An-Na'im resorts to *sharī'a*'s radical subversion under the instruments of liberal political thought. The common refrain of their pluralistic frameworks is that they advocate ambiguity, flexibility, and theological innovation, which departs from the 'methods and sensibilities' of the Islamic tradition. Since *sharī'a* functions as indispensable to Muslim self-identification and self-understanding, such departures may undermine the principle of plausibility in the mediation of Islamic ethics and politics.

The concept of *sharī'a* is fundamental to how Muslims perceive and define themselves as 'inheritors of an objective, ascertainable and realisable divine truth' (Abou El Fadl, 2013, p. 10). It represents an authoritative system of normative beliefs and practices inscribed by an ethical fervour. As Hallaq argues: '[t]o be a Muslim individual today is to be, in fundamental ways, connected with that *sharī'a*-defined ethic, for it is this ethic that shaped what Islam is and has been . . . There is no Muslim identity without this ethic' (Hallaq, 2013, p. 70). Among believing Muslims, *sharī'a* thus holds the strongest claim to express what is considered normative and prescribed conduct for a meaningful ethical life.³ *Sharī'a* encompasses a wide range of sources that defer to human reason. While the Qur'an is the primary source and foundational text, it is supplemented by the *Sunnah* (the life and traditions of the Prophet Muhammad), *qiyās* (analogical or deductive reasoning), and *ijmā'* (the consensus of Muslim jurists). This normative system, formalised through the science and methods of Islamic jurisprudence (*usūl al-fiqh*) in the eighth century, came to be termed *sharī'a*. While the Qur'an and Hadith remain the central texts for

³ This is true despite the varying levels to which *sharī'a* might be practically observed.

extrapolating legal rulings, *sharī'a*, as a normative system of law, is dynamic and applied. Its evolution is contingent on the application of human reason which is enacted through the traditional use of consensus in sustaining legal normativity. The field of Islamic jurisprudence ensures that Islamic ethics are derived from and intertwined with moral law.

The absence of a clear division between ethics and politics in Islam is a consequence of *sharī'a* offering a set of moral guidelines for socio-ethical living. Few would dispute that the book of revelation – the Qur'an – is revered by Muslims as a divine and authoritative source of morality. The Qur'an is both the source of morality *and* the foundation from which broader principles of virtuous social and political living can be extrapolated. March describes this 'theocentricity' of ethical values, norms, and commands as Islam's normative revolution from Arabian paganism: 'God Himself is referred to in ethical terms (many of the Names of God refer to ethically salient features of God's essential nature) and man's attitude towards God is the primary criterion of moral evaluation' (March, 2012, p. 204). Yet, to be clear, the Qur'an does not offer a comprehensive and definitive set of political guidelines or a political theory. Neither does it contain directives on the origin, nature, and limits of political authority nor on the form of governance or institutions that constitute an ideal state. Instead, the Qur'an articulates themes, concepts, and ideas related to ethical life (Tampio, 2014, p. 2). This includes the importance of establishing a just and moral community. The gap between moral law and positive political arrangements is left to Islamic positive law to bridge, by articulating in more detail the norms and values required for public life. Such an articulation depends on the instrumentalities of human reason.

The Qur'an does not also contain an ethical theory in the strict sense but 'embodies the whole of the Islamic ethos' (Fakhry, 1991, p. 1). Its ethical teachings are woven through its verses, which contain parables, narratives, and poetical imagery. Qur'anic ethics interspersed through Qur'anic verses captures the 'spirit of (*hilm*) clemency, kindness (*ihsan*) in human relations, justice (*'adl*), avoiding what is wrong (*zulum*), abstinence, control of passions, and the rejection of pride and arrogance' (Leaman, 2014, p. 110). These ethical principles are inferred as constituting the basis for virtuous social and political living. The Qur'an does not therefore systematise ethics into a rigid theoretical or philosophical construct. However, in its scriptural entirety, it imparts ethical guidelines, moral lessons, and codes of conduct governing aspects of social and political life. As such, the search for a modern Islamic ethical theory, whether constituted through hermeneutical exegesis (*tafsir*) or some other method, leads back to the Qur'anic text as the primary source. The Qur'an and the *Sunnah*

together embody the core of the Islamic ethical spirit. This is a distinguishing feature of the Islamic tradition.

The intersection of ethics and politics exists across numerous philosophical and religious traditions to varying degrees. What may distinguish Islam from these traditions more prominently is Islam's legalistic fusion with ethics and politics, a point that is usefully illustrated when analysing Islamic political history. In many premodern Islamic societies, the legislation of ethical conduct through *sharī'a* meant that Islam expanded its moral scope beyond individual virtue to the collective arena of social, legal, and political affairs. Ethical injunctions were often treated as legal imperatives that were administered by political officials and religious scholars (*ulama*) as a way of upholding virtue and justice for the entire political community of believers. Islamic intellectual history is richly laden with political treatises that explore the contours of this political arrangement.⁴

Conceptualising 'Pluralistic Frameworks'

Islamic thinkers have mediated the link between Islamic ethics and politics in innovative, creative, and complex ways. Two such attempts to reconcile *sharī'a* with the extra-Islamic traditions of Greek philosophy and liberal political thought can be observed in what I term the pluralistic frameworks of Ibn Rushd and Abdullahi Ahmed An-Na'im. As defined earlier in this section, pluralistic frameworks constitute a systematic mediation of Islamic ethics and politics that incorporates extra-Islamic traditions of thought from a diverse range of sources. Pluralistic frameworks, I argue, actively seek to incorporate novel insights from extra-Islamic sources, including theories and philosophies that may, from the Islamic thinker's perspective, contain elements of truth or have demonstrated veracity through empirical validation. By harmonising these external truths with Islamic thought, pluralistic frameworks posit that alternative interpretations of *sharī'a* can be developed that concord with the ethical foundations of the Islamic tradition. Although pluralistic frameworks may not always be theorised or defended in explicitly Islamic terms, their distinguishing characteristic is to present claims within a broadly Islamic ethical purview. This dynamic interaction with a wide array of political concepts and ideas is for the purpose of theoretical argument. Pluralistic frameworks include acts of selective borrowing, dialogue, and hybridity that are often tactical and strategic. They

⁴ These texts were concerned with defining what an ideal form of Islamic government or political authority may look like. See, for example, *Al-Ahkam al-Sultaniyyah (The Laws of Islamic Governance)* by Al-Mawardi (972–1058 CE). This influential work discusses the principles of Islamic government, the qualifications and duties of the *caliph* (ruler), and the administration of justice and public order in an Islamic polity.

frequently involve synthesising, elaborating, and revising ideas from a diverse array of extra-Islamic traditions of thought to advance new political arguments or to make normative recommendations for Islamic political reform. Pluralistic frameworks contain legal, philosophical, and sociological dimensions and are informed by changing political and social contexts. Fundamentally, they seek to broaden the scope of normative political inquiry by making new claims on the role of *sharī'a* in relation to politics and the state.

Pluralistic frameworks therefore operate at the level of epistemic and theoretical inquiry. Such inquiries are expansive and creative, displaying a willingness to incorporate and adapt extra-Islamic political concepts and ideas and employing them in specific contexts. The most striking feature of such an approach is its methodological commitment to plurality itself. Pluralistic frameworks exhibit two broad elements of similarity at the level of theoretical inquiry. The first element is *epistemological flexibility*. This is characterised by the recognition and accommodation of multiple 'valid' ways of acquiring and validating knowledge within the Islamic intellectual tradition. Epistemological flexibility is marked by the desire to establish intersections and commonalities between disparate sources to advance new approaches in Islamic thinking, whether radical, agnostic, or unorthodox. The idea of flexibility demonstrates an intellectual openness to consider various interpretations, perspectives, and sources of knowledge and to counterbalance the promising insights of these claims in light of an already established conception of Islamic normativity. Epistemological flexibility fosters a more inclusive and adaptable approach to political questions.

Epistemological flexibility is followed by a second related element, namely *comfort with ambiguity*. Comfort with ambiguity refers to the willingness to accept and engage with the inherent complexities, uncertainties, and lack of definitive answers that often arise in the realm of normative theory. Such a willingness embraces ambiguity and transcends the constraints of any single mode of reasoning or finite human world view. Ambiguity in the context of a pluralistic framework is not viewed as antithetical to Islam but as crucial to the project of harmonising reason and revelation. As Baueur (2021) suggests, Islamic intellectual history reflects a conflict between two distinct orientations: one seeks to eliminate all uncertainties and to establish undisputed, ultimate truths, while the other, in contrast, contends with ambiguity and embraces complexity. This notion of a 'tolerance of ambiguity', as Bauer terms it, is evident in Islamic texts of law, politics, hermeneutics, and literature (Bauer, 2021, p. 1). Pluralistic frameworks are useful in providing content and meaning to Bauer's conception of the culture of ambiguity. Foregrounding the ambiguity, equivocality, and complexity of Islamic political thought emphasises the contrast with the orientalist notion of its narrowness and absolutism.

In discussing the pluralistic frameworks of these two Islamic thinkers, I adopt an analytical approach that largely (but not entirely) avoids normative interjections. Instead, I focus on identifying the recurring patterns in their political questioning and on how their arguments relate to their mediation of Islamic ethics and politics. It is true that the particular and subtle techniques utilised by these thinkers to achieve this goal are not fully aligned, nor are their claims, purposes, or projects similar. To suggest this would be somewhat contrived and historically anachronistic. Like all thinkers in the history of political thought, Ibn Rushd and An-Na'im are products of their time and context. Moreover, they are Islamic thinkers from two distinct historical eras separated by some *eight centuries*. This temporal distance does not preclude the possibility of meaningful comparative inquiry so often sequestered by the question of modernity and born from the tendency to treat different historical periods as entirely separate and disconnected through a contrived historical chasm.⁵ Rather than get mired in debates around modernity, this Element questions the primacy accorded to historicist frameworks which impose a false theoretical and methodological dominance by questioning the hegemony of history.⁶

Yet admittedly the comparative nature of this inquiry is complicated by tremendous historical variance. The historical context of twelfth-century Muslim Spain was defined by the shifting political exigencies of Almohad imperial rule. This is reflected in Ibn Rushd's personal biography, where his roles as a philosopher, court physician (*tabīb*), and grand judge (*qāḍī*) were facilitated by a peculiar form of court patronage. Likewise, the institutional arrangements of Almohad society were marked by medieval and premodern imperatives, principally the role of the imperial ruler (*caliph*), religious courts administered in line with Maliki law, and the influence of religious scholars (*ulamā*) on the political community. While Ibn Rushd's philosophic endeavours were enabled by the rationalising spirit of the Almohad caliphate, his engagement with extra-Islamic traditions of Greek thought forms part of a *longue durée* of philosophical engagement by Islamic thinkers like Al-Farabi and Ibn Sina over the preceding two centuries. Notably, while Greek thought formed the foundation of the European intellectual canon, it held an equally seminal position within the Islamic philosophical tradition of that era. Ibn Rushd took this project further by developing a sophisticated methodological statement in

⁵ Here I am suggesting that comparative inquiries between thinkers across different eras are often isolated, confined, or marginalised due to preoccupations or concerns regarding the concept of modernity (i.e. the modern age, modern thought, etc.).

⁶ The concepts of a *hegemony of history* and the critique of hegemonic historical narratives have been further developed and expanded upon by other postcolonial theorists, such as Gayatri Spivak, Homi K. Bhabha, and Dipesh Chakrabarty, as well as scholars in the field of subaltern studies and critical historiography.

favour of the harmonisation between Islamic thought and Greek philosophical precepts. This contribution alone makes him an exemplar thinker within the Islamic tradition and the progenitor, if we like, of the importance of the pluralistic method. It is a telling fact about the innovative nature of his approach that this contribution is better recognised today than in his own time. Ostensibly, as a legal scholar, he conforms in more rigid ways to the bounds of Islamic normativity, but this stands in contrast to his political commentaries and philosophical treatises where he seeks to harmonise *sharī'a* with Greek philosophy by ascribing a tremendous role to human reason. In Section 2, I provide an account of his pluralistic framework and show how it is grounded in his novel theory of Islamic ethics, which is a systematic attempt to unify *sharī'a* with Aristotelian philosophy and to harmonise reason with revelation.

An-Na'im is a Sudanese American legal scholar and professor of law. The central features of his biography include his early education, legal training, experiences of civil war, imprisonment, and political exile.⁷ These latter aspects directly inform the tenor of his political thought, which promotes a radical, Islamic legal and political reform. Of singular importance is the impact of the Second Sudanese Civil War, a twenty-year conflict that fractured Sudanese society for decades to come. For An-Na'im, the deleterious impact of the civil war can be traced to a policy shift in 1983 by President Ja'far Nimeiry in a political move which converted Sudan into an Islamic state under *sharī'a* law. Islamist factions like the National Islamic Front were co-opted to introduce harsh penal codes and restrictions on personal freedoms, leading to wide-scale persecution, including that of the Christian population in the south. An-Na'im's reflections on these events have profoundly shaped his assessment of Islam in the postcolonial world. Writing for a contemporary Muslim audience, he grapples with the challenges Islamic postcolonial societies are confronted with amid global capitalism, nation state formation, and technological change. Critically, he seeks a solution negotiating *sharī'a* within a liberal world order. Inspired by his spiritual and intellectual mentor, Mahmoud Mohamed Taha, An-Na'im is committed to reconciling Islamic values with those of liberal modernity. He views the damage colonialism has inflicted on the political and ethical structures of Muslim social life as a pernicious yet pragmatic reality. Consequently, he suggests that Islamic ethics must be radically reformed by appealing to a hermeneutic method that departs from Islamic tradition. As I explore in Section 3, in his pluralistic framework, such a method aligns with his liberal orientation, which seeks to incorporate aspects of the Rawlsian liberal tradition

⁷ The biographical aspects of An-Na'im's life are extracted from an interview I conducted with Professor Abdullahi Ahmed An-Na'im at the Centre for Law and Religion at the University of Emory (15 April 2023).

to advance a theory of a secular state in Islam where *sharī'a* is negotiated through a kind of overlapping consensus. While An-Na'im's political thought can be situated within a longer tradition of engagement by Islamic reformist thinkers with liberal ideas, I explore how a liberal, human rights discourse remains at the centre of his approach.⁸

Despite the variances of historical context I have already noted, my argument is to suggest that both Ibn Rushd and An-Na'im adopt pluralistic frameworks which enable a peculiar form of methodological and conceptual reflexivity in their mediation of Islamic ethics and politics. These pluralistic frameworks selectively and self-consciously enable dialogue, synthesis, and hybridity with the extra-Islamic traditions of Greek philosophy and liberal political thought while advancing a distinct conception of Islamic ethics that concords with their preferred set of political arguments. Within a broadly Islamic ethical purview, I suggest that both these thinkers reconcile the normativity of *sharī'a* in innovative and unorthodox ways, but with a common end; Ibn Rushd lays out a method of harmonisation with Greek thought, while An-Na'im resorts to the radical subversion of *sharī'a* under the instruments of liberal political thought. As we shall see more fully in Sections 2 and 3, the fact that these thinkers self-consciously aim to influence a Muslim audience serves to highlight a set of common challenges for mediating ethics and politics in Islam. In my analysis of these challenges, I seek to also bring to the fore the difficulty of theorising the notion of an Islamic orthodoxy, a term that is both elusive and muddled insofar as it denotes distinct, overlapping, and even contradictory meanings in Islamic scholarship.⁹

Pluralistic Frameworks: The Challenges of Mediating Islamic Ethics and Politics

Navigating the complex terrain of Islamic law and ethics discloses several key challenges for Islamic thinkers concerned with theorising politics through pluralistic frameworks. Such challenges often relate to enduring debates that manifest in Islamic political thought across space and time on the place of reason, revelation, authority, and methodology. Outlining the contours of these challenges is useful insofar as they relate to broader questions of the Islamic tradition, its perceived singularity, or what constitutes its essence.¹⁰ Asad's formulation of

⁸ The engagement of Islamic thinkers with liberal thought reflects a complex dialogue between tradition and modernity, religion and secularism, and local values and global ideologies. This ongoing conversation shapes the intellectual landscape of contemporary Islamic political thought. Scholars such as Hourani (1983), March (2011), and Iqtidar (2017) instantiate the complex contours of this engagement.

⁹ On the nomenclature of Islamic orthodoxy, see Wilson (2008).

¹⁰ On orthodoxy and essentialist and anti-essentialist approaches in the study of Islam, see Sulaiman (2018).