

THE NORTON ANTHOLOGY OF
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ISLAM

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On this basis, and in accordance with God's will, we pronounce to all Muslims the following judgment:⁸

To kill the American and their allies—civilians and military—is an individual duty incumbent upon every Muslim in all countries, in order to liberate the al-Aqsa Mosque and the Holy Mosque⁹ from their grip, so that their armies leave all the territory of Islam, defeated, broken, and unable to threaten any Muslim. This is in accordance with the words of God Almighty: "Fight the idolators at any time, if they first fight you;"¹ "Fight them until there is no more persecution and until worship is devoted to God;"² "Why should you not fight in God's cause and for those oppressed men, women, and children who cry out: 'Lord, rescue us from this town whose people are oppressors! By Your grace, give us a protector and a helper!'"³

With God's permission we call on everyone who believes in God and wants reward to comply with His will to kill the Americans and seize their money wherever and whenever they find them. We also call on the religious scholars, their leaders, their youth, and their soldiers, to launch the raid on the soldiers of Satan, the Americans, and whichever devil's supporters are allied with them, to rout those behind them so that they will not forget it.

God Almighty said: "Believers, respond to God and His Messenger when he calls you to that which gives you life. Know that God comes between a man and his heart, and that you will be gathered to Him."⁴

God Almighty said: "Believers, why, when it is said to you, 'Go and fight in God's way,' do you dig your heels into the earth? Do you prefer this world to the life to come? How small the enjoyment of this world is, compared with the life to come! If you do not go out and fight, God will punish you severely and put others in your place, but you cannot harm Him in any way: God has power over all things."⁵

God Almighty also said: "Do not lose heart or despair—if you are true believers you will have the upper hand."⁶

8. The word Bin Ladin uses here means "considered judgment" (*hukm*) which carries a less binding authority than a "juridical decree" (*fatwa*) [translator's note].

9. The mosque in Mecca that houses the Ka'ba, the cubical stone shrine that is the most important site in Islam, visited by Muslims during the pilgrimage. "Al-Aqsa Mosque": the mosque in Jerusalem to which Muhammad traveled from the Ka'ba during the Night Journey (Qur'an 17:1) and from which he undertook his ascent to

heaven.

1. Qur'an 9:36.

2. Qur'an 2:193; 8:39. The conclusion to the first reads: "If they cease hostilities, there can be no [further] hostility, except towards aggressors"; and to the second: "if they desist, then God sees all that they do" [translator's note, edited].

3. Qur'an 4:75.

4. Qur'an 8:24.

5. Qur'an 9:38–39.

6. Qur'an 3:139.

EBRAHIM MOOSA

b. 1957

Born in South Africa, Ebrahim Moosa received a traditional religious education at seminaries (in Arabic, *madrasa*) in India, worked in England as a journalist, and then in 1995 completed his PhD at the University of Capetown. In 2001 he was

appointed a professor of religion and Islamic studies at Duke University, where his work focuses on Islamic ethics, the encounter with modernity, and the madrasas of South Asia. Moosa has received a number of prestigious awards in support of his research and publications.

The excerpt below is taken from a 2003 essay in which Moosa explores the difficulties of being a modern Muslim intellectual. He identifies the core problem faced by such thinkers as the tension created by the need to offer new solutions to often intractable and long-standing problems affecting the Muslim community without completely breaking with tradition. If the Muslim intellectual veers too far from the tradition, his or her faith is called into question. Moosa recognizes that this tension is not unique to modern thinkers: it can be found throughout Islamic history, as seen in earlier debates about the assimilation of Greek, Indian, and Persian thought.

Though Moosa offers no definitive solutions to this dilemma, he does offer a number of thoughtful suggestions. In particular, he warns against two moves often made by modern Muslim thinkers that gloss over the complexity of Islamic thought. He inveighs against essentializing statements about the nature of Islam, such as "Islam is for justice" or "Islam is a religion of peace." He also urges a wary attitude toward "text fundamentalism," the belief that the norms that a community should follow are provided by a text. For Moosa, the community surrounding a text, in conversation with it, imbues the text with meaning, and the community, not the text itself, must decide its norms.

Moosa encourages modern thinkers to study the creativity of past scholars and their multiple interpretive strategies while at the same time producing new hermeneutic approaches to Islamic texts to keep them relevant to modern society.

PRONOUNCING GLOSSARY

Abu Hanifa: <i>a-boo ha-nee'-fuh</i> (heavy <i>h</i>)	al-Shafi'i: <i>ash-sha'-fi-ee</i>
Caliph 'Umar: <i>ka'-lif oh'-mar</i>	Tabari: <i>tah'-ba-ree</i>

FROM THE DEBTS AND BURDENS OF CRITICAL ISLAM

Critical Islam: Beyond Apologia

Of all the intellectual issues facing Muslim communities, the one area that is most troubling is the area of Islamic law (*Shari'ah*). This is especially problematic when the Qur'an endorses elements of the law. In a tradition where the revelation is viewed as the eternal word of God, the law framed in such terms does present a conundrum. The verses dealing with the law do not exceed six hundred (out of over six thousand verses in the whole of the Qur'an) yet somehow receive disproportionate scholarly attention. The bulk of the verses that more importantly address the aesthetics of the Muslim imagination get neglected. Ordinary Muslims of course feel obligated to act upon the mandate of these legal verses. However, untrained in the various exegetical and interpretive traditions, lay people are not aware that a complex methodology is applicable to materials dealing with law, even if these are stated in the revelation.

One of the features of the dominant Muslim discourse in almost all its variants, including modernist discourse, is reification. This is where Muslim traditions, by which I mean living subjective experiences and practices, are reduced and transformed into various concepts, ideas, and things. Thus the way the Qur'an offers women a share in inheritance or assuages their

position in seventh-century Arabia is reduced to meaning that the Qur'an advocates justice as personified in that historical model. Flowing from that is an inference that the form of justice as embodied in the Qur'anic statement is applicable to all times and places. For instance, the limited measures introduced to manumit slaves as penances for certain moral violations as stated in the Qur'an, or the measures adopted by the Caliph 'Umar¹ to prohibit the sale of slave women who have children by their masters are all held up as instances that are indicative of notions of freedom.

These can be deemed as essentialist categories, reducing complex problems and practices to their bare essentials in order to score an ideological point. Terms such as the "spirit" of Islam are employed in order to argue that the spirit of Islam is justice, egalitarianism, equality, or humanism—either as single signifiers or combinations of these qualities. These qualities are held metonymically to represent the entirety of Islam. Often history is invoked to argue that these ideals were evident at the very inception of Islam as a tradition in the seventh century. This is of course done at the expense of exploring exactly *how* these ideas became manifest in the practices and behavior of early Muslims.

It is not very clear whether 'Umar was actuated by concerns of freedom in limiting the sale of female slaves who had offspring or whether he wanted to prevent the proliferation of incest. For there were real concerns that a young female slave separated from her offspring when sold off could years later unknowingly be sold as a concubine to her wealthy offspring. It is also uncertain whether the inheritance system intended to further justice. However, there are clear indications that the new system of intergenerational succession attempted to further a specific form and system of kinship based on patriarchy.

Nowadays, not only Muslim modernists make these arguments, but even orthodox traditionalists and revivalist groups are becoming expert in such apologetics. The real problem with these kinds of arguments is a more acute one. For one thing, they are apologetic and try to justify the past by today's standards. In the process, they inevitably distort history. Since modern Muslim sensibilities are offended by the rules regulating women, such as corporal punishment or the minimum marriageable age for women in Muslim antiquity, they try either to wish them away or to argue them away. There is of course the misplaced belief that the past is embarrassing. For, surely, closer scrutiny shows that in all patriarchal cultures—Christian, Jewish, and Hindu—during antiquity, women were married off at a very early age, in some cases even before they showed their first signs of menstruation.

If we have changed these practices in our world, then we have done so for our own reasons: our sense of justice, equality, and reasons consistent with our political-economy. For a whole set of reasons, we no longer consider marriage to what our modern culture deems minors, corporal punishment, and the death penalty to be acceptable practices. But surely in changing our practices we are not condemning millions of people before us and judging them as reprobate for being different from us? So why should we debate the past as if it is the present? The predisposition among many Muslim apologists is not to understand history, but rather to try to fix or correct it, with the enormous condescension of posterity.

1. 'Umar ibn al-Khattab (ca. 586–644), the second caliph.

But this desire to find justification in the past, in a text or the practice of a founder, suggests that Muslims can act confidently in the present only if the matter in question was already prefigured in the past. Such a perpetually retrospective approach to religious understanding is the sign of a profound lack of dynamism among the contemporary adherents of the tradition. At best, this is reverse science fiction; at worst, it is a sad commentary on the state of Muslim self-confidence in the modern period. Does this mean that Muslims can engage in discourses of justice, egalitarianism, freedom, and equality only if there is some semblance that the scripture or the Prophet or some of the learned savants (imams) of the past endorsed, hinted, or fantasized about the possibility of such discourses?

What this mentality suggests is that Muslims discredit the legitimacy of their experience in the present and refuse to allow this experience to be the grounds for innovation, change, and adaptation. In order to persuade people in public discourse today, the most effective psychological trick to play on unsuspecting Muslim audiences is to say that some past authority—Tabari, Abu Hanifa, or al-Shafi'i²—held such an enlightening position on matter X, so why do you lesser mortals not adopt it? The greater the vintage of the authority, the more persuasive the argument will sound to folks, even if the rationale of the argument and its substance make no sense at all. These may sound like anecdotal stereotypes, but this happens repeatedly in Muslim communities, even among secularly educated lay Muslims. Now what happens if we are faced with problems and issues that al-Shafi'i et al. never even dreamt of, let alone confronted in their lives? Are we going to fictionalize and fabricate statements and attribute these to them in good faith? This is exactly how a great deal of prophetic reports (*ahadith*, sing. *hadith*) were invented and attributed to the Prophet and the early authorities of Islam in order to give new ideas and changing practices some credibility, legitimacy, and authority.

If this kind of mentality has a longer history, then it certainly has reached pathological proportions among modern Muslims. Among the many reasons for this is the outlook that only the past was good in Muslim history; indeed it was perfect, if not a utopia. This suggests that Muslims lack confidence in their abilities and is symptomatic of their despair. It implies that the present is always despised and viewed as fallen. Ironically, despite the amazing and brilliant success Muslims had in history, for many modern Muslims the present, their time and opportunity in history, is viewed to be as dreadful as the original sin. Perhaps the words of Charles Baudelaire, who said that "you have no right to despise the present,"³ have more relevance than ever before.

Some contemporary readings of the Qur'an are predisposed to text fundamentalism, a feature evident among modernists, fundamentalists, and neo-traditionalists. There are several problems attached to text fundamentalism. Sure, some of these interpretations do provide rhetorical allegiance to history by arguing that the verses of the Qur'an are accompanied by historical contextualization that locates the revelation within a material context, called "occasions of revelation" (*asbab al-nuzul*). The doctrine of textual abrogation (*naskh*) is also employed to show that a very rudimentary form of historiography is at work in the commentary tradition of the Qur'an. While this does provide some help, it still falls far short of making the complexity

2. Three foundational scholars of Islam's early centuries; see above.

3. From "The Painter in Modern Life" (1983) by

the French poet and critic Baudelaire (1821–1867); the phrase was famously quoted by Michel Foucault in "What Is Enlightenment?" (1984).

of the text understandable and intelligible to modern audiences, especially if the past is presented in apologetic and defensive terms. Such an approach prevents an honest, critical, and open understanding of how the revelation functioned in societies radically different than ours.

On other occasions there has been a predilection to provide a purposive interpretation of the text. This follows the method developed in jurisprudence called the purposive approach (*maqasid*) to legal passages in the Qur'an. Each legal verse or cluster of verses, scholars argue, attempts to fulfill a larger social, ethical, or religious function that is the real intention of the verse. It is these intentions that one must take seriously and not the literal intent of the verse. While this approach has no doubt brought some relief to really knotty problems, it remains inadequate. For without adequate historical support this approach can lead to the bowdlerization of the text. For then it means the more equipped the interpreter, the more effectively he or she could read meanings and intentions *into* the text or read meanings *off* the text as derivations from the text. In this case, the text remains sovereign, ignoring the reader or marginalizing the "community of the text" and their experiences as credible participants in the textual process. After all, what is a sacred scripture worth if it does not have a community of participants, listeners, and readers? All the sacred scriptures already exist in the mythical Preserved Tablet (*al-lawh al-mahfuz*) anyway, so why send it to humans when the angels already adore it more perfectly than us humans? From the misplaced pre-occupation with the sovereignty of the text *sans* community of the text, it is but a small step to the deification of the text that unfortunately already occurs. What many Muslims fail to discern is that the Qur'an is not God; the word of God can never be God, and to imagine it as such certainly raises very serious problems of a theological nature.

On further reflection, it will become apparent that the Qur'an itself prefigures a community of listeners and participants: without this audience it ceases to be the Qur'an. Let me explain. Literally the word *qur'an* means a "recitation." As a revelation it is recited by the human voice and heard by the human ear. In the final instance the message must both be heard and understood by the "heart," as the Qur'an literally puts it.⁴ In all this a fundamental presumption persists: the Qur'an as revelation requires an audience of listeners and speakers. In other words, a community is integral to it being a revelation. If one does not take that audience and community seriously, implicitly one has not taken revelation seriously. This audience is not a passive audience, but an **interactive audience** that engages with a performative revelation.

Something has happened in the reading of the Qur'an in modern Islam that goes in the opposite direction. Many Muslim audiences have little sensibility for the complex ways a revealed and performance text like the Qur'an is interpreted. The fact is that how the interpretation of the Qur'an is to be approached is not as easily available as free copies of the holy book. Instead many people read it like one reads a medical textbook or an engineering manual. So the Qur'an has been turned into a sovereign, passive, non-interactive text. In other words, it ceases to be a revelation that melts the heart of the reciter and/or listener. It no longer makes reverent readers' skin shiver in awe of the Divine. Instead of having readers being in awe of God, fierce warrior-readers of the Qur'an these days scare the wits out of

4. As in Qur'an 47:24: "Will they not then meditate on the Qur'an or are there locks on the hearts?"

believers and non-believers alike. Gone is how the Qur'an itself describes its effect on listeners and reciters. "God bestows from on high, the best of all teachings in the shape of a divine writ, fully consistent with itself, repeating each statement in manifold forms—[a Divine writ] that makes the flesh [literally, skin] of all those who stand in awe of their Sustainer shiver; but in the end their flesh and their hearts soften at the remembrance of the grace of God" (Q. 39:23).

Several attempts to introduce an element of complexity in the understanding of the Qur'an are beginning to lift our veil of ignorance. The work of Mohammed Arkoun, Nasr Hamid Abu Zayd, Khaled Abou El Fadl, Farid Esack, and Abdulkader Tayob⁵ among others is doing just that. A common-sensical reading of this complex text would be far too inadequate. The Qur'an as a text is alive within contemporary Muslim communities and is subject to multiple uses. In the past too it had contexts where it negotiated multiple agendas of the society in which it was first revealed; in short it has a political history. By "political history," I mean it also occurs against the backdrop of power and history. In its multiple iterations, the Qur'an continues to develop new and multiple histories as it is embodied in communities. In other words, we need to know not only the detailed social contexts in which God's revelation is played out in history but also how it plays out in history. For this reason it is so crucial to study the different communities of the Qur'an. Without that voice of the communities engaged with their scripture, we can hardly make sense of revelation and the various communities of revelation.

There has been a pattern in contemporary Muslim scholarship to let the sovereign voice of the Qur'an speak without the community of the Qur'an speaking and interacting with the Qur'an in deep and life-transforming conversations. For instance, modern Muslim interpreters, especially Muslim feminists, make too much of a few verses of the Qur'an that suggest reciprocal rights and duties between unequal spouses and then hasten to suggest that the Qur'an advocates egalitarianism as norm. In order to accept this one must pretend to be blind to the welter of evidence that suggests an outright patriarchy as the "textual" norm. Generations of Muslim scholars have correctly stated that the Qur'an advocates patriarchal norms, since that was the historical condition in which the Qur'an was revealed. By privileging a few verses and then suggesting that these isolated and singular verses should control the meaning and interpretation of numerous other verses, using the adage that "part of the Qur'an explains other parts" (*al-qur'an yufassiru ba'duhu ba'dan*) is nothing short of hermeneutical acrobatics or a hermeneutics of wishful thinking. It may be preferable to hear the Qur'an in its patriarchal voice but to understand it with the sensibility of an actor/reader/listener/reciter immersed in the process of revelation. It is that listener/reciter who discovers through her or his history, experience, and transformed inner sensibility that gender justice, equality, and fairness is a norm for our time, and not patriarchy.

Having once done the former kind of interpretation myself, I increasingly find it unfulfilling and unsatisfactory. I am more inclined to give history and the performative role of the revelation a greater place in an interpretive schema. A closer look at text fundamentalism suggests that it sustains several fictions.

5. All scholars of Islam active in the late 20th and early 21st century; for Arkoun, see above.

Such interpretations attempt to exclusively seek authority in some founding text. However, in doing so they fail to engage the revelatory text in an interactive manner. It is precisely such interactivity that transforms the human being who is ultimately the subject of revelation, and who has to embody the qualities that combat patriarchy and endorse justice and equality. Glossing the text with anti-patriarchal virtues is not the warrant of liberation or egalitarianism. Text fundamentalism in part perpetuates the fiction that the text actually provides the norms, and we merely “discover” the norms. The truth is that we “make” the norms in conversation with the revelatory text. If one reads medieval Muslim legal texts, one will note how the discursive formation orchestrated by the jurists constructs the norms. For this reason, many people are surprised how early Muslim jurists could give verdicts seemingly contrary to the explicit sense of the revealed text.

The answer is both simple and revealing: the earlier scholars gave greater credence to their specific social context and often gave the context decisive authority in the interpretation of the text by employing a very sophisticated hermeneutic. Thus, we find that some classical jurists argue that causing injury to the wife by means of beating is a ground for divorce, despite the Qur’an saying that a disobedient spouse can be chastized. Abu Hanifa has no objections to non-Muslims entering the holy city of Mecca, despite an explicit text of the Qur’an that deems the polytheists to be unclean and prevents them from entering the sacred mosque. For him the Qur’anic passage had a once-only application at the inception of Islam, when the holy sanctuary had to be dedicated to the faith of Islam, and has no subsequent mandate.

What is required is to explore the multiple interpretive methods that were employed by scholars in the past to discover the creativity they invested. In addition, we need to explore and develop new ways of interpretation of especially the revealed text in order to allow its full breadth and vision to speak to us in a transformative way.

Conclusion

This moment in history, more than any other, places an extraordinary burden on Muslim intellectuals. In short, there is an almost impossible expectation on us to provide solutions in places where none appears on the horizon, offer hope in times of utter despair, and address issues that are overwhelming in their magnitude and proportions. And yet, we dare not retreat. If anything we need to offer hope. Hope, as the novelist Anne Lamott says, is a revolutionary patience.⁶ The painstaking and soul-searching intellectual quest must be embraced boldly, creatively, and patiently. The uncomfortable questions have to be asked. If we do not, then the responsibility of learning and faith has gone unanswered.

6. Quoted from *Bird by Bird: Some Instructions on Writing and Life* (1994), by the American novelist and nonfiction writer (b. 1954).