

## **SOME IMPLICATIONS FOR CONTEMPORARY MUSLIM SOCIETY OF THE JUSTLY BALANCED (*AL-WASATIIYYAH*) IMPERATIVE.\***

One of the major goals of the late 20<sup>th</sup> century Islamic resurgence was to bring about major reforms and revitalization of the Muslim society through the assertion and articulation of Islam as a complete and comprehensive way of life. Spearheaded by the Islamic reformist and renewalist movements, the resurgence witnessed the rising tide of vigorous Islamic propagation (*da'wah*) to practice Islam holistically as well as to combat the process of secularization and Westernization of the Muslim personality, culture, education, economics and politics.

Some concessions and accommodations have been made since the 80s by the ruling elites of several Muslim countries in the fields of education, culture, economy and public administration mainly as a result of the greater awareness of the importance of reinforcing Islamic values and norms in the nation-state. The introduction of Islamic banking and finance, the establishment of Islamic colleges and universities, as well as the gradual broadening of the scope of applicability of the *Shari'ah* in some Muslim countries were among the concessions made by the governments. Perhaps, the most visible change in the physical dimension of Muslim culture was the adoption of Islamic attire by the Muslim women in urban areas, while the most revolutionary transformation of a Muslim society and state was enacted in Iran during the Islamic revolutionary period of the late seventies and early eighties. In addition, the Organization of Islamic Conference (O.I.C.) established in 1969 became more prominent as an international platform for the galvanization of world Muslim solidarity and the collective public denunciation of the atrocities and injustices of the Zionist state against the Palestinians over the last three decades. The plight of the oppressed Muslim minority communities in Mindanao, Kampuchea, Pattani in Southern Thailand, the Kashmir, Chechnya, Albania and China – all of which have

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been highlighted by Islamic movements and non-governmental organization for decades – also became part of the regular O.I.C agenda and began to attract the attention of Muslim governments and national media. The path of political accommodation towards a greater Islamic identity and posture has been followed by some Muslim governments while the majority of Muslim governments and regimes have been manoeuvring and struggling to maintain the status quo despite the increasing demands for more political freedom for the people, greater accountability and good governance of the ruling elites.

The state of the Muslim *Ummah*, on the whole, has been and still is depressing and lamentable. The disparity between the affluent and the impoverished countries has always been a deplorable feature of the Muslim world. Poverty of the masses, entrenched corruption in government bureaucracies, poor management culture, low educational and technological achievements, and political disunity were among some of the serious malaise of the *Ummah*. The exploitative capitalist economy and consumerist culture have become more established in many Muslim countries while Islamic social justice has not made much progress. The proper understanding of the concept of comprehensive *'ibādah*, the enormous responsibility of *khilāfah* and the need to integrate good character (*ḥusn al-khuluq*), faith (*īmān*) and piety (*taqwā*) in all worldly activities has yet to make a significant overall impact, in spite of the increasing number of religious literature and Islamic preaching on the fundamental Islamic concepts and perspectives.

The Islamic resurgence succeeded, though, in opening up the public sphere of the Muslim nation-state to a greater consciousness of the role Islam has to play in the economy, politics and administration of the Muslim society, but it has also witnessed the emergence of diverse as well as conflicting trends of Muslim thought and activism, in addition to deviant mystical teachings,

charismatic cults and rigid conservatism. Among the most challenging of these trends was religious extremism of various kinds<sup>1</sup> and secularist liberalism which branched out of neo-modernist Muslim thought or developed with the support of extraneous vested interests.

The emergence of Muslim extremist trends and the use of violence by some Muslim extremist groups in the late 60's in the Middle East have raised grave concern among the mainstream Islamic movements and leaders. The phenomenon of Muslim extremism and violence became the centre of the Western world's media attention particularly after the September 11, 2001 tragedy. The Muslim world, already bedevilled with a host of internal problems, has since then become the target of the "War on Terror" unleashed by the Bush administration and its Western alliance.

Al-Qarāḍāwī, as a leading figure in the international Islamic movement, saw it as his primary responsibility to tackle the issue of Muslim extremism on the one hand, and the challenge of secularist liberalism, coupled with the permissive cultural tendencies in contemporary Muslim countries, on the other hand. He analyzed and criticized the phenomenon of Muslim extremist groups' accusation of other Muslims as "disbelievers" in the late 70's in his book *Zāhirat al-Ghuluww fī al-Takfīr* (The Phenomenon of Extremism in Accusing others of Disbelief).<sup>2</sup> A deeper analysis of the several causes of religious extremism (*al-taṭarruf al-dīnī*) among Muslim youth, followed by his proposed solutional approaches, was undertaken by him in 1981-1982 and was published as a book under the title, *al-Ṣaḥwah al-Islāmiyyah baina al-Juḥūd wa al Taṭarruf* (Islamic Awakening between Rejection and Extremism).<sup>3</sup>

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<sup>2</sup>Published in Kuwait: Maktabah al-Manār al-Islāmiyyah, 2<sup>nd</sup> ed. 1985. The first edition was probably published in 1977.

<sup>3</sup>Published in Doha: Kitāb al-Ummah, 1402 A.H. Translated as *Islamic Awakening between Rejection and Extremism* (Herndon, VA.: I.I.I.T. n.d.)

In 1990 he published an important study of the Islamic movement with a focus on the importance of setting strategic priorities in facing future challenges. In this insightful book, *Awlawiyyāt al-Ḥarakah al-Islamiyyah fī al-Marḥalah al-Qādimah*<sup>4</sup> (Priorities of the Islamic Movement in the Coming Phase), he observes that some Islamists (*Islāmiyyūn*) see every thing as either black or white. Some look at life through the negative and pessimistic screen of their vision. Therefore the whole society is considered as *jāhili*; all of life is sinful; people are either disbelievers or hypocrites; the whole world is evil. To them all forms of singing are *ḥarām*; all music are *ḥarām*; all photography is *ḥarām*; all acting is *ḥarām*.<sup>5</sup> He criticizes the rigidity and obstinacy that grew out of times of turbulence which produced “the thinking conditioned by distress” (*fikr al-miḥnah*) or “the thinking conditioned by crisis” (*fikr al-azmah*). He strongly urges the adoption of “the justly balanced thinking” (*al-fikr al-wasatī*) which “expresses the justly balanced characteristic of the Muslim *Ummah* (*wasatīyyat al-ummah al-islāmiyyah*) and the justly balanced Islamic methodology (*wasatīyyat al-manhaj al-islāmī*), by which Allāh intends facilitation (*al-yusr*) not difficulty (*al-‘usr*).<sup>6</sup>

Al-Qarāḍāwī has been in the forefront, for almost four decades now, in advocating the absolute necessity of understanding, internalizing and implementing the “justly balanced way” (*manhaj al-wasatīyyah*) of Islam in meeting both internal and external challenges. Based explicitly on the Divine imperative that the Islamic *Ummah* be: a) the “justly balanced” community in order to be “a witness over mankind”<sup>7</sup> and b) “the best community (*khaira ummah*) that has ever been brought forth for mankind”,<sup>8</sup> the *wasatīyyah* characteristic of the

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<sup>4</sup>Yūsuf Al-Qarāḍāwī, *Awlawiyyāt al-Ḥarakah al-Islamiyyah fī al-Marḥalah al-Qādimah* (The Priorities of the Islamic Movement in the Coming Phase) (Cairo: Maktabah Wahbah, 4<sup>th</sup> ed. 1992).

<sup>5</sup>Ibid.,pp. 108-109.

<sup>6</sup>Ibid.,p. 111.

<sup>7</sup>Q. *Al-Baqarah*2: 143.

<sup>8</sup>Q. *Āl ‘Imrān* 3:110.

Islamic worldview has been promoted and popularized by many Muslim scholars from all over the world, particularly since the September 11, 2001 tragedy, as it represents the true spirit and perspective of “Islamic moderation” and “balance”.<sup>9</sup> The “justly balanced community”, according to Muḥammad Asad, who commented on this Divinely designated vision of the Islamic *Ummah* in his translation of the Qur’ān,

might be said to summarize, as it were, the Islamic attitude towards the problem of man’s existence as such: a denial of the view that there is an inherent conflict between the spirit and the flesh, and a bold affirmation of the natural, God-willed unity in this twofold aspect of human life. This balanced attitude, peculiar to Islam, follows directly from the concept of God’s oneness and, hence, of the unity of purpose underlying all His creation...<sup>10</sup>

As the leading contemporary advocate of the “justly balanced” way, Al-Qarāḏāwī has been elaborating on its comprehensive significance and implications for Muslim thought and action since the late seventies. Considered by some Muslim scholars as the leader of the “justly balanced school of thought” (*madrasat al-wasāṭiyyah*), al-Qarāḏāwī was conferred the title of “Islamic Personality of the Year 2000” by the Dubai International Award for the Noble Qur’ān. In his acceptance speech, he considers the award given to him as an honour conferred upon “The Current of Islamic Moderation” (*tayyār al-wasāṭiyyah al-Islāmiyyah*) which represents “the justly balanced nature of this religion” (*wasāṭiyyah hādha al-dīn*), “which Allāh calls in His

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<sup>10</sup>Muḥammad Asad, *The Message of the Qur’ān*, p. 30. See also Mawḏūdī’s commentary in Sayyid Abul A’la Mawḏūdī, *Towards Understanding the Qur’ān*, Vol. 1 (trans. and ed. Zafar Ishaq Ansari), Leicester: The Islamic Foundation, 1988, pp. 120-121.

Book ‘*al-ṣirāṭ al-mustaqīm*’ (the straight path)”.<sup>11</sup> It is the current that conforms to the Qur’ānic commandment to maintain “The Balance” (*al-mīzān*) not to transgress it or to fall short of the Divinely prescribed balance.<sup>12</sup> Al-Qarāḏāwī lists twenty implications of the justly balanced way of Islam as follows:

1. It is balanced between the advocates of strict adherence to a jurisprudential school of thought (*madhhab*), and the advocates of loose adherence to a school of thought.
2. It is balanced between those who support *taṣawwuf* regardless of whether it deviates or innovates, and those who oppose *taṣawwuf* regardless of whether it is proper and abiding (by the *Sharī‘ah*).
3. It is balanced between those who refer to reason (*al-‘aql*) even it goes against the conclusive text (*al-naṣṣ al-qāṭi‘*), and those who never refer to reason even in understanding the (revealed) text.
4. It is balanced between those who take from Western civilization its good as well as its evil, and those who reject it completely.
5. It is balanced between the advocates of strictness (*tashaddud*) even in matters of branches and trivialities, and the advocates of leniency (*tasāhul*) even in matters of principles and general conceptions.
6. It is balanced between those who regard the (intellectual) heritage (*al-turāth*) as sacred even if human failures are evident in it, and those who disregard the heritage even when it shows signs of Divine guidance (*al-hidāyah*).
7. It is balanced between the philosophy of idealists who are hardly concerned with the reality, and the philosophy of the realists who do not believe in lofty moral ideals.

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<sup>11</sup>*Al-Shaikh Yūsuf al-Qarāḏāwī: Shakhṣiyyat al-‘Ām al-Islāmiyyah 1421H./2000 A.D.*(Cairo: Maktabah Wahbah, 2001),p. 144.

<sup>12</sup>Q. *al-Raḥmān*55: 7-9.

8. It is balanced between the advocates of the philosophy of liberalism which bestows upon and inflates the value of the individual at the expense of society, and the advocates of the philosophy of collectivism (Marxism) which bestows upon and inflates the value of society at the expense of the individual.
9. It is balanced between the advocates of inflexibility even in matters pertaining to means (*al-wasā'il*) and devices (*al-ālāt*), and the advocates of evolutionary change even in matters of principle and ends.
10. It is balanced between the advocates of renewal (*al-tajdīd*) and independent reasoning (*al-ijtihād*) even in matters pertaining to theological principles and conclusive religious doctrines, and the advocates of unquestioning imitation (*al-taqlīd*), and adversaries of *ijtihād*, even in contemporary issues which never crossed the minds of the earlier generations.
11. It is balanced between those who disregard the established (revealed) texts by claiming to accommodate the higher objectives of Divine law (*maqāṣid al-sharī'ah*) and those who ignore the general objectives (of Divine law) in the name of accommodating the (revealed) texts.
12. It is balanced between the advocates of opening up (*al-infītāḥ*) to the world without any constraints, and the advocates of locking oneself in without any (sound) justification.
13. It is balanced between the advocates of extremism (*al-ghuluww*) in accusing others of disbelief (*al-takfīr*) to the extent of accusing even religious Muslims in general of disbelief, and those who are indulgent (*al-mutasāhilūn*) in this matter even with those who are patently apostates.

14. It is balanced between those who indulge in politics at the expense of education, and those who neglect politics completely on the pretext of devotion to education.
15. It is balanced between those who are in a hurry to pick the fruit before it is ripe, and those who neglect it until it falls into the hands of others after it becomes ripe.
16. It is balanced between those who are preoccupied with the present and are not concerned with the future, and those who exaggerate in foreseeing into the future as if it is a book they are reading from.
17. It is balanced between those who regard organizational structures as “sacred” as though they are “idols” to be worshipped, and those who, as beads of a broken string, shirk any organized work.
18. It is balanced between the advocates of worldwide action without regard to local conditions and environment, and the advocates of narrow regional action that has no connection with the world movement.
19. It is balanced between the overly optimistic who ignores the obstacles and dangers, and the overly pessimistic who sees nothing but darkness and do not anticipate the break of dawn.
20. It is balanced between those who go to the extreme in forbidding (*al-tahrīm*) things as if there is nothing permissible (*halāl*) in this world, and those who exaggerate in permitting things as if there is nothing forbidden (*ḥarām*) in religion.<sup>13</sup>

Thus the justly balanced nature of Islam and its worldview has wide implications for contemporary Muslim society encompassing the Muslims’ religiosity, spirituality, intellectuality, outlook, attitudes, behaviour, relationships and activism. Each one of the twenty positions spelled

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<sup>13</sup>*Al-Shaikh Yūsuf al-Qarādāwī*, pp. 144-146.



out by al-Qarāḏāwī also serves as general principles and guidelines towards achieving the goals of Islamic moderation, and avoid the tendency of Muslim societies to be caught between the two poles of immoderation (*ifrāt*) and negligence (*tafrīt*). In addition to the above twenty “middle path” positions that Muslims have to adopt, al-Qarāḏāwī mentions eight basic religious implications which Muslims need to take note of in pursuing the path of *al-wasāṭiyyah*. They are:

1. Facilitation (*al-taisīr*) in the giving of formal legal opinion (*al-fatwā*), and emphasizing glad tidings (*al-tabshīr*) in Islamic propagation (*al-da‘wah*) efforts.
2. Combining the principles of the Pious Ancestors (*al-salafīyyah*) and the requirements for renewal (*al-tajdīd*), or combining authenticity (*al-aṣālah*) with contemporary requirements (*al-mu‘āṣarah*).
3. Balancing between the permanent principles (*al-thawābit*) of Islamic law and the changing conditions (*mutaḡhayyirāt*) of the time.
4. The coupling (*al-muzāwajah*) of religious duty (*al-wājib*) with the social reality (*al-wāqi‘*) (or understanding of the social reality).
5. Engaging in dialogue (*al-ḥiwār*) and coexistence (*al-ta‘āyush*) with other people, and practicing tolerance (*al-tasāmuḥ*) with those who differ.
6. Adopting the principles of consultation (*al-shūrā*), justice (*al-‘adālah*), freedom of peoples (*ḥurriyat al-shu‘ūb*) and human rights (*ḥuqūq al-insān*).
7. Being just (*inṣāf*) to women, liberating them from the oppression of customs inherited from eras of backwardness, and from the oppression of foreign customs coming from the civilization of disintegration.

8. Presenting Islam as a balanced, integrated civilizational mission (*risālah ḥadāriyyah*), for the revival, liberation and unification of the *ummah*.<sup>14</sup>

In order to have a clearer understanding of the above implications, one needs to look at some of the elaborations proffered by al-Qarāḏāwī in another book of his published in 2002.<sup>15</sup>

## 1. THE EMPHASIS ON FACILITATION AND GIVING GLAD TIDINGS

The trend of Muslim extremism tends to make things difficult (*al-taʿsīr*) and frightening (*al-tanfīr*). It adopts the method of sternness and severity in giving legal opinions, in matters of worship or transactions either for the individual or for groups. In Islamic propagation it uses threatening methods, driving people to Allāh (S.W.T) through fear more than through compassion and love. The justly balanced way adopts the approach of making things easy in matters of branches (*al-furūʿ*) while in matters of principle it is very firm and will not compromise. This is the method of the Prophet (Ṣ.ʿA.W). It was reported that some of his Companions once gave a legal ruling that it was mandatory for someone who had sexual intercourse to perform the major ritual ablution by bathing the whole body even though he was wounded. As a result of the bathing, the wound worsened and the man later died because of it. The Prophet (Ṣ.ʿA.W) censured them for giving that ruling saying that they had killed him, because it would suffice for him to do only the *tayammum* (ablution without water).<sup>16</sup>

The principle of facilitation (*al-taisīr*) does not mean “we impose upon the (revealed) texts a meaning purposely meant to make things easy” but that “we adopt from the opinions and

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<sup>14</sup>Ibid.,pp. 146-147.

<sup>15</sup> Yūsuf al-Qarāḏāwī, *al-Ṣaḥwah al-Islāmiyyah, min al-Murāḥaqah ilā al-Rushd* (Islamic Awakening, from Adolescence to Maturity) (Cairo: Dār al-Shurūq, 2002).

<sup>16</sup>*Ḥadīth* reported by Abū Dāwūd.

sayings (of authoritative scholars) that which is more congenial and lighter for the people; if there are two opinions of equal strength, one of them is more constraining and the other is more facilitating, then we choose the opinion that is more facilitating for the people as a whole.”<sup>17</sup> As for the emphasis on giving glad tidings (*al-tabshīr*), this is necessary to counter the negative effects of religious preaching which instils fear and dreadfulness more than hope in the mercy and compassion of Allāh (S.W.T). Such preaching usually utilizes weak and even spurious *hadiths*, whereas in the Qur’ān one finds that the promise of severe chastisement in the Hereafter is often counterbalanced by the reference to Allāh (S.W.T) as Most Forgiving, Most Merciful, The Forgiver of Sins and The Acceptor of Repentance. Allāh (S.W.T) has made forgiveness and mercy as part of His Names (*Al-Ghafūr, Al-Raḥīm*) whereas chastisement (*al-‘adhāb*) is part of His actions, not of His Names.<sup>18</sup>

## **2. COMBINING OF SALAFIYYAH AND TAJDĪD.**

*Salafiyyah* implies “returning to the original principles (*al-uṣūl*), the roots and the sources: it is represented in the return to the Qur’ān and the *Sunnah*.”<sup>19</sup> *Tajdīd* implies “living with the times, keeping abreast with current development and freedom from the clutches of the frozen state of mind (*al-jumūd*) and thoughtless imitation (*al-taqlīd*).” *Salafiyyah* is often wrongly understood as returning to the past even though the past had its periods of backwardness, deviation and rigidity. The *Salaf* refers to the people of the first generation, who were regarded as the best generation of the *Ummah* as they were the closest to the original representation of Islamic ideals in terms of understanding, faith, behaviour and commitment. The “return” then does not mean a carbon copy reproduction of the conditions obtaining during the time of the first

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<sup>17</sup>Yūsuf al-Qarāḏāwī, *al-Sahwa*, p. 258.

<sup>18</sup>Ibid., p. 259.

<sup>19</sup>Ibid., p. 261.

generation of believers. It is rather to recapture the spirit of their correct understanding, their exemplary conduct and their profound engagement with religion and life. It is to regard the Prophet (Ṣ.‘A.W), the Qur’ān and Islam not as belonging to the past but as living embodiments of eternal truths. When we analysed the times of the Companions and the Followers, says al-Qarāḏāwī, “we found (the examples of) flexibility, easiness, tolerance, and wide horizon in the understanding of the texts of religion and the affairs of the world, and in the agreement between the detailed texts and the comprehensive purposes (of religion),”<sup>20</sup>

The efforts of *tajdīd* signify a process of restoring something to its original condition, much like the restoration of an old building to its original appearance after removing the veneer of accretions and the accumulated layers of dust. The *tajdīd* of religion which was predicted by the Prophet (Ṣ.‘A.W) himself means the safeguarding of its essence, characteristics and constituents as they were taught by the Prophet (Ṣ.‘A.W) and understood by the Rightly Guided Caliphs. The real *tajdīd* or renewal is essentially the restoration of the pristine Islam which is “the Islam of purity and simplicity in the creed (*‘aqīdah*), the Islam of sincerity and ease in worship (*‘ibādah*), the Islam of integrity and uprightness in morality (*akhlāq*), the Islam of clarity and renewal in thinking (*fikr*), the Islam of independent reasoning (*ijtihād*) and flexibility in legislation (*tashrī‘*), the Islam of work and productivity for (the betterment of) life, the Islam of balance between the life of this world and the Hereafter, the Islam of equilibrium between the intellect and the heart, and the Islam of just balance (*al-waṣaṭiyyah*) between the individual and society.”<sup>21</sup>

It is important that this process does not lead to the freezing of the mind nor to the dissolution of identity. *Ijtihād*, however, is necessary to address the vicissitudes of life and it is

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<sup>20</sup>Ibid.,p. 261.

<sup>21</sup>Ibid.,p. 262.

required by religion itself. But the *ijtihād* has to be carried out by those who are qualified and competent and applied to its proper place, namely outside of the realm of the permanently fixed aspects (*al-thawābit*) of religion or matters which are not open for *ijtihād*.

One of the implications of the necessity of *ijtihād* is the development of what al-Qarāḏāwī calls “*Fiqh Jadīd*” (New Understanding or New Comprehension) which includes but goes far beyond the renewal of *fiqh* as Islamic jurisprudence. Using *fiqh* in the Qur’ānic sense of “profound understanding”, “true comprehension” or “sound knowledge”, al-Qarāḏāwī identifies seven areas of new knowledge that need to be developed through *ijtihād*. They are as follows:

- a. The understanding of Allāh’s laws in the universe as well as in society. This involves scientific knowledge and knowledge of the social sciences. Al-Qarāḏāwī calls this knowledge “*Fiqh al-Sunan*” (Understanding of Allāh’s Conventions in Nature and in Human Society).
- b. The understanding of the proper balance to be struck between different categories of beneficial things (*al-maṣāliḥ*) and different categories of harmful things (*al-mafāsīd*) as well as the proper positioning of the beneficial and the harmful when both contradict one another. This is called “*Fiqh al-Muwāzanāt*” (Understanding of Balances).
- c. The understanding of priorities (“*Fiqh al-Awlawiyyāt*”), so that the Muslims know how to prioritize the greater need before the smaller, the more important issues before the less important, instead of giving immediate attention to some matters that ought to be deferred or deferring some matters that ought to be given priority. The Muslims, says al-Qarāḏāwī, have committed great mistakes in this area of understanding.

- d. The understanding of the purposes of Allāh’s law (“*Fiqh al-Maqāṣid*”), implies that one should keep in mind the purposes and inner meanings of the Divine Law behind the texts and the injunctions. This does not mean neglecting the details of legal texts – as claimed by some advocates of *tajdīd* – but striking the right balance between the detailed texts and the general objectives, so that the texts would be understood in the light of the objectives and the branches in the light of the universals.
- e. The understanding of the consequences and end results (“*Fiqh al-Ma’ālāt*”) of actions. The proper assessment or understanding of the expected outcomes of a particular effort or action may lead the Muslims to abandon what they have contemplated doing or, conversely, do what they have thought of not doing. In this context it is useful to remember that the Prophet (Ṣ.‘A.W) was once asked to kill the well-known Hypocrites of Madinah to which he replied: “I am afraid that people will say that Muḥammad kills his Companions.”
- f. The understanding of differences (“*Fiqh al-Ikhtilāf*”) among human beings. Allāh (S.W.T) has endowed human beings with reason and will, and tested them with individual responsibility. Since Allāh (S.W.T) has allowed human beings to use the free will, albeit limited by the absolute will and power of Allāh (S.W.T), differences have always become part and parcel of the human condition. It is therefore necessary for Muslims to understanding how Muslim views differ (as long as their hearts do not) and develop the proper ethic to deal with the internal differences.
- g. The understanding of the present realities in human society (“*Fiqh al-Wāqi*”) in which Muslims live and the problems they face is of paramount importance. This understanding precedes all the above intellectual agenda. It is crucial, says al-

Qarāḍāwī, that Muslims “try to treat them (the ‘diseases’) from the ‘pharmacy’ of Islam, not from outside.”<sup>22</sup>

### **3. CONVERGENCE BETWEEN THE *SALAFIYYAH* ORIENTATION AND THE SUFI SCHOOL OF THOUGHT (*AL-ŞŪFIYYAH*)**

Convergence between the *salafiyyah* orientation and the sufi school of thought (*al-şūfiyyah*) by taking the good and beneficial aspects of both. Some of the *Salafiyyah*-oriented Muslims, says al-Qarāḍāwī, tend to lack the spiritual tenderness and love of the true Sufi, while some Sufi-oriented Muslims tend to be involved in questionable innovative religious practices. The convergence of spiritual love and legalistic puritanism without the excesses on both sides would be beneficial for the balances development and future of the *Ummah*.<sup>23</sup>

### **4. BALANCE BETWEEN THE TENDENCY TO BE LITERALISTIC AND THE TENDENCY TO INTERPRET THE QUR’ĀN LIBERALLY.**

The irrational rigidity of the former and the undisciplined liberalism, of the latter do injustice to the Qur’ān and mislead the *Ummah*.<sup>24</sup>

### **5. GIVING DUE CONSIDERATION TO THE PRESENT REALITIES (*MURĀĀT AL-WĀQI*).**

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<sup>22</sup>Ibid., p. 264.

<sup>23</sup>Ibid., pp. 263-266.

<sup>24</sup> Al-Qarāḍāwī has devoted a full and detailed study (470 pages) of how to deal with the Qur’ān in his *Kaifa Nata’āmal ma’a al-Qur’ān al-‘Azim?* (How do We Intract with the Glorious Qur’ān?) (Cairo: Dār al-Shurūq, 5<sup>th</sup> ed. 2006.)

The true jurist, according to Ibn al-Qayyim, is “one who combines the obligations with the realities, so that he does not live in the world of the ought to be, forgetting what is around him.”<sup>25</sup>

Those who intend to implement the *Shar‘īah* laws in the contemporary situation have to bear in mind that: a) the serious problems existing in Muslim societies require the gigantic task of changing unislamic societal conditions to that which are Islamic; b) it is incorrect to think that all the institutions, laws and organizations in today’s society have to be demolished and built anew. Most of the existing institutions, laws and organizations shall remain, but after they have been cleansed of those elements which are inimical to Islam; c) the establishment of an Islamic system in a society does not mean changing everything that needs to be changed overnight, otherwise chaos and instability will ensue. Such misconceptions indicate the lack of understanding of the Islamic methodology in overcoming immoral social realities, transformation of objectionable existing conditions and the construction of the virtuous society. There are three principles, writes al-Qarāḏāwī, which have to be observed in the efforts to implement the Islamic system or to establish the desirable and integrated Muslim society:

a. Taking Care of Necessities (*ri‘āyat al-ḍarūrāt*).

Islamic law gives special attention and priority to the necessities of life, which are not only personal in nature but also societal, such as economic, political, military and social necessities. All the necessities are covered by the laws of exception which the *Shar‘īah* provides for in the interest of upholding the wellbeing of the people.

b. Choosing the Lesser of Two evils (*irtikāb akhaff al-ḍararain*).

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<sup>25</sup>Al-Qarāḏāwī, *al-Ṣaḥwah*, p. 270.



If the changing of an undesirable situation will give rise to a more damaging situation or worse consequences, then Islamic law allows for the tolerance of the status quo as a strategy to avert the greater evil.

c. Observing the Norm of Gradualism (*murā'āt sunnat al-tadarruj*).

This wise principle of gradualism was the method of Islam in establishing the first community in Madinah, in laying down the fundamental religious obligations such as the obligatory daily prayers and fasting, and the prohibition of alcoholic drinks. The example set by the just ruler 'Umar b. 'Abd al-'Azīz, regarded by many Islamic scholars as the fifth Rightly Guided Caliph, is worthy of emulation. His youthful son, 'Abd al-Malik had urged him to immediately issue orders to stop the injustices and evil in society as he had the power to do so. But the rightly Guided Caliph said:

Don't be in a hurry, my son! Indeed Allāh had censured (the consumption of) liquor twice. It was on the third occasion that He prohibited it. I am afraid that if I were to place the truth on the people all at once, they would repel it all at once and that would lead to civil strife.

This attitude reflects the spirit of realism, ease and gradualism in the Islamic methodology.<sup>26</sup>

## 6. TOLERANCE AND COEXISTENCE WITH OTHERS.

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<sup>26</sup>Ibid.,p. 273. (See also Yūsuf al-Qarāḍāwī, *Bayyināt al-Ḥall al-Islāmī wa Shubuhāt al-'Almāniyyīn wa al-Mutagharrībīn* (Proofs of Islamic Solution and Doubts of the Secularists and Westernizers) (Beirut: Mu'assasah al-Risālah, 2<sup>nd</sup> ed. 1993), pp. 228-230.

The justly balanced way of Islam “rejects violence and calls for coexistence and tolerance of others who differ with (Muslims) in terms of religious creed or in methodology...just as it calls for building bridges for dialogue with them irrespective of their denominations and orientations.”<sup>27</sup> Al-Qarāḏāwī himself has participated in high-level Muslim-Christian dialogues held in Rome, Cairo, Beirut and ‘Ammān, as well as in intra-religious dialogues with Islamists of different organizations.<sup>28</sup> In conformity with the Qur’ān’s commandment to Muslims to “Invite [all] to the way of your Lord with wisdom and beautiful preaching; and argue with them in ways that are best and most gracious,”<sup>29</sup> al-Qarāḏāwī has urged Muslims and Islamic movements to engage in dialogues with “rational secularists”, “rational rulers”, “rational Westerners”, Orientalists and Western writers.<sup>30</sup> The dialogue with rational rulers who are apprehensive of and entertain forebodings regarding Islamic trends, al-Qarāḏāwī believes, would help in the clarification of issues, closing the gaps and overcome much of the fears and misgivings.

## **7. UPHOLDING THE INSTITUTION OF CONSULTATION (*AL-SHŪRĀ*) AND FREEDOM FOR THE PEOPLE.**

The existence of political parties as part of political pluralism (*al-ta‘addudīyyah al-siyāsiyyah*) is another implication of the justly balanced worldview of Islam. The is one way of preventing “political tyranny” (*al-istibdād al-siyāsī*) in whatever form it may manifest itself – “more so when it is established in the name of religion” This worldview is against all obstinate oppressors who instil fear in the people so that they would be submissive and obedient.

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<sup>27</sup>On the subject of islamic toleranc of non-Muslims, see Yūsuf al-Qarāḏāwī, *Ghair al-Muslimīn fī al-Mujtama‘ al-Islāmī* (Non-Muslims in Islamic Society) (Cairo: Maktabah Wahbah, 1992), pp. 47-88.

<sup>28</sup>Al-Qarāḏāwī, *al-Ṣaḥwah*, p. 274.

<sup>29</sup>Q. *Al-Naḥl*16: 125.

<sup>30</sup> Al-Qarāḏāwī, *Aulawīyyāt*, pp. 164-183.

Islam, says al-Qarāḏāwī, does not even permit someone to lead the prayers if the people have strong (and valid) objections against him, so how could it tolerate an injustice in “the highest (political) leadership” (*al-imāmah al-kubrā*). Therefore the institution of political consultation is obligatory and “the opinion of the majority is binding upon the minority. It is obligatory to adopt the guarantees and procedures of democracy in order to check the powers (lit. ‘to clip the nails’) of oppressors and absolute rulers.”<sup>31</sup>

As for those Muslims who believe that democracy and Islam are incompatible or those liberals who assume that Islamists are the enemies of democracy, al-Qarāḏāwī takes great pain to explain why such assumptions are erroneous. The essence of democracy, explains al-Qarāḏāwī, is that the people are free to choose those who are going to lead and manage their affairs. The people have the right to make the leaders accountable for the way they govern, and the right to replace them if they deviated from the norms of good governance. The leaders will not be allowed to mislead the people, or else they would be rejected by the people. This essence of democracy is being sustained by the mechanisms of elections, referendums, majority-based decisions, the existence of multiple political parties, the protection of the rights of minorities, the freedom of the press, the independence of the judiciary, etc. None of these mechanisms or principles, asserts al-Qarāḏāwī, contradict the teachings of Islam. As democracy helps to curb the tendency of authoritarianism, dictatorship and tyranny of the government, it is in harmony with Islam’s emphasis on the ruler’s observation of justice, accountability, integrity, equity and placing the interest of the people above the self. The examples of the Prophet (Ṣ.‘A.W) and the Rightly Guided Caliphs testify to their high sense of justice, accountability and responsibility for the wellbeing of the people and the preservation of law and order in the society. The Rightly Guided Caliphs knew that they were not infallible, and openly invited the people to correct or

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<sup>31</sup>Al-Qarāḏāwī, *al-Ṣaḥwah*, p. 275.

censure them should they swerve from the principles and norms of good governance. As the ruler is “a representative of the community” (*wakīl ‘an al-ummah*), it is the right of the community to hold the representative answerable to the people or to withdraw the representation from the ruler, if the need arises, especially if he fails to fulfill the obligations.<sup>32</sup> Democracy has developed, through its long struggle against the injustices and tyranny of autocratic rulers, forms and mechanism “which are regarded - until today - as the closest to the ideal guarantees for the protection of the peoples from the domination of the despots.”<sup>33</sup> There is nothing, of course, to stop thinkers from contemplating other political forms and mechanisms which may lead mankind towards the ideal, but, in the opinion of al-Qarāḍāwī, “in order for that to be facilitated and actualized in the present realities of the people, we believe it is necessary for us (Muslims) to adopt from democracy those mechanisms which are indispensable for the realization of justice, *shūrā*, respect for human rights, and for opposing the tyranny of mighty rulers in the world.”<sup>34</sup>

One of the established principles of Islamic jurisprudence stipulates that something by which no religious obligation could be fulfilled except through it, then that something too becomes an obligation. Besides, Islam does not prevent Muslims from adopting a theoretical idea or a practical solution from non-Muslims as long as it does not contradict the Islamic religious norms or principles. The system of elections or referendums, for example, are the contemporary ways by which the people indicate their “testimony” (*shahādah*) of the acceptability or suitability of the political candidate, while the giving of the testimony of the people regarding

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<sup>32</sup> Al-Qarāḍāwī, *Fatāwā Mu‘āṣirah* (Contemporary Legal Opinions), Vol.2 (Beirut: al-Maktab al-Islāmī, 2000), p. 711.

<sup>33</sup> *Ibid.*, p. 712.

<sup>34</sup> *Ibid.*, p. 712.

potential leaders is an important requirement of Islamic law. Nevertheless, “the essence of democracy”, al-Qarāḏāwī stresses, “is compatible with the essence of Islam.”<sup>35</sup>

The advocacy of democracy by Muslims reformist, says al-Qarāḏāwī, does not mean the rejection of the absolute sovereignty of Allāh (S.W.T) (*ḥākimiyyat Allāh*) over mankind. For him as for most of the Muslim advocates, democracy is the instrument for the repudiation of dictatorships, the rule of tyrants and oppressors of the people. His explanation of the concept of *al-ḥākimiyyah li Allāh* (the absolute right or sovereignty of Allāh (S.W.T) to rule over mankind and to prescribe the necessary Divine laws for mankind) and its relationship with the establishment of democratic institutions in the Muslim milieu is important for two reasons. Firstly, it indicates the general position and perspective of Muslim renewalists or reformists regarding the limits of democracy, and secondly, it clarifies the meaning of the concept of sovereignty of Allāh (S.W.T) which was highlighted by Mawḏūdī and further emphasized by Sayyid Quṭb in his later works, including *Muqawwimāt al-Taṣawwur al-Islāmī*. His explanation is summarized as follows:

The sovereignty of Allāh (S.W.T) is of two kinds.

- A) The sovereignty in determining the government, sustenance and laws of the universe (*ḥākimiyyah kawniyyah qadariyyah*), or the way Allāh (S.W.T) governs the whole of the universe.
- B) The sovereignty in commanding and prohibiting, in deciding what is good and what is evil, what is permissible and what is forbidden, for all His creatures especially human beings, via His Books and Laws which were revealed to the human Messengers (*ḥākimiyyah tashrī‘iyyah amriyyah*) for the guidance of mankind.

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<sup>35</sup>Ibid., p. 713

Some writers and scholars claimed that Mawdūdī was responsible for introducing and emphasizing the concept of Allāh’s *ḥākimiyyah* which was later adopted by Sayyid Quṭb who then propagated it and raised it to a preeminent position in his later works. It is also assumed by those writers that, based on the concept of absolute sovereignty of Allāh (S.W.T), as understood by Mawdūdī and Sayyid Quṭb, the state that both were advocating could not be anything less than a theocracy, “a system of government by a sacerdotal order claiming a Divine commission.”<sup>36</sup>

Both assumptions, al-Qarāḍāwī says, are erroneous. In the first place the concept of Allāh’s sovereignty as the Absolute Lawgiver, has been confirmed in the works of the classical scholars of the fundamentals of Islamic jurisprudence (*uṣūl al-fiqh*) when they discussed the issue of *Shar‘īah* judgement. This is clear in the famous work of al-Ghazālī, *al-Mustaṣfā min ‘Ilm al-Uṣūl* in which he asserts that it is Allāh (S.W.T) to Whom belongs all creation and the right of commanding and Who has the sole absolute authority to make laws governing His subjects and to demand obedience from them.<sup>37</sup> This standpoint is consistent with the three verses of *Sūrah Al-An‘ām*(6) which enjoin upon the believers not to accept anyone other than Allāh (S.W.T) as The Sustainer (*Al-Rabb*), The Protector (*Al-Waliyy*) and The Judge (*Al-Ḥakam*).<sup>38</sup> The concept of Allāh’s sovereignty as the Absolute Lawgiver (*al-Ḥākimiyyah al-Ilāhiyyah*) is therefore part and parcel of the creed of uncompromising Islamic monotheism although it may not be explained as such in traditional works. Mawdūdī and Sayyid Quṭb, therefore, did not introduce the concept, but they stressed it repeatedly in their writings.<sup>39</sup>

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<sup>36</sup>*The Shorter Oxford Dictionary*, Vol. II (Oxford: .1956), p. 2166.

<sup>37</sup> Al-Qarāḍāwī, *Bayyināt al-Ḥall al-Islāmī* ,p.173. *al-Siyāsah al-Shar‘īyah fī Dau’ Nuṣūs al-Sharī‘ah wa Maqāsiduhā* (*Sharī‘ah* Consistent Public Policy in Light of *Sharī‘ah* Texts and Its Objectives), 2<sup>nd</sup> Ed. (Cairo: Maktabah Wahbah, 2005), pp. 18-19.

<sup>38</sup>Q. *Al-An‘ām*6: 164, 14, 114.

<sup>39</sup>

Secondly, their understanding of Allāh’s lawgiving sovereignty does not mean that Allāh (S.W.T) is the One who appoints the Caliphs and the Rulers who then rule in His name. The sovereignty is in the enunciation of Divine Laws, while political authority lies with the community which chooses the rulers, evaluates them, observes them, and even get rid of them. Therefore the affirmation of Allāh’s lawgiving sovereignty in the Islamic political order cannot be equated with the advocacy of a theocratic state, an idea rejected by both Sayyid Quṭb and Mawdūdī. Quṭb says:

The kingdom of Allāh on earth is not established by specially consecrated men – the clergy – assuming the Divine authority to rule on earth, as was the case in the rule of the Church, nor that of some spokesmen of God becoming rulers as is the case of what is called “theocracy” or the Sacred Rule of God!! To establish the rule of Allāh, on the contrary, means that the *Shari‘ah* of Allāh becomes the sovereign ruler and that the final decisions are made in accordance with what Allāh has clearly enunciated.<sup>40</sup>

As for Mawdūdī, it is apparent that some scholars and critics have only looked at parts of his writings and interpreted them not in accordance with what is intended by Mawdūdī. Mawdūdī’s concept of Allāh (S.W.T) as the Absolute Lawgiver in Islamic governance has to be understood in light of his idea of the supremacy of the people acting collectively as vicegerents of Allāh (S.W.T). He explains:

The entire Muslim population runs the state in accordance with the Book of God and the practice of His Prophet. If I were permitted to coin a new term, I would describe this system of government as a ‘theo-democracy’, that is to say a Divine democratic government, because under it the Muslims have been given a limited

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<sup>40</sup>Sayyid Quṭb, *Ma‘ālim fī al-Tarīq* (Signposts) (n.p., n.d.)

popular sovereignty under the suzerainty of God. The executive under this system of government is constituted by the general will of the Muslims who have also the right to depose it. All administrative matters and all questions about which no explicit injunctions is to be found in the *Shari'ah* are settled by the consensus of opinion among the Muslims. Every Muslim who is capable and qualified to give a sound opinion on matters of Islamic law, is entitled to interpret the law of God when such interpretations becomes necessary. In this sense the Islamic polity is a democracy.<sup>41</sup>

On the issue of consultation with the people which is an important principle of democracy, Mawdūdī has this to say:

Islam does not prescribe any definite form for the formation of the consultative body or bodies for the simple reason that it is a universal religion meant for all times and climes. It does not, therefore, lay down whether the people should be consulted directly or through their accredited representatives; whether the representatives should be consulted directly or through electoral colleges; whether consultative body should have one house or two houses, etc. Obviously, these are matters of detail and can vary with different societies and under different conditions. That is why the *Shari'ah* leaves these problems open for solution according to the needs of the time. The following three things, however, are essential...

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<sup>41</sup>Abul A'la Mawdūdī, *Islamic Law and Constitution*.tr. Khursid Ahmad, 2<sup>nd</sup>. ed. (Lahore: Islamic Publications Ltd., 1960), p. 148.



- (1) As no collective matter of the Muslims should be conducted without consulting the people concerned, this rule will apply in the very first instance to the appointment of the Head of the State. As such, it rules out monarchy, depotism and dictatorship. Incidentally, it does not permit the Head of the State to enjoy the power of suspending the constitution at his will, for during the period of suspension he would be nothing short of an autocrat.
- (2) All the people concerned should be consulted directly or through their trusted representatives.
- (3) The consultation should be free, impartial and genuine. Any consultation held under duress or temptation is in reality no consultation at all...

Furthermore, the Islamic Constitution must devise such a system of election as may enable the whole community to give their verdict without any tinge of fear, favour or fraud.<sup>42</sup>

Both Mawdūdī and Sayyid Quṭb share the view that human legislators have a big role to play in the political order with regard to all matters not covered by explicit injunctions of the *Sharī'ah*. Through the process of *ijtihād* and all its forms, as explained by al-Qarāḍāwī in his works, human beings are given a wide scope of intellectual creativity and innovation to meet the challenges of new circumstances and issues.<sup>43</sup>

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<sup>42</sup>Ibid.,pp. 278-280.

<sup>43</sup>See al-Qarāḍāwī, *al-Ijtihād al-Mu'āṣir baina al-Indibāt wa al-Infirāt* (Contemporary *Ijtihād* between Proper Discipline and Looseness) (Cairo: Dār al-Tauzī' wa al-Nashr al-Islāmiyyah, 1993); *al-Ijtihād fi al-Sharī'ah al-Islāmiyyah ma'a Nazarāt Tahliliyyah fī al-Ijtihād al-Mu'āṣir* (*Ijtihād* in Islamic *Sharī'ah*, with Analytical Observations on Contemporary *Ijtihād*) (Kuwait: Dār al-Qalam, 1985); *Madkhal li-Dirāsāt al-Sharī'ah al-Islāmiyyah* (Introduction to the Study of Islamic *Sharī'ah*), 2<sup>nd</sup>. Ed. (Beirut: Mu'assasah al-Risālah, 2001).p.

Al-Qarāḏāwī qualifies the Muslim acceptance of the decision by the majority practised in a democracy with the caution that it does not imply that the permanent and immutable creed, values, norms, institutions and laws of Islam could be the subject of referendums or open to revisions via the process of democratic majority decisions. That principle applies only to all *ijtihādī* matters that have to do with the best interest of the nation or the people.<sup>44</sup> Another issue related to democracy is the multi-party system (*ta'addud al-aḥzāb*) which is frowned upon by some Muslims. Al-Qarāḏāwī approves of the system and welcomes the plurality of opinions (*ikhtilāf*) in the Islamic political order as long as the different political parties are not aimed at undermining the state.<sup>45</sup>

On the question of Muslim women's political rights, their participation in the political process, holding public positions and their being elected as representatives in the representative councils or as ministers, al-Qarāḏāwī considers all the above permissible and views them as positive contributions of women to the development of the Muslim *Ummah*, provided they observe the Islamic norms and etiquette in the ethical relations between the two genders in public. He is aware of some of the objections raised by some Muslim scholars regarding the political and administrative role of Muslim women, but based on rational arguments, evidences in the Qur'ān, active role of women in the times of the Rightly Guided Caliphs and the needs of contemporary society al-Qarāḏāwī is able to counter the objections satisfactorily.<sup>46</sup>

Women, from the justly balanced Islamic worldview, must be accorded with dignity, justice and fair treatment they deserve as human beings created by Allāh (S.W.T) to play equally

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<sup>44</sup> Al-Qarāḏāwī, *Fatāwā Mu'āṣirah*, Vol.2, p. 712.

<sup>45</sup> See al-Qarāḏāwī, *Min Fiḡh al-Dawlah fī al-Islām* (Understanding The State in Islam) (Cairo: Dār al-Shurūq, 1996), 147-160. *Fatāwā Mu'āṣirah*, 722-737.

<sup>46</sup> Al-Qarāḏāwī, *Min Fiḡh al-Dawlah fī al-Islām*. 161-176; *Fatāwā Mu'āṣirah*, Vol.2, 409-428.

important roles in society.<sup>47</sup> This attitude differs from the extreme conservatism which looks at women with the misgivings of male pigheadedness and deprives them of their legitimate rights of beautification, education, work, voting, being elected to representative councils and a variety of activities in cultural, social and political arenas. It is also at variance with the opposite attitude of secular liberalism in Western civilization which forgets that women are endowed with souls and that they are not men, but were created from a single soul, as true sisters of men, who together, would play complementary roles as equal servants of Allāh (S.W.T). It is the responsibility of the Muslim society to protect women from the obsolete customs of the East as well as from the encroaching traditions of the West which want to strip them off their true identity. The perspective of the justly balanced worldview is inspired partly by the following verse of the Qur’ān:

The believers, men and women, are protectors of one another. They enjoin what is right and forbid what is wrong...

(Q. *Al-Tawbah*9: 71)

With regard to the issue of the permissibility or otherwise of Muslim participation in a non-Islamic government or political system, al-Qarāḏāwī is of the view that the fundamental principle to be observed is that Muslims are not allowed to be inclined towards, or involved in or associated with any government or political system which is known to be unjust, tyrannical, dictatorial, oppressive, or anti-Islamic. However, there are legitimate considerations which make it possible to depart from “the principle of non-participation” (*‘adam al-mushārahah*):

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<sup>47</sup>For a fuller treatment of the subject of women in Islam, see al-Qarāḏāwī, *Fatawa Mu’āsirah*, Vol.2, pp. 269-446 and the chapter on “Women in Muslim society” in his *Malāmiḥ al-Mujtama’ al-Muslim alladhi Nanshuduh*, (Features of the Muslim Society which We look For), pp. 321-393.

- a. The possibility of reducing evil and injustice (*taqlīl al-sharr wa al-zulm*) according to one's ability (*bi-qadr al-istiṭā'ah*), such as the ability to alleviate people's suffering, assist the victims of injustice, strengthen the position of the weak, reducing the scope of sinful acts or hostility, etc. As for the principle of "Either everything or nothing at all" (*kullu shai' aw lā shai'*), this is not acceptable by Islamic law or by the realities of life.
- b. Taking the lesser of two evils (*akhaḥḥ al-ḍararain*) or passing over a lower public interest in order to secure a higher public interest, is allowed in Islam. Muslim jurists have no objection to the idea of tolerating a minor evil for fear of incurring a greater evil.
- c. Descending from the lofty ideal to the closest reality (*al-nuzūl min al-mathal al-'alāila al-wāqi' al-adnā*) is allowed by Islamic law because of the pressure of necessity or genuine inability to achieve the ideals. The well-known principles of Islamic jurisprudence which apply in this case are "Necessities render permissible what is prohibited" (*al-ḍarūrāt tubīḥ al-mahzūrāt*), "Hardship brings about facilitation" (*al-mashaqqah tajlib al-taisīr*) "No harm (to oneself), nor causing harm (to others)" (*lā ḍarar wa lā ḍirār*) and "Removal of distress or difficulty" (*raf' al-ḥaraj*). The conditions of Muslim weaknesses in today's world allow for the lowering of the ideals although they are required to strive incessantly in order to gain strength. There is, therefore, no harm for Muslims or Islamic movements to comply with the existing governments and to participate in the political system as long as it will be beneficial to the *Ummah*.

- d. Observing “the norm of gradualism” (*sunnat al-tadarruj*) as one of the conventions of Allāh (S.W.T) in achieving the higher objectives is an acceptable practice. It is also agreed by rational people that “If one cannot achieve everything, it does not imply that everything has to be abandoned” (*Mā lā yudraku kulluh, lā yutraku kulluh*).<sup>48</sup>

Al-Qarāḏāwī lays down certain conditions for the Muslims’ participation in non-Islamic governments. The first condition is that one should not become an instrument for other people’s interest; one should contribute to the promotion of justice or the eradication of injustice; and one should strive for the affirmation of truth and the rejection of falsehood. The second condition is that the power of the government should not be used for unjust and oppressive purposes such as transgressing upon human rights. The Muslims should not be condoning dictatorship or oppressive practices; rather they are expected to oppose them with whatever means available to them. The “participation should be in a government which is based upon democracy and respects the power of the people.”<sup>49</sup> The third condition is that the Muslims have the right to oppose or object to what is clearly against the religion of Islam. The fourth is that there should be a periodic review of the effectiveness or otherwise of the participation in terms of furthering the cause of justice and general welfare of the people. Such a review could result in eventual withdrawal from the government or prolongation of the participation.<sup>50</sup>

Before considering other major implications of the Islamic worldview as reflected in the writings of al-Qarāḏāwī, it is important to look at his remaining general transformation

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<sup>48</sup>Al-Qarāḏāwī, *Min Fiḡh al-Dawlah*, pp. 177-183; *Fatāwa Mu’āsirah*, Vol. 3, pp. 437-444.

<sup>49</sup>Al-Qarāḏāwī, *Fiḡh al-Dawlah*, p. 185.

<sup>50</sup>Al-Qarāḏāwī, *Fatāwa Mu’āsirah*, Vol. 3, pp. 444-446.

strategies as they would contribute significantly to the goal of ummatic maturity as well as peaceful co-existence with “others”.

### 1. Changing from Form and Outer Appearance to Reality and Substance<sup>51</sup>

The substance of Islam is not about “growing the beard and lengthening it; shortening of the robe; carrying the *miswāk* (teeth-cleaning stick); joining one’s foot with other’s foot in prayer; placing the hands on the chest or above the navel; eating while seated not while standing; forbidding all kinds of songs or music; making the wearing of the *niqāb* (face cover) obligatory for women, etc.” The substance of Islam as an ‘*aqīdah* is *Tawhīd*, that of ‘*ibādah* is sincerity, that of *mu‘āmalah* (transaction) is truthfulness, that of *khuluq* (character) is mercy, that of *tashrī‘* (legislation) is justice, that of ‘*amal* (work) is perfection, that of *adab* (ethics) is spiritual consciousness, that of ‘*alāqah* (human bonds) is brotherhood, and that of civilization is balance.

The understanding of essence of faith as a deep-seated spiritual consciousness, the concern of *taqwā* with the purification of the heart and cleansing it of the spiritual diseases and the internalization of Qur’ānic morality (*al-khuluq al-qur’ānī*) in its comprehensive scope need to engage the attention of Muslims. In following the *Sunnah* of the Prophet (Ṣ.‘A.W) through obeying and loving him, care should be given to his principles of tolerance and gentleness in dealing with people, making things easy rather than difficult, and following a gradualist educational approach in efforts to bring about social change. Muslims should not forget that the Prophet (Ṣ.‘A.W) said that his mission was to bring to perfection the virtues of good conduct and

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<sup>51</sup>Al-Qarāḏāwī, *al-Ṣaḥwah al-Islāmiyyah*, pp. 10-52.

that the heaviest thing to be placed on the balance (for the weighing or evaluation of deeds) on the Day of Resurrection is good character.<sup>52</sup>

## 2. From Talking and Bickering to Giving and Doing

Muslims have to overcome several negative habits such as: looking for the mistakes of others, instead of self-criticism and welcoming constructive criticism from others; preoccupation with useless polemics or idle talk on non-vital issues; and saying or advocating things which are not supported or followed by appropriate actions. The deeds that are required cover both the affairs of the world and the Hereafter. In carrying out those good deeds, Muslims must resist the temptation of despair because the results of those well-intentional efforts may not be realized within a short period. They should not be engrossed in utopian idealism or be discouraged by the *ḥadīths* regarding the gloomy signs of the Last Day, because the Prophet (Ṣ.‘A.W) has said that;

If the time of the Last Day has come, while one of you has in his hand a seedling and he still has the opportunity to plant it in the soil before the final hour, then let him plant it.<sup>53</sup>

Muslims also do not have to wait until the Rightly Guided Leader (*al-Mahdī*) or the Renewer (*al-Mujaddid*) appears to be engaged in all forms of constructive and reformative actions. Similarly one does not need the excuse of waiting for the actualization of the Islamic state to be actively involved in several badly needed social, economic, educational and political reform activities.

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<sup>52</sup>Ibid.,p. 51.

<sup>53</sup>*Ḥadīth* narrated by Anas b. Mālik and reported in the *Musnad* of Ahmad (Vol. 4, p. 41) and in the *Saḥīḥ* of al-Bukhārī (in *Adab al-Mufrad*, p. 486).

The believers are commanded by Allāh (S.W.T) to be involved in socially beneficial work (*fi'l al-khayr*).<sup>54</sup>

### 3. From Sentimental ('ātifīyyah) and Clamorous Attitude (ghawghāiyyah) to Rational and Scientific Attitude

It is true that being sentimental or emotional is a common trait of being human, but this trait should not be allowed to dominate over the intellect or reason. Allāh (S.W.T) demands His servants and vicegerents always to be just in dealing with fellow creatures and not to be influenced by the destructive emotion of base desires:

O you who believe! Stand out firmly for justice, as witnesses to Allāh, even as against yourselves, or your parents, or your kin, and whether it be (against) the rich or the poor, for Allāh can best protect both. Follow not the lusts (of your hearts), lest you swerve, and if you distort (justice) or decline to do justice, verily Allāh is well-acquainted with all that you do.

(Q. *Al-Nisā'* 4: 135)

Even in dealing with the enemies, the believer is commanded to uphold the principle of justice:

O you who believe! Stand out firmly for Allāh, as witnesses to justice, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just, that is next to piety. And fear Allāh, for Allāh is well-acquainted with all that you do

(Q. *Al-Mā'idah* 5: 8)

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<sup>54</sup>See Q. *Al-Hajj* 22: 77-78.



The tendency to indulge in emotional rhetorics and behaviour has unfortunately been part of Islamic renewal movements in the early phase as well in some groups in the contemporary period. This emotional phenomenon takes the form of over-glorification of certain individuals; excessiveness in love or hatred; drowning in the world of fanciful dreams; impatient to achieve results before they are due; depending on good intentions without due regard for the correctness of the means; making decisions or doing things hastily and without adequate preparation; incorrect way of trusting in Allāh (S.W.T) resulting in fatalistic behaviour pattern; not heeding the conventions of Allāh (S.W.T) in the universe and in society whereby the prerequisites for obtaining the required changes or Divine assistance have to be fulfilled; inclination to exaggerate or to belittle – both of which are wrong – in describing or evaluating challenges or problems at hand; adoption of the style of demagoguery to gain popularity with the masses; superficiality in the understanding of issues and ways of solving problems, such as the naive assumption that our problems are mainly caused by external conspiracies thus avoiding the duty of self introspection or self criticism which is enjoined by the Qur’ān<sup>55</sup> and falling into the trap of “political determinism” (*al-jabariyyah al-siyāsiyyah*). Without denying that Muslims have to be aware of the external challenges and obstacles placed by external forces hostile to Islam, al-Qarāḏāwī maintains that it is more important to focus on internal and self-originating impediments than to concentrate on the obstacles placed in our path as part of external plots against us.<sup>56</sup>

In this regard Muslims need to change from the emotional thinking and behaviour syndrome to;

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<sup>55</sup>See Q. *Āl ‘imrān* 3: 165.

<sup>56</sup>Al-Qarāḏāwī, *al-Ṣaḥwah al-Islāmiyyah*, p. 105.

the realistic, neutral, objective and rational attitude” (*al-naz‘ah al-‘aqlāniyyah al-mawdū‘iyyah al-ḥiyādiyyah al-wāqi‘iyyah*) in assessing matters, evaluating works, interpretation of events, interpretation of history, perceiving of supporters and adversaries, defining of positions to be taken and in decision making.<sup>57</sup>

The scientific spirit and thinking based on knowledge (*al-tafkīr al-‘ilmī*) should dominate the Muslims’ relationship, standpoints and affairs of life so that;

we look at things, personalities, deeds, issues and standpoints with a scientific view, and we produce our tactical and strategic reports on the economy, politics, education, etc. with a scientific outlook and spirit – away from the lack of sound preparation (*irtijaliyyah*), subjectivism (*dhātiyyah*), extitable mindset (*infi‘āliyyah*), sentimentality (*‘āṭifiyyah*), clamorous inclination (*ghawghā‘iyyah*), arbitrariness (*taḥakkumiyyah*), and the attitude of trying to look for justifications for improper actions (*tabrīriyyah*). These negative traits predominate our environment today and colour our dispositions and demeanour to a large extent. Whoever among the decision makers managed to free himself from following personal desires or the desires of his group or party, would find that his greatest concern was to follow what would fulfil the desires of the masses, not what would fulfil their true interests, secure their future in their small homeland, big homeland and biggest homeland.<sup>58</sup>

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<sup>57</sup>Ibid., p. 106.

<sup>58</sup>Ibid., p. 106.

Among the characteristics of the scientific spirit which should be cultivated,<sup>59</sup> the most important are:

- a. Viewing objectively (*al-naẓrah al-mawḍū'īyyah*) opinions, things and statements, regardless who the personalities may be, as stated by 'Alī b. Abi Ṭālib, "You will not know the truth by (looking at the) men. Know the truth first then you will know who really possesses it."<sup>60</sup>
- b. Respect for specializations (*iḥtirām al-ikhtiṣāṣāt*). Each branch of knowledge has its own experts, therefore the one who gives his legal opinion on everything cannot be regarded as truly knowledgeable.
- c. The ability to undertake self criticism (*naqd al-dhāt*), to admit mistakes and benefit from them; to evaluate the experiences of the past justly, without trying to justify mistakes or indulge in glorification.
- d. Employing the latest and best techniques in trying to achieve objectives, even if it means benefitting from one's enemies, in the spirit of the well-known saying, "Wisdom is the lost property of the believer, wherever he finds it, he is most deserving to it than others."
- e. Subjecting everything other than the incontestible intellectual and religious matters to critical inquiry and examination, irrespective of whether the results are in accordance with one's interest or not.
- f. Refraining from being hasty in coming up with rulings and decisions, except after having conducted a careful study based on reliable investigation or statistics, and

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<sup>59</sup>See al-Qarāḍāwī, *al-Hall al-Islāmī: Farīḍah wa Ḍarūrah*, pp.252-253.

<sup>60</sup>Al-Qarāḍāwī, *al-Ṣaḥwah al-Islāmiyyah*, p. 107.

after a constructive dialogue (with relevant parties) that would reveal the defects or negative aspects of the particular issues.

- g. Appreciating other perspectives, beside one's own, and respecting differing views of others in matters which are open to a variety of opinions, either in *fiqh* or other disciplines, as long as each viewpoint has its own evidence and argument and as long as the issue has not been established by a conclusive authoritative text. It is the established principle among our 'ulamā' that "there is no contestation in non-*ijtihādī* issues." They are open to constructive dialogue and impartial academic verification.
- h. Upholding "the scientific mentality" especially in the 21<sup>st</sup> century C.E. through the use of appropriate quantitative, statistical or survey methods of analysis, the working out of strategic planning for the future as demonstrated by Prophet Joseph (on whom be peace) in his futuristic economic policies and Prophet Muḥammad (Ṣ. 'A.W) in deciding that some Companions migrate to Abyssinia, the use of experimental methods in solving technological problems, and the giving of due regard to Allāh's conventions vis-à-vis individual transformation and social change or winning over one's adversaries.<sup>61</sup>

#### 4. Change from Preoccupation with the Subsidiary and Periphery to the Primary and Fundamental.

If action and concrete contribution, rather than talking and disputing, have to be part of the new agenda of Muslim reawakening, it may be asked "What field of action – from the intellectual (*al-ʿamal al-fikrī*), the educational (*al-ʿamal al-tarbawī*), the movement-oriented (*al-ʿamal al-ḥarakī*) and the social (*al-ʿamal al-ijtimāʿī*) – should be given prior attention, since

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<sup>61</sup>Ibid.,pp. 107-115.

all the above-mentioned areas of action are part and parcel of the work that Muslims have to be involved in?” To al-Qarāḏāwī prior attention has to be given to “the field of thinking and culture (*maidān al-fīkr wa al-thaqāfah*) and the field of “education and character development” (*al-tarbiyah wa al-takwīn*).

He opines:

Correcting erroneous concepts and wrong ideas has to be given top priority because the actions and behaviour of people are, in most cases, the result of what has been well established in their inner selves in terms of ideas and conceptions. If these are correct then their actions and behaviour would be correct; if they are crooked then the latter would also be crooked. Once we have corrected the conceptions and ideas, then our next action will be to educate the people based on the corrected ideas so that the conscience, volition and thought will unite to produce the upright behaviour.<sup>62</sup>

The preoccupation with subsidiary, optional and minor matters of religion runs the risk of contravening the Qur’ānic and Prophetic methods, sidelining the bigger and more urgent matters, and being mired in endless disputes because those matters are not based on categorical or indisputable evidences.<sup>63</sup> Some of the mistakes of some religious people include overstressing in their lectures and instructions the importance of supererogatory religious rituals as though they are obligatory for the general masses, a mistake that has been addressed by al-Ghazālī in his *Iḥyā’ ‘Ulūm al-Dīn*. Another mistake is to emphasize differences over petty issues instead of

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<sup>62</sup>Ibid.,p.116.

<sup>63</sup>For more detailed discussion on religious priorities, see al-Qarāḏāwī’s book, *Fī Fiqh al-Awlawiyyāt*.

concentrating on what has been agreed upon by the majority of authoritative scholars. The “promoters of differences of opinion” (*al-khilāfiyyūn*) on secondary or minor issues are criticized by al-Qarāḍāwī for assuming that their opinions are always correct, their inclination to be engaged in disputations and divisive polemics, their negative presumption about others and their sense of amazement or conceit for their special qualities (*iʿjāb bi-al-nafs*). This last trait is one of the self destructive qualities (*al-muhlikāt*) which make them blind to their shortcomings. They can see the speck in other people’s eyes but cannot see the pieces of wood in their own eyes. They should be reminded of the Prophet’s sayings, “Three self-destructive diseases are: niggardliness which is obeyed, vain desires which are being followed and a man’s conceit with his view.”<sup>64</sup> It should be pointed out that serious differences may be allowed if they are grounded on issues of ultimate objectives or methodological principles regarding fundamental religious beliefs or doctrines and the like. Even then one should not lose sight of any points of agreement or commonalities on both sides of the arguments upon which dialogues or mutual tolerance could be established.

5. Change from Bigotry (*al-taʿassub*) and Exclusivism (*al-inqhilāq*) to Forbearance (*al-tasāmuh*) and Inclusivism (*al-intilāq*).

Ibn Taymiyyah explains that an absolutist fanatical attitude towards a group, regardless if the group is right or wrong, is a *Jāhiliyyah* characteristic which is condemned by the Prophet (Ṣ.ʿA.W).<sup>65</sup> This is different from the act of helping the victims of injustice or preventing the unjust person from committing injustice – an act that is encouraged in Islam. Therefore the

<sup>64</sup>*Hadīth* reported by al-Ṭabrānī in *al-Awsaṭ* on the authority of Ibn ʿUmar, and evaluated by al-Albānī in *Ṣaḥīḥ al-Jāmiʿ al-Ṣaḥīḥ* as being in the category of “good” (*ḥasan*). See al-Qarāḍāwī, *al-Ṣaḥwāh al-Islāmiyyah*, p. 132.

<sup>65</sup>“He is not one of us who calls to group fanaticism, or fights in the name of group fanaticism or dies in the name of group fanaticism (*ʿaṣabiyyah*). *Hadīth* reported b Abū Dāʿūd, but the *isnād* is weak.

fanaticism that is blameworthy (*al-ta'aṣṣub al-madhmūm*) or bigotry is the kind of blind fanaticism towards one's beliefs, or school of thought or one's ideas and opinions, or one's community or group, to the point that one does not accept any dialogue with those holding different views and shut all doors of peaceful interaction or communication. Believing strongly in or holding fast to one's religious teachings or beliefs, however, is not bigotry or objectionable fanaticism because believers are required to remain firm on the straight path, to place complete trust in Allāh (S.W.T), to cling fast to the religion of Allāh (S.W.T) and to have the highest degree of *taqwā* of Allāh (S.W.T).<sup>66</sup> The detestable fanatic or bigot does not listen except to his/her words and does not have faith in any one other than his or her group and it is the exclusivist group which thinks for him or her, and decides with whom he or she should be friendly with or hate.

“The texts of our great religion,” says al-Qarāḏāwī “prescribe... religious tolerance,” and the history of Islam is full of evidences of Islamic tolerance, a fact that has been well documented, according to al-Qarāḏāwī, by well-known Western scholars, namely Thomas Arnold (*The Preaching of Islam*), Gustave LeBon (*La civilisation des Arabes*) and Adam Metz (*Islamic Civilization in the Fourth Century of the Hegira*). One of the contemporary manifestations of the Islamic ethos of religious tolerance is the acceptance of invitation to Islam-Christian dialogue participated by al-Qarāḏāwī and other Muslim scholars of repute. He has made it clear on several occasions and in his books<sup>67</sup> that Muslims have to live in peace and harmony with the non-Muslim citizens and communities, engage in peaceful dialogue and communicate the teachings of Islam wisely and in the best possible manner, forever refraining

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<sup>66</sup>See Q. *Al-Zukhrūf* 43: 43; Q. *Al-Naml* 27: 79; Q. *Āl 'Imrān* 3: 102-103.

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from any form of coercion.<sup>68</sup> Grounded in the faith that all human beings, as Allāh’s creatures, are endowed with dignity by Allāh (S.W.T), Muslims have to observe the fundamental principles laid down by Allāh (S.W.T) in the following verses:

As for such [of the disbelievers] who do not fight against you on account of [your] faith, and neither drive you forth from your homelands, Allāh does not forbid you to show them kindness and to behave towards them with full equity, for, verily, Allāh loves those who act equitably. Allāh only forbids you to turn in friendship towards those who fight against you because of your faith, and drive you forth from your homelands, or aid (others) in driving you forth. And as for those among you who turn towards them in friendship, it is they who are truly wrongdoers!”

(Q. *Al-Mumtahanah* 60:8-9)

Al-Qarāḍāwī reveals that “some of the stern zealots or fanatics among Muslims” had objected to him referring, at times to, “Our Coptic brothers in Egypt” on the grounds that brotherhood only refers to a common religious fraternity. He explained to them that it was true that religious brotherhood had a premier position in Islam, but that did not rule out the existence of brotherhoods based on a common homeland (*al-ukhuwwah al-waṭaniyyah*) or a common community (*al-ukhuwwah al-qawmiyyah*). The Qur’ān acknowledges this category of brotherhood when it refers to Noah (on whom be peace) as a “brother” of his disbelieving people and to Shu‘ayb (on whom be peace) as a “brother” of the disbelieving people of Madyan.<sup>69</sup>

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<sup>68</sup>See S. *Al-Nahl* 16: 125; S. *Al-‘ankabūt* 29: 46; S. *Al-Shūrā* 42: 15.

<sup>69</sup>Q. *Al-Shu‘arā* 26: 105-106; Q. *Hūd* 11: 84.



Ideological tolerance (*al-tasāmuḥ al-fikrī*) is another aspect of Muslim tolerance which needs to be cultivated in order to overcome the problem of bigotry or exclusivism. This tolerance, especially among Islamic groups or movements, requires the attitude of looking at what is being said, rather than who says it; the readiness to admit one's own mistakes or weaknesses; welcoming constructive criticism from within or from outside of one's group, self-introspection in order to correct possible mistakes or review previous decisions; willingness to withdraw from a particular position for the sake of achieving unity or consensus, and showing sincere appreciation of the good or the positive in other people's ideas or actions.<sup>70</sup>

#### 6. Change from Violence and Rancour to Gentleness and Compassion

Bearing in mind that the methodology of Islamic propagation (*al-da'wah al-Islāmiyyah*) is based on gentleness (*al-rifq*)<sup>71</sup>, tenderness (*al-līn*), graciousness (*al-riqqah*), compassion (*al-rahmah*), dialogue in the best possible manner with “the other”, and that Islam is a religion of compassion (*dīn al-rahmah*), Muslims who use violence in promoting the cause of Islam are in fact violating the teachings of Islam and do great disservice to it. Unfortunately groups which espouse the use of violence in the name of Islam have appeared in Muslim countries and one of the reasons for the emergence of this phenomenon – dubbed as “Neo-Khawārij” by al-Qarāḍāwī – is traceable to their faulty and defective understanding of *jihād* (*khalal fī fiqh al-jihād*), changing wrongdoings by force (*fiqh taghyīr al-munkar bi-al-quwwah*), fighting or revolting against the rulers (*fiqh al-khurūj 'alā al-ḥukkām*) and accusing others of disbelief (*fiqh al-takfīr*).

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<sup>70</sup>Al-Qarāḍāwī, *al-Ṣaḥwah al-Islāmiyyah*, pp. 226-240.

<sup>71</sup>“Verily Allāh is gentle; He loves gentleness in all affairs.” *Ḥadīth* reported by Muslim on the authority of ‘Āishah. See *Ṣaḥīh Muslim*, *ḥadīth* number 2593. See al-Qarāḍāwī, *al-Ṣaḥwah al-Islāmiyyah*, p. 279.

Faults in the understanding of *jihād*.

Those who espouse the violent approach are mistaken in assuming that it is obligatory to fight the disbelievers even though they are at peace with the Muslims. In this regard they are guilty of transgressing the limits imposed by Allāh (S.W.T), as stated in the Qur’ān, “... And fight in Allāh’s cause against those who wage war against you, but do not commit aggression, for verily Allāh does not love aggressors.”<sup>72</sup> This verse, contrary to the claim of some of the militants, is not abrogated and the categorical statement that “verily Allāh does not love aggressors” is a permanent principle in Islam.<sup>73</sup> It is true, however, that the Muslim *Ummah* was given permission by Allāh (S.W.T) to fight (*qitāl*) those who aggressed against the Muslims, or transgressed against their holy places or against the weak or oppressed servants of Allāh (S.W.T) as indicated by the following verses:

- a. Permission [to fight] is given to those who have been fought against in as much as they have been wronged and Allāh is indeed able to give victory: those who have been driven from their homes unjustly only because they said, ‘Our Sustainer is Allāh’, for if Allāh had not repelled some people by means of others, [all] monasteries and churches and synagogues and mosque – in which Allāh’s name is abundantly extolled – would surely have been destroyed. Verily Allāh will help those who help His (cause). Truly, Allāh is Most Powerful, Exalted in Might.<sup>74</sup>

(Q. *Al-Hajj* 22: 39-40)

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<sup>72</sup>Q. *Al-Baqarah* 2: 190.

<sup>73</sup>This is affirmed by Ibn Taymiyyah in his “*Qā’idah fī Qitāl al-Kuffār*” (The Principle in Fighting the Disbelievers). Al-Qarāḍāwī, *al-Ṣaḥwah al-Islāmiyyah*, p. 299.

<sup>74</sup>This constitutes the earliest Qur’ānic reference to Muslims’ fighting for a sacred cause.

b. And fight in Allāh’s cause against those who wage war against you, but do not commit aggression – for, verily Allāh does not love aggressors.<sup>75</sup> And slay them wherever you may come upon them, and drive them away from wherever they drove you away – for oppression (*al-fitnah*) is worse than slaughter.<sup>76</sup> But fight them not at the Sacred Mosque unless they (first) fight you there. But if they fight against you, slay them. Such is the reward for the disbelievers. But if they cease [fighting], behold Allāh is much forgiving, a dispenser of grace. Hence, fight against them until there is no more oppression and all worship is devoted to Allāh alone<sup>77</sup>, but if they cease [fighting] them all hostility shall cease, save against those who [wilfully] do wrong.

(Q. *Al-Baqarah* 2: 190-193)

c. ...Thus if they withdraw from you, and fight not against you, and offer you peace, then Allāh does not allow you to harm them.

(Q. *Al-Nisā’* 4: 90)

d. ...If they withdraw not from you, nor offer you peace, nor restrain their hands, take hold of them and kill them wherever you find them: for it is against these that We have clearly empowered you [to make war].

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<sup>75</sup> As explained by Muḥammad Asad, this verse and the rest that follows, “lay down unequivocally that only self-defence (in the widest sense of the word) makes war permissible for Muslims.... The defensive character of a fight “in God’s cause” – that is, in the cause of the ethical principles ordained by God – is, moreover, self-evident in the reference to “those who wage war against you”. *The Message of the Qur’ān*, p. 41.

<sup>76</sup>The injunction to kill the aggressors “wherever you may come upon them” is valid – according al-Rāzī (*al-Tafsīr al-Kabīr*) – “within the context of hostilities *already in progress*.” The translation of *al-fitnah* as “oppression”, in this “oppression”, in this context, is justified, says Muḥammad Asad, because the aggressors have brought about an “affliction which may cause man to go astray and to lose his faith in spiritual values (cf. *Lisān al-‘Arab*)”. Muḥammad Asad, *The Message of the Qur’ān*, 41.

<sup>77</sup>Lit., “and religion belongs to Allāh alone”, means, according to Muḥammad Asad, until Allāh (S.W.T) “can be worshipped without fear of persecution, and none is compelled to bow down in awe before another human being.” The term “worship”, in the Islamic perspective, “comprises here both the doctrinal and the moral aspects of religion: that is to say, man’s faith as well as the obligations arising from that faith. *The Message of the Qur’ān*, p. 41.

(Q. *Al-Nisā'* 4: 91)

- e. Would you, perchance, fail to fight against people who have broken their solemn pledges, and have done all that they could to drive the Messenger away, and have been first to attack you. What! Do you fear them? It is Allāh alone of whom you ought to stand in awe, if you are [truly] believers!

(Q. *Al-Tawbah* 9: 13)

- f. And how could you refuse to fight in the cause of Allāh and of the utterly helpless men and women and children who are crying, ‘O our Sustainer! Lead us forth [to freedom] out of this land whose people are oppressors...

(Q. *Al-Nisā'* 4: 75)

It should be reiterated that fighting can never be used as a means of coercing people to embrace Islam, because faith has to be acquired through the exercise of free personal choice, otherwise it is rejected.<sup>78</sup> Moreover it is in accordance with the wisdom of Allāh (S.W.T) that a plurality of religions exists, for Allāh (S.W.T) – while desirous that human beings submit to the religion of Islam after providing ample guidance for human beings to accept the religion of Allāh (S.W.T) and believe in Prophet Muḥammad (Ṣ.‘A.W) and the Qur’ān – leaves it to human beings to choose to come to the Truth on the strength of their own rational reflection, decision and free will.<sup>79</sup> Some of the militants also make the erroneous claim that there is a verse in the Qur’ān which they call “the verse of the sword” (*āyat al-saif*), which allegedly abrogates more than a

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<sup>78</sup>See Q. *Yūnus* 10: 99; Q. *Al-Baqarah* 2: 256; Q. *Hūd* 11: 28.

<sup>79</sup>See Q. *Yūnus* 10: 99; Q. *Hūd* 11: 118-119.

hundred verses of the Qur’ān. Not only are they unable to agree on which verse is “the verse of the sword”, nor are they right in assuming that an abrogation has occurred. The verses they refer too are mainly from *Sūrah al-Tawbah* and a few verses from *Sūrah al-Anfāl*, but these verses have to be understood in the context of the legitimate causes which led to the fighting and wars between the disbelievers and the Muslims in Madinah. Even then the Muslims were asked to abide by the terms of treaties they entered into and to incline to peaceful resolution if the adversaries so desired.<sup>80</sup>

It is important for Muslims to understand the distinction between *qitāl* (fighting) and *jihād* (striving), reminds al-Qarādāwī, since both words have been used as though they mean the same thing. The first point to bear in mind is according to the Qur’ān, every Muslim believer is that required to strive hard or struggle for the cause of Allāh (S.W.T).

O you who believe! Bow down and prostrate yourselves, and worship your Sustainer [alone], and do good, so that you might attain to felicity. And strive hard in Allāh’s cause with all the striving that is due to Him (*wa jāhidū fī Allāh haqqa jihādih*)...

(Q. *Al-Ḥajj* 22: 77-78)

[Know the true] Believers are only those who have attained to faith in Allāh and His Messenger [Muḥammad (Ṣ. ‘A.W)] and have left all doubts behind, and who strive hard (*jāhadū*) in Allāh’s cause (*fī sabīl Allāh*) with their possessions and their lives (*bi-amwālihim wa anfusihim*): it is they, they who are true to their word (*al-ṣādiqūn*)!”

(Q. *Al-Ḥujurāt* 49: 15)

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<sup>80</sup>Al-Qarādāwī, *al-Ṣaḥwah al-Islāmiyyah*, pp. 302-304.

The comprehensive scope of *jihād*, in the above contexts, encompasses the meaning of “striving hard against the lower self and evil desire” (*mujāhadat al-nafs*), “striving hard against Satan” (*mujāhadat al-shaiṭān*), “striving hard against iniquities or injustices and reprehensible actions” (*mujāhadat al-mazālim wa al-munkarāt*) in society and “striving hard against the [Meccan] polytheists” (*mujāhadat al-mushrikīn*). These striving efforts involve the use of the intellect, the tongue, the pen, the body, wealth as well as weapons – if need be – according to the dictates of the particular circumstances.<sup>81</sup> Thus the verses of the Qur’ān which urged the early Muslims of Mecca to strive hard against the polytheists meant the *jihād* of patience and perseverance (*jihād al-ṣabr*) in facing the torments of the Meccan disbelievers, because at that time Muslims were not permitted by Allāh (S.W.T) to fight their opponents:

Obey not the disbelievers, but strive hard against them (*wa jāhidhum*) by means of this [Qur’ān] with utmost striving (*jihādan kabīran*).

(Q. *Al-Furqān* 25: 52)

The moral and spiritual *jihād* is also reflected in the following verses:

Hence, whoever strives hard does so only for his own good: for verily Allāh does not stand in need of anything in all the worlds!

(Q. *Al-ʿAnkabūt* 29: 6)

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<sup>81</sup>It is common nowadays to hear Muslim leaders referring to the urgency of improving economic conditions of the Muslim community as “economic *jihād*” or “*jihād* against poverty”. Scholars and intellectuals also describe the importance of intellectual development of the *Ummah* as “intellectual or educational *jihād*.” See, for example, Muḥammad Ali Haji Hashim, *Business Satu Cabang Jihad* (Business as a Branch of *Jihād*), Kuala Lumpur: Utusan Publications, 2003.

But as for those who strive hard in Our cause, We shall most certainly guide them onto paths that lead unto Us, for behold, Allāh is indeed with the doers of good.

(Q. *Al-ʿAnkabūt* 29: 69)

From several other verses referring to the importance of *jihād fī sabīl Allāh* and the relevant *ḥadīths* supporting the same, there should not be any doubt that every Muslim is expected to be “one who strives hard” (*mujāhid*), without necessarily becoming “a fighter” (*muqatīl*) in the physical sense, unless there are legitimate reasons requiring physical fighting (*qitāl*). A Muslim has to keep in mind that the Prophetic mission was to bring peace and compassion to the whole of mankind without resorting to force or coercion.<sup>82</sup>

Referring to the controversy between the proponents of defensive (*difāʿī*) military *jihād* (*al-jihād al-ʿaskarī*) and the proponents of offensive (*hujūmī*) military *jihād*, al-Qarāḍāwī, who is apparently inclined to the first group gives the following reasons as to why there is no need to continue the debate. First, the Muslims of the world have not carried out the obligatory defensive *jihād* of liberating the Muslim land from the usurpers and the aggressors, in several parts of the world in which Muslims have been persecuted and oppressed. How can we talk of offensive military *jihād*, says al-Qarāḍāwī, when the Muslim *Ummah* has yet to embark upon the defensive military *jihād* which is its responsibility. Second, the offensive military *jihād* implies the removal of those forces which impose their dominion over the Muslims and prevent them from conveying the message of Allāh (S.W.T) to other people. But today there is no force that prevents Muslims from disseminating the Islamic message in all languages through the electronic media and print media available in all parts of the world. Compared to what the Christian missionaries have been doing to spread the Gospel all over the world, the Muslim efforts leave

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<sup>82</sup>See Q. *Al-Anbiyāʾ* 21: 107; Q. *Al-Nahl* 16: 89; Q. *Yūnus* 10: 57; Q. *Al-Tawbah* 9: 33; Q. *Al-Fath* 48: 28; Q. *Al-Tawbah* 9: 128-129; Q. *Āl ʿImrān* 3: 20; Q. *Al-Nūr* 24: 54.

much to be desired. Third, the Muslims are dependent upon others for their military strength. The powers that are supposed to be the targets of offensive military *jihād* of the Muslims are the ones that manufacture weapons of all kinds and sell them to the Muslims. If it were not for them, Muslims would be defenceless. So what is the sense of talking about offensive military *jihād*, asks al-Qarāḏāwī, when we are utterly at the mercy of the powerful nations.<sup>83</sup>

## 6.2 Faults in the Understanding of Changing Reprehensible Things (*Taghyīr al-munkar*) by Force.

In trying to change reprehensible situations or wrongdoings in society by the use of force, since it is a moral and religious responsibility of Muslims to change any reprehensible (*munkar*) condition or act, first “by hand”, then “by the tongue”, and finally “by the heart” – but that is the sign of the weakest faith – militant Muslims tend to forget the conditions which eminent religious scholars have laid down regarding the ways by which the moral transformations are to take place. Based on what Imām al-Ghazālī has discussed in his *Iḥyā’ Ulūm al-Dīn*, the steps to be taken to bring about the change of reprehensible situations vary and are gradualistic in nature, the most severe being the use of coercion and warfare. This method is not permissible except for those who possess power stronger than the perpetrators of reprehensible acts. Nor is it permissible to bring about the change which results in a more reprehensible situation than the earlier situation or more or less the same as the previous *munkar*. The principle in Islamic jurisprudence is that a harmful situation cannot be eliminated by another harmful situation of the same kind or bigger than the earlier one.

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<sup>83</sup>Al-Qarāḏāwī, *Awlawiyyāt al-Ḥarakah al-Islāmiyyah fī al-Marḥalah al-Qādimah* (Priorities of the Islamic Movement in the Coming Phase) (Cairo: Maktabah Wahbah, 4<sup>th</sup> ed., 1992), pp. 93-95.



The first condition is that the situation to be changed by the force of authority or power has to be truly reprehensible or clearly forbidden (*ḥarām*) and that there is no conflict of opinion among the Muslim leaders regarding its forbidden nature. The second condition is that the reprehensible situation has to be clearly seen or visible to the public; misdeeds done in the privacy of a private home or in complete secrecy do not warrant severely combative reactions. The third condition is that the change agent must have the capability and the material or non-material resources to eliminate the *munkar* with ease. When one does not have the power or resources to bring about the change, then one should use “the tongue” (“*bi-lisānih*”) to address the problem. But those who have the legitimate authority (*sulṭān*) are duty-bound to carry out the responsibility of moral correction as is possible within the limits of such authority.<sup>84</sup>

If the *munkar* is committed by the government in power or the existing state which is backed by military and material power, what should individuals or groups do to bring about the necessary changes? Based on different local contexts, three major alternatives can be considered:<sup>85</sup>

- A. The use of the armed forces in the country, especially in the “Third World” which protect the regimes and help to intimidate or silence the political opposition. Some of these governments employ not “the power of logic” (*quwwat al-manṭiq*) but “the logic of power” (*manṭiq al-quwwah*) to suppress the legitimate popular demands for freedom.
- B. The use of the People’s Representative Assembly or the Parliament as practiced in true democratic systems, by which changes in society can be instituted by the decision of the majority, in which case no prime minister or president has the power to deny the right of the majority.

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<sup>84</sup>Al-Qarāḏāwī, *al-Ṣaḥwah al-Islamiyyah*, pp. 310-313.

<sup>85</sup>Ibid., p. 313.

C. The mobilisation or employment of “People Power” which represents the collective conscience or desire of the people for change. When this happens, nothing can stop it because it’s force is like that of a huge tidal wave which sweeps the whole shore.

Whoever does not have either one of the above means as provided by the local circumstances must exercise patience, forbearance and steadfastness says al-Qarāḏāwī until the legitimate means are available. In the meantime, efforts aimed at the desirable social and moral transformations could be carried out with all the peaceful and non-violent ways available until a powerful public opinion emerges which legitimizes the necessary elimination of the *munkar*.

It should be remembered, however, that the ‘*ulamā*’ have emphasized that, should there be any real fear that the change of a *munkar* by means of power would bring about a bigger *munkar* or become a cause for bloodshed or shedding of the blood of innocent people, civil strife or tumult, then it is a responsibility to refrain from taking radical measures, to bear patiently the unfavourable circumstances and adopt the principle of “choosing the lesser of two evils.”<sup>86</sup> This condition should not discourage the concerned Muslims from taking steps to educate and train a generation of front-line and committed believers to be entrusted with the responsibility of social change in the future. Such a generation will be needed to face a challenging situation poignantly portrayed in *aḥadīth* of the Prophet (Ṣ.‘A.W) when Abū Tha‘labah al-Khasni asked the Prophet (Ṣ.‘A.W) regarding the verse “O you who believe! Take care of your ownelves [by doing righteous deeds and abstaining from evil deeds]. If you follow the right guidance [and enjoin what is right and forbid what is wrong], no hurt can come to you from those who are in error...” (Q. *Al-Mā'idah* 5: 105). The Prophet (Ṣ.‘A.W) replied,

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<sup>86</sup>Ibid.,p. 315.

Even so, be actively involved in enjoining what is right (*al-ma'rūf*) and prohibiting what is wrong (*al-munkar*) so that when you see greediness being widely followed, base desires being readily complied with, this world being preferred [to the Hereafter] and the conceitedness of every opinion-laden person with his/her opinion, then you must focus your attention on your own well-being, and leave the common people. There will come after you a period of time when the one who patiently perseveres in it will be like the one who is clasping smouldering ambers and the worker (of good deeds) in it will get the reward equivalent to fifty workers who work like you.<sup>87</sup>

Considering that the malaise and the crises afflicting the *Ummah* are inherited from the long periods of civilizational decline, the age of Western colonialism and the years of secular governments and oppression, and, as such, are deep-rooted and extensive, effective social and moral transformation cannot be effected through superficial or fragmented efforts. The change involves ideas, concepts, values and standards; it embraces the domains of ethics and practices, cultures and traditions, institutions and legislations. Before all that can happen,

it is necessary that human beings change what is in themselves through constant orientation, continuous education, and setting good examples. When human beings changed what is in themselves, they become worthy of being changed by Allāh in accordance with the invariable convention (of Allāh (S.W.T)): ‘Verily Allāh does not change the condition of a people until they change what is in themselves.

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<sup>87</sup>*Hadīth* reported by al-Tirmidhī, Ibn Mājah, Ibn Jarīr and Ibn Abī Hātim. See footnote 1, al-Qarāḍāwī, *al-Ṣaḥwah al-Islāmiyyah*, p. 315.

(Q. *Al-Ra‘d* 13: 11)

Al-Qarāḏāwī reminds again regarding “the necessity of gentleness (*ḏarūrat al-rifq*)” in trying to overcome what is *munkar*, for the Prophet (Ṣ.‘A.W) has enjoined Muslims to adopt gentleness as “Allāh (S.W.T) loves that gentleness be applied in all affairs”, and in accordance with the well-known saying, “Whoever enjoins what is right then let the enjoinder be done in the right manner (*Man amara bi-al-ma‘rūf falyakun amruhu bi-ma‘rūf*)”.<sup>88</sup>

#### 7. Fault in understanding the issue of revolting against the rulers.

Al-Qarāḏāwī says that he is the one of those Muslims who demand that rulers of Muslims implement the laws of Allāh (S.W.T) in all aspects of life. They should not adopt the policy of accepting some of the Divine laws and deliberately leaving aside some others, for then they would be guilty of what Allāh (S.W.T) says in *Sūrah al-Baqarah*, 2: 85 (“Do you then believe in a part of the Book and reject the rest?”). He believes that the situation of the law in most of Muslim countries contradicts several injunctions of the *Shari‘ah*, be it in legislation, economy, politics, culture, etc. It is not right to keep silent over those contradictions. Nevertheless, it is the Muslims’ duty,

To strive for their reform (*iṣlāḥ*) – as much as possible for us – by means of advice; propagation and guidance; enjoining what is right and forbidding what is wrong, with gentleness and wisdom and arguing in the best possible way; offering legal alternatives which are sound and implementable in the contemporary situation to replace the existing prohibited elements; conscientization and education of the people, and

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<sup>88</sup>Al-Qarāḏāwī, *al-Ṣaḥwah al-Islāmiyyah*, p. 317.

mobilizing them to steer the rulers toward peaceful change (*al-taghyīr al-silmī*), instead of civil strife and armed clashes (*al-muṣādamāt al-musallaḥah*).<sup>89</sup>

Al-Qarāḏāwī asserts that “we are opposed to the militant groups in the use of arms and revolting against the rulers by physical force” because of their misinterpretation of verses of the Qur’ān which are, in fact, general in nature and are to be properly understood by their connections with other texts which enjoin patience and perseverance in the face of the wrongdoings of the rulers. He quotes several authentic *ḥadīths* which strongly discourage acts of rebellion against rulers unless open and manifest disbelief have emanated from them. This is also the general position of Islamic religious scholars, a position premised upon the greater public interest of maintaining the unity of the *Ummah*, the prevention of bloodshed among Muslims, the fear that rebellious actions would open the doors of uncontrollable civil strife or cause deep rifts within the community which would be extremely difficult to heal.<sup>90</sup>

In the contemporary situation, there are Muslim countries which recognize Islam as the official religion of the state and that the *Shari‘ah* is a source of laws, but they have weaknesses and shortcomings in the implementation of Islamic injunctions. The rulers may be guilty of sinful acts but that does not make them outcasts of the Muslim community, for they do not reject Islamic teachings knowingly or regard the prohibited acts as permissible. The more serious challenge, though, comes from the extremist secularist group (*al-‘almānī al-mutaṭarruf*) among Muslim rulers “who manifest their enmity to the *Shari‘ah* of Islam, ridicule (or make fun of) it

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<sup>89</sup>Ibid.,p. 318.

<sup>90</sup>Ibid.,pp. 318-326.

and consider it incompatible with civilization and progress.”<sup>91</sup> This group of rulers rejects the *Shari‘ah*, overthrows what Allāh (S.W.T) has made obligatory, adopts the path of the disbelievers and “strives hard to dessicate the springs of religiosity in the souls of Muslim masses as well as in their lives.” These are the people against whom it is justifiable and obligatory to resist and to fight, opines al-Qarāḏāwī, but, he cautions, “all these actions are bound by the limits of (one’s) capability and capacity, for Allāh does not impose a burden on any soul beyond its capability. Often the use of force not in its proper place leads to great catastrophies and may impede the return to the *Shari‘ah*...”<sup>92</sup> The conclusion that al-Qarāḏāwī provides should be given serious attention:

It is more appropriate for Muslims then to agree on the peaceful mechanism for the process of change, and to benefit from what the world has achieved by way of democratic means (*al-wasā’il al-dīmuqratiyyah*) in bringing about change, or by any other ways which will not result in tumult and big chaos on earth. The believer searches for wisdom from whichever receptable it comes from. There is no harm for Muslims to adopt from other peoples the means which would benefit them in their religion and their worldly life as long as those means do not contradict the texts and the principles of the *Shari‘ah*. Such means are, in fact, a part of the justifiable public interest (*al-maṣāliḥ al-mursalah*) by which the higher purposes of the Divine Law (*maqāsid al-shari‘ah*) and benefits for the people are actualised.<sup>93</sup>

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<sup>91</sup>Ibid.,p. 326. On the challenges of extreme or radical secularism to Islam, see al-Qarāḏāwī, *al-Taṭarruf al-‘Almānī fī Muwājahat al-Islām* ( ).

<sup>92</sup>Al-Qarāḏāwī, *al-Ṣaḥwah al-Islāmiyyah*, p. 326.

<sup>93</sup>Ibid., p. 327.

Those militant groups who decided to take up arms against the Muslim rulers or governments on the ground that they have become disbelievers either because they did not implement the Divine Laws or because they did not reject disbelief are obviously guilty of serious flaws in their understanding of the issue of *al-takfīr* (accusation of disbelief) which al-Qarāḍāwī had already addressed in his earlier writings. Making a distinction between “terrorism” (*al-irhāb*) and violence (*al-ʿunf*), al-Qarāḍāwī is on record for his categorical rejection of both the former and the latter. Every terrorist act is a form of violence, but not every violence constitutes terrorism which he defines as “the use of violence against those who do not have any conflicting issue or grievance with the perpetrators; such violence being merely a means to terrorise the others and harm them in a variety of ways.”<sup>94</sup> These ways included hijacking of civilian planes; kidnapping of civilians to be used as hostages in bargaining with the enemy; killing of foreign tourists as a strategy of pressurising the local government, in this case that of Egypt; and the actions of September 11, 2001 in New York and Washington which were condemned by al-Qarāḍāwī because they involved the killing of innocent civilians, including Muslims, who had nothing to do with the political policies of the U.S.A. government. He has also issued authoritative legal opinions (*fatwā*) prohibiting all the above acts of terrorism, and has repeatedly condemned such violent acts perpetrated by militant Muslim groups in his Friday sermons, lectures, essays, books and in the Muslim-Christian Conference held in Rome in October 2001.<sup>95</sup> Moreover, from the point view of political gain or loss, these violent acts rarely led to regime change or the collapse of the targetted governments.

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<sup>94</sup>Ibid., p. 328.

<sup>95</sup>Ibid., pp. 328-329.

But combatting terrorism with state-sponsored terrorism is also wrong; it is the root causes of terrorism that have to be addressed – the elimination of injustices and, in some particular cases, the solution to the issue of Palestine whose people were unjustly driven out of their land, and giving the right of the Muslim peoples to have their freedom to choose the type of governments they want in Muslim-majority countries, instead of having certain systems imposed upon them against their wishes. Be that as it may, Muslims have to realise that real change cannot be accomplished by means of violence, because,

it is a process involving a long period and has deep roots. It has to begin with what is in accordance with the Qur’ānic and Prophetic method of changing what is within oneself, through conscientisation and education, and long period of preparing the inner self. Change what is within you, then history would change. This is the established law of the Qur’ān.

(Q. *Al-Ra‘d* 13: 11)<sup>96</sup>

This law, unfortunately, is understood primarily by the people endowed with sound intellect (*ūlū al-albāb*) and those who are endowed with great determination and patience (*ūlū al-‘azm*) but such people are few in number.<sup>97</sup>

Only in two cases, says al-Qarāḏāwī, is violence or the use of force justifiable, but the decision to resort to it must be decided by the people who possess the relevant authority and legitimate decision-makers (*ahl al-ḥall wa al-‘aqd*), and not to be decided by unauthorised people or individuals who are inclined to use militant means and do not have the legitimate authority.<sup>98</sup> Even so, the resort to this legitimate use of force can only be carried out in

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<sup>96</sup>Ibid., p. 331.

<sup>97</sup>Ibid., p. 331.

<sup>98</sup>Ibid., p. 331



accordance with one's real capacity and capability to manage the potentially turbulent circumstances so that the Muslim masses or civilians will not be exposed to possible annihilation in the process, or to collective extermination by the powers that be, on the pretext of resisting violence or terrorism. Should such a scenario become a real possibility as a consequence of the proposed violent or military operations, then the Muslims have to restrain themselves and withdraw from such plans with the assumption that better opportunities would offer themselves in the future, as they are not supposed to throw themselves or their community headlong unto unnecessary dangers. Besides, they will only be judged by Allāh (S.W.T) according to their real capability (“*mā istaṭaʿtum*”). The two cases are: a) resistance against colonialism, illegal occupation or invasion of Muslim land or property, such as the Israeli occupation of Palestine, and b) opposition to a critical situation in a Muslim country in which open disbelief or defiant irreligiosity on the part of Muslim rulers or power-holders has become rampant or overbearing. In the past the break-out of large scale apostasy movement (*riddah*) among the early Muslims was quelled by force by the ruling power. It is well-known that the first Caliph of Islam and beloved Companion of the Prophet (Ṣ.ʿA.W), Abū Bakr al-Ṣiddīq (r.ʿa), who was by nature a non-violent prone personality, decided to go to war to quell the apostasy movement which emerged during his caliphate, as it was a form of rebellion or reason against the legitimate Islamic government.<sup>99</sup> Nowadays, the efforts by the ruling secular elites of some Muslim countries to encourage widespread apostasy trends among Muslims – if not tackled wisely and cautiously – could lead to undesirable and potentially explosive situations.

Non-violent means of conflict resolution should be applied before the situation gets out of hand, but if those means fail and the situation becomes worse – with the eruption of inter-religious violence or acute civil strife and bloodshed – then the use of force, as a last resort,

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<sup>99</sup>Ibid.,p. 332.

might be justified, on the general agreement and firm conviction that such intervention would not lead to a greater chaos or tumult, and normalcy would resume in the aftermath. If that assurance is not forthcoming and there is a real possibility that the problems would escalate into a major social catastrophe as a result of the forceful intervention, thus creating a greater harm, then it is prudent and obligatory not to resort to the use of force but to utilise and explore all the non-violent means available and conceivable in addressing the contemporary challenge of neo-apostasy among Muslims.

It is worth mentioning at this juncture that the issue of apostasy in contemporary Malaysia, which has become one of the major concerns of the Muslim community, has been addressed mainly through the channel of the existing provisions of Islamic Law Enactments of the Malaysian states. These legal provisions, however, have been challenged by the supporters of the apostates in both the Islamic court of law (*Mahkamah Syariah*) and the civil court. While the legal process in Muslim countries, such as in Indonesia, Malaysia, Egypt or Turkey is not the most satisfactory or effective way of resolving the issue of apostasy, the use of force is certainly uncalled for under the current circumstances. In the Indonesian context which has been witnessing, over the years, large scale conversions of Muslims to different Christian denominations, the concerned Muslim leaders have been urging the state authorities to halt the unethical strategies of religious proselytization undertaken by several Christian missionary groups within the Muslim communities.

### **IMPLICATIONS FOR CONTEMPORARY ISLAMIC RELIGIOUS DISCOURSE**

Responding to the specific issues and challenges of the times on the basis of Islamic religious perspectives and standpoints, the religious discourse of the Muslim *Ummah* as articulated by its advocates and bearers, has to undergo a process of renewal from time to time. It has, first of all, to be couched in the language of the times and its style has to be commensurate with the intellectual expectations of contemporary society. This is in line with the Qur'anic principle of "inviting to the path of Allāh with wisdom (*al-ḥikmah*)" and "argue with them with the best of arguments (*bi-allatī hiya aḥsan*)". In this era of globalisation, world-wide Islamic resurgence and mounting Western media stereotyping, demonisation and Islamophobia in the wake of the U.S. led campaign of "War Against Terror" following the September 11, 2001 tragic events, Muslim countries have been urged by Western powers to review not only the religious discourse of Islamic *da'wah* but also the religious education curricula of Islamic schools (*madrasahs*), a demand which has irked the Muslims because it smacks of Western intellectual arrogance, condescension and anti-Islamic prejudice, since no such demands are made on the anti-Islamic religious discourses of the Jews and the Christians, particularly that of the Neo-conservative Christian fundamentalists, the Zionist Christian movement and pro-Zionist Jewish organisations. Nevertheless, the Islamic religious discourse needs to be continuously improved, renewed and corrected, not because of foreign pressures but because it is dictated by the Islamic norm of "renewal of religion" (*tajdīd al-dīn*) and the need to sustain the justly balanced spirit of Islam and the Muslim *Ummah*.

The Islamic discourse which represents the justly balanced spirit and nature of Islam has the potential to contribute positively to inter-religious and inter-civilisational understanding and peaceful coexistence in this conflict-ridden world, provided it is guided and inspired by sound and authentic religious guidelines or principles. A set of such guidelines is offered by al-

Qarāḍāwī (who discusses the guidelines as “characteristics”) in one of his latest books, *Khiṭābunā al-Islāmī fī ‘Aṣr al-‘Awlamah* (Our Islamic Discourse in the Era of Globalisation).<sup>100</sup> Preceding the fifteen guidelines, al-Qarāḍāwī emphasizes the necessity of following the principle of using wisdom in calling people to the path of Allāh (S.W.T). In this connection he expresses his displeasure at the inappropriate content of a supplication used by some Muslims on certain occasions when referring to the Jews and Christians. He proposes that Muslims should use the word “non-Muslims” instead of “disbelievers” (*kuffār*) when addressing adherents of other religious, particularly the People of the Book (Jews and Christians). Similarly, the non-Muslim citizens of a Muslim country should be referred to as “citizens” (*muwāṭinūn*), instead of “*Ahl al-Dhimmah*”<sup>101</sup> while the expression of “brotherhood” could also be used to refer to non-Muslims insofar as they are fellow human beings who descended from the same father and mother of Adam and Eve, and that human beings constitute one large family. However, the brotherhood of belonging to the same religion and creed is the highest level of brotherhood which supercedes the brotherhood of common ethnicity or common nationality.

1. The first guideline is that the Islamic religious discourse invites human beings to have faith in Allāh (S.W.T) as the One and Only God, Creator, Sustainer and Ruler of mankind without denying the importance, the honour, the dignity, the freedom and the rights of man. The contemporary religious discourse which seems to lack the focus on the human dimension, has to give greater attention to the problems faced by human beings in today’s world. It should also address the spiritual crisis afflicting the modern man and society,

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<sup>100</sup>Yūsuf al-Qarāḍāwī, *Khiṭābunā al-Islāmī fī ‘Aṣr al-‘Awlamah*, (Our Islamic Discourse in the Age of Globalisation)(Cairo: Dār al-Shurūq, 2004).

<sup>101</sup>A term used in the past to refer to the free and protected non-Muslim subjects in an Islamic state.

because the modern civilisation has provided human beings abundant material comforts but deprived them of spiritual wellbeing.<sup>102</sup>

2. The second guideline is to invite human beings to have faith in Divine revelation and to accept the truths it conveys in the form of creed, religious obligations, laws, ethics, concepts and traditions without diminishing the complementary roles and functions of the intellect in affirming the revealed truths and helping human beings in providing solutions to worldly problems. The need to integrate the intellectual sciences (*‘ulūm ‘aqliyyah*) with the Divinely transmitted sciences (*‘ulūm naqliyyah*), as explained by Imam al-Ghazālī, underscores the compatibility and harmony of “the uncontaminated intellect” (*al-‘aql al-ṣarīḥ*) and “the true (revealed) knowledge” (*al-naql al-ṣaḥīḥ*). The lack of understanding of the place of sound intellect and the useful knowledge of the world and nature that it generates is one of the causes of the decline of Muslim societies. The mind of Muslim masses needs to be liberated from the stranglehold of irrational impulses, beliefs in the supernatural powers of black magic, and the ignorance of superficial religious teachers. Our religious discourse has to reawaken and recapture the sound Islamic intellectual spirit and dynamism to address adequately and competently the challenges of the Godless materialistic philosophies of modern civilization.<sup>103</sup>
3. The third guideline is to invite human beings to the essence and inner core of religion which is its spiritual dimension (*al-rūḥāniyyah* or *al-jānib al-rūḥī*), without neglecting the material dimension of life (*al-jānib al-māddī min al-ḥayāh*). The spiritual relationship of

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<sup>102</sup>Ibid.,pp. 56-64.

<sup>103</sup>Ibid.,pp. 65-78.

man with his Master and Sustainer is to be strengthened through the purification of the heart from false beliefs and the “diseases” which al-Ghāzalī called “*al-muhlikāt*” (destructive factors in man, such as pride, self-admiration, deception, ostentatiousness, love of the world, love of wealth, love of fame, excessive anger, jealousy and hatred). This involves the *jihād* against one’s own self, the striving to do good and to be beneficent (*ihsān*) to all human beings and creatures of Allāh (S.W.T) as a way of getting closer (*taqarrub*) to Him. All these spiritually-focused efforts should not, however, lead to the neglect of the material needs of life, especially the physical and economic wellbeing as they are the legitimate means of fulfilling the function of man’s vicegerency on earth. The religious discourse in this era of globalisation therefore has to give due attention, within the framework of comprehensive worship (*‘ibādah*) to the imperative of developing the earthly resources and full utilisation of material means with ethical principles to realise the civilisational mission of Islam through the comprehensive strength (*quwwah*) of the Muslim *Ummah*.<sup>104</sup>

4. The fourth guideline is to give attention to the fulfilment of the fundamental religious obligations such as prayer, fasting, *hajj* and *zakāh* as well as improving the quality of the remembrance of Allāh (*dhikr*), supplication, seeking forgiveness of Allāh (S.W.T) and reading of the Qur’ān which are involved in the worship obligations, without forgetting the moral values and objectives behind all the forms of worship. Good conduct and ethical behaviour are the fruits of right belief, and the lack of the former is a testimony of the shortcomings of the latter. Yet there are many religious and pious Muslims whose meticulousness in the performance of religious rituals is not matched by a corresponding

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<sup>104</sup>Ibid.,pp. 79-90.

judiciousness in upholding exemplary conduct in the area of human relations or worldly dealings and transactions. The scope of Islamic ethics or morality, it should be noted, is comprehensive: it embraces the whole of human life – it includes academic integrity (*al-akhlāq al-‘ilmiyyah*), individual morality (*al-akhlāq al-fardiyyah*), family morality (*al-akhlāq al-usariyyah*), social morality (*al-akhlāq al-ijtimā‘iyyah*), political morality (*al-akhlāq al-siyāsiyyah*) and economic morality (*al-akhlāq al-iqtisādiyyah*). For Muslims, the embodiment of all these exemplary conduct and moral virtues is the Prophet (Ṣ.‘A.W). Since the perfection of the virtues of good conduct (*makārim al-akhlāq*) is inextricably linked to the perfection of faith and religiosity, the contemporary Islamic religious discourse has to make up for the great lacuna in the understanding and practise of this vital principle in the life of Muslims and in their relationship with “others”.<sup>105</sup>

5. The fifth guideline is to emphasize the importance of the creed of *Tawḥīd* as the comprehensive, unadulterated and final creed of uncompromising monotheism as well as of spreading tolerance, forbearance and love of others who differ with us. Differences in religions and beliefs – however much they contrast with Islamic *Tawḥīd* – are part of the plan and wisdom of Allāh (S.W.T), for if He so wished, He could make every one on earth believe in *Tawḥīd*.<sup>106</sup> But He left it to man to decide for himself after He has made known and revealed the Truth and the Right Religion (*al-dīn al-ḥaqq*), and He does not want it to be forced upon those who do not believe in it. The right way to spread the Truth as demonstrated by the Prophet (Ṣ.‘A.W) is through the practice of tolerance of religious differences, peaceful dialogue and showing the love for human beings while truly desiring

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<sup>105</sup>Ibid.,pp. 91-99.

<sup>106</sup>See Q. *Yūnus* 10: 99; Q. *Hūd* 11: 118-119.

the good, the guidance, the wellbeing and the happiness of all human beings. This is the opposite of spreading religious bigotry, hatred of others and enmity towards those who do not share the same beliefs which characterise the popular discourse of the extremists and the radicals.<sup>107</sup>

6. The sixth guideline is to urge the people to live by the religious ideas as individuals, families, societies and nation, because Islam has laid down the proper ways to abide by the religious values and norms, without ignoring the fact that some human beings fail to achieve and maintain the religious standards in their lives due to a variety of factors. The religious discourse has to keep this reality in mind without succumbing to the pressures of the less than ideal realities in contemporary society. But knowing from the Qur'ān that man's inherent nature is capable of ascending the highest spiritual heights beyond that of the angels while, at the same time, is no less capable of descending to the lowest levels of moral depravity, the juxtaposition of idealistic exhortations with realistic considerations should be a feature of the Islamic religious discourse.<sup>108</sup>
7. The seventh guideline is to strive for seriousness, purity and constancy on the path of righteousness, moral rectitude, upholding justice and combatting evil desires, without forgetting man's need for occasional relaxation, decent entertainment, recreation and amusement, all of which are provided for, within certain limits, in Islamic society.<sup>109</sup>

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<sup>107</sup> *Khiṭābunā al-Islāmī fī 'Aṣr al-Awlamah*, pp. 100-107.

<sup>108</sup> *Ibid.*, pp. 108-114.

<sup>109</sup> For al-Qarāḏāwī's views on the subject of songs, music, art and entertainment, see his *Fiqh al-Ghinā' wa al-Musiqāfī Ḍaw' al-Qur'ān wa al-Sunnah* (Understanding Songs and Music in the Light of the Qur'ān and the Sunnah) (Cairo: Maktabah Wahbah, 2006), *Al-Islām wa al-Fann* (Islam and Art) (Cairo: Maktabah Wahbah, 1996) and Vol.2 of his *Fatāwa Mu'āsirah*.



8. The eight guideline is to promote the universalism of Islamic message and values without ignoring the local or regional issues or problems. Living in “the global village” that the world has become due to the revolution in information and communication technology, the Islamic discourse has to be aware of important developments or issues affecting Muslim communities all over the world without being misled by the strong currents of globalisation which are being used to extend the economic and cultural hegemonies of powerful Western forces. The Islamic discourse should not confuse globalisation as projected by Western powers with Islamic universalism which has always been an integral part of its vision and mission. The term “globalisation” which sounds pleasing and neutral to the ears could well be a well-orchestrated metamorphosis of the old imperialistic designs of the West to the “new imperialism” (*al-isti‘mār al-jadīd*) of today, following the triumphant victory of liberal capitalism over communism and the emergence of the “New World Order” led by the United States of America.<sup>110</sup> The Islamic religious discourse has to be able to keep track of global cultural trends which are meant to undermine traditional religious values and institutions while it looks into and addresses the various existential needs of the communities closer at hand.<sup>111</sup>
9. The ninth guideline is to endeavour towards achieving the quality of contemporaneity (*al-mu‘āṣarah*) by being thoroughly familiar with the contemporary *Zeitgeist* (*rūḥ al-‘āṣr*), especially its technical aspects, and understanding the megatrends, the philosophical schools, the intellectual currents, the literary orientations, the behavioral and moral

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<sup>110</sup>For al-Qarāḍāwī’s views on globalisation and Islam, see his *al-Muslimūn wa al-‘Awlamah*.

<sup>111</sup>*Khiṭābunā al-Islāmī fī ‘Aṣr al-‘Awlamah*, pp. 120-127.

deviations and the major issues of the times. The Islamic discourse does not and cannot live in the past; it is the child of its time, space and environment. It understands that the world has changed and therefore its views have to keep abreast and up-to-date with the changing circumstances. Yet, despite its contemporaneity, the cultivation of scientific attitudes, renewal, flexibility and openness to the beneficial institutions of modernity such as democracy, it should not be influenced by the ultra liberal spirit of wanting to jettison all the classical heritage of Islamic civilisation. The contemporary Islamic discourse has to cling fast to its “authenticity” (*al-aṣālah*) which is grounded in Qur’ānic theology, epistemology, law and ethics.<sup>112</sup>

10. The tenth guideline is to look forward to the future (*istishrāf al-mustaqbal*) but not alienated from the past. The Qur’ān urges human beings not to become prisoners of the past, but to prepare and look forward to a better future by using all the proper means for attaining such future. The planning for the future was exemplified in the life struggle of Prophet (Ṣ.‘A.W), especially prior to the migration to Medina. Without rejecting the past, but drawing appropriate lessons from history, the Islamic discourse has to be futuristic if it is to shape the future in competition with other contenders who are producing the tools of science and technology.<sup>113</sup>
11. The eleventh guideline is to adopt the principle of finding the easy solution when giving authoritative religious opinions or judgements (*al-taisīr fī al-fatwā*) instead of making things difficult (*al-ta‘ṣīr*), and giving glad tidings in the propagation of Islam (*al-tabshīr*

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<sup>112</sup>Ibid.,pp. 128-133.

<sup>113</sup>Ibid.,pp. 134-140.

*fī al-da‘wah*), instead of stressing the severities of religious obligations. This principle and approach, as supported by the guidance of the Qur’ān and the *Sunnah*, are most appropriate in the context of Muslims living in Western countries and the context of conveying the message of Islam in multicultural and multireligious societies.<sup>114</sup>

12. The twelfth guideline is to call for the wider use of *ijtihād* without transgressing against the well-established doctrines, principles, laws and institutions of Islam. This era of globalisation is ripe for the full utilisation of *ijtihād* in all its categories – total *ijtihād* (*ijtihād kullī*), partial *ijtihād* (*ijtihād juz’ī*), selective *ijtihād* (*ijtihād intiqā’ī*) and innovative *ijtihād* (*ijtihād inshā’ī*) – because of the emergence of many new issues and problems which call for Islamic solutions, new responses or answers. Although *ijtihād* is undoubtedly necessary, it is to be engaged only by those who are qualified to do so. They are required to have deep knowledge of the Qur’ān and its sciences, *ḥadīth* and its sciences, language and its sciences, and Islamic jurisprudence and its principles. Therefore, true *ijtihād* has to steer clear of the ultra conservative minds which aim at maintaining the rigidities of the past and the ultra liberal influences which seek to undo all the certitudes and established doctrines of Divine revelation. The Islamic religious discourse has to be liberated from these two contradictory trends.<sup>115</sup>

13. The thirteenth guideline is to reject the forbidden terrorism which is a universal phenomenon and to support the legitimate *jihād* whose meanings include the spiritual striving against the lower self, the peaceful propagation of Islam, the economic,

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<sup>114</sup>Ibid., pp. 141-147. For illustrations of the use of this principle, see al-Qarādāwī, *Fatāwā Mu‘āsirah* Vol. I, II, III. *andal-Ḥalāl wa al-Ḥarām* ( ).

<sup>115</sup>*Khīṭābunā al-Islāmī fī ‘Aṣr al-‘Awlamah*, pp. 148-157.

educational and political strivings for advancement in those spheres of human life as well as the military struggle against the aggressors. The Prophet (ﷺ) said that “The best *jihād* is to convey the word of truth before an unjust ruler.”<sup>116</sup> Ibn al-Qayyim divides *jihād* into thirteen categories; four of which are in the category of fighting against the lower self (*jihād al-nafs*); two of which are in the category of fighting against Satan (*jihād al-shaitān*); three in the category of striving against injustices, corruption and wrongdoings in society (*jihād al-mazālim wa al-fasād wa al-munkarāt fī al-mujtamaʿ*), by “hand”, by “tongue” or by “the heart”; and four in the category of fighting the disbelievers and the hypocrites, “by hand”, by “tongue” or by “wealth”, although the struggle against (the belligerent) disbelievers is “by hand” while the struggle against the (non-belligerent) hypocrites is by the tongue.<sup>117</sup> The Islamic discourse has to be cleansed of the wrong conceptions and negative image of *jihād* as projected by some underground radical or militant Muslim groups. At the same time it has to correct the misconception that the genuine defenders of their land and honour are “terrorists”.<sup>118</sup>

14. The fourteenth guideline is to uphold just treatment of women, for Islam has liberated them from the oppressive culture of *Jāhiliyyah* in the past which imprisoned them in the home, just as it is protecting them from the permissive *Jahiliyyah* trends of the 20<sup>th</sup> Century which granted them unlimited freedom to define themselves or behave in any way they like.<sup>119</sup> Islam regards both genders as indispensable and complementary to each

<sup>116</sup> *Hadīth* reported by Aḥmad, Ibn Mājah, al-Ṭabrānī, al-Baihaqī and al-Nasāʿī.

<sup>117</sup> *Khiṭābunā al-Islāmī fī ʿAṣr al-ʿAwlamah*, p. 164.

<sup>118</sup> *Ibid.*, pp. 158-172.

<sup>119</sup> For the most complete and satisfactory study of the position of women in Islam, see ʿAbd al-Ḥalīm Abū Shuqqah, *Tahrīr al-Marʾah fī ʿAṣr al-Risālah* (Liberation of Women in the Time of the Prophet). ( ) See also al-Qarāḍāwī, *Fatāwā Muʿāsirah*, and *Markaz al-Marʾah fī al-Ḥayāh* (The Position of Women in Life) ( ).

other as far as their roles and responsibilities are concerned, and, in the sight of Allāh (S.W.T) Who created them both from the same entity, they have absolutely equal status and worth as fellow servants, fellow vicegerents of Allāh (S.W.T) and as fellow believers whose distinction is based solely on the degree of their piety and vigilant mindfulness of the pleasures and displeasures of their omnipresent Master.<sup>120</sup> The Islamic religious discourse has to be freed of the hard-line perspectives of men who believe in the inferiority of women who, as such, do not deserve to be given equal opportunities as men in being educated therefore they have to be confined to the home.<sup>121</sup>

15. The fifteenth guideline is to protect and preserve the rights of minorities without encroaching upon the rights of the majority. The religious minorities of Arab countries constitute the *Ahl al-Kitāb* (People of the Book) who are given a special place in Islamic theology, law and ethics, should be meted out with all the guarantees and assurances they deserve, thereby leading to a situation in which there exist the feelings of mutual trust between the Muslim majority and the non-Muslim minority. The Islamic religious discourse, particularly coming from Arab countries which are subjected to the extremist interpretations of Islamic teachings, has to reflect the Islamic spirit of caring, fairness and tolerance to the non-Muslim minorities as enjoined by the Qur'ān and the *Sunnah*. The combative attitude is only reserved for the aggressive, the hostile and the belligerent

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<sup>120</sup>See Q. *Al-Nisā'* 4: 1; Q. *Al-Aḥzāb* 33: 35; Q. *Al-Tawbah* 9: 71; Q. *Āl 'Imrān* 3: 195; Q. *Al-Nisā'* 4: 124.

<sup>121</sup>Another form of injustice and cruelty to Muslim women is in the way some male officials of the Islamic Religious Court are reported to handle cases of estranged couples or treat women who go to them to seek redress of their legitimate grievances against their irresponsible husbands. Sometimes the religious laws are interpreted in ways which are prejudicial towards women.

groups or communities. For those who decided to live in peace and harmony with the Muslims, they should be accorded with honour, respect and kindness.<sup>122</sup>

In conclusion, the desirable Islamic discourse of the present age<sup>123</sup> is the one that emerges “from the Islam of al-Qur’ān and *Sunnah*” which competently communicates Islam’s openness, flexibility, tolerance and inclination towards peace, using the language of the day. It is a comprehensive discourse which manifests the justly balanced characteristic of Islam – a discourse which has been articulated by several prominent Muslim thinkers and scholars of the 20<sup>th</sup> Century. The justly balanced approach and the call for peaceful dialogue, al-Qarādāwī assures, are not a “tactic” of Islamic thinkers but a religious imperative and principle to be followed and practiced by Muslims of all ages.

## **RENEWAL OF CONTEMPORARY ISLAMIC RELIGIOUS THOUGHT AND THE OBSTACLES OF NEO-LITERALISM AND ULTRA-LIBERALISM**

One of the ways Islamic religious thought – particularly in the area of jurisprudence – is being constructed and developed by Muslim jurists, scholars and intellectuals is through the methodology of the *maqāṣid al-sharī‘ah* (objectives of the *Sharī‘ah*) which was initiated by al-Ghazālī and later developed systematically by al-Shāṭibī (d.1388) and Ibn ‘Ashūr (1879-1973).

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<sup>122</sup>*Khīṭābunā al-Islāmī fī ‘Aṣr al-‘Aulamah*, pp. 184-194. For more elaborate exposition on the subject of non-Muslim minorities, see al-Qarādāwī’s *Ghair al-Muslimīn fī al-Mujtma‘ al-Islāmī* (Non Muslims in Islamic Society) ( ), *Aulawīyyāt al-Ḥarakah al-Islāmiyyah*, and the relevant *fatwas* in his *Fatāwa Mu‘āsirah*.

<sup>123</sup>Dr. Abdelk-Wahab M. Elmessiri, Professor Emeritus of English Literature, AinShamsUniversity, Cairo, who passed away in June, 2008, has described and analysed what he calls “A New Islamic Discourse” of contemporary Islamic intellectuals in the Middle East which recaptures the Islamic Paradigm in his essay “Towards A New Islamic Discourse”. See [www.islamonline.net/servlet/satellite?c=Article\\_C&cid](http://www.islamonline.net/servlet/satellite?c=Article_C&cid), July 17, 2003. Retrieved on March 7, 2007. This larger and more analytical academic and intellectual discourse complements the Islamic religious discourse characterised by al-Qarādāwī in his *Khīṭābunā al-Islāmī fī ‘Aṣr al-‘Aulamah*.

<sup>124</sup> In India Shāh Waliyullāh al-Dihlawī (1703-1762) was one of the greatest Islamic scholars to use this methodology, while Rashīd Riḍā (1865-1935) in Egypt employed it in his Qur’ānic exegesis at the beginning of the 20<sup>th</sup> Century. From the second half of the 20<sup>th</sup> Century onward, the following Arab scholars are among several who have been associated with the approach of explaining and interpreting the Qur’ān and the *Sunnah* according to the *maqāṣid* of the Divinely inspired texts – Maḥmūd Shalṭut, Muḥammad ‘Abd Allāh Darrāz, Muḥammad Yūsuf Mūsā, Muḥammad Al-Madīnī, Muḥammad Abū Zahrah, ‘Abd al-Wahhāb Khallāf, ‘Alī al-Khafīf, Muḥammad Mustafā Shalabī, ‘Ali Ḥasb Allāh, Mustafā Zaid, Mustafā al-Zarqā’, Mustafā al-Sibā’ī, al-Bahī al-Khūlī, Muḥammad al-Ghazālī, Sayyid Sābiq and Yūsuf al-Qarāḍāwī. The *maqāṣid* of the *Sharī‘ah* refers to the aims and objectives of the revealed injunctions, laws, commandments, prohibitions and permissible actions applicable to the individual, the family, the group, the society and the *ummah*.

The *maqāṣid* also include the knowable or discoverable wisdom (*ḥikmah*) behind a particular law or rule in the *Sharī‘ah* of Islam. The methodology of *maqāṣidal-Sharī‘ah* is therefore based upon the assumption that *Sharī‘ah* laws, injunctions, rules and regulations conveyed by the revealed texts of the Qur’ān and authentic *ḥadīths* contain objectives which are meant to promote and benefit the welfare, wellbeing and public weal (*maṣlahah*) of human beings. Allāh (S.W.T) as The All-Wise (*Al-Ḥakīm*), The All-Knowing (*Al-‘Alīm*), The Most Merciful (*Al-Raḥmān*) and The Compassionate (*Al-Raḥīm*) intends only what is good and beneficial for His creatures; therefore His Programme and Code of Life for mankind represented by the *Sharī‘ah* are designed by Him to serve the good purposes, goals or *maṣlahah* of mankind, some of which are explicitly mentioned in the texts while others could be rationally inferred or discovered by the competent scholars. Al-Ghazālī is credited with the earliest articulation of

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*maṣlahah* as consisting basically of three categories or levels – *al-darūriyyāt* (the necessities of life), *al-ḥājjiyyāt* (the needs of life) and *al-taḥsīnāt* (the embellishments of life). The general or universal *maqāṣid* of the *Shari‘ah* systematised and summed up by al-Shāṭibī has been known as the *kulliyāt al-khamsah* (the five universal objectives) or *al-uṣūl al-khamsah* (the five fundamental principles), namely:

1. Preservation of religion (*ḥifẓ al-dīn*)
2. Preservation of life (*ḥifẓ al-naḥs*)
3. Preservation of progeny (*ḥifẓ al-nasl*)
4. Preservation of intellect (*ḥifẓ al-‘aql*)
5. Preservation of property (*ḥifẓ al-māl*)

Although these five general principles are well-known, many contemporary scholars, including Rashīd Riḍā, and Ibn ‘Ashūr, do not feel bound by them and have come up with different or additional sets of general objectives. Al-Qarāḍāwī feels that those five *maqāṣids* are more relevant to the wellbeing of individuals. His own set of *maqāṣids* privileges the development of the righteous individual, the righteous family, the righteous society, the righteous *Ummah* and the well-being of humanity. The *maqāṣid*-oriented jurisprudence and Islamic thought have spurred the development of contemporary *ijtihād* in the right direction and have inspired al-Qarāḍāwī's innovative, refreshing and balanced ideas expressed in his expositions of “new *fiqh*”: *fiqh al-wāqi‘* (understanding the current societal realities), *fiqh al-awlawiyyāt* (understanding of priorities), *fiqh al-muwāzanah* (understanding of balances), *fiqh al-ikhtilāf* (understanding of differences), *fiqh al-aqalliyyāt* (understanding of minorities), *fiqh al-dawlah* (understanding of the state), *fiqh al-sunan* (understanding of Allāh’s laws in nature and society),



*fiqh al-zakāh* (understanding of *zakāh* institution) and *fiqh al-maqāsid* (understanding of the objectives of Islamic law).

The *ijtihādī* and *maqāsidī* intellectual endeavour, however, is being threatened, on the one hand, by the literalist school of thought and, on the other hand, by the ultra liberal school of thought.<sup>125</sup> This school of religious thought which al-Qarāḍāwī calls “The Neo-Literalists” (*al-zāhiriyyah al-judud*) interprets the particular texts rigidly and literally (*harfiyyan*) without giving attention to the general objectives of those texts. Although the sincerity and piety of many of them cannot be denied, their rigidity and stern literalism cannot but disfigure and deform the true image of Islam and its *Sharī‘ah*. Their stand on the issue of women and family, culture, education, economics, administration, politics, international relations and relationship with non-Muslims is thus coloured by rigid literalism and intolerance. They are opposed to women participation in elections and they regard democracy and political parties as a Western innovation that has no place in Islam. In matters of religious worship, they emphasize the more stringent and inflexible rules, such as requiring that the stoning of the *jamrah* (the three pillars in Mina which symbolise Satan) during the pilgrimage must be done before the sunset, without thinking of the consequences on the lives of the pilgrims trying to perform the ritual in dangerously overcrowded and highly emotional situations. “They reject renewal in religion”, says al-Qarāḍāwī, “*ijtihād* in jurisprudence, innovative methods in the propagation of Islam, the time of the Pious Ancestors.”<sup>126</sup>

They forget that the *Ummah* did not accept the early *Zāhiris’* (Literalists) school of thought, although the leading scholar among them Ibn Ḥazm ( ) was a legal genius.

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<sup>125</sup>See al-Qarāḍāwī, “*Baina al-Maqāsid al-Kullīyah wa al-Nuṣūṣ al-Juz‘īyah: Dirāsah fī Fiqh Maqāsid al-Sharī‘ah*” (Between the General Objectives and the Particular Texts: A Study in the Understanding of the Objectives of the *Sharī‘ah*), in *Dirāsāt fī Qaḍāyā al-Manhaj wa Majālāt al-Taṭbīq* (London: Al-Maqasid Research Centre, Al-Furqan Islamic Heritage Foundation, 2006), pp. 41-42.

<sup>126</sup>*Ibid.*, p. 46.

Nonetheless, his literalism has led him to several flawed interpretations and unreasonable legal opinions.<sup>127</sup> The literalists' obsession with their own views has also made them conceited. Only their views are correct. Other views coming from outside of their group are unacceptable. They do not believe in the statement that has been attributed to al-Shāfi'ī: "(I believe) my opinion is right but there is a possibility that it may be wrong, while the opinion of others (in my view) is wrong but there is a possibility that it may be right." In their case they would say, "Our opinion is right and there is no possibility of it being wrong, while the opinion of others is wrong and there is no possibility of it being right!"<sup>128</sup> They also reject the principle held by mainstream Islamic movements and scholars that "We can cooperate with one another in matters that we agreed upon and excuse one another in matters that we differed in." These literalists are inclined to oppose the use of sound and responsible reasoning which Muslim jurists employ in understanding and deriving the reasons behind the religious laws, and as a result they come up with prohibitive and anachronistic rulings such as; that the use of paper money is wrong and therefore there is no justification for the payment of *zakāh* on it; there is no *zakāh* on goods for trade; and a blanket prohibition of photography.<sup>129</sup>

The other major obstacle in the path of genuine renewal of Islamic thought is the growing trend among Muslim intellectuals, professionals and academics who, in the name of upholding the general wellbeing of society and the universal objectives of Islam, put aside the particular revealed texts and base their views mainly on their liberal intellectual interpretations of Islamic teachings. Al-Qarāḍāwī likens this trend to the infamous theological school of the past which deprived the attributes (*ṣifāt*) of Allāh (S.W.T) of their true meanings. He calls the followers of this trend as "The Neo-Deniers" (*al-mu'atṭilah al-judud*) because they aim at denying the

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<sup>127</sup>Ibid.,p. 47.

<sup>128</sup>Ibid.,p. 51.

<sup>129</sup>Ibid.,pp. 59-66.

authority of revealed texts (*ta'ḥīl al-nuṣūṣ*) while their precursors in the classical period were denying a fundamental theological doctrine.<sup>130</sup> Despite their lack of sound knowledge of the *Sharī'ah* and the specialised disciplines of Islamic law and jurisprudence, they have the audacity to pass judgements and make pronouncements based purely on their liberal and independent thinking. On the pretext of serving the general objectives of the *Sharī'ah* and public good, they would reject the categorical and well-established texts and challenge the necessity of fulfilling the fundamental religious obligations as traditionally understood and practised.<sup>131</sup> Hence their rejection of the Islamic *ḥudūd* laws,<sup>132</sup> and their flawed methodology of privileging *maṣlaḥah* over the revealed injunctions. Many of them being advocates and admirers of Western liberal thought, would mimic the Western liberal or secular critique of the Qur'ān, the *Sunnah* the *Sharī'ah* and the Prophet (Ṣ. 'A.W).<sup>133</sup> Their understanding of religion, society, politics, culture or knowledge is largely derived from secular Western theories and philosophical trends.

Both the “Neo-Literalist” and the “Ultra-Liberalist” schools of thought within the Muslim community represent obstacles and challenges for the Muslims who travel along the path of *al-ṣirāṭ al-mustaqīm* (the straight path) as dictated by the rightly balanced approach which rejects both extremism as well as liberalism. This approach observes the Qur'ānic injunction “not to transgress the balance, and to establish the balance justly and not to lessen the balance” (Q.*Al-Raḥmān* 55: 8). This approach demands that the particular texts be understood in the context of the general objectives without committing the errors of the “Neo-Literalists” and the “Ultra-Liberalists”. This approach does not forget the general objectives nor does it disregard or belittle the texts. This approach is premised upon the true believers’ conviction in the perfection,

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<sup>130</sup>Ibid.,p. 73.

<sup>131</sup>Ibid.,p. 76.

<sup>132</sup>(Explanation Hudud)

<sup>133</sup>See al-Qarāḏāwī, *A'dā' al-Hall al-Islāmī* (Enemies of Islamic Solution) ( )

exaltedness and goodness of the *Shari'ah* because it is revealed by the All-Knowing and All-Wise Creator and Sustainer of the Universe. As the *Shari'ah* embodies the “mercy to all mankind” (Q.*Al-Anbiya'* 21: 107) as intended by Allāh (S.W.T), it is necessary to discover the different instantiations of this Divine intention through a deep study and understanding of the objectives of the *Shari'ah* and the true nature of Allāh's religion. The need to discover those objectives has to be accompanied with the courage and the readiness to face the truth even if it runs counter to people's beliefs and practices. This is especially so in trying to understand and correctly interpret some of the commandments of the Prophet (Ṣ. 'A.W) which were necessitated by the special circumstances and context of his time and society. However, the correct approach is not to regard a definitive and categorical text as contradicting a *maṣlahah*, since the principle is that *maṣlahah* cannot reside in the act of disobedience to the commandments of Allāh (S.W.T) or contrary to His wisdom particularly in the case of worship proper or *ibādah* in the narrow sense of the word. So there cannot be true *maṣlahah* in making *ḥalāl* what Allāh (S.W.T) has prohibited, or in prohibiting what Allāh (S.W.T) has permitted.<sup>134</sup>

The correct method to be followed in developing sound Islamic legal thought is to continue what was first practised by the Pious Companions, namely to distinguish between the fixed objectives (*al-maqāsid al-thābitah*) of the *Shari'ah* and the changing means (*al-wasā'il al-mutaghayyirah*) to realise the objectives. One example of a fixed objective whose means are not prescribed by the Qur'ān or the *Sunnah* is the principle or institution of *Shūrā* or consultation. The Law Giver has not defined the means not because of any negligence or forgetfulness, but precisely because the means for such a socio-political institution cannot be fixed permanently; the means or the forms have to undergo a process of evolution or change commensurate with the

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<sup>134</sup>Ibid.,pp. 95-100. See also al-Qarāḍāwī, *Kaifa Nata'āmal ma'a al-Sunnah al-Nabawiyyah* (How Do We Interact with the Prophetic *Sunnah*) ( )

vicissitudes of time, place and circumstances. Matters upon which the Law is silent are said to belong to what al-Qarāḏāwī calls “the area of exemption” (*minṭaqat al-‘afw*) because the Law Giver has deliberately intended to make it easy for human beings and as a mercy from Him so that they could, by their *ijtihād* fill in the “open space” with what is fit and proper for it, through the methods of analogy (*qiyās*), judicial preference (*al-istiḥsān*) or determination of a benefit or a usefulness which is not covered by a specific religious text but in harmony with the spirit or a principle of Divine Law (*al-maṣāliḥ al-mursalah*).<sup>135</sup>

It should be noted that there are also means which the magnanimous *Shari‘ah* has prescribed for a particular time and space to realise a particular objective. But the Wise Law Giver never intended the means or forms to be applicable forever for all times. These means were deemed appropriate, at the time of revelation, for the community concerned. For instance, the Qur’ānic verse which stipulates that the believers “prepare to face them with whatever strength you are capable of, and by means of the steeds of war, to frighten thereby the enemies of Allāh and your enemies...” (Q.*Al-Anfāl* 8: 60) prescribes the war horses as the means of building military power. Nowadays the appropriate means would have to be commensurate with the existing scientific and technological advancement. A literal understanding of this commandment or similar *ḥadīths* would be as foolish as it is disastrous for the *Ummah*. Similarly the means of achieving cleanliness of the body, or the means of determining the beginning of the lunar months can be achieved by employing the best and most reliable scientific and technological knowledge, tools or facilities available in a particular country provided they are not forbidden under the religious law. These matters are open to the *ijtihād* of the relevant times and places.<sup>136</sup>

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<sup>135</sup> Al-Qarāḏāwī, *Baina al-Maqāṣid al-Kulliyah wa al-Nuṣūṣ al-Juz’iyyah*, p. 117.

<sup>136</sup> *Ibid.*, pp. 117-130.

One of the serious mistakes in contemporary Muslim thinking on religion is the attempt to change the *maqāṣids* into means – as though the *maqāṣids* are subject to change, replacement or annihilation – or vice versa. For the Ultra-Liberals – among them are philosophers – who subscribe to this viewpoint, there is no real necessity to observe the forms and rituals of prayers or fasting so long as one can achieve the objectives of spiritual purification, abstention from vices and remembrance of God by some other means.<sup>137</sup> The attitude which lies concealed behind this viewpoint could well be a combination of intellectual egoism, sense of superiority and self-sufficiency from the need to worship God, or atheistic assumptions.<sup>138</sup>

The correct attitude is the one shown by the true believers throughout history who accepted both the objectives and the forms of worship proper as Divinely revealed and permanently prescribed Islamic approach to Allāh (S.W.T). The best example of this true belief and practice is, of course, that of the Prophet (Ṣ.‘A.W). As for the knowledge of the inner dimension of worship and spiritual enhancement of the servants’s sincerity, proximity and intimacy with The Compassionate and Beloved Master, the Muslim has the resources and discipline of *taṣawwuf* to refer to, provided the discipline of *taṣawwuf* is the orthodox mainstream spiritual tradition of Islam which is integrated with and inseparable from the larger parameters of the ‘*aqīdah*, *Sharī‘ah* and *akhlāq* of the Qur’ān and the *Sunnah*, as practised by the Pious Ancestors although the name *taṣawwuf* as such was not used in the time of the Prophet (Ṣ.‘A.W) and the Companions. This condition is important and necessary because there exist several mystical movements and groups in the Muslim world and in the West which use the name of *taṣawwuf* (or Sufism as popularly known in the West) or *ṭarīqah* (spiritual or mystical brotherhoods) but are, in fact, contradictory to the ‘*aqīdah* of *Tawḥīd* and deviationist in their

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<sup>137</sup>Ibid.,pp. 130-134.

<sup>138</sup>Ibid.,p. 147. The Qur’ān refers to this attitude in Q.*Ghāfir* 40: 60; Q.*Al-Nisā*’ 4: 172-173 and Q.*Al-A‘rāf*, 7: 146.

goals and objectives. The proposal by some European Muslim sufis to make “Spiritual Islam” (*al-islām al-rūḥī* or *al-islām al-rūḥānī*) as the solution to the chaos and conflict in the world post-September 11, 2001 tragedy, suggests the existence of the wrong conception that “spirituality” exists separately from and outside the orthodox framework of the creed and the Law of Islam.<sup>139</sup>

Another proper approach to be adopted by right-thinking Muslims is to harmonise the firmly established injunctions and commandments (*al-thawābit*) and those that are subject to change (*al-mutaghayyirāt*) through time. The firmly established or fixed injunctions are not open to *ijtihād*, renewal (*tajdīd*) or evolution (*taṭawwur*). They are embodied in the fundamental beliefs of the Islamic creed, the Five Pillars of Islam, the major ethical virtues and values of Islam, the major prohibitions related to external actions, the major prohibitions related to internal actions (or spiritual vices) and the major *Sharīʿah* laws pertaining to food, drinks, dress, ornaments, buying and selling, financial transactions, marriage, divorce, inheritance and the stipulated *Sharīʿah* punishments of major crimes. These aspects of the religion have been laid out definitively, conclusively and finalised (*qatʿī*) and so are their permanency (*thubūt*) and meaning (*dalālah*). Together they represent the permanent identity and the essence of the Muslim *Ummah* which are meant to be constant and immutable.

The changeable aspects of religion are represented by religious texts which are subject to and amenable for rational determination (*zannī*) in terms of both their permanency and their meaning. Most of the laws of the *Sharīʿah* belong to this category and are therefore susceptible to the demands of *ijtihād*, renewal and development. A serious problem is created in the Muslim community whenever the secularists or the “Ultra-Liberals” try to confuse or destroy the distinctions between the fixed and conclusive (*qatʿī*) aspects of religion and those which are

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139

subject to the ingenuity of human reason (*zannī*), what more when they make the *qat'i* as *zannī* and the *zannī* as *qat'i*.<sup>140</sup>

The renewal of Islamic religious thought, to be genuine and relevant, should intelligently and creatively follow the fifteen guidelines discussed above and provide the correct middle path alternatives to the intellectual distortions and conceitedness of the “Ultra-Liberals”, the suffocating rigidity and backward-looking literalism of the “Neo-Literalists”, the deviationist mystical cults and movements masquerading in the robes of Islamic spirituality as well as the biased and tendentious Western scholars’ constructions and deconstructions of Islamic thought.

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<sup>140</sup> Al-Qarāḍāwī, *Baina al-Maqāṣid al-Kullīyyah wa al-Nuṣūṣ al-Juz'īyyah*, pp. 138-140.