## Politics, Law, and Community in Islamic Thought

In a revisionist account of the history of Islamic political thought from the early to the late medieval period, this book focuses on the thought of Ibn Taymiyya, one of the most brilliant theologians of his day. The standard accounts of Sunni political history typically end with the classical period and thereby leave out Ibn Taymiyya's contribution. This original study demonstrates how his influence shed new light on the entire trajectory of Islamic political thought. Although he did not reject the Caliphate ideal, as is commonly believed, he nevertheless radically redefined it by turning it into a rational political institution intended to serve the community (umma). Through creative reinterpretation, he deployed the Qur'anic concept of fitra (divinely endowed human nature) to center the community of believers and its commonsense reading of revelation as the highest epistemic authority. In this way, he subverted the elitism that had become ensconced in classical theological, legal, and spiritual doctrines, and tried to revive the ethico-political, rather than strictly legal, dimension of Islam. In its reassessment of Ibn Taymiyya's work, this book marks a major departure from traditional interpretations of medieval Islamic thought.

Ovamir Anjum holds the Imam Khattab Endowed Chair of Islamic Studies in the Department of Philosophy at the University of Toledo.

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*The Taymiyyan Moment*

**OVAMIR ANJUM**
*University of Toledo*

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# Preface

Gazing though my window across the Saad Zaghloul Square of Alexandria into the Mediterranean, I can hear chants of the Egyptian revolutionaries who now want to secure the gains of their proud and peaceful revolution of January 25, 2011. In this wildfire of revolutionary fervor that has spread through the Middle East and has caught the region by surprise, Islam is deeply relevant. This is not an "Islamic" revolution like that of Iran, as everyone across the board is insisting, yet, with the passing of days and weeks, questions surrounding of the role of Islam in the future of the Egyptian and the new Arab states generally seem to loom ever larger. The subject matter of this monograph – the relationship between politics, law, and reason in Islamic thought – even though it pertains to the medieval world, is brought to life for me continually as I meet with Egyptians of various stripes in the midst of the revolutionary fervor and see their unprecedented openness toward expression of political views. The classical Muslim figures whose thought is examined here are alive and well today in the sermons and writings of the ulama, preachers, and Islamists. Given the nature of the subject matter, it is only appropriate to attempt to bring it into conversation with the contemporary problems in Islamic political thought. In the following pages, I do so by raising the set of questions that I address in this monograph.

One problem is that of the role of the ulama in politics in Islamic history. The courageous and largely peaceful protests against the atrocious injustice and corruption of the ruling elite drew sympathy and admiration from even the most skeptical observers in the world. Yet, the negative response by the traditional Muslim scholarly elite, from the Grand Mufti of Egypt, Shaykh ʿAlī Jumʿa (Ali Gomaa), to the Syrian traditionalist icon,

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Shaykh Muḥammad Saʿīd Ramaḍān al-Būṭī, and others to such protests, and at times even their support of the autocrats even in their last moments, has once again brought out the question that has puzzled Muslim thinkers and activists for more than a century of attempts at reform and nation building. On the one hand, a large number of Muslims continue to revere Islamic tradition and its authorities, the ulama. Yet, on the other hand, the same Muslim scholarly tradition seems to be out of touch with or utterly deny the need for political justice that the same Muslims so widely and desperately seek. No doubt, prominent ulama have long stood by, and at times even led such protest movements, and Islamic tradition has always possessed strands that reflect such concerns and have come to greater prominence in modern times. But it is difficult to deny the presence of arguably the predominant strand in Islamic scholarship since the onset of the classical period that has been characterized as quietist, apolitical, and compromising (in theory, not necessarily in personal conduct) toward usurpers of power. As far as scholastics and intellectuals are concerned, quietism is not an incomprehensible position, safer in the ideal world of pious discourse and intellectual coherence than in the real world of power and negotiation. A closer examination suggests, however, that the ulama neither embodied the romantic ideal of living a life above intrigues of power nor persistently lacked moral courage to criticize the rulers. What was lacking was not ulama's involvement with power, but any sustained effort to *theorize* power – that is, to articulate realistic conditions of political legitimacy and, relatedly, the willingness to share the authority to speak in God's name with the men of power. This was not because of any lack of conceptual resources in the foundational texts and early sacred history, but rather because of certain historical commitments of the Islamic discursive tradition.

Put differently, as the issue was raised in my conversations with many Arab interlocutors in the wake of many of the ulama's support of the status quo, my contention to them can be rephrased in this book as follows: It is not that the ulama who deny the significance of political justice are merely capitulating, or that they consistently believe that power is inherently corrupt, or that there is nothing wrong from their perspective with the political state of affairs, but that their response, whatever the immediate reasons, has its roots in an important, often the dominant – but far from the only – strand of Sunni tradition.

Another ubiquitous question on the mind of the modern observer of the Muslim world is that of the politicization of Islam. My investigation

leads me to suggest that the right question, for a historian of premodern Islam anyway, is not how Islam became *politicized*, but how it came to be *depoliticized*. The phenomenon of depoliticization is far from a unique feature of Islamic tradition. A political historian of the West thus comments on a similar transformation in the Greco-Roman world:

If we ask: what was the intellectual response to the primacy of power? The answer is that nowhere was the failure of political philosophy more effectively demonstrated than in its inability to account, in political terms, for this central fact in the political life of these centuries. Confronted with power, one impulse of political philosophy was to flee and seek refuge in a "golden age" located somewhere in the pre-political past.[1]

Comparable (and hence comprehensible) as I argue this phenomenon is, it cannot be fully explained by individual scholars' contributions or compromises, or any pathology essential to Islam. We must attend to the discursive traditions to which our individual authors contributed. Here, my inquiry is indebted to Talal Asad's notion of Islam as a discursive tradition. When addressing the question of compromise or any other fundamental transformation, I understand the working of traditions as being, to borrow an analogy from genetics, similar to how organisms pass down their traits; it is not the accidental loss of an organ or two that the offspring inherits, but rather genetic mutations. The genes of a tradition are its commitments and core arguments, and only when a "compromise" is made consistently and argued successfully through the core commitments of a tradition can it pass down and itself become a commitment. This analogy allows us to overcome the problem of the continuity of a tradition in time – like organisms, traditions continue through time without remaining perfectly identical to their ancestors. This analogy also commits us to the task of examining the discursive transformation rather than merely the isolated works or authors.

Then there is the question of the relationship of religion to state and politics in theory and (inevitably, given that we are dealing with a tradition) history. I address the question by deconstructing the concept of politics, mapping it onto the discourses and problems organically found in Islamic traditions. Enough scholars have expressed their dissatisfaction with the generalization that religion and politics have always been fused and inseparable in Islam (the problem here is with the categories

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[1] Wolin, *Politics and Vision* (Princeton University Press, 2004), 83.

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"religion" and "politics" even before we could ask about any fusion). Even the now more prevalent position that medieval Islamic societies really had become *secularized* because the ulama accepted the status quo such that they tended to Muslim community while the rulers drew their political wisdom and model of behavior from extra-Islamic sources does not entirely hold to scrutiny. The rulers did draw wisdom and inspiration and even legitimacy from extra-Islamic sources, and often their conduct showed no concern for Islamic ideals, but secularism is not merely worldliness or lack of piety any more than all concern for women's welfare can be branded feminism or labor justice communism. Secularism, instead, is an attempt to define and hence delimit "religion." And whereas "irreligion" and disbelief are far from absent in Islamic history, especially among the ruling and the intellectual elite, I find no evidence of a sustained discourse in medieval Islam, either by the ulama or the practitioners of statecraft, that rejects reference to Islam for legitimation and postulates an alternative. However, given that the claim is made essentially about the mainstream Sunni Muslim tradition, instead of undertaking the much more difficult task of arguing from absence, I examine the Sunni tradition and argue that rather than "secularism," what we find is a variety of complex and surprising attitudes toward the possibility of restraining political power. We find political pessimists, the dominant strand, who see no legitimate agency that could restrain power after it had become corrupt and turn their attention to developing a rich inner life that could weather the storms of political tyranny and struggles as God-sent trials. We also find, most remarkably in Ibn Taymiyya, political optimists who tried to articulate other possibilities. In neither case can we speak of either secularism or theocracy as being the traditional ideal.

The Arab Spring once again has brought to the fore questions about the calls for a Sharīʿa-bound state and the possibility of an Islamic political sphere. More specifically, the question is that of the institutional protection of political justice in Islamic tradition, articulated more frequently as that of the compatibility of Islam with democracy. I do not claim to offer an answer to that specific question, but to one that I think is logically prior to it. Importing democratic institutions is once again sounding like an attractive (or perhaps the only) option, but to Muslim intellectuals, if the new institutions and their conceptual framework are not genetically incorporated into Islamic discursive tradition, they run the risk of lasting only briefly like foreign implants into Muslim societies. The less than admirable record of the political success of experimentation with various Western models in Muslim countries shows that this risk is not negligible.

As attempts are made afresh to transplant or grow new institutions, a better understanding of the "genome" of Islamic tradition is advisable.

My project of trying to understand Islam and politics goes as far back in my intellectual life as I can think, but its first evidence can be found during my years at the University of Chicago as I struggled to understand the disparate claims of contemporary Islamist movements and what appeared to be decidedly confused modern scholarship on the subject. My interest took a definite form as a project in intellectual history as a result of my years at the University of Wisconsin-Madison. Formative in this process were conversations with my graduate advisor, Professor Michael Chamberlain. His guidance and uplifting critiques were unfailing motivations for me to think and rethink all my arguments during my graduate work. His focus on method rather than the content of my work allowed me just the right kind of freedom and imposed perhaps just the right discipline. Numerous enlightening and enjoyable conversations with Professor David Morgan helped me get a sense of the topography of Islamic history and historiography as we struggled through classical Persian texts. Both of them have given me the support and encouragement that have made this project possible.

Professor Sherman Jackson, then at the University of Michigan, Ann Arbor, was another source of formative inspiration both through his scholarship and his humanity. I remain particularly in debt of the numerous hours he spent with me, especially during the fall of 2006, as I drove back and forth between Madison and Ann Arbor, punctuating my eight-hour drive with a stop every now and then to jot down an idea or a question. We read legal and theological texts, debated them passionately, and reflected on their meanings in the context of the medieval as well as the modern world. These conversations allowed me to challenge, almost playfully, aspects of Islamic legal tradition, and to do so with the comfort of being constantly checked and challenged by a leading authority on the subject. That intellectual experimentation, received with extraordinary encouragement, has proved seminal for my ongoing thinking of the interaction of the political and the legal in Islam.

Other scholars whose suggestions and critiques have helped me greatly include William Courtenay and Johann Sommerville, working in medieval and early modern Western traditions, Asifa Quraishi, in Islamic law, Charles Cohen, in the early American Christianity, and Kamal Karpat, in Ottoman and Islamic history – all at the University of Wisconsin. Hassan Laidi and Mustafa A. Mustafa, both seasoned connoisseurs of

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Arabic scholarship, classical and modern, respectively, have been long-time friends and mentors, with whom I have read too many Arabic texts and debated too many issues, from theology and law to social science and politics, to recall now. I appreciate their generosity in time and spirit. I am grateful to my students over the years, whose questions have invariably improved my thinking on the subject. Numerous teachers, friends, and students who have shaped my thinking on the subject, alas, remain unnamed here, and not because I am any less grateful to them. The many shortcomings in this work are only mine.

Lastly, I should acknowledge the debts that are formative for me and not just my work. My wife Sarah, whose love and encouragement never fails me, and my children Ibraheem, Rahma, Ahmad, and now Safa, who are the "coolness of my eyes and heart" – give me my best reasons to try and to care about the world around me. My parents' faith, love, and generosity, their belief in virtue and charity, their reverence for learning, and confidence in the worth of what I do, often without much evidence, have been my greatest assets. It is to them that I dedicate this work.

# Conventions and Abbreviations

I have generally followed the *IJMES* (see bibliography for abbreviations)
conventions for transliterating Arabic. However, for the sake of sim-
plicity, I have generally dropped special characters from names that are
commonly used. I have also generally omitted the ending "h" that repre-
sents *tā marbūṭa*; thus "Sunnah" appears as "Sunna." I have also dropped
after the definitive article "al" before proper names that appear frequently
after their first mention (thus, al-Ghazālī appears as Ghazālī) except to
avoid confusion (thus, al-Shāfiʿī gets to keep "al" to distinguish him from
the Shāfiʿīs, the adherents of his school). Furthermore, for commonly
known Arabic words, I omit italicization and special characters, thus:
Allah (not Allāh, except when transliterating) and ulama (not *ʿulamāʾ*).